

PROJECT COMMITMENTS

T.I.P. No. R-3307
US 70 Improvements
From Four Lanes at Radio Island
To North of Beaufort near Olga Road (SR 1429)
Beaufort, Carteret County
Federal Aid Project No. STPNHF-70(43)
WBS Project 34528.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Current status, changes, or additions to the project commitments as shown in the environmental document for the project are printed in *italics*.

Roadway Design Unit/Hydraulics Unit/Roadside Environmental Unit/Division 2

NCDOT's High Quality Water Guidelines (Design Standards in Sensitive Watersheds) will be implemented.

Design Standards in Sensitive Watersheds have been included in the current project design.

Roadway Design Unit/Division 2

The project will include 3:1 fill slopes in wetland areas to eliminate the need for guardrail.

3:1 fill slopes in wetland areas have been included in the current project design where practicable. However, 1.5:1 and 3:1 fill slopes with guardrail have been utilized between Stations 28+00 and 29+50 and between Stations 63+50 to 66+50, respectively, due to the height of embankment, which is too high to obtain the necessary clear zone recovery distance. Also, flatter fill slopes have been included in the wetland areas between Stations 172+00 and 182+00, where low fill embankments are present, to obtain necessary clear zone recovery distance and avoid the use of guardrail.

NCDOT will build a new sidewalk on the east side of Turner Street from north of the bridge to the proposed intersection with US 70 so that pedestrians from Mainsail and other developments will have improved access to downtown Beaufort.

This sidewalk has been included in the current project design.

NCDOT will install the conduit and pedestals necessary for lighting the Turner Street Bridge.

NCDOT has coordinated the design and spacing of the lighting with the Town of Beaufort and these have been included in the design plans for this project. This work will be completed during

construction; however, it will be the responsibility of the Town of Beaufort to pay for the wiring, purchase, installation, and maintenance of this lighting.

Roadway Design Unit/Hydraulics Unit

NCDOT will remove a portion of the causeway at Town Creek to aid the hydrology and ecological system for the area.

As part of the proposed design, a portion of the existing roadway along Turner Street and the metal pipe culverts at Town Creek shall be removed and replaced with a 580-foot long bridge. A mitigation plan for this area will be included as part of the proposed design.

During construction, NCDOT will avoid impacting the Beaufort-Morehead City Airport's stormwater detention pond located adjacent to the proposed alignment.

The alignment of proposed US Highway 70 was shifted away from this area of the airport's property in order to avoid impacts to the stormwater detention pond.

Roadway Design Unit/Local Programs Management Office

NCDOT will participate in an 80/20 costshare with the Town of Beaufort to install a sidewalk on the west side of Turner Street from north of the bridge to the proposed intersection with US 70.

This sidewalk has been included in the current project design. A supplement will be made to the existing Memorandum of Agreement (MOA) that outlines the cost that will be borne by the Town of Beaufort and their commitment to maintain these sidewalks.

Division 2

NCDOT will implement the "Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for North Carolina Waters."

These measures will be incorporated during construction.

NCDOT "Best Management Practices for Bridge Demolition and Removal" will be implemented on this project.

These measures will be incorporated during construction.

Project Development & Environmental Analysis Unit/Roadway Design Unit

NCDOT will coordinate the proposed design of the new bridge with the North Carolina Maritime Museum officials to minimize the project's effect on the museum expansion site (see Memorandum of Agreement (MOA)).

NCDOT has coordinated with the North Carolina Department of Cultural Resources (NCDRC) and the North Carolina Maritime Museum regarding the impact of the new bridge on the proposed museum expansion site and the results of this coordination have been incorporated into the final design.

Project Development & Environmental Analysis Unit

The measures outlined in the MOA and the Programmatic Section 4(f) Evaluation are recommended to minimize harm to Bridge #29 and the Beaufort Historic District. These include the following:

- Prior to the initiation of construction, NCDOT shall record the existing condition of the Carteret County Home and its surroundings in accordance with the Historic Structures and Landscape Recordation Plan (see Appendix A of FONSI) and submit the results to the North Carolina Historic Preservation Office (NCHPO) so there is a permanent record of the property. If, prior to the completion of the project, the owners of the Carteret County Home donate the building for relocation to a qualified preservation organization, such as Preservation North Carolina, NCDOT will provide funding up to \$75,000 to the preservation organization to assist in the move of the building to a new site within Carteret County. In consideration of such assistance, the preservation organization shall ensure that covenants are placed on the building to require its rehabilitation and preservation in perpetuity.

This will be completed prior to construction.

- Prior to initiation of construction, NCDOT shall record the existing condition of Bridge #29 and its surroundings in accordance with the attached Historic Structures and Landscape Retention Plan and submit the results to the NCHPO so there is a permanent record of the bridge.

NCDOT's Historic Architecture group will record the existing condition of the Grayden Paul Bridge (Bridge #29) prior to construction. Division 2 personnel will coordinate with the contractor to ensure that the Historic Architecture Group is notified at least one week in advance of the existing bridge being removed.

- NCDOT, in accordance with its Bridge Reuse and Relocation Program, shall transfer Bridge #29 to the NC Maritime Museum. Up to the cost of what it would have cost NCDOT to demolish and remove the bridge, NCDOT is responsible for removing and delivering Bridge #29 to a location specified by the museum.

The North Carolina Maritime Museum has decided not to take any portion of Bridge #29 once it is removed; therefore, NCDOT will dismantle and dispose of the existing structure during the construction phase of this project.

- NCDOT shall ensure that an interpretive display about the presence and history of Bridge #29 on its original site and directions to its new site are installed within the public use area.

The PDEA Planning Engineer will coordinate with the Historic Architecture Group and the NCHPO to design and produce an appropriate interpretive display that shows what Bridge #29 used to look like, how it worked, and why it was important. This display will be placed in a location that overlooks the original site of the bridge and will be installed by NCDOT's Division 2.

Project Development & Environmental Analysis Unit/Natural Environment Section

Due to unanticipated utility relocations, the beginning project limits have been expanded slightly on the west side of the existing Gallants Channel Bridge near SR 1208 (Pivers Island Road). Wetland delineations have already been completed to determine if additional impacts will occur in this area, and any pertinent permits will be modified to reflect these changes if necessary.

Project Development & Environmental Analysis Unit/Division 2

The NCDOT, NCHPO, and the Museum will explore opportunities and other means, such as Transportation Enhancement funds, to further ensure the preservation of the bridge and its use as an educational element within the Museum's Gallants Channel campus.

The North Carolina Maritime Museum has decided not to take any portion of Bridge #29 once it is removed; therefore, NCDOT will dismantle and dispose of the existing structure during the construction phase of this project.

NCDOT will consult with the NCHPO, Town of Beaufort, and North Carolina Wildlife Resources Commission (WRC) to develop and implement a plan for future public use of the Bridge #29 site, including approaches in the Town of Beaufort that constitute the US 70 right-of-way. Thereafter, a Memorandum of Understanding (MOU) may be developed between NCDOT, the Town of Beaufort, NCHPO and WRC, if it agrees to participate, to provide a detailed plan for future public use.

The Town of Beaufort has retained a consultant to develop plans for improving the entrances into their town, including the US 70 (Cedar Street) site where the existing Bridge #29 is located. NCDOT will coordinate with the Town to ensure that their future plans for this site are in accordance with current standards.

If the proposed Gallants Channel Bridge has not been fully constructed by 4/26/13, NCDOT will coordinate with the Federal Aviation Administration (FAA) regarding the filing and approval of an extension of the obstruction analysis determination.

NCDOT's Division 2 Office will contact the PDEA Planning Engineer about coordinating with the FAA if an extension is necessary.

NCDOT will submit FAA Form 7460-2, a Notice of Actual Construction or Alteration, within 5 days after the construction reaches its greatest height in order to remain in compliance with the FAA's obstruction analysis determination.

NCDOT's Division 2 Office will contact the PDEA Planning Engineer one month in advance of the construction of the highest point of the bridge so that the PDEA Unit can prepare and submit this form within the appropriate 5-day time frame.

NCDOT will coordinate with the Town of Beaufort regarding the removal of and reimbursement for the boardwalk along Turner Street prior to construction.

NCDOT's Division 2 Right of Way Office is in the process of coordinating with the Town regarding a settlement for the value of the boardwalk. It will be removed by NCDOT as part of the project construction.

Project Development & Environmental Analysis Unit/Roadway Design Unit/Division 2

NCDOT will allow the North Carolina Maritime Museum to operate their Junior Sailing Program until ninety days prior to the construction of the new Gallants Channel Bridge, and will also coordinate with the NC Department of Cultural Resources (NCDCCR) and the NC Maritime Museum to accommodate the continued operation of this program after construction is complete.

NCDOT and the NCDCCR will develop a Memorandum of Understanding (MOU) to allow the continued operation of the Junior Sailing Program, provided that the NCDCCR receives a statute from the General Assembly allowing the non-highway use of highway right of way. NCDOT has coordinated with the NC Maritime Museum to make sure that design-specific details required for continued operation of this program were included in the final design plans.

Roadway Design Unit

As part of the subject project, improvements along Turner Street within the Beaufort Historic District will be completed within the existing right-of-way. No additional right-of-way will be obtained.

The current design plans reflect this commitment, although some permanent drainage easement will be needed. However, the effect on the Beaufort Historic District will not be adverse. NCDOT has coordinated this de minimus Section 4(f) impact with the NCHPO and FHWA.

No more than three lanes will result from any lane reconfigurations on Turner Street within the Beaufort Historic District.

Turner Street within the Beaufort Historic District is being widened to three lanes only as shown on the proposed design plans.

Bicycle travel will be accommodated by the use of 4-foot paved shoulders on roadway sections and 4-foot offsets with 54-inch bicycle safe railings.

4-foot paved shoulders on the roadway and 4-foot offsets with bicycle safe railings on the bridge have been included as part of the project design.

Any sections of existing sidewalk on Turner Street within the Beaufort Historic District affected by construction will be replaced.

Existing sidewalks will be replaced as necessary during construction and are reflected in the current design.

Project Development & Environmental Analysis Unit/Roadway Design Unit/ Structure Design Unit

NCDOT will consult with NCHPO to address the design options and height for the proposed new bridge on Turner Street over Town Creek.

NCDOT has consulted with NCHPO on these issues and is incorporating NCHPO's requests into the final design, including:

- *The use of a three-bar metal rail*
- *Sidewalks on both sides of the bridge*
- *Conduit and pedestals for lighting on the bridge*

NCDOT will consult with NCHPO to address the design options for the proposed new bridge over Gallants Channel to limit visual and audible impacts on the National Register-listed Beaufort Historic District.

NCDOT has consulted with NCHPO on these issues and is incorporating NCHPO's requests into the final design, including:

- *The construction of a parapet and a two-bar metal rail*

COMMITMENTS FROM PERMITTING

Division 2

CULTURAL RESOURCES:

The permittee shall adhere to the provisions of the "Memorandum of Agreement (MOA) between the Federal Highway Administration and North Carolina State Historic Preservation Officer for US 70 Improvements from Four Lanes at Radio Island to North of Beaufort near Olga Road", signed by the Federal Highway Administration on September 17, 2006, which is incorporated herein by reference. Any proposed alteration to the MOA shall be coordinated with

the North Carolina State Historic Preservation Office. The permittee shall notify the Wilmington District of any approved alterations to the MOA.

If submerged cultural resources are encountered during the operation, the District Engineer will be immediately notified so that coordination can be initiated with the Underwater Archeology Unit (UAU) of the Department of Cultural Resources. In emergency situations, the permittee should immediately contact Mr. Chris Southerly at Fort Fisher (910-458-9042), so that a full assessment of the artifacts can be made.

THREATENED AND ENDANGERED SPECIES:

The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work- July 2005" and utilize "The Guidelines for Avoiding Impacts to the West Indian Manatee Precautionary Measures for Construction Activities in North Carolina Waters" provided as an Attachment of this permit.

NOTIFICATION OF CONSTRUCTION COMMENCEMENT AND COMPLETION:

The permittee shall advise the Corps in writing prior to beginning the work authorized by this permit and again upon completion of the work authorized by this permit. Additionally, the permittee shall notify NOAA/NATIONAL OCEAN SERVICE Chief Source Data Unit NC S 261, 1315 E West HWY- RM 7316, Silver Spring, MD 20910-3282 at least two weeks prior to beginning work and upon completion of work.

Division 2/ PDEA/Roadside Environmental Unit

PERMITTEE RESPONSIBLE MITIGATION:

The Permittee shall fully implement the compensatory mitigation plan, entitled Turner Street Marsh Restoration Plan, dated February 3, 2012 for the unavoidable impacts to 0.50 acres of Brackish/Salt Marsh wetlands. Activities prescribed by this plan shall be initiated prior to, or concurrently with, commencement of any construction activities within jurisdictional areas authorized by this permit. The permittee shall re-establish 1.4 acres of Brackish/Salt Marsh wetlands in accordance with the plan with the following conditions:

The permittee shall maintain the entire mitigation site in its natural condition, as altered by the work in the mitigation plan, in perpetuity. Prohibited activities within the mitigation site specifically include, but are not limited to: Filling; grading; excavating; earth movement of any kind; construction of roads, walkways, buildings, signs, or any other structure; any activity that may alter the drainage patterns on the property; the destruction, cutting, removal, mowing, or other alteration of vegetation on the property; disposal or storage of any garbage, trash, debris or other waste material; graze or water animals, or use for any agricultural or horticultural purpose; or any other activity which would result in the property being adversely impacted or destroyed, except as specifically authorized by this permit.

The permittee shall contact the Corps of Engineers, Wilmington Regulatory Field Office; NCDOT Regulatory Project Manager for the project, to provide that individual with the opportunity to attend the annual mitigation monitoring meetings.

The wetland restoration areas shall be fully contained by silt fence until all of the unsuitable fill material has been removed and the restoration areas have been restored to the approximate natural elevation of the adjacent, similar, and undisturbed wetlands and stabilized with appropriate coastal wetland vegetation.

Division 2

BRIDGE REMOVAL:

All portions of the existing bridge within Public Trust Waters shall be removed immediately upon completion of the new bridge. Pilings from the existing bridge, as well as remnant pilings from previous bridges, shall be removed in their entirety, except that in the event that a piling breaks during removal and cannot be removed in its entirety, the piling may be cut off flush with the bed of the water body, and DCM shall be notified of each occurrence within one working day.

This condition has been modified. Please see the attached Letter of Refinement from NCDWM, authorizing the existing bascule piers to be cut above the seal rather than pulled.

The temporary work bridges shall be removed in their entirety within 90 days after they are no longer needed.

CHANNEL RELOCATIONS:

Channel relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills.

NAVIGATION- SECTION 10:

This permit does not authorize the interference with any existing or proposed Federal project, and the Permittee will not be entitled to compensation for damage or injury to the authorized structure or work which may be caused from existing or future operations undertaken by the United States in the public interest.

The authorized structure and associated activity must not interfere with the public's right to free navigation on all navigable waters of the United States. No attempt will be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work for reasons other than safety.

The Permittee must install and maintain, at its expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on all authorized facilities constructed within navigable waters of the United States.

It is possible that the authorized structure may be damaged by wave wash from passing vessels. The issuance of this permit does not relieve the Permittee from taking all proper steps to ensure the integrity of the permitted structure and the safety of moored boats and barges. The Permittee will not hold the United States liable for any such damage.

Per coordination with USACE Waterways Management Section, "slow speed" signs will be placed on the new bridge structure. Additional coordination with NCWRC is needed to ensure the signs meet their specifications.

The temporary work bridges shall have a vertical and horizontal opening no less than the existing bridge structure if they span the entire navigational channel. If the temporary work bridge does not span the existing navigational channel and a horizontal navigational opening is left equal to or greater than the existing navigational zone under the existing bridge, then the temporary work bridges vertical clearance can be less than the existing opening.

PILE INSTALLATION:

The installation of bridge piles shall be performed by pile driving and/or the use of vibratory hammer. Should the permittee and/or its contractor desire to utilize another type of pile installation, such as drilled shaft or jetting, additional DCM authorization shall be required.

BARGES:

All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. If work conditions require barges and if necessary, they shall be floated into position and then sunk. The barges shall not be sunk and then dragged into position. Under no circumstances should barges be dragged along the bottom of the surface water.

Barges shall be removed promptly when they are no longer needed.

Barges shall be utilized only in areas of sufficient depth such that the barges do not rest on the bottom during periods of low tide.

Caution shall be exercised with placement and removal of any barges to ensure that impacts to shallow water habitat are avoided and minimized to the maximum extent practicable.

WATER QUALITY:

Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of Stormwater Best Management Practices.

For projects impacting waters classified by the NC Environmental Management Commission as High Quality Waters (HQW) stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged.

Turbidity curtains shall be used to isolate all work areas within Gallants Channel, including pile driving and drilling activities, casement installation, placement of riprap, excavation or filling. Strict adherence to the Construction and Maintenance Best Management Practices will be required.

The permittee shall use "Design Standards in Sensitive Watersheds" (15A NCAC 4B.O 124[a]-[e]) in areas draining to HQW waters. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres. Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control.

PIPE INSTALLATION:

If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.

Division 2/ Roadside Environmental Unit

EROSION CONTROL:

With exception of Creeping Red Fescue (*Festuca rubra*), tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with an appropriate native seed mix on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.

Division 2

US COAST GUARD PERMIT CONDITIONS:

The Contractor shall submit the plans and schedule of operation for approval at least 45 days prior to commencement of work in the waterway. One copy of such information shall be submitted concurrently to the Resident Engineer, the United States Coast Guard Commander

(dpb); Federal Building, 4th Floor, 431 Crawford Street; Portsmouth, VA 23704-5004, and the U. S. Coast Guard Sector North Carolina at 2301 East Fort Macon Road, Atlantic Beach, NC 28512-5633. The information shall include a sketch of the waterway; the bridge; the location of any restrictions that will be placed in the waterway such as barges, anchors, and anchor lines; the location and height above mean high water and detailed description of any scaffolding, or netting; detailed description indicating the placement, type and dimension of any cofferdams if used. The schedule should also include the hours of operation and whether or not the equipment will be removed at night. The contractor shall comply with all provisions of the Navigation Rules International- Inland, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. The Contractor shall submit to the Resident Engineer a copy of all correspondence between the Coast Guard. No deviation from the approved plans and schedule of operation may be made unless the modification has previously been submitted and approved by the Coast Guard.

All bridge closures for the existing-to-be-replaced bridge shall be requested in writing to be received at this office at least 15 days in advance. If any closures will exceed three consecutive days, we must be advised at least 30 days in advance so that we may make the appropriate marine notifications. Time restrictions for the navigational traffic shutdown shall be strictly adhered to. Any request for an extension of the closure dates stated above shall be forwarded at least 30 days in advance to the Coast Guard for approval.

At no time during the work will the waterway be closed to navigation without prior approval from the Coast Guard. You are required to maintain close and regular contact with Coast Guard Sector North Carolina to keep them informed to activities in the waterway at (252) 247-4570.

Barges that are used in the waterway during the project must be marked. Enclosure (2) outlines temporary marking and lighting requirements for barges and structures not part of the bridge that will be used during construction. If barge or float anchor lines are used, they must be marked by buoys, which should be lighted. If you should have any questions, regarding lights on the barges or work floats, please contact Mr. John Walters, Chief, Waterways Management Section, at (757) 398-6230. Floating equipment shall have a radiotelephone capable of operation from its main control station in accordance with Part 26 of Title 33, Code of Federal Regulations and shall be monitored during all periods the floating equipment is on station.

During the progress of work, while the channel is in operation, should any material, machinery or equipment be lost, dumped, thrown overboard, sunk or misplaced which may be dangerous to or obstruct navigation, immediate notice shall be given to the Coast Guard and the object removed with the utmost dispatch. Until removal can be effected, the objects shall be properly marked in order to protect navigation. Notice to the Coast Guard shall give a description and location of any such object and the action taken or being taken to protect navigation.

Upon completion of the proposed project, an inspection of the waterway bottom shall be performed to insure that all construction waste materials have been completely removed. Certification will be required in writing by a licensed engineer or licensed surveyor that the waterways have not been impaired and all construction related debris has been cleared from it.

The certification shall include the actual method used to conduct the inspection. The Contractor shall remove any bridge related debris, resulting from the current or prior work or occurrences, discovered during this survey.

Upon completion of the bridgework, a responsible official of the North Carolina Department of Transportation shall verify as-built clearances and a statement attesting to the correctness of the clearances shall be forwarded to this office for record purpose. In lieu of verification by the above listed official, certification by a licensed surveyor or registered professional engineer registered in the State of North Carolina will be accepted.

Except as shown on the plans, no dredging, excavation, filling, rip-rap, or other work affecting the bottoms, shall be done in conjunction with this work.

If during the periods of construction, permanent lighting cannot be maintained operable, the fenders of each pier shall be marked with a battery or power operated white light of not less than 60 flashes per minute and visible for a range of 2,000 yards on 90% of the nights of the year. Generally, a lamp of 20-candle power will meet these requirements. If necessary to obtain coverage required, a light or lights on the upstream and downstream sides shall be installed. The piers shall be so marked until the construction has been completed and permanent navigational lighting has been reinstalled and determined to be operating satisfactorily. Written approval from the Coast Guard of temporary lighting during periods of construction is required. No existing bridge navigation lights shall be impaired or blocked during darkness or periods of reduced visibility.

Compliance with the requirements stated herein does not relieve the contractor of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of the State of North Carolina, or any other federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge. It is advised that the Coast Guard can levy monetary civil penalties for violations of bridge regulations and statutes.

In accordance with Title 33 Code of Federal Regulations Part 118.25- Application procedure, approval of lights and other signals required shall be obtained prior to construction. Application shall be by letter accompanied by duplicate sets of drawings showing (1) the plan and elevation of the structure showing lights and signals proposed, and (2) a small scale vicinity chart showing proposed bridge and all other bridges within 1,000 feet above or below the proposed bridge.

The office of the Bridge Program Manager, Fifth Coast Guard District, shall be notified immediately upon completion of the project. No deviation from the approved plans may be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

The construction of falsework, pilings, cofferdams or other obstructions, if required, shall be in accordance with plans submitted to and approved by the Commander, Fifth Coast Guard District, prior to construction of the bridge. All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired.

Timely notice of any and all events that may affect navigation shall be given to the District Commander during construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in the judgment of the District Commander the construction work has reached a point where such action should be taken, but in no case later than 90 days after the bridge has been opened to traffic.

Issuance of the USCG permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of any federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge.

A bridge tendering system shall be installed and maintained in good condition by and at the expense of the owner of the bridge when so required by the District Commander. Said installation and maintenance shall be for the safety of navigation and be in accordance with plans submitted to and approved by the District Commander.

A bridge tendering system was not required by the USCG.

Clearance gauges shall be installed and maintained in a good and legible condition by and at the expense of the owner of the bridge. The type of gauges and the locations in which they are to be installed will be submitted to the District Commander for approval.

All parts of the existing to-be-replaced Grayden Paul Bridge across Gallants Channel, mile 0.1, not utilized in the new bridge shall be removed in their entirety and the waterway cleared to the satisfaction of the District Commander. A period of 90 days subsequent to the opening to traffic of the new bridge, mile 0.3, will be allowed for such removal and clearance.

Per personal communication (12/17/2013) with USCG Fifth District Office of Bridge Programs, the 90 day requirement for removal and clearance is pertinent only to the navigational channel.

When the proposed bridge is no longer used for transportation purposes, it shall be removed in its entirety or to an elevation deemed appropriate by the District Commander and the waterway cleared to the satisfaction of the District Commander. Such removal and clearance shall be completed by and at the expense of the owner of the bridge upon due notice from the District Commander.

This condition has been modified. Please see the as-built sketch and attached emails from USCG, USACE-Navigation and USACE-Regulatory, authorizing the existing bascule piers to be cut above the seal.

The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within three years and completed within five years after the date of the USCG permit.



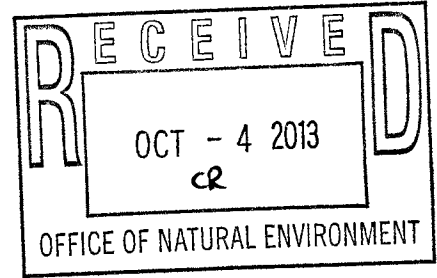
REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

September 27, 2013

Regulatory Division

Action ID: SAW-2010-02125



North Carolina Department of Transportation
Natural Environment Section Head,
Project Development & Environmental Analysis Unit
Mr. Phil Harris
1598 Mail Service Center
Raleigh, North Carolina 27699

Dear Mr. Harris:

In accordance with your written request of January 24, 2012 and the ensuing administrative record, enclosed is a copy of a Department of the Army (DA) permit to impact approximately 6.94 acres of DA jurisdictional wetlands and 851 linear feet of surface waters associated with the NCDOT TIP No. R-3307; Gallants Channel Bridge, related approaches and upgrades to US 70 located near the town of Beaufort, Carteret County, North Carolina.

Any deviation in the authorized work will likely require modification of this permit. If a change in the authorized work is necessary, you should promptly submit revised plans to the Corps showing the proposed changes. You may not undertake the proposed changes until the Corps notifies you that your permit has been modified.

Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

- a. You must complete construction before December 31, 2018.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

You should address all questions regarding this authorization to Ms. Tracey L. Wheeler in the Washington Regulatory Field Office, telephone number (910) 251-4627.

Thank you in advance for completing our Customer Survey Form. This can be accomplished by visiting our website at <http://per2.nwp.usace.army.mil/survey.html> and completing the survey on-line. We value your comments and appreciate your taking the time to complete a survey each time you interact with our office.

Sincerely,



Steven A. Baker
Colonel, U. S. Army
District Commander

Enclosures

Copies Furnished (with enclosures):

Chief, Source Data Unit
NOAA/National Ocean Service
1315 East-west Hwy., Rm 7316
Silver Spring, MC 20910-3282

Mr. Todd Bowers
Wetlands and Marine Regulatory Section
Water Protection Division - Region IV
U. S. Environmental Protection Agency
61 Forsyth St. SW
Atlanta, GA 30303-8931

Copies Furnished with special conditions
and plans:

U. S. Fish and Wildlife Service
Fish and Wildlife Enhancement
Post Office Box 33726
Raleigh, North Carolina 27636-3726

Mr. Doug Huggett
Division of Coastal Management
N.C. Department of Environment
and Natural Resources
400 Commerce Avenue
Morehead City, North Carolina 28557

Mr. Fritz Rhodes
National Marine Fisheries Service
101 Pivers Island Road
Beaufort, North Carolina 28516

Mr. Pace Wilber
National Marine Fisheries Service
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

DEPARTMENT OF THE ARMY PERMIT

Permittee: NC Division of Transportation/Mr. Phil Harris, Project Development and Environmental Analysis

RECEIVED

Permit No.: SAW-2010-02125

SEP 27 2013

Issuing Office: CESA-W-RG-W

REG. WILM. FLD. OFC.

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The improvements involve replacement of the existing drawbridge over Gallants Channel and related approaches, with a longer high-rise fixed bridge and improve US 70 to a multilane facility. The proposed 3,395-foot bridge will carry a 4-lane divided roadway with 12-foot travel lanes, 8-foot bridge offsets, a 4-foot raised island, and a 1-foot offset on each side. In addition, improvements to Turner Street include a 40-foot, three-lane curb and gutter section with two 12-foot travel lanes, and a 12-foot center turn lane. A 585-foot bridge with 8-foot offsets is proposed to replace the 61-foot box culvert on Turner Street. Total project length is 3.6 miles.

Project Location: The project location begins on US 70 from the existing four lanes at Radio Island and ends north of Olga Road (SR 1426), Latitude 34.722468N. Longitude -76.650331 and ending at Latitude 34.749209 N, Longitude -76.630814W. It's north of the existing US 70 drawbridge over section 10 waters and in abutting coastal marsh and wetlands that are adjacent to the Newport River and relocates US 70 on new location for approximately 3.6 miles

General Conditions:

1. The time limit for completing the work authorized ends on December 31, 2018. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit,

Special Conditions:

SEE ATTACHED SPECIAL CONDITIONS

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

E. L. Lusk for Richard W. Hancock, PE Sept 26, 2013
(PERMITEE) NC Department of Transportation (DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

[Signature] 27 SEP 2013
(DISTRICT COMMANDER) STEVEN A. BAKER, COLONEL (DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEEE) (DATE)

SPECIAL CONDITIONS

Action I.D. # SAW-2010-02125; NCDOT TIP No. R-3307, Gallants Channel Bridge Replacement on US 70 over the Newport River and US 70 Bypass of Beaufort, Carteret County, North Carolina.

In accordance with 33 U.S.C. 1341(d), all conditions of the North Carolina Division of Coastal Management consistency determination and the North Carolina Division of Water Quality 401 Water Quality Certification dated April 30, 2012, are incorporated as part of the Department of the Army permit. Therefore they are not listed as special conditions.

WORK LIMITS

1. CONSTRUCTION PLANS: All work authorized by this permit must be performed in strict compliance with the attached plans dated January 24, 2012, which are a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.

2. UNAUTHORIZED DREDGE OR FILL: Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area. This prohibition applies to all borrow and fill activities connected with this project.

3. MAINTAIN CIRCULATION AND FLOW OF WATERS: Except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within waters or wetlands or to reduce the reach of waters or wetlands.

4. DEVIATION FROM PERMITTED PLANS: Except as authorized by this permit or any USACE approved modification to this permit, no excavation, fill, or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, within waters or wetlands, or shall any activities take place that cause the degradation of waters or wetlands. There shall be no excavation from, waste disposal into, or degradation of, jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit, including appropriate compensatory mitigation. This prohibition applies to all borrow and fill activities connected with this project. In addition, except as specified in the plans attached to this permit, no excavation, fill or mechanized land-clearing activities shall take place at any time in the construction or maintenance of this project, in such a manner as to impair normal flows and circulation patterns within, into, or out of waters or wetlands or to reduce the reach of waters or wetlands.

5. BORROW AND WASTE: To ensure that all borrow and waste activities occur on high ground and do not result in the degradation of adjacent waters and wetlands, except as authorized by this permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material or to dispose of dredged, fill or waste material. The permittee shall

provide the Corps of Engineers with appropriate maps indicating the locations of proposed borrow or waste sites as soon as such information is available. The permittee will coordinate with the Corps of Engineers before approving any borrow or waste sites that are within 400 feet of any stream or wetland. All jurisdictional wetland delineations on borrow and waste areas shall be verified by the Corps of Engineers and shown on the approved reclamation plans. The permittee shall ensure that all such areas comply with Special Condition 4 of this permit and shall require and maintain documentation of the location and characteristics of all borrow and disposal sites associated with this project. This documentation will include data regarding soils, vegetation and hydrology sufficient to clearly demonstrate compliance with Special Condition 4. All information will be available to the Corps of Engineers upon request. The permittee shall require its contractors to complete and execute reclamation plans for each waste and borrow site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps of Engineers within 30 days of the completion of the reclamation work.

6. PRECONSTRUCTION MEETING: The permittee shall schedule and attend a preconstruction meeting between its representatives, the contractors representatives, and the Corps of Engineers, Washington Regulatory Field Office, NCDOT Regulatory Project Manager, prior to any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all the terms and conditions contained with this Department of Army Permit. The permittee shall provide the USACE, Washington Regulatory Field Office, NCDOT Project Manager, with a copy of the final permit plans at least two weeks prior to the preconstruction meeting along with a description of any changes that have been made to the project's design, construction methodology or construction timeframe. The permittee shall schedule the preconstruction meeting for a time frame when the USACE, NCDOT, and NCDWQ Project Managers can attend. The permittee shall invite the Corps, NCDOT, and NCDWQ Project Managers a minimum of thirty (30) days in advance of the scheduled meeting in order to provide those individuals with ample opportunity to schedule and participate in the required meeting.

RELATED LAWS

7. SEDIMENTATION/EROSION CONTROL PLAN:

- a.) During the clearing phase of the project, heavy equipment must not be operated in surface waters or stream channels. Temporary stream crossings will be used to access the opposite sides of stream channels. All temporary diversion channels and stream crossings will be constructed of non-erodible materials. Grubbing of riparian vegetation will not occur until immediately before construction begins on a given segment of stream channel.
- b.) No fill or excavation impacts for the purposes of sedimentation and erosion control shall occur within jurisdictional waters, including wetlands, unless the impacts are included on the plan drawings and specifically authorized by this permit.
- c.) The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades on those areas, prior to project completion.

d.) The permittee shall use appropriate sediment and erosion control practices which equal or exceed those outlined in the most recent version of the "North Carolina Sediment and Erosion Control Planning and Design Manual" to assure compliance with the appropriate turbidity water quality standard. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to assure compliance with the appropriate turbidity water quality standards. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4). Adequate sedimentation and erosion control measures must be implemented prior to any ground disturbing activities to minimize impacts to downstream aquatic resources. These measures must be inspected and maintained regularly, especially following rainfall events. All fill material must be adequately stabilized at the earliest practicable date to prevent sediment from entering into adjacent waters or wetlands.

8. WATER CONTAMINATION: All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

9. COASTAL ZONE MANAGEMENT ACT: The Permittee shall fully abide by all conditions of the CAMA Major Development Permit No. 37-12, dated May 7, 2012 issued by the North Carolina Division of Coastal Management, which are incorporated herein by reference.

10. CULTURAL RESOURCES:

a.) The permittee shall adhere to the provisions of the "Memorandum of Agreement (MOA) between the Federal Highway Administration and North Carolina State Historic Preservation Officer for US 70 Improvements from Four Lanes at Radio Island to North of Beaufort near Olga Road", signed by the Federal Highway Administration on September 17, 2006, which is incorporated herein by reference. Any proposed alteration to the MOA shall be coordinated with the North Carolina State Historic Preservation Office. The permittee shall notify the Wilmington District of any approved alterations to the MOA.

b.) If submerged cultural resources are encountered during the operation, the District Engineer will be immediately notified so that coordination can be initiated with the Underwater Archeology Unit (UAU) of the Department of Cultural Resources. In emergency situations, the permittee should immediately contact Mr. Chris Southerly at Fort Fisher (910/458-9042), so that a full assessment of the artifacts can be made.

11. ENDANGERED SPECIES ACT:

a.) **THREATENED AND ENDANGERED SPECIES:** All necessary precautions and measures

will be implemented so that any activity will not kill, injure, capture, harass, or otherwise harm any protected federally listed species. While accomplishing the authorized work, if the permittee discovers or observes a damaged or hurt listed endangered or threatened species, the District Engineer will be immediately notified to initiate the required Federal coordination.

b.) The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work – July 2005" and utilize "The Guidelines for Avoiding Impacts to the West Indian Manatee-Precautionary Measures for Construction Activities in North Carolina Waters" provided as an Attachment of this permit.

PROJECT MAINTENANCE

12. NOTIFICATION OF CONSTRUCTION COMMENCEMENT AND COMPLETION:

The permittee shall advise the Corps in writing prior to beginning the work authorized by this permit and again upon completion of the work authorized by this permit.

a.) Prior to construction within any jurisdictional areas, the permittee must correctly install silt fencing (with or without safety fencing) parallel with the construction corridor, on both sides of the jurisdictional crossing. This barrier is to serve both as an erosion control measure and a visual identifier of the limits of construction within any jurisdictional area. The permittee must maintain the fencing, at minimum, until the wetlands have re-vegetated and stabilized.

13. CLEAN FILL: Unless otherwise authorized by this permit, all fill material placed in waters or wetlands shall be generated from an upland source and will be clean and free of any pollutants except in trace quantities. Metal products, organic materials (including debris from land clearing activities), or unsightly debris will not be used. Soils used for fill shall not be contaminated with any toxic substance in concentrations governed by Section 307 of the Clean Water Act.

14. PERMIT DISTRIBUTION: The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit. A copy of this permit, including all conditions, shall be available at the project site during construction and maintenance of this project.

15. SILT-FENCING: The permittee shall employ all sedimentation and erosion control measures necessary to prevent an increase in sedimentation or turbidity within waters and wetlands outside the permit area. This shall include, but is not limited to, the immediate installation of silt fencing or similar appropriate devices around all areas subject to soil disturbance or the movement of earthen fill, and the immediate stabilization of all disturbed areas. Additionally, the project must remain in full compliance with all aspects of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statutes Chapter 113A Article 4).

16. PERMIT REVOCATION: The permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the work will, without expense to the United

States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the water or wetland to its pre-project condition.

17. EROSION CONTROL MEASURES IN WETLANDS: The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades in those areas, prior to project completion.

18. TEMPORARY DISCHARGES: Temporary discharge of excavated or fill material into wetlands and waters of the United States will be for the absolute minimum period of time necessary to accomplish the work. All authorized temporary wetland, stream, and tributary impacts will be returned to pre-disturbance grade and contour, and re-vegetated.

ENFORCEMENT

19. REPORTING ADDRESS: All reports, documentation and correspondence required by the conditions of this permit shall be submitted to the following address: U.S. Army Corps of Engineers, Regulatory Division, Washington Regulatory Field Office, c/o Mr. Thomas Steffens 2407 West 5th Street, Washington, North Carolina 27889, and by telephone at: 910-251-4615. The Permittee shall reference the following permit number, SAW-2010-02125 on all submittals.

20. REPORTING VIOLATIONS OF THE CLEAN WATER ACT AND RIVERS AND HARBORS ACT: Violation of these conditions or violation of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act must be reported in writing to the Wilmington District U.S. Army Corps of Engineers within 24 hours of the discovery of the violation.

21. COMPLIANCE INSPECTION: A representative of the Corps of Engineers will periodically and randomly inspect the work for compliance with these conditions. Deviations from these procedures may result in an administrative financial penalty and/or directive to cease work until the problem is resolved to the satisfaction of the Corps.

COMPENSATORY MITIGATION

22. North Carolina Ecosystem Enhancement Program (NCEEP) In-Lieu Fee program: In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility Transfer Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.

23. Permittee Responsible Mitigation: The Permittee shall fully implement the compensatory mitigation plan, entitled Turner Street Marsh Restoration Plan, dated February 3, 2012 for the unavoidable impacts to 0.50 acres of Brackish/Salt Marsh wetlands. Activities prescribed by this plan shall be initiated prior to, or concurrently with, commencement of any construction activities within jurisdictional areas authorized by this permit. The permittee shall re-establish 1.4 acres of Brackish/Salt Marsh wetlands in accordance with the plan with the following conditions:

- a.) The permittee, NCDOT, is the party responsible for the implementation, performance and long term management of the compensatory mitigation project.
- b.) Any changes or modifications to your mitigation plan shall be approved by the Corps.
- c.) The permittee shall maintain the entire mitigation site in its natural condition, as altered by the work in the mitigation plan, in perpetuity. Prohibited activities within the mitigation site specifically include, but are not limited to: Filling; grading; excavating; earth movement of any kind; construction of roads, walkways, buildings, signs, or any other structure; any activity that may alter the drainage patterns on the property; the destruction, cutting, removal, mowing, or other alteration of vegetation on the property; disposal or storage of any garbage, trash, debris or other waste material; graze or water animals, or use for any agricultural or horticultural purpose; or any other activity which would result in the property being adversely impacted or destroyed, except as specifically authorized by this permit.
- d.) In accordance with the mitigation plan, the permittee will identify the proposed preservation mechanism to be used to maintain the entire mitigation site in perpetuity, subject to the approval of the Wilmington District. The District considers preservation of property for compensatory mitigation purposes to consist of maintaining the property in its natural condition, or, if restoration, creation, or enhancement work has been performed on the property, in its mitigated condition. There are several preservation mechanisms that may be used to preserve mitigation property, including, conservation easements, restrictive covenants, and conservation declaration of restrictions. Fee conveyance to an acceptable conservation organization may also be acceptable. The permittee shall not sell or otherwise convey any interest in the mitigation property used to satisfy the mitigation requirements for this permit to any third party, without prior written approval from the Wilmington District Corps of Engineers.
- e.) All mitigation areas shall be monitored for a minimum of 5 years or until deemed successful by the Corps in accordance with the monitoring requirements included in the mitigation plan.
- f.) The permittee shall submit an As-Built survey report to the Wilmington District within 90 days after completing construction of the mitigation site.
- g.) The permittee shall contact the Corps of Engineers, Wilmington Regulatory Field Office; NCDOT Regulatory Project Manager for the project, to provide that individual with the opportunity to attend the annual mitigation monitoring meetings
- h.) If the compensatory mitigation fails to meet the performance standards 5 years after completion of the compensatory mitigation objectives, the compensatory mitigation will be deemed unsuccessful. Within 60 days of notification by the Corps that the compensatory mitigation is unsuccessful, the Permittee shall submit to the Corps an alternate compensatory mitigation proposal to fully offset the functional loss that occurred as a result of the project. The alternate compensatory mitigation proposal may be required to include additional mitigation to compensate for the temporal loss of wetland function associated with the unsuccessful compensatory mitigation activities. The Corps reserves the right to fully evaluate, amend, and

approve or reject the alternate compensatory mitigation proposal. Within 120 days of Corps approval, the Permittee will complete the alternate compensatory mitigation proposal.

24. CONCRETE CONDITION: The permittee shall take measures to prevent live or fresh concrete, including bags of uncured concrete, from coming into contact with any water in or entering into waters of the United States. Water inside coffer dams or casings that has been in contact with concrete shall only be returned to waters of the United States when it no longer poses a threat to aquatic organisms (concrete is set and cured).

25. CULVERTS: For construction of culverts, measures will be included in the construction that will promote the safe passage of fish and other aquatic organisms. For all culvert construction activities, the dimension, pattern, and profile of the stream, (above and below a pipe or culvert), should not be modified by widening the stream channel or by reducing the depth of the stream. Culvert inverts will be buried at least one foot below the bed of the stream for culverts greater than 48 inches in diameter. For culverts 48 inches in diameter or smaller, culverts must be buried below the bed of the stream to a depth equal to or greater than 20 percent of the diameter of the culvert.

26. NAVIGATION - SECTION 10:

a.) This permit does not authorize the interference with any existing or proposed Federal project, and the Permittee will not be entitled to compensation for damage or injury to the authorized structure or work which may be caused from existing or future operations undertaken by the United States in the public interest.

b.) The authorized structure and associated activity must not interfere with the public's right to free navigation on all navigable waters of the United States. No attempt will be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work for reasons other than safety.

c.) The Permittee must install and maintain, at its expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on all authorized facilities constructed within navigable waters of the United States.

d.) It is possible that the authorized structure may be damaged by wave wash from passing vessels. The issuance of this permit does not relieve the Permittee from taking all proper steps to ensure the integrity of the permitted structure and the safety of moored boats and barges. The Permittee will not hold the United States liable for any such damage.

e.) The Permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the work, will, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the Permittee fails to comply with this direction, the Secretary or his representative may restore the waterway, by contract or otherwise, and recover the cost from the Permittee.

f.)The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation, or alteration.

g.) The permittee shall notify NOAA/NATIONAL OCEAN SERVICE Chief Source Data Unit NCS261, 1315 E West HWY- RM 7316, Silver Spring, MD 20910-3282 at least two weeks prior to beginning work and upon completion of work.

h.) The temporary work bridges shall have a vertical and horizontal opening no less than the existing bridge structure if they span the entire navigational channel. If the temporary work bridge does not span the existing navigational channel and a horizontal navigational opening is left equal to or greater than the existing navigational zone under the existing bridge, then the temporary work bridges vertical clearance can be less than the existing opening.

NOTE:

All utility work performed under a non-reporting Nationwide Permit 12 (NWP 12 - Utility Lines) associated with this project is subject to all applicable terms and conditions of the NWP 12 and Wilmington District Regional Conditions.

Failure to institute and carry out the details of special conditions 1-26, may result in a directive to cease all ongoing and permitted work within waters and/or wetlands associated with TIP No. B-3307, or such other remedy as the District Engineer or his authorized representatives may seek.

MEMORANDUM OF AGREEMENT
BETWEEN
THE FEDERAL HIGHWAY ADMINISTRATION
AND
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
FOR
US 70 IMPROVEMENTS FROM FOUR LANES AT RADIO ISLAND TO
NORTH OF BEAUFORT NEAR OLGA ROAD (SR 1429)
TIP # R-3307
BEAUFORT, CARTERET COUNTY, NC

WHEREAS, the Federal Highway Administration (FHWA) has determined that the US 70 Improvements from four lanes at Radio Island to north of Beaufort near Olga Road in Carteret County, R-3307, (the Undertaking) will have an adverse effect upon the Carteret County Home, a property listed in the National Register of Historic Places, and Bridge # 29, a property determined eligible for listing in the National Register; and

WHEREAS, FHWA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, the North Carolina Department of Transportation (NCDOT), the Town of Beaufort's Historic Preservation Commission (Commission), North Carolina Maritime Museum (Museum), and Owners of the Carteret County Home (Owners) participated in the consultation and have been invited to concur in this Memorandum of Agreement (Agreement),

NOW, THEREFORE, FHWA and the North Carolina SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on the historic properties.

STIPULATIONS

FHWA will ensure that the following measures are carried out:

I. Carteret County Home

Prior to the initiation of construction, NCDOT shall record the existing condition of the Carteret County Home and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A) and submit the results to the North Carolina SHPO so there is a permanent record of the property.

If, prior to the completion of the project, the Owners of the Carteret County Home donate the building for relocation to a qualified preservation organization, such as Preservation North Carolina, NCDOT will provide funding up to \$75,000 to the preservation organization to assist in the move of the building to a new site within Carteret County. In

consideration of such assistance, the preservation organization shall ensure that covenants are placed on the building to require its rehabilitation and preservation in perpetuity.

II. Bridge # 29 (US 70) at Gallants Channel

Prior to the initiation of construction, NCDOT shall record the existing condition of Bridge # 29 and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix B) and submit the results to the North Carolina SHPO so there is a permanent record of the bridge.

NCDOT, in accordance with its Bridge Reuse and Relocation program, shall transfer Bridge # 29 to the Museum.

Upon transfer of title, the Museum will accept legal and financial responsibility for the bridge, including title, liability, and maintenance. The Museum will hold harmless NCDOT and FHWA in any liability action. The Museum will keep intact the historic fabric of the bridge.

The NCDOT, SHPO, and Museum will explore opportunities and other means, such as Transportation Enhancement funds, to further ensure the preservation of the bridge and its use as an educational element within the Museum's Gallants Channel campus.

III. Use of Bridge # 29 Site Following Removal of the Bridge

NCDOT will consult with the SHPO, Town of Beaufort, and North Carolina Wildlife Resources Commission (WRC) to develop and implement a plan for the future public use of the Bridge # 29 site, including approaches in the Town of Beaufort that constitute the US 70 right-of-way. Thereafter, a Memorandum of Understanding (MOU) may be developed between NCDOT, Town of Beaufort, SHPO, and WRC, if it agrees to participate, to provide a detailed plan for future public use.

NCDOT shall ensure that an interpretative display, about the presence and history of Bridge # 29 on its original site and directions to its new site, is installed within the public use area.

IV. Turner Street Improvements

As part of the subject project, improvements along Turner Street within the Beaufort Historic District will be completed within the existing right-of-way. No additional right-of-way will be obtained.

No more than three lanes will result from any lane reconfigurations on Turner Street within the Beaufort Historic District.

Any section of existing sidewalk on Turner Street within the Beaufort Historic District affected by construction will be replaced.

NCDOT will consult with the SHPO to address the design options for the proposed new bridge on Turner Street over Town Creek.

V. New Bridge over Gallants Channel

NCDOT will consult with SHPO to address the design options for the proposed new bridge over Gallants Channel to limit visual and audible impacts on the National Register-listed Beaufort Historic District.

VI. Unanticipated Discovery

In accordance with 36 CFR 800.11(a), and prior to initiation of construction activities, NCDOT shall ensure preparation of a plan of action should archaeological or architectural resources be inadvertently or accidentally discovered during the construction phase of the project. The plan shall provide for an assessment of the significance of the discovery in consultation amongst NCDOT, FHWA, and the SHPO. Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

VII. Dispute Resolution

Should the North Carolina SHPO object within (30) days to any plans or documentation provided for review pursuant to this Agreement, FHWA shall consult with the North Carolina SHPO to resolve the objection. If FHWA or the North Carolina SHPO determines that the objection cannot be resolved, FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

- A. Provide FHWA with recommendations, which FHWA will take into account in reaching a final decision regarding the dispute, or
- B. Notify FHWA that it will comment pursuant to 36 CFR Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FHWA in accordance with 36 CFR Section 800.7 (c) (4) with reference to the subject of the dispute.

Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; FHWA's responsibility to carry out all the actions under this Agreement that are not the subject of the dispute will remain unchanged.

Execution of this Memorandum of Agreement by FHWA and the North Carolina SHPO, its subsequent filing with the Advisory Council on Historic Preservation, and implementation of its terms evidence that FHWA has afforded the Council an opportunity to comment on the Undertaking and its effects on the Carteret County Home, Bridge # 29, and the Beaufort Historic District, and that FHWA has taken into account the effects of the Undertaking on the historic properties.

APPENDIX A

Historic Structures and Landscape Recordation Plan for
CARTERET COUNTY HOME
US 70 Improvements from Four Lanes at Radio Island to
North of Beaufort near Olga Road (SR 1429)
Beaufort, Carteret County, North Carolina
TIP # R-3307

Photographic Requirements

- Overall views of the Carteret County Home complex, showing the relationship of the buildings to setting
- Overall views of the buildings (elevations and oblique views)
- Selected photographic views of the buildings, including architectural details
- Views from the edge of roadway

Photographic Format

- Color slides (all views)
- 35 mm or larger black and white negatives (all views)
- Two (2) sets of black and white contact sheets (all views)
- All processing to be done to archival standards
- All photographs and negatives to be labeled according to Division of Archives and History standards

Copies and Curation

- One (1) set of all photographic documentation will be deposited with the North Carolina Division of Archives and History/State Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection.
- One contact sheet shall be deposited in the files of the Historic Architecture Section of NCDOT.

APPENDIX B

Historic Structures and Landscape Recordation Plan for
BRIDGE # 29 OVER GALLANTS CHANNEL
US 70 Improvements from Four Lanes at Radio Island to
North of Beaufort near Olga Road (SR 1429)
Beaufort, Carteret County, North Carolina
TIP # R-3307

Photographic Requirements

- Overall views of the project area, showing the relationship of the bridge to setting
- Overall views of the bridge (elevations and oblique views)
- Selected photographic views of the bridge, including details of the connections and bridge plate (if present)
- Views under the bridge – as accessible
- Views of the bridge approaches in Morehead City and Town of Beaufort

Photographic Format

- Color slides (all views)
- 35 mm or larger black and white negatives (all views)
- Two (2) sets of black and white contact sheets (all views)
- All processing to be done to archival standards
- All photographs and negatives to be labeled according to Division of Archives and History standards

Copies and Curation

- One (1) set of all photographic documentation will be deposited with the North Carolina Division of Archives and History/State Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection.
- One contact sheet shall be deposited in the files of the Historic Architecture Section of NCDOT.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

GUIDELINES FOR AVOIDING IMPACTS TO THE WEST INDIAN MANATEE Precautionary Measures for Construction Activities in North Carolina Waters

The West Indian manatee (*Trichechus manatus*), also known as the Florida manatee, is a Federally-listed endangered aquatic mammal protected under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C 1461 *et seq.*). The manatee is also listed as endangered under the North Carolina Endangered Species Act of 1987 (Article 25 of Chapter 113 of the General Statutes). The U.S. Fish and Wildlife Service (Service) is the lead Federal agency responsible for the protection and recovery of the West Indian manatee under the provisions of the Endangered Species Act.

Adult manatees average 10 feet long and weigh about 2,200 pounds, although some individuals have been recorded at lengths greater than 13 feet and weighing as much as 3,500 pounds. Manatees are commonly found in fresh, brackish, or marine water habitats, including shallow coastal bays, lagoons, estuaries, and inland rivers of varying salinity extremes. Manatees spend much of their time underwater or partly submerged, making them difficult to detect even in shallow water. While the manatee's principal stronghold in the United States is Florida, the species is considered a seasonal inhabitant of North Carolina with most occurrences reported from June through October.

To protect manatees in North Carolina, the Service's Raleigh Field Office has prepared precautionary measures for general construction activities in waters used by the species. Implementation of these measure will allow in-water projects which do not require blasting to proceed without adverse impacts to manatees. In addition, inclusion of these guidelines as conservation measures in a Biological Assessment or Biological Evaluation, or as part of the determination of impacts on the manatee in an environmental document prepared pursuant to the National Environmental Policy Act, will expedite the Service's review of the document for the fulfillment of requirements under Section 7 of the Endangered Species Act. These measures include:

1. The project manager and/or contractor will inform all personnel associated with the project that manatees may be present in the project area, and the need to avoid any harm to these endangered mammals. The project manager will ensure that all construction personnel know the general appearance of the species and their habit of moving about completely or partially submerged in shallow water. All construction personnel will be informed that they are responsible for observing water-related activities for the presence of manatees.
2. The project manager and/or the contractor will advise all construction personnel that

there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act and the Endangered Species Act.

3. If a manatee is seen within 100 yards of the active construction and/or dredging operation or vessel movement, all appropriate precautions will be implemented to ensure protection of the manatee. These precautions will include the immediate shutdown of moving equipment if a manatee comes within 50 feet of the operational area of the equipment. Activities will not resume until the manatee has departed the project area on its own volition (i.e., it may not be herded or harassed from the area).

4. Any collision with and/or injury to a manatee will be reported immediately. The report must be made to the U.S. Fish and Wildlife Service (ph. 919.856.4520 ext. 16), the National Marine Fisheries Service (ph. 252.728.8762), and the North Carolina Wildlife Resources Commission (ph. 252.448.1546).

5. A sign will be posted in all vessels associated with the project where it is clearly visible to the vessel operator. The sign should state:

CAUTION: The endangered manatee may occur in these waters during the warmer months, primarily from June through October. Idle speed is required if operating this vessel in shallow water during these months. All equipment must be shut down if a manatee comes within 50 feet of the vessel or operating equipment. A collision with and/or injury to the manatee must be reported immediately to the U.S. Fish and Wildlife Service (919-856-4520 ext. 16), the National Marine Fisheries Service (252.728.8762), and the North Carolina Wildlife Resources Commission (252.448.1546).

6. The contractor will maintain a log detailing sightings, collisions, and/or injuries to manatees during project activities. Upon completion of the action, the project manager will prepare a report which summarizes all information on manatees encountered and submit the report to the Service's Raleigh Field Office.

7. All vessels associated with the construction project will operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than a four foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

8. If siltation barriers must be placed in shallow water, these barriers will be: (a) made of material in which manatees cannot become entangled; (b) secured in a manner that they cannot break free and entangle manatees; and, (c) regularly monitored to ensure that manatees have not become entangled. Barriers will be placed in a manner to allow manatees entry to or exit from essential habitat.

Prepared by (rev. 06/2003):
U.S. Fish and Wildlife Service
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726
919/856-4520

Figure 1. The whole body of the West Indian manatee may be visible in clear water; but in the dark and muddy waters of coastal North Carolina, one normally sees only a small part of the head when the manatee raises its nose to breathe.

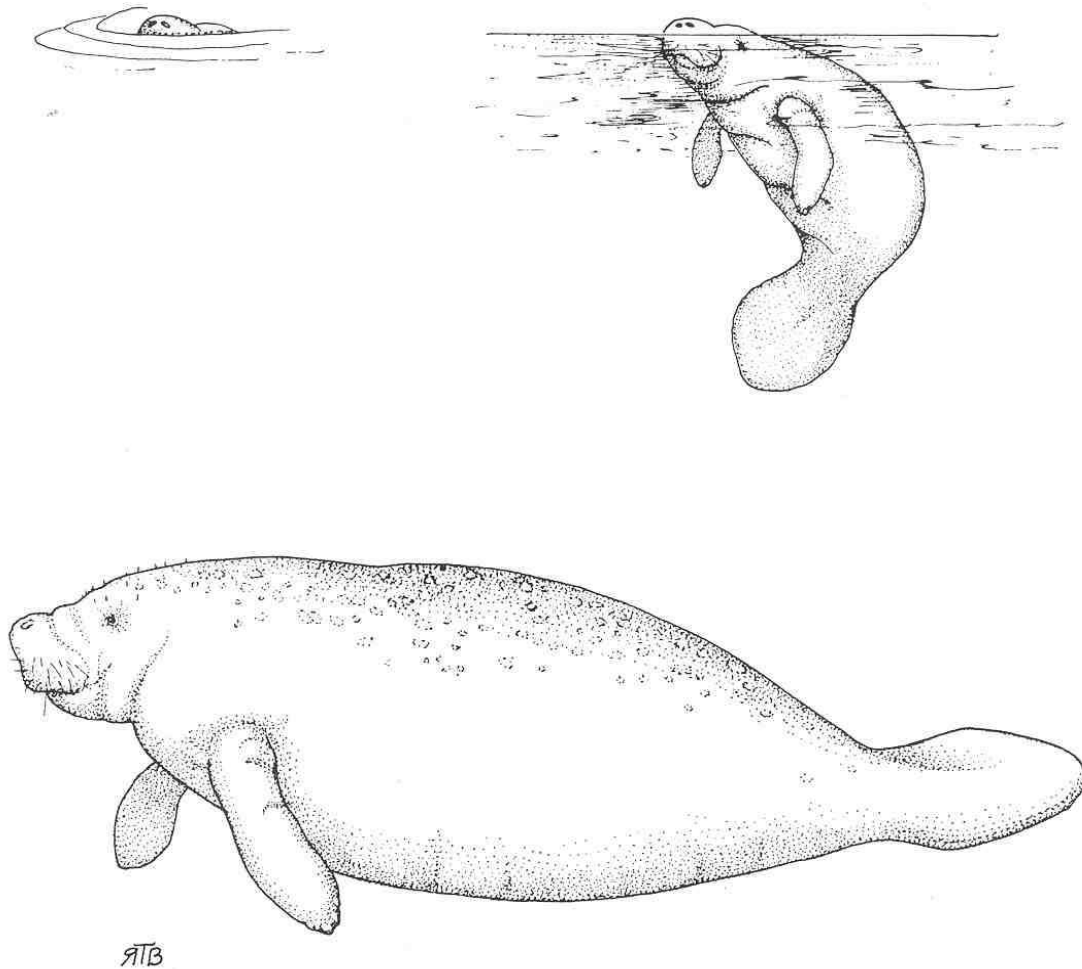


Illustration used with the permission of the North Carolina State Museum of Natural Sciences.
Source: Clark, M. K. 1987. Endangered, Threatened, and Rare Fauna of North Carolina: Part I. A re-evaluation of the mammals. Occasional Papers of the North Carolina Biological Survey 1987-3. North Carolina State Museum of Natural Sciences. Raleigh, NC. pp. 52.

U.S. ARMY CORPS OF ENGINEERS
Wilmington District
Compensatory Mitigation Responsibility Transfer Form

Permittee: NCDOT

Action ID: SAW-2010-02125

Project Name: NCDOT / R-3307 /Gallants Channel Bridge US 70

County: Carteret

Instructions to Permittee: The Permittee must provide a copy of this form to the Mitigation Sponsor, either an approved Mitigation Bank or the North Carolina Ecosystem Enhancement Program (NCEEP), who will then sign the form to verify the transfer of the mitigation responsibility. Once the Sponsor has signed this form, it is the Permittee's responsibility to ensure that to the U.S. Army Corps of Engineers (USACE) Project Manager identified on page two is in receipt of a signed copy of this form before conducting authorized impacts, unless otherwise specified below. If more than one mitigation Sponsor will be used to provide the mitigation associated with the permit, or if the impacts and/or the mitigation will occur in more than one 8-digit Hydrologic Unit Code (HUC), multiple forms will be attached to the permit, and the separate forms for each Sponsor and/or HUC must be provided to the appropriate mitigation Sponsors.

Instructions to Sponsor: The Sponsor must verify that the mitigation requirements shown below are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether or not they have received payment from the Permittee. Once the form is signed, the Sponsor must update the appropriate ledger and provide a copy of the signed form to the Permittee and to the USACE Bank/In-Lieu Fee Program Manager. The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

Permitted Impacts and Compensatory Mitigation Requirements:

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-riverine	Non-Riparian	Coastal
304			1.78		4.69	

*If more than one mitigation sponsor will be used for the permit, only include impacts to be mitigated by this sponsor.

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-riverine	Non-Riparian	Coastal
304			1.78		4.69	

Mitigation Site Debited: NCEEP

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCEEP, list NCEEP. If the NCEEP acceptance letter identifies a specific site, also list the specific site to be debited).

Section to be completed by the Mitigation Sponsor

Statement of Mitigation Liability Acceptance: I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for NCEEP), as approved by the USACE, are currently available at the mitigation site identified above. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE Wilmington District Engineer may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.

Mitigation Sponsor Name: _____

Name of Sponsor's Authorized Representative: _____

Signature of Sponsor's Authorized Representative

Date of Signature

**USACE Wilmington District
Compensatory Mitigation Responsibility Transfer Form, Page 2**

Conditions for Transfer of Compensatory Mitigation Credit:

- Once this document has been signed by the Mitigation Sponsor and the USACE is in receipt of the signed form, the Permittee is no longer responsible for providing the mitigation identified in this form, though the Permittee remains responsible for any other mitigation requirements stated in the permit conditions.
- Construction within jurisdictional areas authorized by the permit identified on page one of this form can begin only after the USACE is in receipt of a copy of this document signed by the Sponsor, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein. For authorized impacts conducted by the North Carolina Department of Transportation (NCDOT), construction within jurisdictional areas may proceed upon permit issuance; however, a copy of this form signed by the Sponsor must be provided to the USACE within 30 days of permit issuance. NCDOT remains fully responsible for the mitigation until the USACE has received this form, confirming that the Sponsor has accepted responsibility for providing the mitigation requirements listed herein.
- Signed copies of this document must be retained by the Permittee, Mitigation Sponsor, and in the USACE administrative records for both the permit and the Bank/ILF Instrument. It is the Permittee's responsibility to ensure that the USACE Project Manager (address below) is provided with a signed copy of this form.
- If changes are proposed to the type, amount, or location of mitigation after this form has been signed and returned to the USACE, the Sponsor must obtain case-by-case approval from the USACE Project Manager and/or North Carolina Interagency Review Team (NCIRT). If approved, higher mitigation ratios may be applied, as per current District guidance and a new version of this form must be completed and included in the USACE administrative records for both the permit and the Bank/ILF Instrument.

Comments/Additional Conditions:

This form is not valid unless signed by the mitigation Sponsor and USACE Project Manager. For questions regarding this form or any of the conditions of the permit authorization, contact the Project Manager at the address below.

USACE Project Manager: Tom Steffens
USACE Field Office: Washington Regulatory Field Office
US Army Corps of Engineers
2407 West Fifth Street
Washington, NC 27889

Email:

STEFFENS.THOMAS.ANCRUM.1284706273

2013.09.11 17:21:21 -04'00'

USACE Project Manager Signature

September 11, 2013

Date of Signature

Current Wilmington District mitigation guidance, including information on mitigation ratios, functional assessments, and mitigation bank location and availability, and credit classifications (including stream temperature and wetland groupings) is available at <http://ribits.usace.army.mil>.

From: [Steffens, Thomas A SAW](#)
To: [Rivenbark, Chris](#); [Stanton, Tyler P](#)
Cc: [Lane, Stephen](#)
Subject: RE: Gallants Channel Bridge Understanding of bridge removal (UNCLASSIFIED)
Date: Monday, January 13, 2014 2:44:45 PM

Classification: UNCLASSIFIED
Caveats: NONE

Chris,

Approval from the USCG and Corps/NAV are enough to continue forward; nothing more is needed from Corps/REG at this time. When it becomes available, please forward the bridge demolition plan to the various agencies for our records and compliance reviews.

Be advised if your proposed work and/or methodology changes from what you have presented today; that you are required to notify Corps/REG, Corps/NAV, USCG and NCDOT as soon as possible to prevent any potential delays or problems.

Thanks,

toms

-----Original Message-----

From: Rivenbark, Chris [<mailto:crivenbark@ncdot.gov>]
Sent: Monday, January 13, 2014 2:16 PM
To: Steffens, Thomas A SAW
Subject: [EXTERNAL] FW: Gallants Channel Bridge Understanding of bridge removal (UNCLASSIFIED)

Tom,

I wasn't sure if we still need something from you or if the approvals from USCG and USACE-Navigation wrap this one up.

Chris Rivenbark
NCDOT, PDEA-Natural Environment Section
(919) 707-6152 office

-----Original Message-----

From: James.L.Rousseau2@uscg.mil [<mailto:James.L.Rousseau2@uscg.mil>]
Sent: Monday, January 13, 2014 2:11 PM
To: Rivenbark, Chris; Bullock, Roger D SAW; Horton, James T SAW
Cc: Steffens, Thomas A SAW; Stanton, Tyler P
Subject: RE: Gallants Channel Bridge Understanding of bridge removal (UNCLASSIFIED)

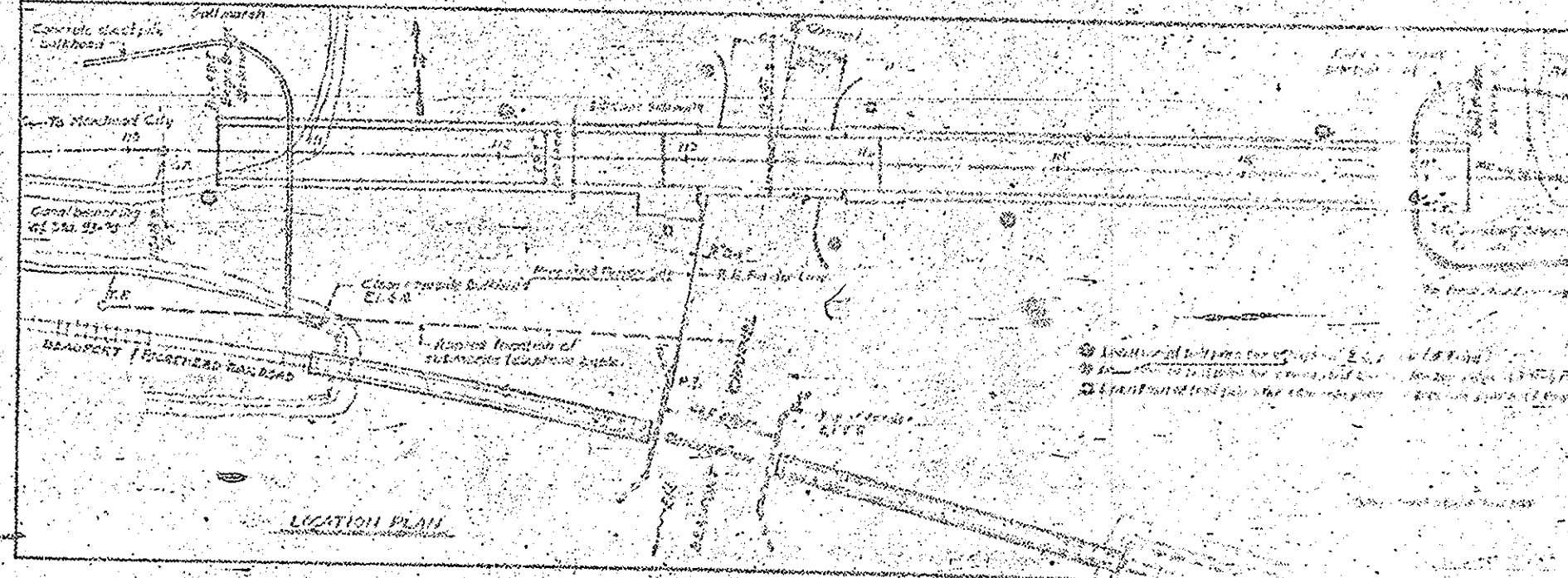
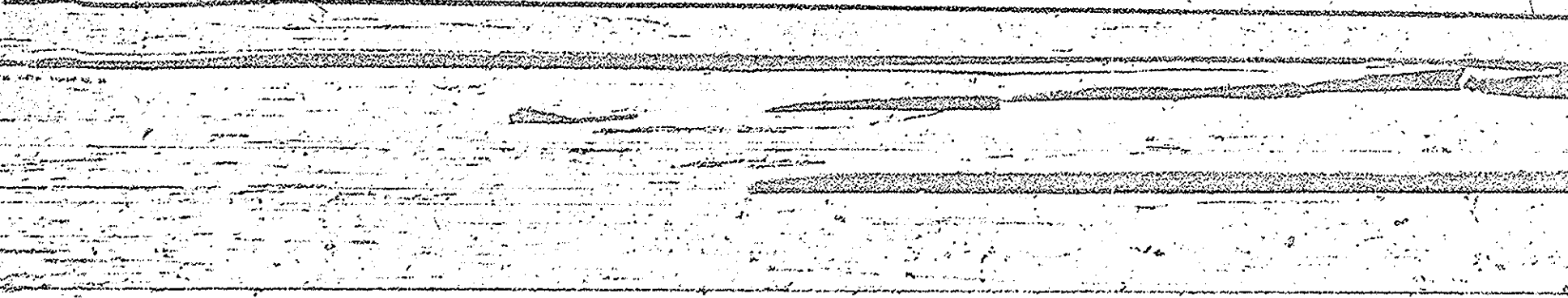
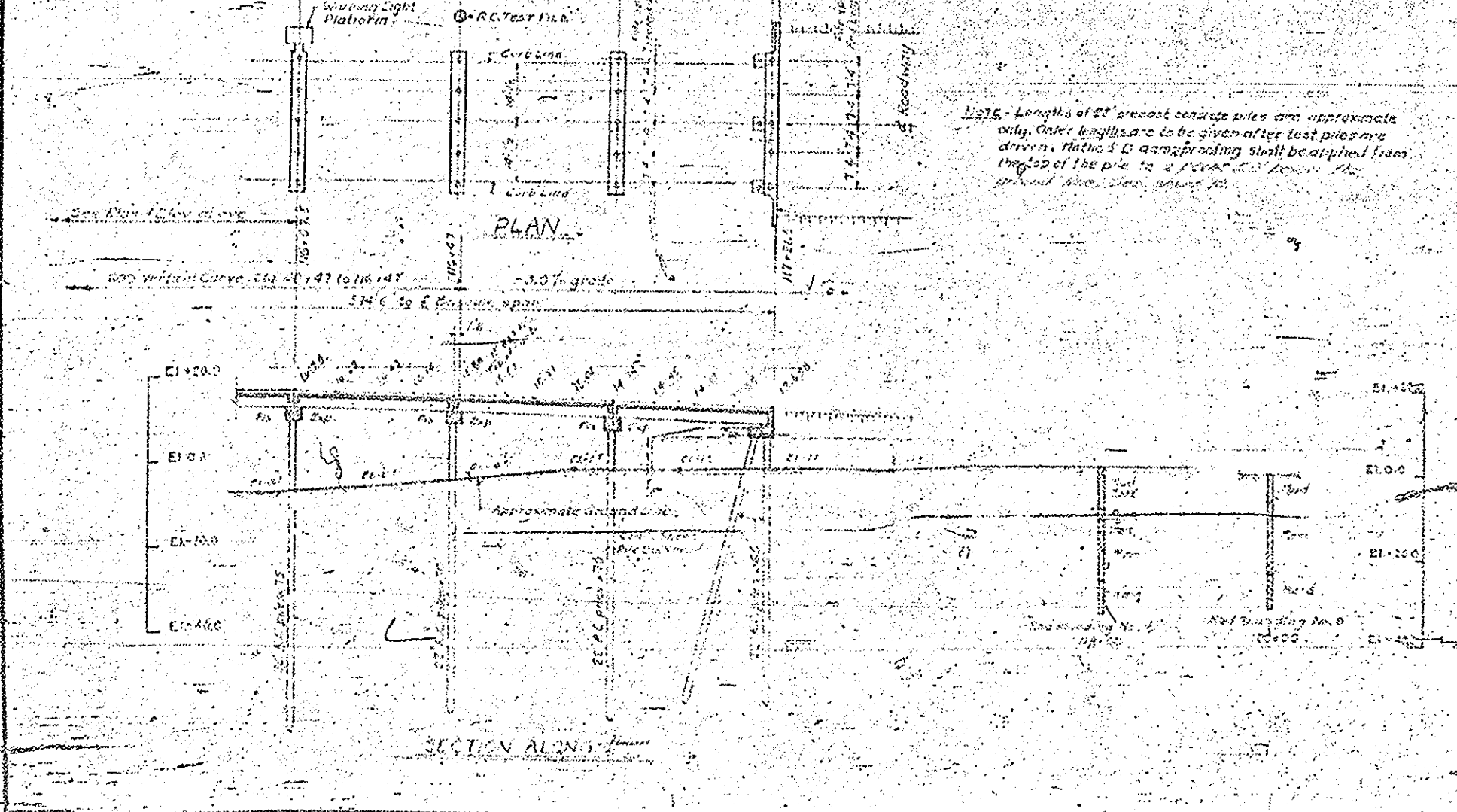
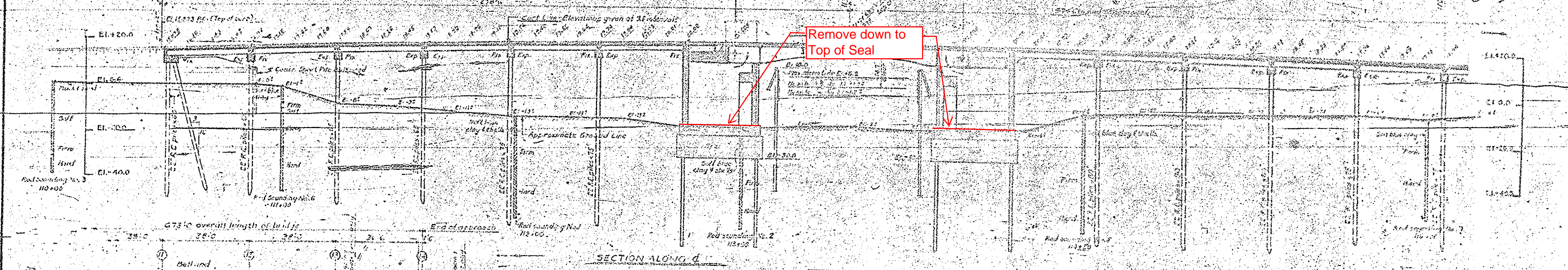
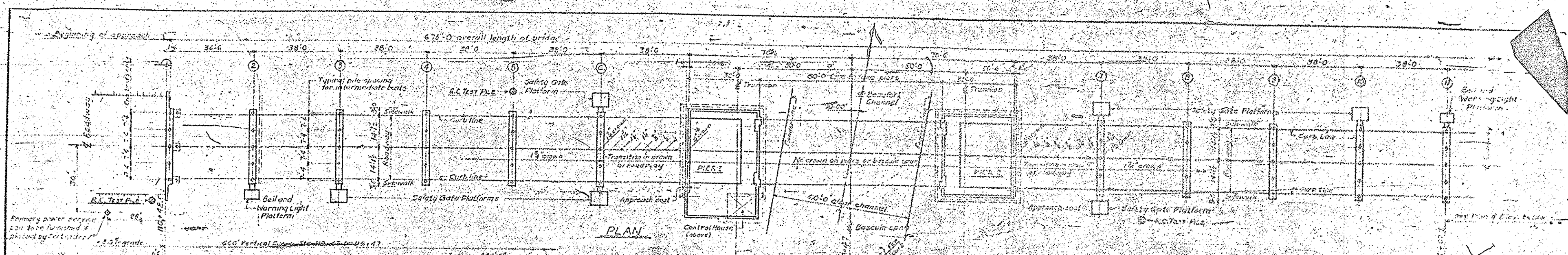
Chris,

The Coast Guard has no issues as well and are in concurrence with U.S. Army Corps of Engineers, this will still fall under the approved existing permit for this project. If you have any questions please let me know.

Regards,

Jim

Jim Rousseau



NOTE: Lengths of EC precast concrete piles are approximate only. Order lengths are to be given after test piles are driven. Ratio 1 to 10 amplifying shall be applied from top of the pile to a point 10' below the ground line.

- 1. Length of piles to be given after test piles are driven.
- 2. Ratio 1 to 10 amplifying shall be applied from top of the pile to a point 10' below the ground line.

STATE OF NORTH CAROLINA	
PROJECT 1952	
L.V.D. HOPKINS	
CONSULTING ENGINEER	MANHATTAN, N.Y.
STATE ENGINEER	RALEIGH, N.C.

From: [Steffens, Thomas A SAW](#)
To: [Rivenbark, Chris](#)
Subject: RE: proposed test pile R-3307
Date: Tuesday, June 24, 2014 9:00:40 AM

Chris,

Review of the NWP6 and associated regional conditions we proposed using for the revised location of the test pile indicates that the activity would still be non-notifying; ie, no PCN. As discussed, submit a revised plan sheet with the appropriate coordinates and a brief description of the reasoning for the change.

That's all I need; of course the contractor has to abide by the terms and conditions of the permit and any other federal, state, or local authorizations.

toms

-----Original Message-----

From: Rivenbark, Chris [<mailto:crivenbark@ncdot.gov>]
Sent: Tuesday, June 24, 2014 7:44 AM
To: Steffens, Thomas A SAW
Subject: [EXTERNAL] proposed test pile R-3307

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

**NATIONWIDE PERMIT 6
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
FINAL NOTICE OF ISSUANCE AND MODIFICATION OF NATIONWIDE PERMITS
FEDERAL REGISTER
AUTHORIZED MARCH 19, 2012**

Survey Activities. Survey activities, such as core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching, soil surveys, sampling, sample plots or transects for wetland delineations, and historic resources surveys. For the purposes of this NWP, the term “exploratory trenching” means mechanical land clearing of the upper soil profile to expose bedrock or substrate, for the purpose of mapping or sampling the exposed material. The area in which the exploratory trench is dug must be restored to its pre-construction elevation upon completion of the work and must not drain a water of the United States. In wetlands, the top 6 to 12 inches of the trench should normally be backfilled with topsoil from the trench. This NWP authorizes the construction of temporary pads, provided the discharge does not exceed 1/10-acre in waters of the U.S. Discharges and structures associated with the recovery of historic resources are not authorized by this NWP. Drilling and the discharge of excavated material from test wells for oil and gas exploration are not authorized by this NWP; the plugging of such wells is authorized. Fill placed for roads and other similar activities is not authorized by this NWP. The NWP does not authorize any permanent structures. The discharge of drilling mud and cuttings may require a permit under Section 402 of the Clean Water Act. (Sections 10 and 404)

NATIONWIDE PERMIT CONDITIONS

The following General Conditions must be followed in order for any authorization by a NWP to be valid:

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48, or is a shellfish seeding or habitat restoration activity authorized by NWP 27.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

15. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

16. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

17. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address ESA compliance for the NWP activity, or whether additional ESA consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that might be affected by the proposed work or that utilize the designated critical habitat that might be affected by the proposed work. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the U.S. FWS or the NMFS, The Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word “harm” in the definition of “take” means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

(f) Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide web pages at <http://www.fws.gov/> or <http://www.fws.gov/ipac> and <http://www.noaa.gov/fisheries.html> respectively.

19. Migratory Birds and Bald and Golden Eagles. The permittee is responsible for obtaining any “take” permits required under the U.S. Fish and Wildlife Service’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such “take” permits are required for a particular activity.

20. Historic Properties. (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements. The district engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the NWP activity, or whether additional section 106 consultation is necessary.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). When reviewing pre-construction notifications, district engineers will comply with the current procedures for addressing the requirements of Section 106 of the National Historic Preservation Act. The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)). If NHPA

section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 45 days, the applicant must still wait for notification from the Corps.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. Discovery of Previously Unknown Remains and Artifacts. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

22. Designated Critical Resource Waters. Critical resource waters include, NOAA-managed marine sanctuaries and marine monuments, and National Estuarine Research Reserves. The district engineer may designate, after notice and opportunity for public comment, additional waters officially designated by a state as having particular environmental or ecological significance, such as outstanding national resource waters or state natural heritage sites. The district engineer may also designate additional critical resource waters after notice and opportunity for public comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWP 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, 50, 51, and 52 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 31, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

23. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10-acre and require pre-construction notification, unless the district engineer determines in writing that either some other form of mitigation would be more environmentally appropriate or the adverse effects of the proposed activity are minimal, and provides a project-specific waiver of this requirement. For wetland losses of 1/10-acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR part 332.

(1) The prospective permittee is responsible for proposing an appropriate compensatory mitigation option if compensatory mitigation is necessary to ensure that the activity results in minimal adverse effects on the aquatic environment.

(2) Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(3) If permittee-responsible mitigation is the proposed option, the prospective permittee is responsible for submitting a mitigation plan. A conceptual or detailed mitigation plan may be used by the district engineer to make the decision on the NWP verification request, but a final mitigation plan that addresses the applicable requirements of 33 CFR 332.4(c)(2) – (14) must be approved by the district engineer before the permittee begins work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)).

(4) If mitigation bank or in-lieu fee program credits are the proposed option, the mitigation plan only needs to address the baseline conditions at the impact site and the number of credits to be provided.

(5) Compensatory mitigation requirements (e.g., resource type and amount to be provided as compensatory mitigation, site protection, ecological performance standards, monitoring requirements) may be addressed through conditions added to the NWP authorization, instead of components of a compensatory mitigation plan.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream rehabilitation, enhancement, or preservation, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2-acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2-acre of waters of

the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWP.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the restoration or establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. If it is not possible to establish a riparian area on both sides of a stream, or if the waterbody is a lake or coastal waters, then restoring or establishing a riparian area along a single bank or shoreline may be sufficient. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee programs, or separate permittee-responsible mitigation. For activities resulting in the loss of marine or estuarine resources, permittee-responsible compensatory mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee. For permittee-responsible mitigation, the special conditions of the NWP verification must clearly indicate the party or parties responsible for the implementation and performance of the compensatory mitigation project, and, if required, its long-term management.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

24. Safety of Impoundment Structures. To ensure that all impoundment structures are safely designed, the district engineer may require non-Federal applicants to demonstrate that the structures comply with established state dam safety criteria or have been designed by qualified persons. The district engineer may also require documentation that the design has been independently reviewed by similarly qualified persons, and appropriate modifications made to ensure safety.

25. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

26. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

27. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

28. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

29. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

(Transferee)

(Date)

30. Compliance Certification. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(1)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the work and mitigation.

31. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, if the PCN is determined to be incomplete, notify the prospective permittee within that 30 day period to request the additional information necessary to make the PCN complete. The request must specify the information needed to make the PCN complete. As a general rule, district engineers will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

(1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 18 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 20 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that there is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) has been completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee may not begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);

(4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP activities that require pre-construction notification and result in the loss of greater than 1/2-acre of waters of the United States, for NWP 21, 29, 39, 40, 42, 43, 44, 50, 51, and 52 activities that require pre-construction notification and will result in the loss of greater than 300 linear feet of intermittent and ephemeral stream bed, and for all NWP 48 activities that require pre-construction notification, the district engineer will immediately provide (e.g., via e-mail, facsimile transmission, overnight mail, or other expeditious manner) a copy of the complete PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. The comments must explain why the agency believes the adverse effects will be more than minimal. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame concerning the proposed activity's compliance with the terms and conditions of the NWPs, including the need for mitigation to ensure the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The district engineer will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps with either electronic files or multiple copies of pre-construction notifications to expedite agency coordination.

D. District Engineer's Decision

1. In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. For a linear project, this determination will include an evaluation of the individual crossings to determine whether they individually satisfy the terms and conditions of the NWP(s), as well as the cumulative effects caused by all of the crossings authorized by NWP. If an applicant requests a waiver of the 300 linear foot limit on impacts to intermittent or ephemeral streams or of an otherwise applicable limit, as provided for in NWPs 13, 21, 29, 36, 39, 40, 42, 43, 44, 50, 51 or 52, the district engineer will only grant the waiver upon a written determination that the NWP activity will result in minimal adverse effects. When making minimal effects determinations the district engineer will consider the direct and indirect effects caused by the NWP activity. The district engineer will also consider site specific factors, such as the environmental setting in the

vicinity of the NWP activity, the type of resource that will be affected by the NWP activity, the functions provided by the aquatic resources that will be affected by the NWP activity, the degree or magnitude to which the aquatic resources perform those functions, the extent that aquatic resource functions will be lost as a result of the NWP activity (e.g., partial or complete loss), the duration of the adverse effects (temporary or permanent), the importance of the aquatic resource functions to the region (e.g., watershed or ecoregion), and mitigation required by the district engineer. If an appropriate functional assessment method is available and practicable to use, that assessment method may be used by the district engineer to assist in the minimal adverse effects determination. The district engineer may add case-specific special conditions to the NWP authorization to address site-specific environmental concerns.

2. If the proposed activity requires a PCN and will result in a loss of greater than 1/10-acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed activity are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any activity-specific conditions in the NWP verification the district engineer deems necessary. Conditions for compensatory mitigation requirements must comply with the appropriate provisions at 33 CFR 332.3(k). The district engineer must approve the final mitigation plan before the permittee commences work in waters of the United States, unless the district engineer determines that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the proposed compensatory mitigation plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP, including any activity-specific conditions added to the NWP authorization by the district engineer.

3. If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (a) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (b) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (c) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period, with activity-specific

conditions that state the mitigation requirements. The authorization will include the necessary conceptual or detailed mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan or has determined that prior approval of a final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation.

FURTHER INFORMATION

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.
2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.
3. NWPs do not grant any property rights or exclusive privileges.
4. NWPs do not authorize any injury to the property or rights of others.
5. NWPs do not authorize interference with any existing or proposed Federal project.

DEFINITIONS

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Discharge: The term “discharge” means any discharge of dredged or fill material.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

High Tide Line: The line of intersection of the land with the water’s surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence

of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds such as those accompanying a hurricane or other intense storm.

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

Independent utility: A test to determine what constitutes a single and complete non-linear project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Loss of waters of the United States: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

Non-tidal wetland: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

Open water: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or

flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of “open waters” include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through

which surface and subsurface hydrology connects riverine, lacustrine, estuarine, and marine waters with their adjacent wetlands, non-wetland waters, or uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 23.)

Shellfish seeding: The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/developer or partnership or other association of owners/developers that includes all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for purposes of NWP authorization. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete non-linear project must have independent utility (see definition of “independent utility”). Single and complete non-linear projects may not be “piecemealed” to avoid the limits in an NWP authorization.

Stormwater management: Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

Stormwater management facilities: Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

Stream bed: The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

Stream channelization: The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent

mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Tidal wetland: A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).

Vegetated shallows: Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

Waterbody: For purposes of the NWP, a waterbody is a jurisdictional water of the United States. If a jurisdictional wetland is adjacent – meaning bordering, contiguous, or neighboring – to a waterbody determined to be a water of the United States under 33 CFR 328.3(a)(1)-(6), that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of “waterbodies” include streams, rivers, lakes, ponds, and wetlands.

Final Regional Conditions 2012

NOTICE ABOUT WEB LINKS IN THIS DOCUMENT:

The web links (both internal to our District and any external links to collaborating agencies) in this document are valid at the time of publication. However, the Wilmington District Regulatory Program web page addresses, as with other agency web sites, may change over the timeframe of the five-year Nationwide Permit renewal cycle, in response to policy mandates or technology advances. While we will make every effort to check on the integrity of our web links and provide re-direct pages whenever possible, we ask that you report any broken links to us so we can keep the page information current and usable. We apologize in advanced for any broken links that you may encounter, and we ask that you navigate from the regulatory home page (wetlands and stream permits) of the Wilmington District Corps of Engineers, to the “Permits” section of our web site to find links for pages that cannot be found by clicking directly on the listed web link in this document.

Final 2012 Regional Conditions for Nationwide Permits (NWP) in the Wilmington District

1.0 Excluded Waters

The Corps has identified waters that will be excluded from the use of all NWP’s during certain timeframes. These waters are:

1.1 Anadromous Fish Spawning Areas

Waters of the United States identified by either the North Carolina Division of Marine Fisheries (NCDMF) or the North Carolina Wildlife Resources Commission (NCWRC) as anadromous fish spawning areas are excluded during the period between February 15 and June 30, without prior written approval from NCDMF or NCWRC and the Corps.

1.2 Trout Waters Moratorium

Waters of the United States in the twenty-five designated trout counties of North Carolina are excluded during the period between October 15 and April 15 without prior written approval from the NCWRC. (See Section 2.7 for a list of the twenty-five trout counties).

1.3 Sturgeon Spawning Areas as Designated by the National Marine Fisheries Service (NMFS)

Waters of the United States designated as sturgeon spawning areas are excluded during the period between February 1 and June 30, without prior written approval from the NMFS.

2.0 Waters Requiring Additional Notification

The Corps has identified waters that will be subject to additional notification requirements for activities authorized by all NWP's. These waters are:

2.1 Western NC Counties that Drain to Designated Critical Habitat

For proposed activities within Waters of the U.S. that require a Pre-Construction Notification pursuant to General Condition 31 (PCN) and are located in the sixteen counties listed below, applicants must provide a copy of the PCN to the US Fish and Wildlife Service, 160 Zillicoa Street, Asheville, North Carolina 28801. This PCN must be sent concurrently to the US Fish and Wildlife Service and the Corps Asheville Regulatory Field Office. Please see General Condition 18 for specific notification requirements related to Federally Endangered Species and the following website for information on the location of designated critical habitat.

Counties with tributaries that drain to designated critical habitat that require notification to the Asheville US Fish and Wildlife Service: Avery, Cherokee, Forsyth, Graham, Haywood, Henderson, Jackson, Macon Mecklenburg, Mitchell, Stokes, Surry, Swain, Transylvania, Union and Yancey.

Website and office addresses for Endangered Species Act Information:

The Wilmington District has developed the following website for applicants which provides guidelines on how to review linked websites and maps in order to fulfill NWP general condition 18 requirements: <http://www.saw.usace.army.mil/wetlands/ESA>

Applicants who do not have internet access may contact the appropriate US Fish and Wildlife Service offices listed below or the US Army Corps of Engineers at (910) 251- 4633:

US Fish and Wildlife Service
Asheville Field Office
160 Zillicoa Street
Asheville, NC 28801
Telephone: (828) 258-3939

Asheville US Fish and Wildlife Service Office counties: All counties west of and including Anson, Stanly, Davidson, Forsyth and Stokes Counties

US Fish and Wildlife Service
Raleigh Field Office
Post Office Box 33726
Raleigh, NC 27636-3726
Telephone: (919) 856-4520

Raleigh US Fish and Wildlife Service Office counties: all counties east of and including Richmond, Montgomery, Randolph, Guilford, and Rockingham Counties.

2.2 Special Designation Waters

Prior to the use of any NWP in any of the following identified waters and contiguous wetlands in North Carolina, applicants must comply with Nationwide Permit General Condition 31 (PCN). The North Carolina waters and contiguous wetlands that require additional notification requirements are:

“Outstanding Resource Waters” (ORW) or “High Quality Waters” (HQW) as designated by the North Carolina Environmental Management Commission; “Inland Primary Nursery Areas” (IPNA) as designated by the NCWRC; “Contiguous Wetlands” as defined by the North Carolina Environmental Management Commission; or “Primary Nursery Areas” (PNA) as designated by the North Carolina Marine Fisheries Commission.

2.3 Coastal Area Management Act (CAMA) Areas of Environmental Concern

Non-federal applicants for any NWP in a designated “Area of Environmental Concern” (AEC) in the twenty (20) counties of Eastern North Carolina covered by the North Carolina Coastal Area Management Act (CAMA) must also obtain the required CAMA permit. Development activities for non-federal projects may not commence until a copy of the approved CAMA permit is furnished to the appropriate Wilmington District Regulatory Field Office (Wilmington Field Office – 69 Darlington Avenue, Wilmington, NC 28403 or Washington Field Office – 2407 West 5th Street, Washington, NC 27889).

2.4 Barrier Islands

Prior to the use of any NWP on a barrier island of North Carolina, applicants must comply with Nationwide Permit General Condition 31 (PCN).

2.5 Mountain or Piedmont Bogs

Prior to the use of any NWP in a Bog classified by the North Carolina Wetland Assessment Methodology (NCWAM), applicants shall comply with Nationwide Permit General Condition 31 (PCN). The latest version of NCWAM is located on the NC DWQ web site at: <http://portal.ncdenr.org/web/wq/swp/ws/pdu/ncwam> .

2.6 Animal Waste Facilities

Prior to use of any NWP for construction of animal waste facilities in waters of the US, including wetlands, applicants shall comply with Nationwide Permit General Condition 31 (PCN).

2.7 Trout Waters

Prior to any discharge of dredge or fill material into streams or waterbodies within the twenty-five (25) designated trout counties of North Carolina, the applicant shall comply with Nationwide Permit General Condition 31 (PCN). The applicant shall also provide a copy of the notification to the appropriate NCWRC office to facilitate the determination of any potential

impacts to designated Trout Waters. Notification to the Corps of Engineers will include a statement with the name of the NCWRC biologist contacted, the date of the notification, the location of work, a delineation of wetlands, a discussion of alternatives to working in the mountain trout waters, why alternatives were not selected, and a plan to provide compensatory mitigation for all unavoidable adverse impacts to mountain trout waters.

NCWRC and NC Trout Counties

Western Piedmont Region Coordinator	Alleghany	Caldwell	Watauga
20830 Great Smoky Mtn. Expressway	Ashe	Mitchell	Wilkes
Waynesville, NC 28786	Avery	Stokes	
Telephone: (828) 452-2546	Burke	Surry	

Mountain Region Coordinator	Buncombe	Henderson	Polk
20830 Great Smoky Mtn. Expressway	Cherokee	Jackson	Rutherford
Waynesville, NC 28786	Clay	Macon	Swain
Telephone: (828) 452-2546	Graham	Madison	Transylvania
Fax: (828) 452-7772	Haywood	McDowell	Yancey

3.0 List of Corps Regional Conditions for All Nationwide Permits

The following conditions apply to all Nationwide Permits in the Wilmington District:

3.1 Limitation of Loss of Perennial Stream Bed

NWPs may not be used for activities that may result in the loss or degradation of greater than 300 total linear feet of perennial, intermittent or ephemeral stream, unless the District Commander has waived the 300 linear foot limit for ephemeral and intermittent streams on a case-by-case basis and he determines that the proposed activity will result in minimal individual and cumulative adverse impacts to the aquatic environment. Loss of stream includes the linear feet of stream bed that is filled, excavated, or flooded by the proposed activity. Waivers for the loss of ephemeral and intermittent streams must be in writing and documented by appropriate/accepted stream quality assessments*. This waiver only applies to the 300 linear feet threshold for NWPs.

*NOTE: Applicants should utilize the most current methodology prescribed by Wilmington District to assess stream function and quality. Information can be found at:

<http://www.saw.usace.army.mil/wetlands/permits/nwp/nwp2012> (see “Quick Links”)

3.2 Mitigation for Loss of Stream Bed

For any NWP that results in a loss of more than 150 linear feet of perennial and/or ephemeral/intermittent stream, the applicant shall provide a mitigation proposal to compensate for more than minimal individual and cumulative adverse impacts to the aquatic environment. For stream losses less than 150 linear feet, that require a PCN, the District Commander may determine, on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effect on the aquatic environment.

3.3 Pre-construction Notification for Loss of Streambed Exceeding 150 Feet.

Prior to use of any NWP for any activity which impacts more than 150 total linear feet of perennial stream or ephemeral/ intermittent stream, the applicant must comply with Nationwide Permit General Condition 31 (PCN). This applies to NWPs that do not have specific notification requirements. If a NWP has specific notification requirements, the requirements of the NWP should be followed.

3.4 Restriction on Use of Live Concrete

For all NWPs which allow the use of concrete as a building material, live or fresh concrete, including bags of uncured concrete, may not come into contact with the water in or entering into waters of the US. Water inside coffer dams or casings that has been in contact with wet concrete shall only be returned to waters of the US when it is no longer poses a threat to aquatic organisms.

3.5 Requirements for Using Riprap for Bank Stabilization

For all NWPs that allow for the use of riprap material for bank stabilization, the following measures shall be applied:

3.5.1. Filter cloth must be placed underneath the riprap as an additional requirement of its use in North Carolina waters.

3.5.2. The placement of riprap shall be limited to the areas depicted on submitted work plan drawings.

3.5.3. The riprap material shall be clean and free from loose dirt or any pollutant except in trace quantities that would not have an adverse environmental effect.

3.5.4. It shall be of a size sufficient to prevent its movement from the authorized alignment by natural forces under normal conditions.

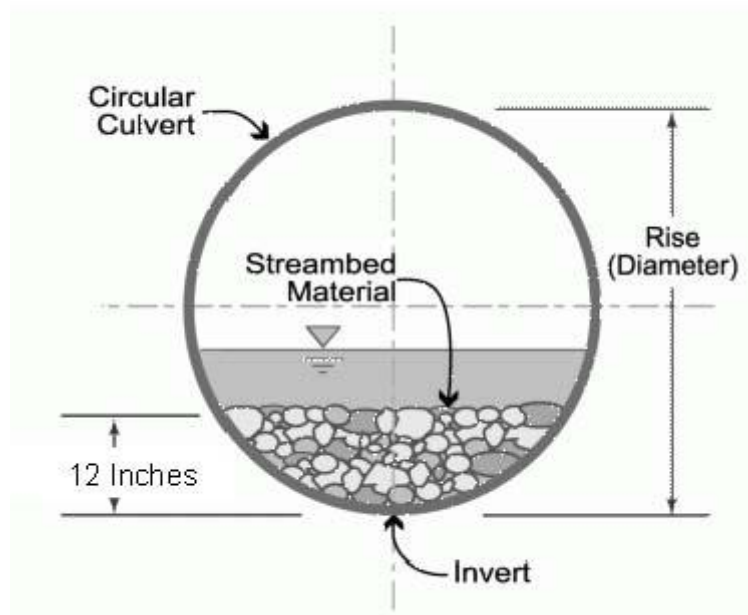
3.5.5. The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

3.5.6. A waiver from the specifications in this Regional Condition may be requested in writing. The waiver will only be issued if it can be demonstrated that the impacts of complying with this Regional condition would result in greater adverse impacts to the aquatic environment.

3.6 Safe Passage Requirements for Culvert Placement

For all NWP's that involve the construction/installation of culverts, measures will be included in the construction/installation that will promote the safe passage of fish and other aquatic organisms. The dimension, pattern, and profile of the stream above and below a pipe or culvert should not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert should be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. Spring flow should be determined from gage data, if available. In the absence of such data, bankfull flow can be used as a comparable level.

In the twenty (20) counties of North Carolina designated as coastal counties by the Coastal Area Management Act (CAMA): All pipes/culverts must be sufficiently sized to allow for the burial of the bottom of the pipe/culvert at least one foot below normal bed elevation when they are placed within the Public Trust Area of Environmental Concern (AEC) and/or the Estuarine Waters AEC as designated by CAMA, and/or all streams appearing as blue lines on United States Geological Survey (USGS) 7.5-minute quadrangle maps.



In all other counties: Culverts greater than 48 inches in diameter will be buried at least one foot below the bed of the stream. Culverts 48 inches in diameter or less shall be buried or placed on the stream bed as practicable and appropriate to maintain aquatic passage, and every effort shall be made to maintain the existing channel slope. The bottom of the culvert must be placed at a

depth below the natural stream bottom to provide for passage during drought or low flow conditions.

Culverts are to be designed and constructed in a manner that minimizes destabilization and head cutting. Destabilizing the channel and head cutting upstream should be considered and appropriate actions incorporated in the design and placement of the culvert.

A waiver from the depth specifications in this condition may be requested in writing. The waiver will be issued if it can be demonstrated that the proposal would result in the least impacts to the aquatic environment.

All counties: Culverts placed within riparian and/or riverine wetlands must be installed in a manner that does not restrict the flow and circulation patterns of waters of the United States. Culverts placed across wetland fills purely for the purposes of equalizing surface water do not have to be buried.

3.7 Notification to NCDENR Shellfish Sanitation Section

Applicants shall notify the NCDENR Shellfish Sanitation Section prior to dredging in or removing sediment from an area closed to shell fishing where the effluent may be released to an area open for shell fishing or swimming in order to avoid contamination from the disposal area and cause a temporary shellfish closure to be made. Such notification shall also be provided to the appropriate Corps of Engineers Regulatory Field Office. Any disposal of sand to the ocean beach should occur between November 1 and April 30 when recreational usage is low. Only clean sand should be used and no dredged sand from closed shell fishing areas may be used. If beach disposal were to occur at times other than stated above or if sand from a closed shell fishing area is to be used, a swimming advisory shall be posted, and a press release shall be issued by the permittee.

3.8 Preservation of Submerged Aquatic Vegetation

Adverse impacts to Submerged Aquatic Vegetation (SAV) are not authorized by any NWP within any of the twenty coastal counties defined by North Carolina's Coastal Area Management Act of 1974 (CAMA).

3.9 Sedimentation and Erosion Control Structures and Measures

3.9.1. All PCNs will identify and describe sedimentation and erosion control structures and measures proposed for placement in waters of the US. The structures and measures should be depicted on maps, surveys or drawings showing location and impacts to jurisdictional wetlands and streams.

Bridge Management Specialist
United States Coast Guard District 5
431 Crawford Street
Portsmouth, Va. 23704
757-398-6557

-----Original Message-----

From: crivenbark@ncdot.gov [<mailto:crivenbark@ncdot.gov>]
Sent: Monday, January 13, 2014 1:53 PM
To: Bullock, Roger D SAW; Horton, James T SAW
Cc: Rousseau, James L CIV; Steffens, Thomas A SAW; Stanton, Tyler P
Subject: RE: Gallants Channel Bridge Understanding of bridge removal
(UNCLASSIFIED)

Mr. Bullock,

Thank you for your help resolving this so quickly. That is correct, we are proposing to remove the existing bascule piers down to the top of the seal as shown on the attached as built plan sheet. Additionally, I have confirmed that we are removing the fender systems in their entirety.

We truly appreciate your assistance.

Chris Rivenbark
NCDOT, PDEA-Natural Environment Section
(919) 707-6152 office

-----Original Message-----

From: Bullock, Roger D SAW [<mailto:Roger.D.Bullock@usace.army.mil>]
Sent: Monday, January 13, 2014 1:02 PM
To: Rivenbark, Chris; Steffens, Thomas A SAW; Horton, James T SAW; Stanton, Tyler P
Subject: Gallants Channel Bridge Understanding of bridge removal
(UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Good afternoon Chris and all,

After discussing with you on the phone, Todd Horton and I sketched what appears to be the mudline and top of seal, which I placed red lines on to clarify removal of structure. If this is the location for removal of bridge, then Navigation concurs with what portion of bridge remains in the subsurface. Essentially, we believe removing all structure to the mudline will work in our interest to maintain navigation of the federal channel. We do request that you remove the fender systems in their entirety in order to have full width of the authorized channel. Thanks for including us in this discussion. Please let me know if you need further clarification.

My best,
Roger

ROGER BULLOCK
Deputy Chief of Operations-Navigation
Designated Diving Coordinator
U.S. Army Corps of Engineers-Wilmington District
69 Darlington Avenue
Wilmington, North Carolina 28403
(910) 251-4822 Office
(910) 512-7463 Mobile
Roger.D.Bullock@usace.army.mil

From: [Wainwright, David](#)
To: [Rivenbark, Chris](#); thomas.a.steffens@usace.army.mil; [Sollod, Steve](#); [Lane, Stephen](#)
Cc: [Ward, Garcy](#)
Subject: RE: R-3307, Request to Relocate Test Pile for Accessibility
Date: Tuesday, June 24, 2014 10:34:40 AM

Chris,

You don't need anything from us, provided, once again, you can still meet the conditions of our GC 3883 for survey activities. Thank you for providing this information to us.

David Wainwright

NCDENR, Division of Water Resources
Transportation Permitting Unit
1617 Mail Service Center, Raleigh, North Carolina 27699-1617
Phone: (919)707-8787 Fax: (919) 733-1290
David.Wainwright@ncdenr.gov

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties unless the content is exempt by statute or other regulation.

 Please consider the environment before printing this email.

From: Rivenbark, Chris
Sent: Tuesday, June 24, 2014 9:26 AM
To: thomas.a.steffens@usace.army.mil; Wainwright, David; Sollod, Steve; Lane, Stephen
Subject: R-3307, Request to Relocate Test Pile for Accessibility

We would like to be relocate the proposed Test Pile from STA. 45+89.00 -L- 0'-0" OFFSET (Center) to STA. 47+36.20 -R-10'-0"? When the surveyor located the test pile yesterday, the test pile is too close to the existing sunken barge and there is not enough water depth to move the barge into position to drive the test pile. Moving the Test Pile to this proposed location will allow our barge to safely move in position to drive the Test Pile without touching bottom during low tide. Please see the attached drawing showing the new proposed location.

I believe we only need approval from the USACE however I wanted to provide this to each of you. The contractor plans to commence tomorrow. Please let me know if you need any additional information.

Water Quality Certification No. 3883

GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)

Water Quality Certification Number 3883 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (DWQ) Regulations in 15 NCAC 02H .0500 and 15 NCAC 02B .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 02B .0200.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Activities meeting any one (1) of the following thresholds or circumstances require written approval for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):

- a. Impacts equal to or greater than 40 linear feet of additional permanent stream impact (including stream relocations) at an existing stream impact location; or
- b. Temporary or permanent impacts equal to or greater than one-tenth (1/10) of an acre of wetlands; or
- c. Any impact associated with a Notice of Violation or an enforcement action for violation(s) of DWQ Wetland Rules (15A NCAC 02H .0500), Isolated Wetland Rules (15A NCAC 02H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 02B .0200); or
- d. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman, Jordan or Goose Creek Watersheds (or any other basin or watershed with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these rules or a Buffer Authorization Certificate is issued through N.C. Division of Coastal Management (DCM) delegation for "ALLOWABLE" activities.

In accordance with North Carolina General Statute 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

Activities included in this General Certification that do not meet one of the thresholds listed above do not require written approval from the Division as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, then written approval from the Division is required.

Water Quality Certification No. 3883

Conditions of Certification:

1. No Impacts Beyond those Authorized in the Written Approval or Beyond the Threshold of Use of this Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the Pre-Construction Notification, as authorized in the written approval from the Division or beyond the thresholds established for use of this Certification without written authorization, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices shall be performed so that no violations of state water quality standards, statutes, or rules occur. Approved plans and specifications for this project are incorporated by reference and are enforceable parts of this permit.

2. Standard Erosion and Sediment Control Practices

Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices and if applicable, comply with the specific conditions and requirements of the NPDES Construction Stormwater Permit issued to the site:

- a. Design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - b. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - c. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
 - d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.
 - e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sedimentation and erosion control designs must comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*.
3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures shall not be placed in wetlands or waters. Exceptions to this condition require application submittal to and written approval by the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands, stream beds, or banks, adjacent to or upstream and downstream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources (DLR) or locally delegated program has released the specific area within the project.

Water Quality Certification No. 3883

4. Construction Stormwater Permit NCG010000

An NPDES Construction Stormwater Permit is required for construction projects that disturb one (1) or more acres of land. This Permit allows stormwater to be discharged during land disturbing construction activities as stipulated in the conditions of the permit. If your project is covered by this permit, full compliance with permit conditions including the erosion & sedimentation control plan, inspections and maintenance, self-monitoring, record keeping and reporting requirements is required. A copy of the general permit (NCG010000), inspection log sheets, and other information may be found at <http://portal.ncdenr.org/web/wq/ws/su/npdewsw#tab-w>.

The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

5. Work in the Dry

All work in or adjacent to stream waters shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require application submittal to and written approval by the Division.

6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle nesting, fish spawning, or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to lessen impacts on trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be implemented. Exceptions to this condition require written approval by the resource agency responsible for the given moratorium.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected riparian areas (whether jurisdictional wetlands or not), within the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman, Jordan, or Goose Creek Watersheds (or any other basin or watershed with buffer rules) shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 02B .0233, .0259, .0243, .0250, .0267 and .0605, and shall be located, designed, constructed, and maintained to have minimal disturbance to protect water quality to the maximum extent practicable through the use of best management practices. All buffer rule requirements, including diffuse flow requirements, must be met.

Water Quality Certification No. 3883

8. Placement of Culverts and Other Structures in Waters and Wetlands

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert.

Placement of culverts and other structures in waters and streams must be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life.

When topographic constraints indicate culvert slopes of greater than 5%, culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/ connectivity has been provided when possible (rock ladders, crossvanes, etc). Notification to the Division including supporting documentation to include a location map of the culvert, culvert profile drawings, and slope calculations shall be provided to the Division 60 days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required provided that there is sufficient documentation of the presence of bedrock. Notification to the Division including supporting documentation such as, but not limited to, a location map of the culvert, geotechnical reports, photographs, etc shall be provided to the Division a minimum of 60 days prior to the installation of the culvert. If bedrock is discovered during construction, then the Division shall be notified by phone or email within 24 hours of discovery.

If other site-specific topographic constraints preclude the ability to bury the culverts as described above and/or it can be demonstrated that burying the culvert would result in destabilization of the channel, then exceptions to this condition require application submittal to, and written approval by, the Division of Water Quality, regardless of the total impacts to streams or wetlands from the project.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. Additionally, when roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges must be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of riprap or other bank hardening methods.

9. If concrete is used during the construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state due to the potential for elevated pH and possible aquatic life/ fish kills.
10. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.

Water Quality Certification No. 3883

11. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of *Stormwater Best Management Practices*. Exceptions to this condition require written approval by the Division.

12. Compensatory Mitigation

In accordance with 15A NCAC 02H .0506 (h), compensatory mitigation may be required for losses of equal to or greater than 150 linear feet of streams (intermittent and perennial) and/or equal to or greater than one (1) acre of wetlands. For linear public transportation projects, impacts equal to or exceeding 150 linear feet per stream shall require mitigation.

Buffer mitigation may be required for any project with Buffer Rules in effect at the time of application for activities classified as "Allowable with Mitigation" or "Prohibited" within the Table of Uses.

A determination of buffer, wetland, and stream mitigation requirements shall be made for any General Water Quality Certification for this Nationwide and/or Regional General Permit. Design and monitoring protocols shall follow the US Army Corps of Engineers Wilmington District *Stream Mitigation Guidelines* (April 2003) or its subsequent updates. Compensatory mitigation plans shall be submitted to the Division for written approval as required in those protocols. The mitigation plan must be implemented and/or constructed before any impacts occur on site. Alternatively, the Division will accept payment into an in-lieu fee program or a mitigation bank. In these cases, proof of payment shall be provided to the Division before any impacts occur on site.

13. All temporary fill and culverts shall be removed and the impacted area returned to natural conditions within 60 days of the determination that the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile, and the various sites shall be stabilized with natural woody vegetation (except for the approved maintenance areas) and restored to prevent erosion.
14. All temporary pipes/ culverts/ riprap pads etc, shall be installed in all streams as outlined in the most recent edition of the *North Carolina Sediment and Erosion Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* so as not to restrict stream flow or cause dis-equilibrium during use of this General Certification.
15. Any riprap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap shall be buried and/or "keyed in" such that the original stream elevation and streambank contours are restored and maintained. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area.
16. Any rip-rap used for stream stabilization shall be of a size and density so as not to be able to be carried off by wave, current action, or stream flows and consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures.
17. A one-time application of fertilizer to re-establish vegetation is allowed in disturbed areas including riparian buffers, but is restricted to no closer than 10 feet from top of bank of streams. Any fertilizer application must comply with all other Federal, State and Local regulations.

Water Quality Certification No. 3883

18. If an environmental document is required under the National or State Environmental Policy Act (NEPA or SEPA), then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.
19. In the twenty (20) coastal counties, the appropriate DWQ Regional Office must be contacted to determine if Coastal Stormwater Regulations will be required.
20. This General Certification does not relieve the applicant of the responsibility to obtain all other required Federal, State, or Local approvals.
21. The applicant/permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law. If the Division determines that such standards or laws are not being met, including failure to sustain a designated or achieved use, or that State or Federal law is being violated, or that further conditions are necessary to assure compliance, then the Division may reevaluate and modify this General Water Quality Certification.
22. When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.
23. Additional site-specific conditions, including monitoring and/or modeling requirements, may be added to the written approval letter for projects proposed under this Water Quality Certification in order to ensure compliance with all applicable water quality and effluent standards.
24. This certification grants permission to the director, an authorized representative of the Director, or DENR staff, upon the presentation of proper credentials, to enter the property during normal business hours.

This General Certification shall expire on the same day as the expiration date of the corresponding Nationwide and/or Regional General Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification.

Non-compliance with or violation of the conditions herein set forth by a specific project may result in revocation of this General Certification for the project and may also result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

Water Quality Certification No. 3883

Public hearings may be held for specific applications or group of applications prior to a Certification decision if deemed in the public's best interest by the Director of the North Carolina Division of Water Quality.

Effective date: March 19, 2012

DIVISION OF WATER QUALITY

By

A handwritten signature in blue ink, appearing to read "Charles Wakild for".

Charles Wakild, P.E.

Director

History Note: Water Quality Certification (WQC) Number 3883 issued March 19, 2012 replaces WQC Number 3687 issued November 1, 2007; WQC Number 3624 issued March 19, 2007; WQC Number 3494 issued December 31, 2004; and WQC Number 3376 issued March 18, 2002. This General Certification is rescinded when the Corps of Engineers reauthorizes any of the corresponding Nationwide and/or Regional General Permits or when deemed appropriate by the Director of the Division of Water Quality.

BENT
15

BENT
16

46+54.00

48+79.00

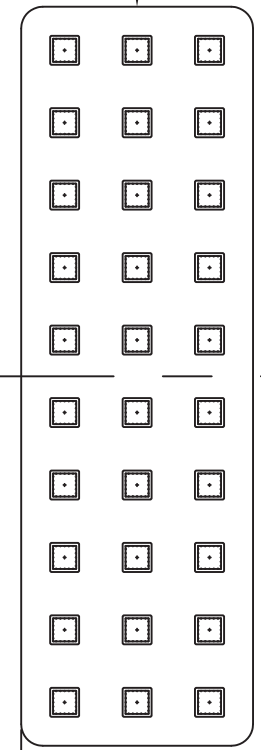
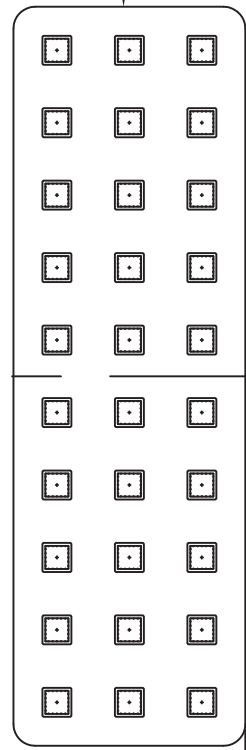
CENTERLINE OF BRIDGE

TEST PILE
(PROPOSED NEW LOCATION)
STA. 47+36.20 -L-
10'-0" OFFSET (RIGHT)

10.00

71.70

132.80



NOTE:
THIS DRAWING IS THE PROPERTY OF ORION MARINE CONSTRUCTION, INC. ITS REPRODUCTION OR DISCLOSURE TO OTHERS FOR EXAMINATION WITHOUT THE WRITTEN CONSENT OF ORION MARINE CONSTRUCTION IS EXPRESSLY PROHIBITED AND THIS DRAWING SHALL BE USED ONLY IN CONJUNCTION WITH WORK DESIGNED OR CONSTRUCTED BY ORION MARINE CONSTRUCTION, INC.

DRAWING ISSUE RECORD										NAME OF P.E.				
ISSUE NO.	DATE	REV. NO.	STATUS	CLIENT	CONTR. MGR.	PROJ. MGR.	STEEL FAB.	PROD. COORDINATING	ESTIM.	REV. MARK	REVISION	BY	DATE	APP.



PROJECT	GALLANT'S CHANNEL BRIDGE PROJECT
TITLE	RFI-005 TEST PILE LOCATION

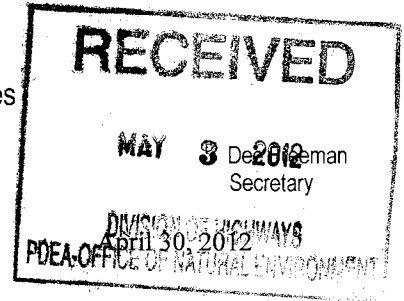
DRAWN	BBP	CHECKED	---
JOB NO.	06P00632	DATE	
DRAWING NO.			



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Charles Wakild, P.E.
Director

Beverly Eaves Perdue
Governor



Dr. Greg Thorpe, PhD., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and ISOLATED WETLANDS PERMIT with ADDITIONAL CONDITIONS for the proposed improvements to US 70 from the existing four lanes at Radio Island to US 70 north of S.R. 1429 in Carteret County, Federal Aid Project No. STPNHF-70(43), State Project No. 8.116250, TIP R-3307.


NCDWQ Project No. 20111003

Dear Dr. Thorpe:

Attached hereto is a copy of Certification No. 3915 issued to The North Carolina Department of Transportation (NCDOT) dated April 30, 2012.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,



Charles Wakild
for Director

Attachments

- cc: Tom Steffens, US Army Corps of Engineers, Washington Field Office (electronic copy only)
- Ed Eatmon, PE, Division 2 Engineer
- Jay Johnson, Division 2 Environmental Officer
- Chris Militscher, Environmental Protection Agency (electronic copy only)
- Travis Wilson, NC Wildlife Resources Commission (electronic copy only)
- Gary Jordan, U.S. Fish and Wildlife Service (electronic copy only)
- Jason Elliott, NCDOT, Roadside Environmental Unit
- Steve Sollod, Division of Coastal Management
- Garcy Ward, NCDWQ Washington Regional Office
- File Copy

Transportation Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 512 N. Salisbury Street, Raleigh, North Carolina 27604
Phone: 919-807-6300 FAX: 919-807-6488
Internet: <http://portal.ncdenr.org/web/wq>

An Equal Opportunity \ Affirmative Action Employer

One
North Carolina
Naturally

401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and ISOLATED WETLANDS PERMIT with ADDITIONAL CONDITIONS

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (NCDWQ) Regulations in 15 NCAC 2H .0500 and Isolate Wetlands Permit Pursuant to IWGP100000. This certification authorizes the NCDOT to impact 7.06 acres of jurisdictional wetlands, 0.18 acres of isolated wetlands (7.24 acres total), and 892 linear feet of jurisdictional streams in Carteret County. The project shall be constructed pursuant to the application dated received November 15, 2011, the revision request dated received January 26, 2012, and any additional information received. The authorized impacts are as described below:

Stream Impacts in the White Oak River Basin

Site	Location	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Total Stream Impact (linear feet)	Channel Relocation (linear feet)	Stream Impacts Requiring Mitigation (linear ft)
2	-L- 62+82 to 72+30 & -Y1REV- 15+74 to 20+64	139	9	--	--	148	--	--
3	-L- 78+58 to 79+06	16	--	--	--	16	--	16
3	-Y2- 10+78 to 11+18 LT	165	22	--	--	187	--	165
4	-L- 87+50 to 92+56	24	--	--	--	24	--	--
5	-L-171+47 to 183+92	499*	10	--	--	509	499	--
7	-Y2- 18+66 to 24+34	8	--	--	--	8	--	--
Total:		851	41	0	0	892	499	181

* This channel will be relocated and therefore will not require mitigation

Total Stream Impact for Project: 892 linear feet

Wetland Impacts in the White Oak River Basin

Site	Wetland Type	Location	Fill (acre)	Fill (temp.) (acre)	Excavation (acre)	Mechanized Clearing (acre)	Hand Clearing (acre)	Total Wetland Impact (acre)	Impacts Requiring Mitigation (acre)
1	Coastal	-L-28+10 to 29+47 LT	<0.01	--	--	--	0.02	0.02	0.00
1	Coastal	-L- 28+99 to 63+44	0.02	--	0.16	--	--	0.18	0.18
1	Riparian	-L- 28+99 to 63+44	--	0.07	--	--	--	0.07	0.00
2	Coastal	-L- 62+82 to 72+30 & -Y1REV- 15+74 to 20+64	0.24	--	--	--	--	0.24	0.24
2	Riparian	-L- 62+82 to 72+30 & -Y1REV- 15+74 to 20+64	1.38	--	--	0.21	0.06	1.65	1.59
5	Non-Riparian	-L-171+47 to 183+92	3.98	--	--	0.53	--	4.51	4.51
6	Coastal	-Y2- 13+13 to 18+77	<0.01	<0.01	--	--	--	0.00	0.00
6	Coastal	-Y2- 12+33 to 14+48 RT	0.04	--	--	--	0.03	0.07	0.04
7	Coastal	-Y2- 18+66 to 24+34	0.20	--	--	--	0.12	0.32	0.20
Total:			5.86	0.07	0.16	0.74	0.23	7.06	6.76

Total Wetland Impact for Project: 7.06 acres (0.66 acres coastal wetlands and 6.40 acres 404 wetlands)

Isolated Wetland Impacts in the White oak River Basin

Site	Location	Fill (acre)	Fill (temp) (acre)	Excavation (acre)	Mechanized Clearing (acre)	Hand Clearing (acre)	Total Wetland Impact	Impacts Requiring Mitigation
4	-L- 87+50 to 92+56	0.18	--	--	--	--	0.18	0.18
TOTAL:		0.18	0	0	0	0	0.18	0.18

Total Isolated Wetland Impact for Project: 0.18 acres.

Open Water Impacts in the White Oak River Basin

Site	Permanent Fill in Open Waters (acres)	Temporary Fill in Open Waters (acres)	Total Fill in Open Waters (acres)
Gallants Channel Bridge	0.03	0.06	0.09
Turner Street Bridge	<0.01	<0.01	<0.01
TOTAL:	0.03	0.06	0.09

Total Open Water Impact for Project: 0.09 acres.

The application provides adequate assurance that the discharge of fill material into the waters of the White Oak River Basin in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application dated received November 15, 2011 and the revision request dated received January 26, 2012. Should your project change, you are required to notify the NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit.

Conditions of Certification:

1. The NCDOT Division Environmental Officer or Environmental Assistant will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues with stream and pipe alignment at the permitted site. NCDWQ staff shall be invited to the pre-construction meeting.
2. Mitigation
 - a. Compensatory mitigation for impacts to 6.94 acres of wetlands (1.59 acres riparian, 4.69 acres non-riparian, and 0.66 acres coastal) is required. The NCDOT has decided to address this required mitigation as follows:

Mitigation Type	Mitigation Source	Mitigation Required (acres)	Ratio	Credits Required
Riparian	EEP	1.59	2:1	3.18
Non-Riparian	EEP	4.69	2:1	9.38
Coastal	Turner Street Bridge (onsite)	0.66	1:1	0.66
TOTAL:		6.94		

- b. The permittee shall comply with the on-site wetland mitigation plan submitted on February 3, 2012, titled "Turner Street Marsh Restoration Plan (Revised)," located adjacent to Town Creek. All on-site mitigation sites shall be protected in perpetuity by a conservation easement or through NCDOT fee simple acquisition and recorded in the NCDOT Natural Environment Unit mitigation geodatabase.

The mitigation proposal aims to restore approximately 1.40 acres of coastal salt marsh. The mitigation is intended to completely offset the required 0.66 acres of coastal salt marsh being impacted by the project. The site shall be constructed as detailed in the referenced restoration plan. Should the need to deviate from the submitted plans be required, the NCDOT shall contact the NCDWQ for further guidance and approval.

The NCDOT will need to provide the NCDWQ with as-built plans after completion.

The site shall be monitored for no less than five (5) years unless the NCDWQ and other regulatory agencies agree that the site has been successful prior to that time. The site shall be monitored annually with a report made available for the NCDWQ to review. Additionally, at the end of the five (5) years, the site shall consist of a minimum of 70 percent target species and should have a scale value of five (5) (>75 percent vegetative cover) consisting of wetland herbaceous species (not including any invasive species), unless the NCDWQ deems the site successful otherwise. Should the site fail to satisfy the 0.66 acres of required mitigation, the NCDOT shall seek other means to compensate for the deficiency. Any amount over 0.66 acres considered successful may be reserved for use at a later time, pending NCDWQ approval.

- c. Compensatory mitigation for impacts to 6.10 acre of wetlands (1.59 acres riparian and 4.51 acres non-riparian) is required. We understand that you have chosen to perform compensatory mitigation for impacts to wetlands through the North Carolina Ecosystem Enhancement Program (EEP), and that the EEP has agreed to implement the mitigation for the project. EEP has indicated in a letter dated January 24, 2012 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the EEP Mitigation Banking Instrument signed July 28, 2010.
 - d. Compensatory mitigation for 181 linear feet of impact to perennial streams is required. We understand that you have chosen to perform compensatory mitigation for impacts to streams through the North Carolina Ecosystem Enhancement Program (EEP), and that the EEP has agreed to implement the mitigation for the project. EEP has indicated in a letter dated January 24, 2012 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the EEP Mitigation Banking Instrument signed July 28, 2010.
3. Channel relocations shall be completed and stabilized, and approved on site by DWQ staff, prior to diverting water into the new channel. Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills.
 4. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species.
 5. Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of the 401 Water Quality Certification.
 6. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers,

etc.) before entering the stream. Please refer to the most current version of *Stormwater Best Management Practices*.

7. For projects impacting waters classified by the NC Environmental Management Commission as High Quality Waters (HQW) stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged.
8. Bridge piles and bents shall be constructed using driven piles (hammer or vibratory) or drilled shaft construction methods. More specifically, jetting or other methods of pile driving are prohibited without prior written approval from NCDWQ first.
9. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly.
10. Turbidity curtains shall be used to isolate all work areas within Gallants Channel, including pile driving and drilling activities, casement installation, placement of riprap, excavation or filling. Strict adherence to the Construction and Maintenance Best Management Practices will be required.
11. All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. If work conditions require barges and if necessary, they shall be floated into position and then sunk. The barges shall not be sunk and then dragged into position. Under no circumstances should barges be dragged along the bottom of the surface water.
12. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams, shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
13. If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
14. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
15. The stream channel shall be excavated no deeper than the natural bed material of the stream, to the maximum extent practicable. Efforts must be made to minimize impacts to the stream banks, as well as to vegetation responsible for maintaining the stream bank stability. Any applicable riparian buffer impact for access to stream channel shall be temporary and be revegetated with native riparian species.
16. The permittee shall use "Design Standards in Sensitive Watersheds" (15A NCAC 4B.0124[a]-[e]) in areas draining to HQW waters. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres. Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control.
17. With exception of Creeping Red Fescue (*Festuca rubra*), tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with an appropriate native seed mix on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples,

stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.

18. Adherence to *The Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters* will be required throughout construction.

General Conditions

19. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
20. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
21. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers.
22. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
23. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
24. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
25. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
26. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
27. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials.
28. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
29. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
30. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If NCDWQ determines that such

standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, NCDWQ may reevaluate and modify this certification.

31. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification..
32. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
33. Native riparian vegetation must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction.
34. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.
35. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.
36. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
37. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
38. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.
39. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
40. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made

conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit.

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission. The mailing address for the Office of Administrative Hearings is:

Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919)-733-2698, Facsimile: (919)-733-3478

A copy of the petition must also be served on DENR as follows:

Ms. Mary Penny Thompson, General Counsel
Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601

This the 30th day of April 2012

DIVISION OF WATER QUALITY



for Charles Wakild
Director

WQC No. 003915



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Charles Wakild, P.E.
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

NCDWQ Project No.: _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

Certificate of Completion

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401 Transportation Permitting Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to NCDWQ by the applicant, the applicant's authorized agent, or the project engineer. It is not necessary to send certificates from all of these.

Applicant's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Agent's Certification

I, _____, hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

Engineer's Certification

_____ Partial _____ Final

I, _____, as a duly registered Professional Engineer in the State of North Carolina, having been authorized to observe (periodically, weekly, full time) the construction of the project, for the Permittee hereby state that, to the best of my abilities, due care and diligence was used in the observation of the construction such that the construction was observed to be built within substantial compliance and intent of the 401 Water Quality Certification and Buffer Rules, the approved plans and specifications, and other supporting materials.

Signature _____ Registration No. _____

Date _____

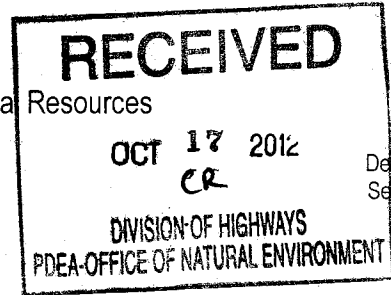
Transportation Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 512 N. Salisbury Street, Raleigh, North Carolina 27604
Phone: 919-807-6300 FAX: 919-807-6488
Internet: http://portal.ncdenr.org/web/wq





North Carolina Department of Environment and Natural Resources

Division of Water Quality
Charles Wakild, P.E.
Director



Dee Freeman
Secretary

Beverly Eaves Perdue
Governor

October 15, 2012

Dr. Greg Thorpe, PhD., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina, 27699-1598

Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and ISOLATED WETLANDS PERMIT with ADDITIONAL CONDITIONS for the proposed improvements to US 70 from the existing four lanes at Radio Island to US 70 north of S.R. 1429 in Carteret County, Federal Aid Project No. STPNHF-70(43), State Project No. 8.116250, TIP R-3307. NCDWQ Project No. 20111003 v. 2

Dear Dr. Thorpe:

Attached hereto is a modification of Certification No. 003195 issued to The North Carolina Department of Transportation (NCDOT) dated April 30, 2012.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Charles Wakild
Director

Attachments

- cc: Tom Steffens, US Army Corps of Engineers, Washington Field Office (electronic copy only)
- Ed Eatmon, PE, Division 2 Engineer
- Jay Johnson, Division 2 Environmental Officer
- Chris Militscher, Environmental Protection Agency (electronic copy only)
- Travis Wilson, NC Wildlife Resources Commission (electronic copy only)
- Gary Jordan, U.S. Fish and Wildlife Service (electronic copy only)
- Steve Sollod, Division of Coastal Management (electronic copy only)
- Garcy Ward, NCDWQ Washington Regional Office (electronic copy only)
- File Copy

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1617
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
Phone: 919-807-6300 \ FAX: 919-807-6488
Internet: www.ncwaterquality.org

An Equal Opportunity \ Affirmative Action Employer

One
North Carolina
Naturally

Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act and Isolated Wetlands Permit with ADDITIONAL CONDITIONS

THIS CERTIFICATION is issued in conformity with the requirements of Section 401 Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (NCDWQ) Regulations in 15 NCAC 2H .0500 and Isolated Wetlands Permit pursuant to IWGP100000. This certification authorizes the NCDOT to impact an additional 0.97 acres of jurisdictional wetlands in Carteret County. The additional impacts are due to utility line relocations. The project shall be constructed pursuant to the modification dated received October 12, 2012. The authorized impacts are as described below:

Wetland Impacts in the White Oak River Basin

Site	Station	Fill (ac)	Fill (temporary) (ac)	Excavation (ac)	Mechanized Clearing (ac)	Hand Clearing (ac)	Total Wetland Impact (ac)	Impacts Requiring Mitigation (ac)
A1	10+00 to 24+00 -L-	--	--	--	--	0.62	0.62	0.00
A2	24+00 to 25+09 -L-	--	--	--	--	0.07	0.07	0.00
A3	25+87 to 30+43 -L-	--	--	--	--	0.28	0.28	0.00
Total		0.00	0.00	0.00	0.00	0.97	0.97	0.00

Total Wetland Impact for Modification: 0.97 acres.

The application provides adequate assurance that the discharge of fill material into the waters of the White Oak River Basin in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your modified application dated received October 12, 2012. All the authorized activities and conditions of certification associated with the original Water Quality Certification dated April 30, 2012 still apply except where superceded by this certification. Should your project change, you are required to notify NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit.

Condition(s) of Certification:

1. This modification is applicable only to the additional proposed activities. All of the authorized activities and conditions of certification associated with the original Water Quality Certification dated April 30, 2012 still apply except where superceded by this certification.
2. Since the modification is only requesting additional hand clearing associated with utility line relocations, no additional mitigation is required.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit.

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of

Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission. The mailing address for the Office of Administrative Hearings is:

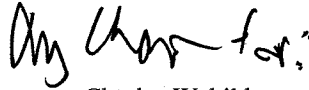
Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919)-431-3000, Facsimile: (919)-431-3100

A copy of the petition must also be served on DENR as follows:

Mr. William Cary, General Counsel
Department of Environment and Natural Resources
1601 Mail Service Center

This the 15th day of October 2012

DIVISION OF WATER QUALITY



Charles Wakild
Director

WQC No. 003915

Permit Class
AMENDED

Permit Number
37-12

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118

Excavation and/or filling pursuant to NCGS 113-229

Issued to N.C. Department of Transportation, 1598 Mail Service Center, Raleigh, NC 27699-1548

Authorizing development in Carteret County at a new crossing of Gallants Channel and the US 70 bypass of the town of Beaufort as requested in the permittee's application dated 11/9/11, and revisions dated 1/24/12, 3/7/12, and 2/15/12, including the attached drawings as referenced in Condition No. 1 of this permit.

This permit, issued on 5/7/12, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

US 70 Bypass of Beaufort (TIP No. R-3307)

1) Unless specifically altered herein, all work authorized by this permit shall be carried out in accordance with the following sixty five (65) workplan drawings:

½ size drawings: Thirty one (31) drawings dated 6/30/11, fifteen (15) drawings dated 11/14/11, seven (7) drawings dated 7/29/10, four (4) drawings dated 4/18/11, two (2) drawings dated 10/18/10, two (2) drawings dated 6/1/11, two (2) drawings dated 8/1/11, and two (2) drawings dated 2/15/12.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

No Expiration Date, pursuant to GS 136-44.7B

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.

Douglas V. Haggitt
for

Braxton C. Davis, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.

E. L. Lusk for Gregory J. Thayer
Signature of Permittee

ADDITIONAL CONDITIONS

- 2) The West Indian Manatee, *Trichechus manatus*, which is listed as a federally endangered species, has been reported in North Carolina waters. In order to protect the West Indian manatee and in accordance with project commitments made within the CAMA permit application, all in-water work should be done during the period from November 1 to May 31. If work must be done during the period from June through October the enclosed guidelines prepared by the U.S. Fish and Wildlife Service (USFWS) (rev. 06/2003), entitled "Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters" shall be followed.
- 3) In accordance with project commitments made within the CAMA permit application and the Finding of No Significant Impact (FONSI), dated August 2006, the NCDOT document "Best Management Practices for Bridge Demolition and Removal" (final 9/20/99) shall be followed during demolition activities.
- 4) Any debris resulting from the demolition of the existing Grayden Paul Bridge over Gallants Channel or construction of the new bridge over Gallants Channel shall not enter wetlands or waters of the State, even temporarily.
- 5) The permittee and/or his contractor shall exercise all available precautions in day-to-day operations to prevent waste from entering the adjacent waters.
- 6) Any waste materials and debris associated with the demolition of the existing bridge, construction of the new bridge or the other activities shall be disposed of at an approved upland site or shall be recycled in an environmentally appropriate manner provided appropriate authorizations are obtained from any relevant state, federal, or local authorities.
- 7) The permittee and/or his contractor shall provide for proper storage and handling of all oils, chemicals, etc., necessary to carry out the project.
- 8) Construction staging areas shall be located only in upland areas, and not in wetlands or waters of the State.
- 9) The installation of bridge piles shall be performed by pile driving and/or the use of vibratory hammer. Should the permittee and/or its contractor desire to utilize another type of pile installation, such as drilled shaft or jetting, additional DCM authorization shall be required.
- 10) Live concrete shall not be allowed to contact waters of the State or water that will enter waters of the State or adjacent wetlands.
- 11) Placement of riprap shall be limited to the areas as depicted on the attached workplan drawings. The riprap material shall be free from loose dirt or any pollutant. The riprap material shall consist of clean rock or masonry materials, such as but not limited to, granite, marl, or broken concrete.

ADDITIONAL CONDITIONS

- 12) All portions of the existing bridge within Public Trust Waters shall be removed immediately upon completion of the new bridge. Pilings from the existing bridge, as well as remnant pilings from previous bridges, shall be removed in their entirety, except that in the event that a piling breaks during removal and cannot be removed in its entirety, the piling may be cut off flush with the bed of the water body, and DCM shall be notified of each occurrence within one working day.
- 13) The temporary work bridges shall be removed in their entirety within 90 days after they are no longer needed.
- 14) The permittee shall minimize the need to cross wetlands in transporting equipment to the maximum extent practicable.
- 15) Construction mats shall be utilized to support equipment within wetland areas to minimize temporary wetland impacts. These mats shall be removed immediately following project completion.
- 16) There shall be no clearing or grubbing of wetlands outside of the areas indicated on the attached workplan drawings without prior approval from DCM.

Excavation and Fill

- 17) No excavation shall take place at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas indicated on the attached workplan drawings, without permit modification.
- 18) Material excavated may be used in fill areas associated with the project or shall be removed from the site and taken to an approved high ground location.
- 19) All excavated materials shall be confined above normal high water level and landward of regularly or irregularly flooded wetlands behind adequate dikes or other retaining structures to prevent spillover of solids into any wetlands or surrounding waters.
- 20) No excavated or fill material shall be placed at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas as indicated on the attached workplan drawings, without permit modification.
- 21) The temporary placement and double handling of any excavated or fill material within waters or vegetated wetlands is not authorized.
- 22) All fill material shall be clean and free of any pollutants except in trace quantities.

Barges

- 23) Barges shall be removed promptly when they are no longer needed.

ADDITIONAL CONDITIONS

- 24) Barges shall be utilized only in areas of sufficient depth such that the barges do not rest on the bottom during periods of low tide.
- 25) Caution shall be exercised with placement and removal of any barges to ensure that impacts to shallow water habitat are avoided and minimized to the maximum extent practicable.

Sedimentation and Erosion Control

- 26) This project shall conform to all requirements of the NC Sedimentation Pollution Control Act and NC DOT's Memorandum of Agreement with the Division of Land Resources.
- 27) In accordance with project commitments made within the CAMA permit application and the FONSI, dated August 2006, Design Standards in Sensitive Watersheds, 15A NCAC 4B .0124, shall be implemented.
- 28) Unless specifically altered herein, the permittee shall follow "Best Management Practices for the Protection of Surface Waters (3/97)" and shall also implement sedimentation and erosion control measures sufficient to protect aquatic resources. At a minimum, appropriate sedimentation and erosion control devices, measures or structures shall be implemented to ensure that eroded materials do not enter adjacent wetlands, watercourses, and property (e.g. silt fence, diversion swales or berms, etc.).

Coastal Wetland Mitigation

NOTE: The proposed project will permanently impact a total of 0.66 acre or 28,750 sq. ft. of CAMA Coastal Wetlands. These impacts are due to 0.50 acre of fill and 0.16 acre of excavation.

- 29) In accordance with commitments made by the permittee, and in order to mitigate for the loss of approximately 0.66 acre of Coastal Wetlands associated with the project, the permittee shall restore approximately 1.4 acres of Coastal Wetlands by the removal of existing culvert pipes and approximately 560 linear feet of the existing causeway on Turner Street.
- 30) Unless specifically altered herein, on-site mitigation shall be carried out as described in the document titled "Turner Street Marsh Restoration Plan (Revised), R-3307, Highway 70 Improvements, Beaufort, Carteret County", dated 2/3/2012.
- 31) An as-built survey report for the mitigation site shall be submitted to DCM within 90 days after the mitigation site has been constructed.
- 32) Any subsequent changes to the mitigation plan authorized by this CAMA permit shall require additional DCM authorization.

ADDITIONAL CONDITIONS

- 33) The wetland restoration areas shall be fully contained by silt fence until all of the unsuitable fill material has been removed and the restoration areas have been restored to the approximate natural elevation of the adjacent, similar, and undisturbed wetlands and stabilized with appropriate coastal wetland vegetation.
- 34) Annual monitoring reports for the mitigation site shall be provided to DCM for a minimum of five years in accordance with the approved mitigation plan. Annual monitoring reports shall include photographs and an assessment of whether the site is achieving success based on the success criteria stated in the mitigation plan. Progress reports shall also be provided upon request. Monitoring may cease if the permittee can demonstrate that the site has been successfully restored by achieving success criteria and written concurrence is received from DCM.

NOTE: The exact amount of wetland mitigation credits will not be determined until the permittee receives confirmation from DCM that the coastal wetland restoration has been successful.

NOTE: This permit does not convey or imply approval of the suitability of any excess mitigation generated by this project as compensatory wetland mitigation for any particular future projects. The use of any portion of the excess mitigation generated by this project as compensatory mitigation for future projects will be approved on a case-by-case basis during the CAMA permit review and/or consistency process.

- 35) Due to the possibility that compaction, mechanized clearing and/or other site alterations might prevent any temporary Coastal Wetland impact area from re-attaining pre-project wetland functions, the permittee shall monitor temporary wetland impacts for three years after project completion. The permittee shall schedule a meeting with DCM to verify the extent and location of temporary impacts upon project completion. The permittee shall then provide an annual update on any wetland areas temporarily impacted by this project. This annual update shall consist of photographs and written report on the progress of these temporarily impacted areas in re-attaining wetland jurisdictional status. Three years after project completion, the permittee shall schedule an agency field meeting with DCM to determine if the wetland areas temporarily impacted by this project have re-attained pre-project wetland functions. If at the end of 3 years the wetland areas temporarily impacted by this project have not re-attained pre-project wetland functions, DCM shall determine whether compensatory wetland mitigation shall be required.

Non-Coastal Wetland Mitigation

NOTE: The proposed project will permanently impact 1.59 acres of riparian wetlands, 4.51 acres of non-riparian wetlands, and 0.18 acre of isolated wetlands, for a total of 4.69 acres of non-riparian wetlands. Of the 851 linear feet of permanent stream impacts, DWQ and USACE require mitigation for 304 linear feet.

NOTE: The Ecosystem Enhancement Program (EEP) agreed to provide mitigation for 1.78 acres of riparian wetlands, 4.69 acres of non-riparian wetlands, and 304 linear feet of stream impacts, in accordance to the EEP Mitigation Acceptance Letter, dated 1/24/12.

ADDITIONAL CONDITIONS

Utilities Relocation

- 36) Any relocation of utility lines that has not been previously permitted by DCM or is not already depicted on the attached work plan drawings, or described within the attached permit application, shall require approval by DCM, either under the authority of this permit, or by the utility company obtaining separate authorization.

Historic Preservation

- 37) The permittee shall adhere to the provisions of the "Memorandum of Agreement (MOA) between the Federal Highway Administration and North Carolina State Historic Preservation Officer for US 70 Improvements from Four Lanes at Radio Island to North of Beaufort near Olga Road", signed by the Federal Highway Administration on 9/7/06. Any proposed alteration to the MOA shall be coordinated with the North Carolina State Historic Preservation Office. The permittee shall notify DCM of any approved alterations to the MOA.

General

- 38) DWQ authorized the proposed project (DWQ Project No. 20111003) on April 30, 2012 under Certification No. 3915. Any violation of the Certification approved by the DWQ shall be considered a violation of this CAMA permit.

NOTE: DWQ provided confirmation that the subject project is excluded from State Coastal Stormwater permitting requirements by way of the Stormwater Permit Exclusion letter, dated 5/26/11 (Project No. SW8101208).

- 39) The permittee and/or contractor shall contact the DCM Transportation Field Representative at (252) 808-2808 extension No. 208 to schedule a pre-construction conference prior to project initiation.

NOTE: The bridge demolition debris may be suitable for use as artificial reef material. The permittee is encouraged to contact the Artificial Reef Coordinator at the N.C. Division of Marine Fisheries Morehead City Office at (252) 726-7021 to coordinate review of the suitability of the material and arrangements for such use.

NOTE: If it is determined that additional permanent and/or temporary impacts are necessary that are not shown on the attached permit drawings or described in the authorized permit application, permit modification or additional authorization from DCM may be required.

NOTE: This permit does not eliminate the need to obtain any additional state, federal, or local permits, approvals, or authorizations that may be required, including, but not limited to, the US Army Corps of Engineers and/or the US Coast Guard.



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Pat McCrory
Governor

Braxton C. Davis
Director

John E. Skvarla, III
Secretary

December 19, 2013

Richard W. Hancock, P.E.
Environmental Management Director
Project Development and Environmental Analysis Branch
N.C. Dept. of Transportation
1548 Mail Service Center
Raleigh, N.C. 27699-1548

RE: Refinement of CAMA Major Development Permit No. 37-12 (TIP R-3307).
Widening of US 70 from Radio Island to Olga Road (SR 1426), Carteret County

Dear Mr. Hancock:

This letter is in response to your request dated December 19, 2013 requesting authorization to revise the construction plans for the proposed road widening project.

The request indicates that sidewalks would be added adjacent to West Beaufort Street and Turner Street as shown on the attached drawings. The plans indicated that the additional sidewalks would not result in any additional impacts to wetlands or waters of the state.

This **Letter of Refinement** authorizes the addition of sidewalks adjacent to West Beaufort Street and Turner Street as described in your request dated December 19, 2013, including revised Plan Sheets 8,9,20, and 21. This letter shall be attached to the original of amended CAMA Permit No. 37-12 and all documents must be readily available on site when a DCM representative inspects the project for compliance. All conditions and stipulations of the active permit remain in force unless altered herein.

Please contact Stephen Lane at (252) 808-2808 ext. 213 if you have any questions or concerns.

Sincerely,

Doug Huggett
Major Permits and Consistency Coordinator

cc: Stephen Lane, NCDCM
Steve Sollod, NCDCM
Tom Steffens, USACE
Garcy Ward, DWR
Jay Johnson, NCDOT

400 Commerce Ave., Morehead City, NC 28557
Phone: 252-808-2808 \ FAX: 252-247-3330 Internet: www.nccoastalmanagement.net

An Equal Opportunity \ Affirmative Action Employer



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

May 8, 2014

Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis Branch
N.C. Dept. of Transportation
1548 Mail Service Center
Raleigh, N.C. 27699-1548

RE: Refinement of CAMA Major Development Permit No. 37-12 (TIP R-3307)
Widening of US 70 from Radio Island to Olga Road (SR 1426), Carteret County

Dear Mr. Hancock:

This letter is in response to your request, dated May 2, 2014, to remove a derelict barge from Gallants Channel that is in conflict with the permitted R-3307 project.

Your request and subsequent discussions among NCDOT, Conti (NCDOT's project contractor), and NCDCM staff indicates that a 30' wide by 80' long steel barge is partially submerged and filled with sediment within the footprint of one of the bent locations for the permitted bridge. The proposed plan for removal of the barge is to remove the top of the barge, excavate the sediment from inside the barge and dispose of it on high ground, then utilize a barge mounted crane to lift the derelict barge off the channel bottom for proper disposal. Your request also indicates that turbidity curtains would be utilized during the operation to contain any turbidity to the project site. The request would not result in any additional impacts to wetlands or waters of the state.

This **Letter of Refinement** authorizes the removal of the barge as described in your request letter dated May 2, 2014. This letter shall be attached to the original of amended CAMA Permit No. 37-12 and all documents must be readily available on site when a DCM representative inspects the project for compliance. All conditions and stipulations of the active permit remain in force unless altered herein. This refinement of the CAMA permit does not eliminate the need to obtain any additional approvals or authorizations necessary from the USACE or NCDWR to perform the work as requested.

Please contact Stephen Lane at (252) 808-2808 or Steve Sollod at (919) 707-9152 if you have any questions or concerns.

Sincerely,

Doug Huggett
Major Permits and Consistency Coordinator
NC Division of Coastal Management

cc: Stephen Lane, NCDCM
Steve Sollod, NCDCM
Tom Steffens, USACE
Garcy Ward, DWR
Jay Johnson, NCDOT

Stephen Lane



North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Pat McCrory
Governor

Braxton C. Davis
Director

John E. Skvarla, III
Secretary

January 13, 2014

Richard W. Hancock, P.E.
Environmental Management Director
Project Development and Environmental Analysis Branch
N.C. Dept. of Transportation
1548 Mail Service Center
Raleigh, N.C. 27699-1548

RE: Refinement of CAMA Major Development Permit No. 37-12 (TIP R-3307)
Widening of US 70 from Radio Island to Olga Road (SR 1426), Carteret County

Dear Mr. Hancock:

This letter is in response to your request, dated January 10, 2014, to revise Condition No. 12 of CAMA Permit No. 37-12 to allow the existing bridge bascule support pilings to be cut off at -22' MSL.

Your request and subsequent discussions among NCDOT and NCDCM staff indicates that the existing bridge bascule support pilings tie into large concrete seals at approximately -22' MSL. This places the top of the concrete seals at 3' to 5' below the mud line of the channel, with current channel depths in the -17 to -19 MSL range. NCDOT has indicated that complete removal of the pilings as currently required by Condition No. 12 of the CAMA permit would result in a potential obstruction of the navigation channel, additional project construction time, and additional financial expense. The request would not result in any additional impacts to wetlands or waters of the state.

This **Letter of Refinement** authorizes the removal of the existing bridge bascule pilings down to -22' MSL as described in your request letter dated January 10, 2014. This letter shall be attached to the original of amended CAMA Permit No. 37-12 and all documents must be readily available on site when a DCM representative inspects the project for compliance. All conditions and stipulations of the active permit remain in force unless altered herein. This refinement of the CAMA permit does not eliminate the need to obtain any additional approvals or authorizations necessary from the USACE or NCDWR to perform the work as requested.

Please contact Steve Sollod at (919) 707-9152 or Stephen Lane at (252) 808-2808 ext. 208 if you have any questions or concerns.

Sincerely,

Doug Huggett
Major Permits and Consistency Coordinator

cc: Stephen Lane, NCDCM
Steve Sollod, NCDCM
Tom Steffens, USACE
Garcy Ward, DWR
Jay Johnson, NCDOT



CAMA / DREDGE & FILL

GENERAL PERMIT

New Modification Complete Reissue Partial Reissue

No 58373

Previous permit # _____

Date previous permit issued _____

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC _____

07H. 1600

Rules attached.

Applicant Name NC DOT
 Address 1598 Mail Service Center
 City Raleigh State NC ZIP 27699-1598
 Phone # (919) 707-6000 Fax # (919) 250-4224
 Authorized Agent Gregory Thapa

Project Location: County Carteret
 Street Address/ State Road/ Lot #(s) US 70 from Radio Island to US 70 north of SR1429 (Olga Road)
 Subdivision _____
 City Beaufort, NC ZIP 28516
 Phone # (____) _____ River Basin White Oak
 Adj. Wtr. Body Gallants Channel and Town Creek (na / man / unkn)
 Closest Maj. Wtr. Body Newport River

Affected SCW SEW OFTA VES PFS
 AEC(s): OEA HHF IH UBA N/A
 PWS: _____ FC: _____

ORW: yes / no PNA yes / no Crit.Hab. yes / no

Type of Project/ Activity Relocate water, sewer, electric, telephone, and cable TV utilities in preparation for proposed improvements to US 70 (TIP R-3307). (Scale: N/A)

Pier (dock) length _____
 Platform(s) _____
 Finger pier(s) _____
 Groin length _____
 number _____
 Bulkhead/ Riprap length _____
 avg distance offshore _____
 max distance offshore _____
 Basin, channel _____
 cubic yards _____
 Boat ramp _____
 Boathouse/ Boatlift _____
 Beach Bulldozing _____
 Other Water line utilities
Sewer line utilities
Electric line utilities
Telephone line utilities
Cable TV line utilities

Utility Plans Attached
and Incorporated into Permit.

Shoreline Length 2500
 SAV: not sure yes no
 Sandbags: not sure yes no
 Moratorium: N/A yes no
 Photos: yes no
 Waiver Attached: yes no

A building permit may be required by: Town of Beaufort See note on back regarding River Basin rules.
 Notes/ Special Conditions 1) BMPs shall be implemented to prevent sediment from entering adjacent waters of the state.

Agent or Applicant Printed Name Gregory J. Thapa, PhD
E. L. Lewis
 Signature [Signature] ** Please read compliance statement on back of permit **
 Application Fee(s) \$ 400.00 Check # WBS# 34528.1.1

Permit Officer's Signature [Signature]
12-9-11
 Issuing Date Town of Beaufort
 Local Planning Jurisdiction No Expiration Date
pursuant to GS 136-44.7B
 Expiration Date 346 43 33
76 39 39
 River File Name _____

Statement of Compliance and Consistency

This permit is subject to compliance with this application, site drawing and attached general and specific conditions. Any violation of these terms may subject the permittee to a fine or criminal or civil action; and may cause the permit to become null and void.

This permit must be on the project site and accessible to the permit officer when the project is inspected for compliance. The applicant certifies by signing this permit that 1) prior to undertaking any activities authorized by this permit, the applicant will confer with appropriate local authorities to confirm that this project is consistent with the local land use plan and all local ordinances, and 2) a written statement or certified mail return receipt has been obtained from the adjacent riparian landowner(s).

The State of North Carolina and the Division of Coastal Management, in issuing this permit under the best available information and belief, certify that this project is consistent with the North Carolina Coastal Management Program.

River Basin Rules Applicable To Your Project:

Tar - Pamlico River Basin Buffer Rules

Other: _____

Neuse River Basin Buffer Rules

If indicated on front of permit, your project is subject to the Environmental Management Commission's Buffer Rules for the River Basin checked above due to its location within that River Basin. These buffer rules are enforced by the NC Division of Water Quality. Contact the Division of Water Quality at the Washington Regional Office (252-946-6481) or the Wilmington Regional Office (910-796-7215) for more information on how to comply with these buffer rules.

Division of Coastal Management Offices

Raleigh Office

Mailing Address:
1638 Mail Service Center
Raleigh, NC 27699-1638

Location:
2728 Capital Blvd.
Raleigh, NC 27604
919-733-2293
Fax: 919-733-1495

Morehead City Headquarters

400 Commerce Ave
Morehead City, NC 28557
252-808-2808/ 1-888-4RCOAST
Fax: 252-247-3330

(Serves: Carteret, Craven, Onslow -above
New River Inlet- and Pamlico Counties)

Elizabeth City District

1367 U.S. 17 South
Elizabeth City, NC 27909
252-264-3901
Fax: 252-264-3723

(Serves: Camden, Chowan, Currituck,
Dare, Gates, Pasquotank and Perquimans
Counties)

Washington District

943 Washington Square Mall
Washington, NC 27889
252-946-6481

Fax: 252-948-0478

(Serves: Beaufort, Bertie, Hertford, Hyde,
Tyrrell and Washington Counties)

Wilmington District

127 Cardinal Drive Ext.
Wilmington, NC 28405-3845
910-796-7215

Fax: 910-395-3964

(Serves: Brunswick, New Hanover,
Onslow -below New River Inlet- and
Pender Counties)



CAMA / DREDGE & FILL
GENERAL PERMIT

New Modification Complete Reissue Partial Reissue

Previous permit # _____
Date previous permit issued _____

As authorized by the State of North Carolina, Department of Environment and Natural Resources and the Coastal Resources Commission in an area of environmental concern pursuant to 15A NCAC _____

Rules attached.

Applicant Name: NC DOT
Address: 1578 North Service Center
City: Raleigh State: NC ZIP: 27609-1517
Phone #: (919) 707-6000 Fax #: (919) 350-1134
Authorized Agent: Gregory Thayer

Project Location: County Carteret
Street Address/ State Road/ Lot #(s): US 70
Subdivision _____
City: Bamberg, NC ZIP: 28516
Phone #: () _____ River Basin: White Oak
Adj. Wtr. Body: Gallatin Channel and Tributaries (nat /man /unkn)
Closest Maj. Wtr. Body: Newport River

Affected AEC(s): CW EW PTA ES PTS
 OEA HHF IH UBA N/A
 PWS: _____ FC: _____
ORW: yes / no PNA: yes / no Crit.Hab. yes / no

Type of Project/ Activity: Relocate water, sewer, electric, telephone, and cable TV utilities in preparation for proposed improvements to US 70 (TIP R-3307). (Scale: N/A)

Pier (dock) length _____
Platform(s) _____
Finger pier(s) _____
Groin length _____
number _____
Bulkhead/ Riprap length _____
avg distance offshore _____
max distance offshore _____
Basin, channel _____
cubic yards _____
Boat ramp _____
Boathouse/ Boatlift _____
Beach Bulldozing _____
Other: Water line utility
sewer utility
electric utility
telephone utility
cable TV utility
Shoreline Length: 3,500
SAV: not sure yes no
Sandbags: not sure yes no
Moratorium: n/a yes no
Photos: yes no
Waiver Attached: yes no

Utility Plans Attached

and Incorporated into Permit.

Note: Revised plans received on 2-24-12 + 3-7-12
+ 5-9-12 + 5-1-14
+ 10-12-12
to allow directional bore of power line
and relocation of overhead power lines are
attached and incorporated into permit.

3-6-12
3-30-12
5-9-12
5-1-14
6-21-14

A building permit may be required by: Town of Beaufort See note on back regarding River Basin rules.
Notes/ Special Conditions: 1) BMPs shall be implemented to prevent sediment from entering adjacent waters of the state.

Agent or Applicant Printed Name: _____
Signature: Gregory Thayer ** Please read compliance statement on back of permit **
Application Fee(s): 4,000.00 Check #: WBS# 34528.1.1

Permit Officer's Signature: Stephane Jones
Issuing Date: 12-9-11 Expiration Date: 34' 43' 30"
Local Planning Jurisdiction: Town of Beaufort Rover File Name: 76' 39' 39"
No Expiration Date pursuant to 65 136-441.75



North Carolina Department of Environment and Natural Resources
Division of Water Resources

Beverly Eaves Perdue
Governor

Thomas A. Reeder
Director

Dee Freeman
Secretary

February 1, 2012

Mr. Chris Rivenbark
NCDOT
1598 MSC
Raleigh, NC 27699-1598

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7008 1300 0000 1132 6699

Subject: CCPCUA Permit No. CU4026
NCDOT - R-3307
Carteret County

Dear Mr. Rivenbark:

In accordance with your application dated October 31, 2011, and associated documentation, we are forwarding Permit No. CU4026 for water use in the Central Coastal Plain Capacity Use Area in Carteret County. This permit allows for the withdrawal of water for the purpose of mine dewatering.

Enclosed with this package are forms DWR CCPCUA-4 and DWR CCPCUA-6. Form DWR CCPCUA-4 is for reporting water withdrawals, in accordance with Sections I. C. and IV. A. of your permit. Form DWR CCPCUA-6 is for reporting ground water levels, in accordance with Sections II. B. and IV. B. of your permit.

If you are not already doing so, DWR requests you submit your monthly water withdrawal and water level information using our online system. By doing so you will not need to mail the Division a signed hard copy. The CCPCUA online permit renewal application, water withdrawal and levels reporting forms are at:

<http://www.ncwater.org/CCPCUAreportonline>

If you do not have internet access then please make as many copies as necessary and send forms on a monthly basis to the address on the top of the forms.

This permit is effective from the date of issuance until January 31, 2017, and is subject to the conditions and/or limitations contained therein. In order for this permit to continue uninterrupted, please apply for permit renewal at least three (3) months before the expiration date.

Sincerely,

Nathaniel C. Wilson, Chief
Ground Water Management Branch

**North Carolina
Environmental Management Commission
Department of Environment and Natural Resources**

**Permit For The Withdrawal And Use Of Water
In The Central Coastal Plain Capacity Use Area**

In accordance with the provisions of Part 2, Article 21 of Chapter 143, General Statutes of North Carolina as amended, and any other applicable Laws, Rules and Regulations,

Permission Is Hereby Granted To

NC Department of Transportation

Project No. R-3307

US 70 from existing four lanes at Radio Island to US 70/ North of SR 1426 (Olga Road)

FOR THE

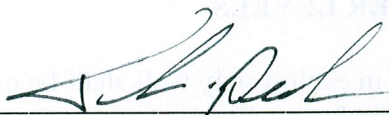
Withdrawal and Use of Water in Carteret County, North Carolina in accordance with the grantee's application dated October 31, 2011, and any supporting data submitted with the application, all of which are filed with the Department of Environment and Natural Resources and are considered part of this Permit.

This Permit shall be effective from the date of its issuance until January 31, 2017, and shall be subject to the specified conditions and/or limitations contained in Sections I - X of this Permit.

Permit issued this the 1 day of FEBRUARY, 2012.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION

BY _____



Thomas A. Reeder

Director, Division of Water Resources

By Authority of the Secretary of the Department of Environment and Natural Resources

PERMIT #CU4026

I. WITHDRAWALS

A. USE

This Permit allows the withdrawal of water for the purpose of dewatering borrow pits to extract material for road construction.

B. RATES OF WITHDRAWALS

The maximum quantity of water that may be withdrawn shall not exceed what is established in the Reclamation Plan as specified in NCDOT's CCPCUA Special Provisions document.

C. SOURCE(S) OF WITHDRAWALS

Ground Water Source(s): Withdrawals shall be made from sumps in borrow pits in the surficial aquifer.

D. MONITORING OF WITHDRAWALS

Withdrawals from each source, whether well or sump, shall be measured by an approved metering device equipped with a totalizing indicator, and having an accuracy within plus or minus five percent.

II. WATER LEVELS

A. MAXIMUM DRAWDOWN LEVELS

1. Pump intakes for the well(s) shall not be set below the depth specified in the permit application or associated documentation without prior approval of the Division of Water Resources.
2. In the event that data from the permitted wells or other wells within the zone influenced by pumping of the permitted wells indicates a deterioration of quality or quantity in surrounding aquifers or the source aquifer, an alternate maximum pumping level may be established by the Division of Water Resources.

B. MONITORING OF WATER LEVELS

1. The pumping water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. just prior to shutting off the pump, or after sufficient time of pumping, so that a maximum drawdown may be obtained, and
 - d. during the last planned pumping day of the month, or within the last five days of the month.

2. The static water level in each supply well shall be measured once a month:
 - a. by a steel or electric tape from a fixed reference point, or by using the air-line method
 - b. within accuracy limits of plus or minus one percent,
 - c. after the pump is shut off for approximately 12 hours, and
 - d. within the last five days of the month.
3. Unused supply wells or other suitable wells that may be available shall be monitored when such monitoring is specified by the Division of Water Resources and when pertinent to observation or evaluation of the effects of withdrawals made under this permit.

III. OTHER PROVISIONS

A. WELL CONSTRUCTION APPROVAL

A Well Construction Permit shall be required prior to the construction of any well that will be used to withdraw any portion of the water regulated under this Permit. Application for these permits must be submitted to the Washington Regional Office, Division of Water Quality, P.O. Box 2188, Washington, NC 27889.

B. ACCESS TO FACILITIES

The Environmental Management Commission and employees of the Department of Environment and Natural Resources shall have reasonable access to areas owned and under control of the permittee for observation and inspection of water use and related facilities pertinent to the provisions of this permit and other regulations.

IV. REPORTS REQUIRED

A. WITHDRAWALS

Monthly reports of daily withdrawal totals from each well or sump shall be furnished to the Division on a quarterly basis, within 30 days after the end of March, June, September and December.

B. WATER LEVELS

Water level measurements for each supply well shall be measured in accordance with Condition II. B. 1. of this permit and submitted to the Division not later than 30 days after the end of the calendar month in which the measurement was taken.

V. MODIFICATION OR REVOCATION

A. MODIFICATION

1. The Permittee must notify the Director of any proposed major changes in usage and apply for a modification of the permit for such changes or for any revisions of the terms of this permit.
2. The Director may modify the terms of the permit, after 60 days written notice to the permittee, if he finds that the terms of the permit and/or the resulting water use are found to be contrary to the purposes of the Water Use Act of 1967 or contrary to public interest or having an unreasonably adverse effect upon other water uses in the capacity use area. Modifications may include, but are not limited to, requirements for alternate pumping levels or the collection, analysis, and reporting of ground or surface water quality samples.

B. REVOCATION

The Director may revoke the permit if he finds that:

1. the Permittee has violated the terms of the permit; or
2. the terms of the Permit and/or the resulting water use are contrary to the purpose of the Water Use Act of 1967 or contrary to the public interest or having an unreasonably adverse effect upon other water uses in the capacity use area and cannot be cured by modification; or
3. the Permittee made false or fraudulent statements in the application for the water use permit; or
4. water withdrawn under the terms of the permit is used for purposes other than those set forth in the permit.

VI. CONSTRUCTION OF PERMIT

- A. The terms and conditions shall not be construed to relieve the Permittee of any legal obligation or liability, which it owes or may incur to third parties as the result of the conduct of its operations in conformity with this Permit.
- B. When under the terms hereof, any provision of this Permit requires approval of the Department or becomes effective at the discretion of the Department, the notice of approval or the exercise of such discretion shall be evidenced by written instrument issued by the Department.
- C. The terms and conditions of this Permit shall not be construed as a limitation of the powers, duties, and authority vested in the Environmental Management Commission or any other State, Federal, or local agency, or any applicable laws hereafter enacted.

VII. ADDITIONAL CONDITIONS

- A. This Permit shall be subject to any limitations or conditions in other State permits, including but not limited to permits required pursuant to North Carolina General Statutes §143-215.1.
- B. Issuance of this Permit shall have no bearing on subsequent State decision(s) regarding any other water use or other permit application(s) submitted or which may be submitted by the Permittee, its successors or assigns.
- C. Compliance with the terms and conditions in this permit does not relieve the permittee of compliance with any provision, now in force or hereafter enacted or promulgated, of the Water Use Act of 1967, the regulations promulgated thereunder, or any other provision of State law.

VIII. PENALTIES

Violations of the terms and conditions of this Permit are subject to penalties as set forth in North Carolina General Statutes §143-215.17.

IX. PERMIT NONTRANSFERABLE

Water Use Permits shall not be transferred except with approval of the Environmental Management Commission.

X. RENEWAL OF PERMIT

The Permittee, at least three (3) months prior to the expiration of this permit, shall request its extension. Upon receipt of the request, the Commission will review the adequacy of the facilities described therein, and if warranted, will extend the permit for such period of time and under such conditions and limitations as it may deem appropriate.

**Report of Water Withdrawals
from Each Source**

North Carolina Department of Environment and Natural Resources

Mail To: Division of Water Resources - NC DENR
 1611 Mail Service Center
 Raleigh, North Carolina 27699-1611
 Attention : Capacity Use Administration

Check Box If No Use This Month

For month of: _____ Year: _____ Facility: **NCDOT (R-3307)** Permit #: **CU4026** Sheet ___ of ___

Well/Sump ID →	meter readings ↓	gallons per day	meter readings ↓	gallons per day	meter readings ↓	gallons per day	Total Withdrawn
Beginning reading →							
Day 1							
Day 2							
Day 3							
Day 4							
Day 5							
Day 6							
Day 7							
Day 8							
Day 9							
Day 10							
Day 11							
Day 12							
Day 13							
Day 14							
Day 15							
Day 16							
Day 17							
Day 18							
Day 19							
Day 20							
Day 21							
Day 22							
Day 23							
Day 24							
Day 25							
Day 26							
Day 27							
Day 28							
Day 29							
Day 30							
Day 31							

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Fifth Coast Guard District

431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: (dpb)
Phone: (757) 398-6557
Fax: (757) 398-6334
Email: James.L.Rousseau2@uscg.mil

RECEIVED

DEC 31 2013

DIVISION OF HIGHWAYS

FDEA-OFFICE OF NATURAL ENVIRONMENT

16591
19 DEC 2013

Mr. Richard W Hancock, P.E., Manager
Project Development & Environmental Analysis Unit
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Mr. Hancock:

Enclosed is the Coast Guard Bridge Permit 8-13-5 dated December 13, 2013, approving the proposed replacement of the Grayden Paul drawbridge across Gallants Channel in Beaufort, NC. The following stipulations shall be adhered to:

a. The Contractor shall submit the plans and schedule of operation for approval at least 45 days prior to commencement of work in the waterway. One copy of such information shall be submitted concurrently to your Resident Engineer, the United States Coast Guard Commander (dpb); Federal Building, 4th Floor, 431 Crawford Street; Portsmouth, VA 23704-5004, and the U. S. Coast Guard Sector North Carolina at 2301 East Fort Macon Road, Atlantic Beach, NC 28512-5633. The information shall include a sketch of the waterway; the bridge; the location of any restrictions that will be placed in the waterway such as barges, anchors, and anchor lines; the location and height above mean high water and detailed description of any scaffolding, or netting; detailed description indicating the placement, type and dimension of any cofferdams if used. The schedule should also include the hours of operation and whether or not the equipment will be removed at night. The contractor shall comply with all provisions of the Navigation Rules International - Inland, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. The Contractor shall submit to the Resident Engineer a copy of all correspondence between the Coast Guard. No deviation from the approved plans and schedule of operation may be made unless the modification has previously been submitted and approved by the Coast Guard.

b. All bridge closures for the existing-to-be-replaced bridge shall be requested in writing to be received at this office at least 15 days in advance. If any closures will exceed three consecutive days, we must be advised at least 30 days in advance so that we may make the appropriate marine notifications. Time restrictions for the navigational traffic shutdown shall be strictly adhered to. Any request for an extension of the closure dates stated above shall be forwarded at least 30 days in advance to the Coast Guard for approval.

c. At no time during the work will the waterway be closed to navigation without prior approval from the Coast Guard. You are required to maintain close and regular contact with Coast Guard Sector North Carolina to keep them informed to activities in the waterway at (252) 247-4570.

d. Barges that are used in the waterway during the project must be marked. Enclosure (2) outlines temporary marking and lighting requirements for barges and structures not part of the bridge that will be used during construction. If barge or float anchor lines are used, they must be marked by buoys, which should be lighted. If you should have any questions, regarding lights on the barges or work floats, please contact Mr. John Walters, Chief, Waterways Management Section, at (757) 398-6230. Floating equipment shall have a radiotelephone capable of operation from its main control station in accordance with Part 26 of Title 33, Code of Federal Regulations and shall be monitored during all periods the floating equipment is on station.

e. During the progress of work, while the channel is in operation, should any material, machinery or equipment be lost, dumped, thrown overboard, sunk or misplaced which may be dangerous to or obstruct navigation, immediate notice shall be given to the Coast Guard and the object removed with the utmost dispatch. Until removal can be effected, the objects shall be properly marked in order to protect navigation. Notice to the Coast Guard shall give a description and location of any such object and the action taken or being taken to protect navigation.

f. Upon completion of the proposed project, an inspection of the waterway bottom shall be performed to insure that all construction waste materials have been completely removed. Certification will be required in writing by a licensed engineer or licensed surveyor that the waterways have not been impaired and all construction related debris has been cleared from it. The certification shall include the actual method used to conduct the inspection. The Contractor shall remove any bridge related debris, resulting from the current or prior work or occurrences, discovered during this survey.

g. Upon completion of the bridgework, a responsible official of the North Carolina Department of Transportation shall verify as-built clearances and a statement attesting to the correctness of the clearances shall be forwarded to this office for record purpose. In lieu of verification by the above listed official, certification by a licensed surveyor or registered professional engineer registered in the State of North Carolina will be accepted.

h. Except as shown on the plans, no dredging, excavation, filling, rip-rap, or other work affecting the bottoms, shall be done in conjunction with this work.

i. If during the periods of construction, permanent lighting cannot be maintained operable, the fenders of each pier shall be marked with a battery or power operated white light of not less than 60 flashes per minute and visible for a range of 2,000 yards on 90% of the nights of the year. Generally, a lamp of 20-candle power will meet these requirements. If necessary to obtain coverage required, a light or lights on the upstream and downstream sides shall be installed. The piers shall be so marked until the construction has been completed and permanent navigational lighting has been reinstalled and determined to be operating satisfactorily. Written approval from the Coast Guard of temporary lighting during periods of construction is required. No existing bridge navigation lights shall be impaired or blocked during darkness or periods of reduced visibility.

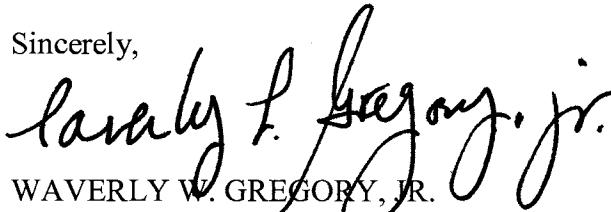
16591
19 DEC 2013

j. Compliance with the requirements stated herein does not relieve the contractor of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of the State of North Carolina, or any other federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge. It is advised that the Coast Guard can levy monetary civil penalties for violations of bridge regulations and statutes.

k. In accordance with Title 33 Code of Federal Regulations Part 118.25 – Application procedure, approval of lights and other signals required shall be obtained prior to construction. Application shall be by letter accompanied by duplicate sets of drawings showing (1) the plan and elevation of the structure showing lights and signals proposed, and (2) a small scale vicinity chart showing proposed bridge and all other bridges within 1,000 feet above or below the proposed bridge.

The office of the Bridge Program Manager, Fifth Coast Guard District, shall be notified immediately upon completion of the project. If you should have any questions regarding this matter, please contact Mr. James Rousseau at the above listed address or telephone number.

Sincerely,



WAVERLY W. GREGORY, JR.
Bridge Program Manager
By direction of the Commander
Fifth Coast Guard District

Encl: (1) Bridge Permit 8-13-5 dated December 13, 2013
(2) Temporary marking and lighting requirements

Copy: John Walters, (dpw) w/encl
USCG Sector North Carolina, Waterways Management w/encl
Shelly H. Sugarman, COMDT (CG-BRG-2)

LIGHTING REQUIREMENTS FOR BARGES AND STRUCTURES NOT PART OF A BRIDGE OR APPROACH STRUCTURE

88.13 Lights on barges at bank or dock.

- (a) The following barges shall display at night and, if practicable, in periods of restricted visibility the lights described in paragraph (b) of this section -
 - (1) Every barge projecting into a buoyed or restricted channel.
 - (2) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.
 - (3) Barges moored in groups of more than two barges wide or to a maximum width of over 25 meters.
 - (4) Every barge not moored parallel to the bank or dock.
- (b) Barges described in paragraph (a) shall carry two unobstructed white lights of an intensity to be visible for a least one mile on a clear dark night and arranged as follows:
 - (1) On a single moored barge, lights shall be placed on the two corners farthest from the bank or dock.
 - (2) On barges moored in group formation, a light shall be placed on each of the upstream and downstream ends of the group, on the corners farthest from the bank or dock.
 - (3) Any barge in a group, projecting from the main body of the group toward the channel, shall be lighted as a single barge.
- (c) Barges moored in any slip or slough, which is used primarily for mooring purposes, are exempt from the lighting requirements of this section.

***TITLE 33 CODE OF FEDERAL REGULATIONS, SECTION 118.95
LIGHTS ON STRUCTURES NOT PART OF A BRIDGE OR APPROACH STRUCTURE***

Lights on sheer booms, isolated piers, obstructions, and other structures not part of a bridge or approach structure must meet the requirements for aids to navigation in Subpart 66.01 of Part 66 of this chapter.

TITLE 33 CODE OF FEDERAL REGULATIONS, SECTION 66.01-10

- (a) The characteristics of a private aid to navigation shall conform to the United States Aids to Navigation System described in Subpart B of Part 62 of this subchapter, except that only tungsten-incandescent light sources will be approved for electric lights.

Therefore in accordance with 33 CFR 66.01-10(a), the above lights shall be marked with slow flashing yellow lights visible for two miles on a clear dark night. Lights similar to the Tideland ML-120 Barge Light may be used. Only tungsten-incandescent light sources will be approved for electric lights.



BRIDGE PERMIT

13 DEC 2013

(8-13-5)

WHEREAS by Title V of an act of Congress approved August 2, 1946, entitled "General Bridge Act of 1946," as amended (33 U.S.C. 525-533), the consent of Congress was granted for the construction, maintenance and operation of bridges and approaches thereto over the navigable waters of the United States;

AND WHEREAS the Secretary of Homeland Security has delegated the authority of Section 502(b) of that act to the Commandant, U.S. Coast Guard by Department of Homeland Security Delegation Number: 0170.1;

AND WHEREAS before construction is commenced, the Commandant must approve the location and plans of any such bridge and may impose any specific conditions relating to the construction, maintenance and operation of the structure deemed necessary in the interest of public navigation, such conditions to have the force of law;

AND WHEREAS the - **STATE OF NORTH CAROLINA** - has submitted for approval the location and plans of a bridge to be constructed across Gallants Channel at Beaufort, North Carolina;

NOW THEREFORE, This is to certify that the location and plans dated 8 February 2012 are hereby approved by the Commandant, subject to the following conditions:

1. No deviation from the approved plans may be made either before or after completion of the structure unless the modification of said plans has previously been submitted to and received the approval of the Commandant.

2. The construction of falsework, pilings, cofferdams or other obstructions, if required, shall be in accordance with plans submitted to and approved by the Commander, Fifth Coast Guard District, prior to construction of the bridge. All work shall be so conducted that the free navigation of the waterway is not unreasonably interfered with and the present navigable depths are not impaired. Timely notice of any and all events that may affect navigation shall be given to the District Commander during construction of the bridge. The channel or channels through the structure shall be promptly cleared of all obstructions placed therein or caused by the construction of the bridge to the satisfaction of the District Commander, when in the judgment of the District Commander the construction work has reached a point where such action should be taken, but in no case later than 90 days after the bridge has been opened to traffic.

3. Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of any federal, state or local authority having cognizance of any aspect of the location, construction or maintenance of said bridge.

4. A bridge fendering system shall be installed and maintained in good condition by and at the expense of the owner of the bridge when so required by the District Commander. Said installation and maintenance shall be for the safety of navigation and be in accordance with plans submitted to and approved by the District Commander.

5. Clearance gauges shall be installed and maintained in a good and legible condition by and at the expense of the owner of the bridge. The type of gauges and the locations in which they are to be installed will be submitted to the District Commander for approval.

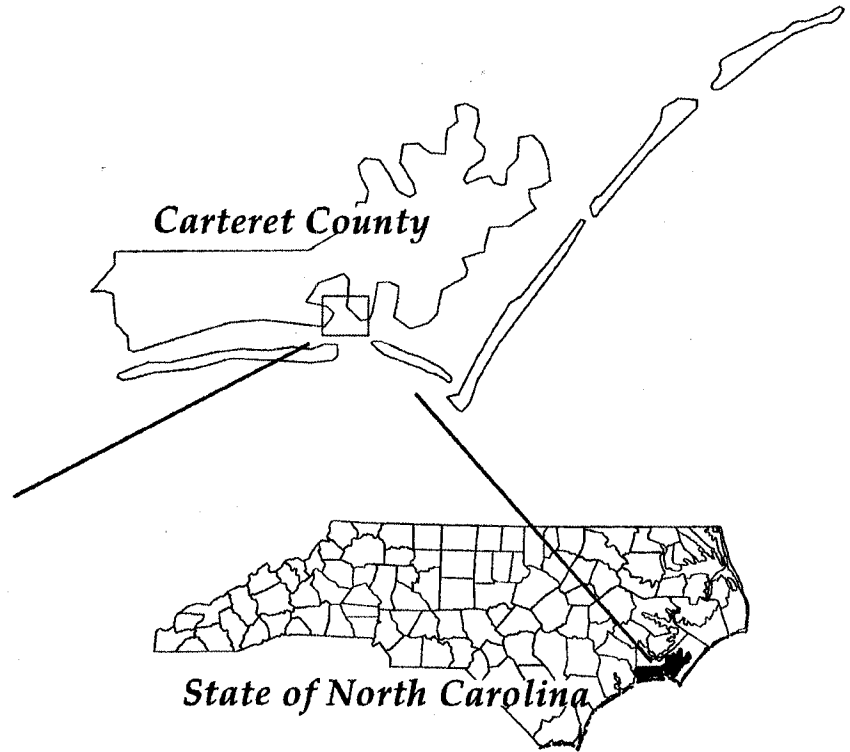
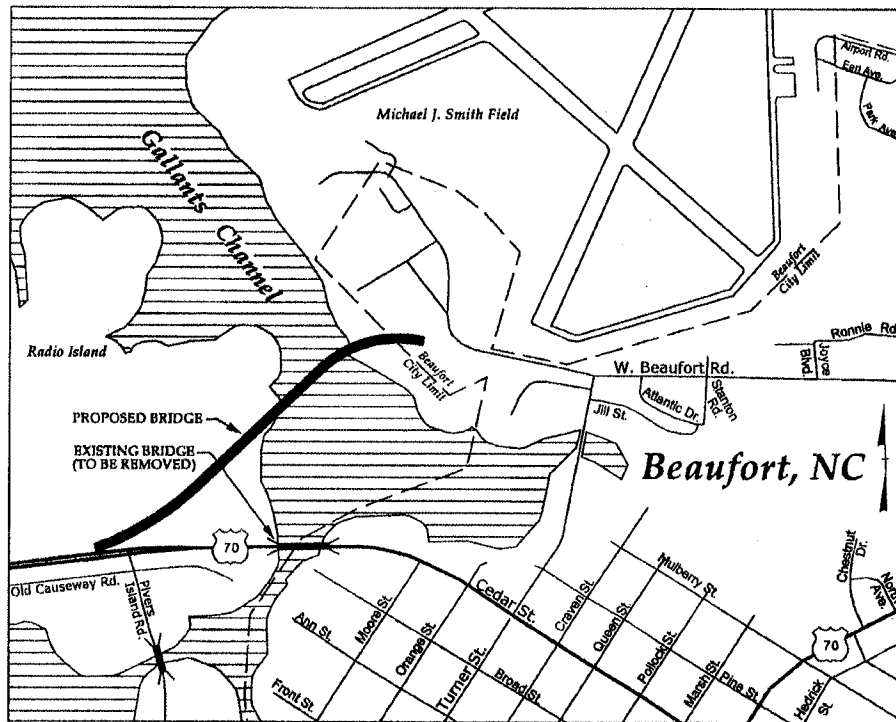
6. All parts of the existing to-be-replaced Grayden Paul Bridge across Gallants Channel, mile 0.1, not utilized in the new bridge shall be removed in their entirety and the waterway cleared to the satisfaction of the District Commander. A period of 90 days subsequent to the opening to traffic of the new bridge, mile 0.3, will be allowed for such removal and clearance.

7. When the proposed bridge is no longer used for transportation purposes, it shall be removed in its entirety or to an elevation deemed appropriate by the District Commander and the waterway cleared to the satisfaction of the District Commander. Such removal and clearance shall be completed by and at the expense of the owner of the bridge upon due notice from the District Commander.

8. The approval hereby granted shall cease and be null and void unless construction of the bridge is commenced within three years and completed within five years after the date of this permit.



Brian L. Dunn
Chief, Office of Bridge Programs
U.S. Coast Guard
By direction of the Commandant



THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TD EURE CONSTRUCTION COMPANY.



P. Edwin
 12/19/2013



REPLACES BRIDGE No. 29	FEB. 8, 2012	SHEET 1 OF 6
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RALEIGH, NC		
CARTERET COUNTY		
PROPOSED BRIDGE ON NEW LOCATION OF US 70 BETWEEN RADIO ISLAND & MICHAEL J. SMITH FIELD OVER GALLANTS CHANNEL @ MILE POINT 0.1		
STATE PROJECT NO. : R-3307		

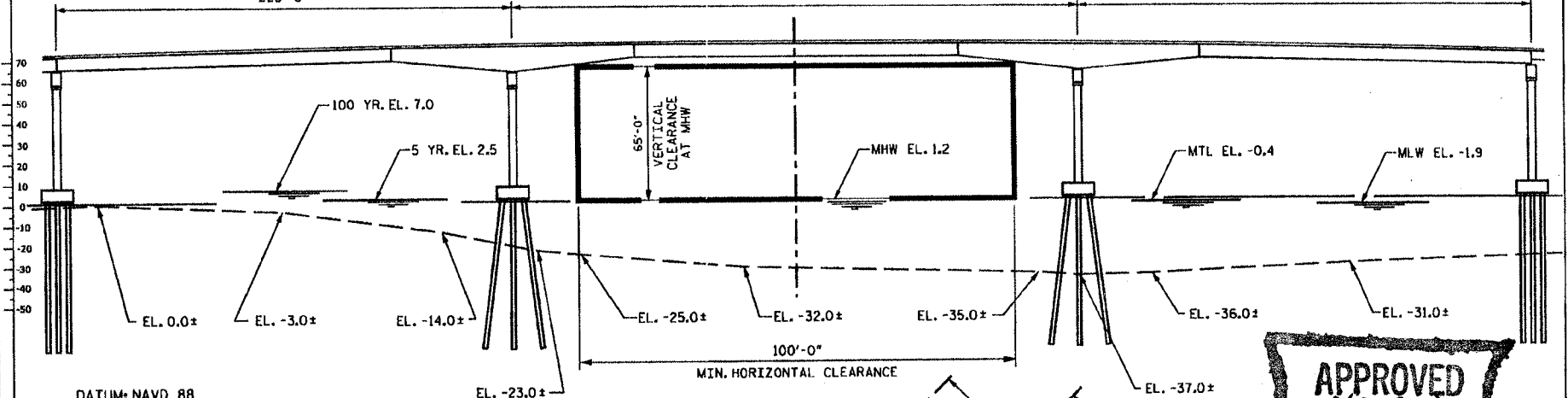
29 SPANS TOTALING 3395'-0"

5 @ 86'-0", 10 @ 130'-0", 1 @ 225'-0", 1 @ 280'-0", 1 @ 225'-0", 11 @ 85'-0"

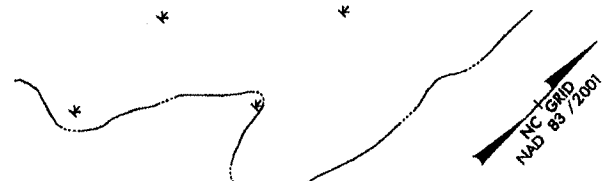
225'-0"

280'-0" CHANNEL SPAN

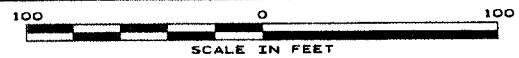
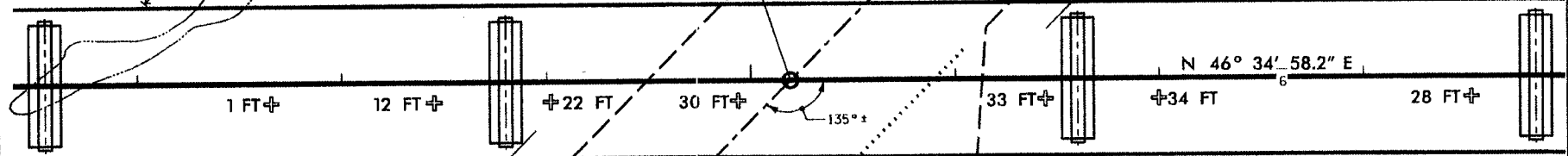
225'-0"



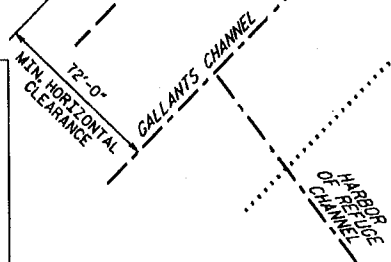
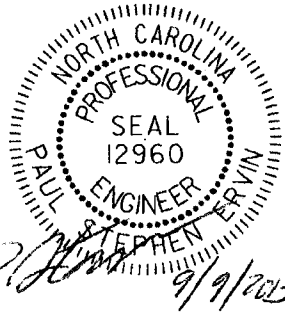
DATUM: NAVD 88
NOTE: ELEVATIONS ARE SHOWN IN DECIMAL FEET



STA. 50+20.00

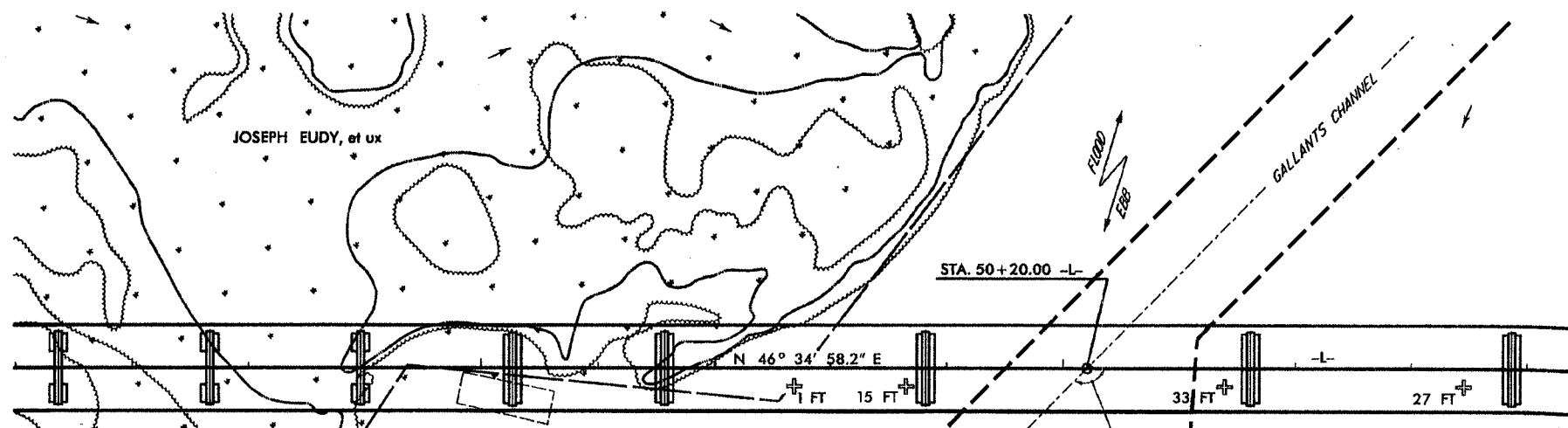
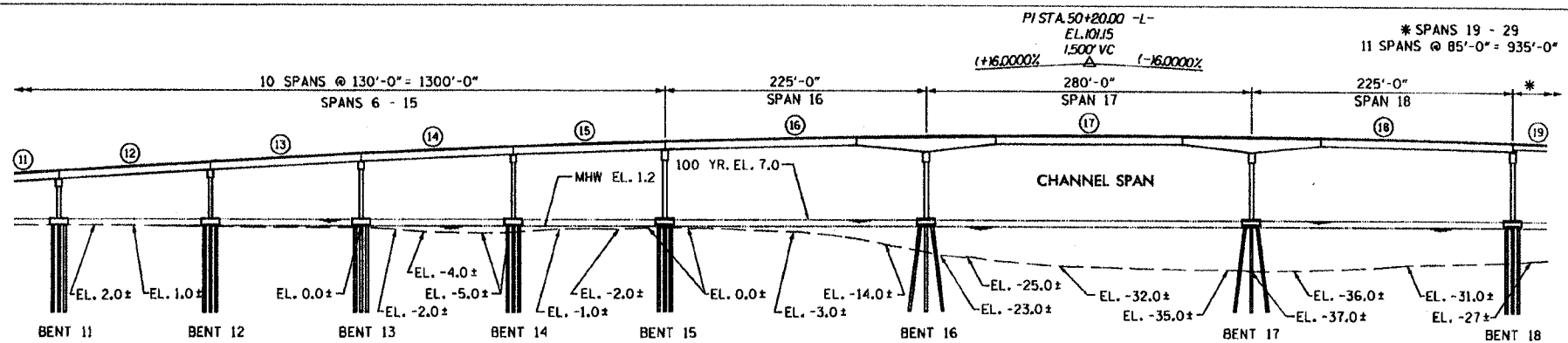


THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TD EURE CONSTRUCTION COMPANY.



± DENOTES APPROXIMATE WATER DEPTH AT MLW

REPLACES BRIDGE No. 29	
FEB. 8, 2012	SHEET 2 OF 6
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RALEIGH, NC	
CARTERET COUNTY	
PROPOSED BRIDGE ON NEW LOCATION OF US 70 BETWEEN RADIO ISLAND & MICHAEL J. SMITH FIELD OVER GALLANTS CHANNEL @ MILE POINT 0.1	
STATE PROJECT NO. : R-3307	



JOSEPH EUDY, et ux

JOSEPH EUDY, et ux

THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TO EURE CONSTRUCTION COMPANY.

NORTH CAROLINA PROFESSIONAL SEAL
 PAUL ERWIN
 ENGINEER
 12960
 9/9/2013



SCALE IN FEET

REPLACES BRIDGE No. 29

FEB. 8, 2012 SHEET 4 OF 6

STATE OF NORTH CAROLINA
 DEPARTMENT OF TRANSPORTATION
 RALEIGH, NC

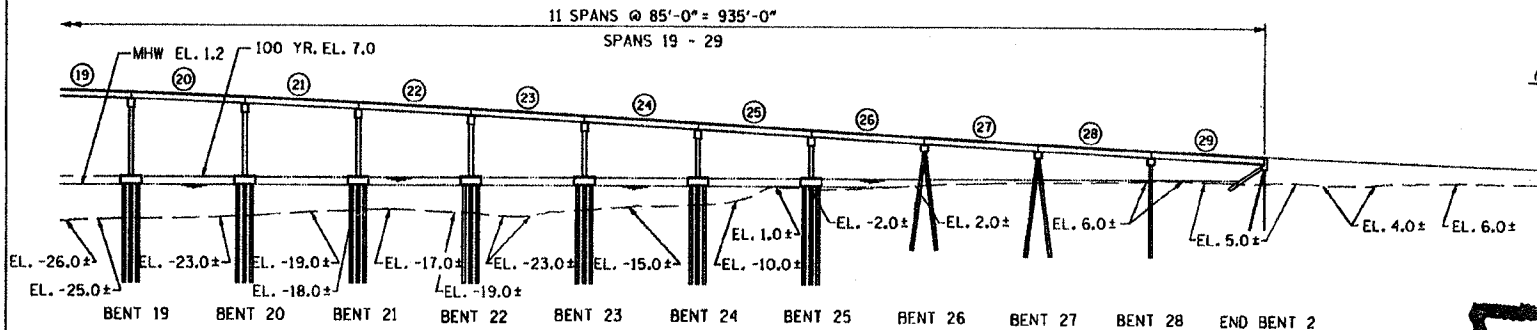
CARTERET COUNTY

PROPOSED BRIDGE ON NEW LOCATION OF US 70
 BETWEEN
 RADIO ISLAND & MICHAEL J. SMITH FIELD
 OVER
 GALLANTS CHANNEL @ MILE POINT 0.1

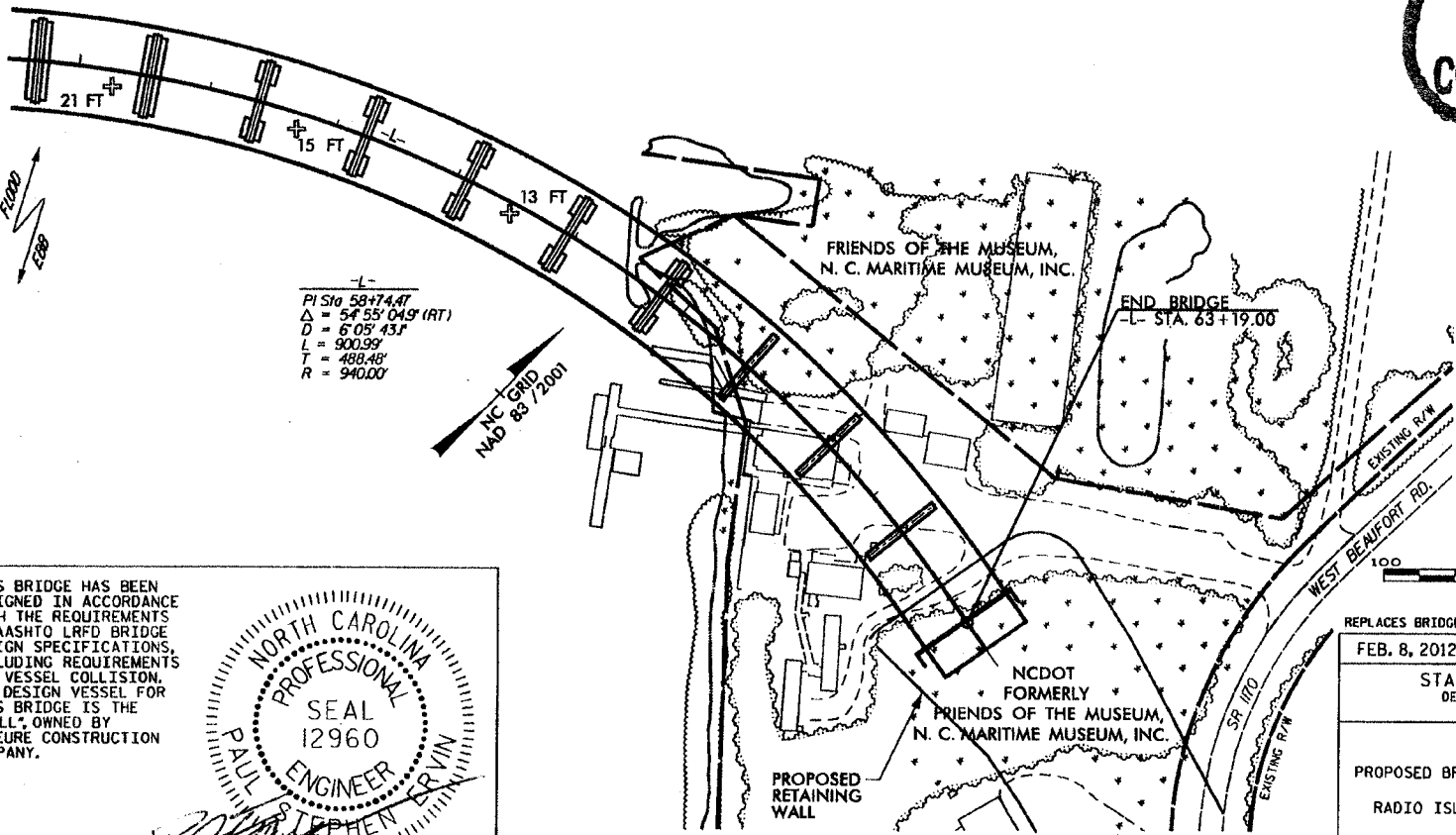
STATE PROJECT NO.: R-3307

⊕ DENOTES APPROXIMATE WATER DEPTH AT MLW

NC GRID
 NAD 83 / 2007



PI STA. 65+35.00 -L-
EL. 10.25
870' VC
(-16.0000% (-10.3175%

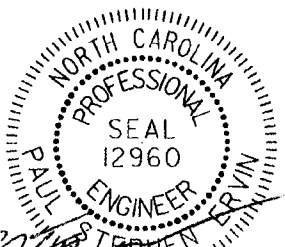


-L-
PI STA 58+74.47
 $\Delta = 5^\circ 55' 04.9''$ (RT)
D = 6' 05" 43.7
L = 900.99'
T = 488.48'
R = 940.00'

NC GRID
NAD 83 / 2011

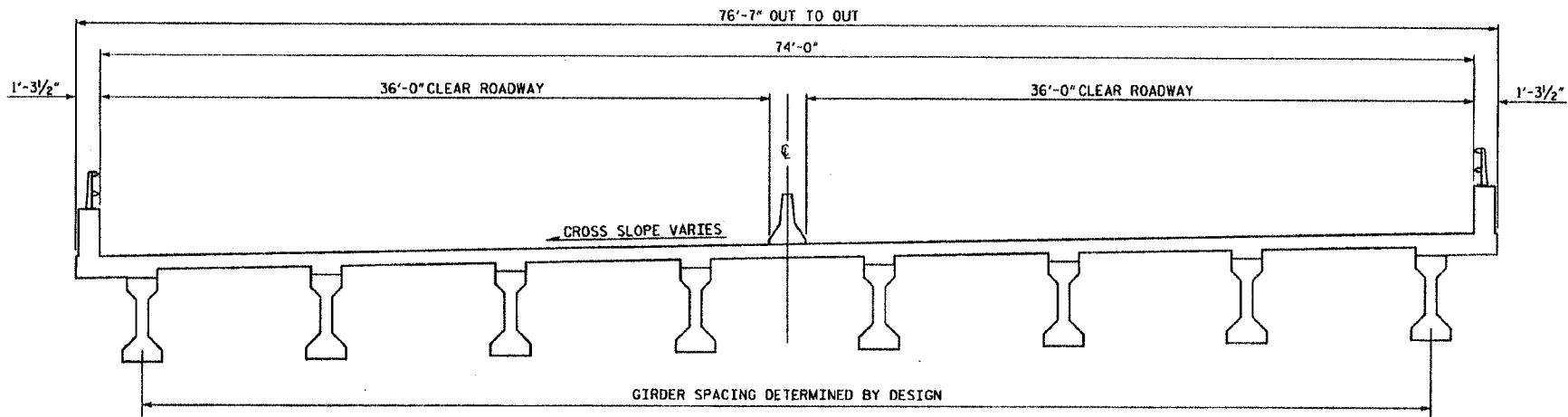
100 0 100
SCALE IN FEET

THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TD EURE CONSTRUCTION COMPANY.

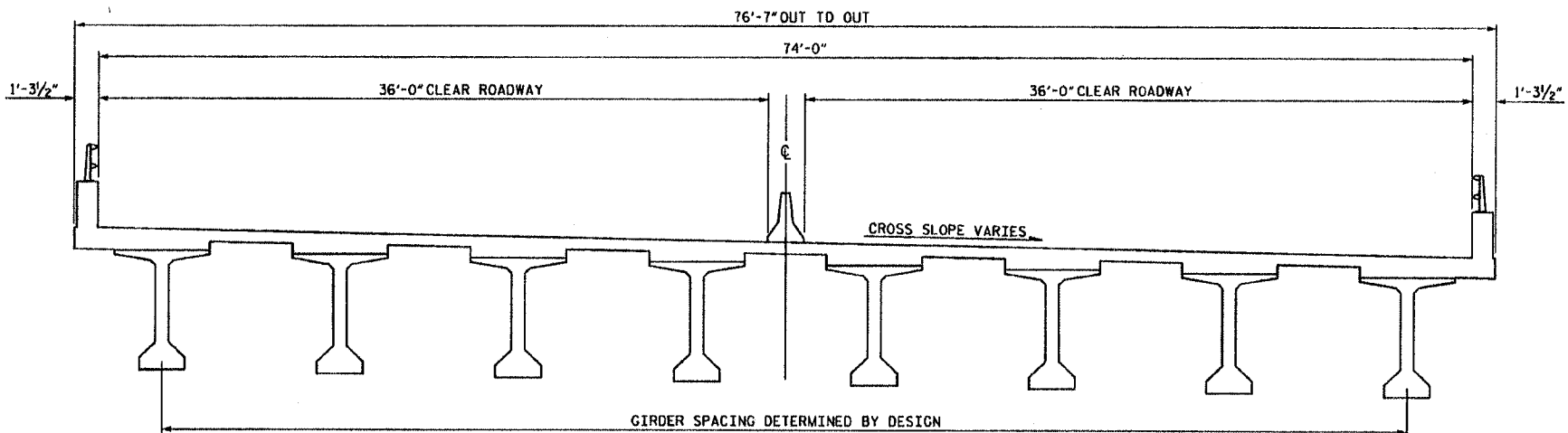


Signature
9/9/2013

REPLACES BRIDGE No. 29	
FEB. 8, 2012	SHEET 5 OF 6
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RALEIGH, NC	
CARTERET COUNTY	
PROPOSED BRIDGE ON NEW LOCATION OF US 70 BETWEEN RADIO ISLAND & MICHAEL J. SMITH FIELD OVER GALLANTS CHANNEL @ MILE POINT 0.1	
STATE PROJECT NO.: R-3307	

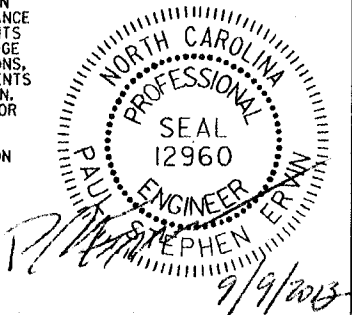


TYPICAL SECTION
SPANS 1 - 5 & SPANS 19 - 29



TYPICAL SECTION
SPANS 6 - 18

THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TD EURE CONSTRUCTION COMPANY.



REPLACES BRIDGE No. 29	FEB. 8, 2012	SHEET 6 OF 6
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RALEIGH, NC		
CARTERET COUNTY		
PROPOSED BRIDGE ON NEW LOCATION OF US 70 BETWEEN RADIO ISLAND & MICHAEL J. SMITH FIELD OVER GALLANTS CHANNEL @ MILE POINT 0.1		
STATE PROJECT NO. : R-3307		

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Fifth Coast Guard District

431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: (dpb)
Phone: (757) 398-6557
Fax: (757) 398-6334
Email: James.L.Rouseau2@uscg.mil

16591
10 JAN 2014

Mr. Richard W. Hancock, P.E., Manager
Project Development & Environmental Analysis Unit
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Mr. Hancock:

We reviewed the bridge lighting plan for the US 70 Bridge over Gallants Channel at Beaufort, in Currituck County, NC. The bridge lighting plan is approved and a copy enclosed for your files. No deviation from the approved plan may be made unless the modifications are submitted to and approved by this office. If you should have any questions regarding this matter, please contact Jim Rousseau at the above-listed telephone number.

Sincerely,

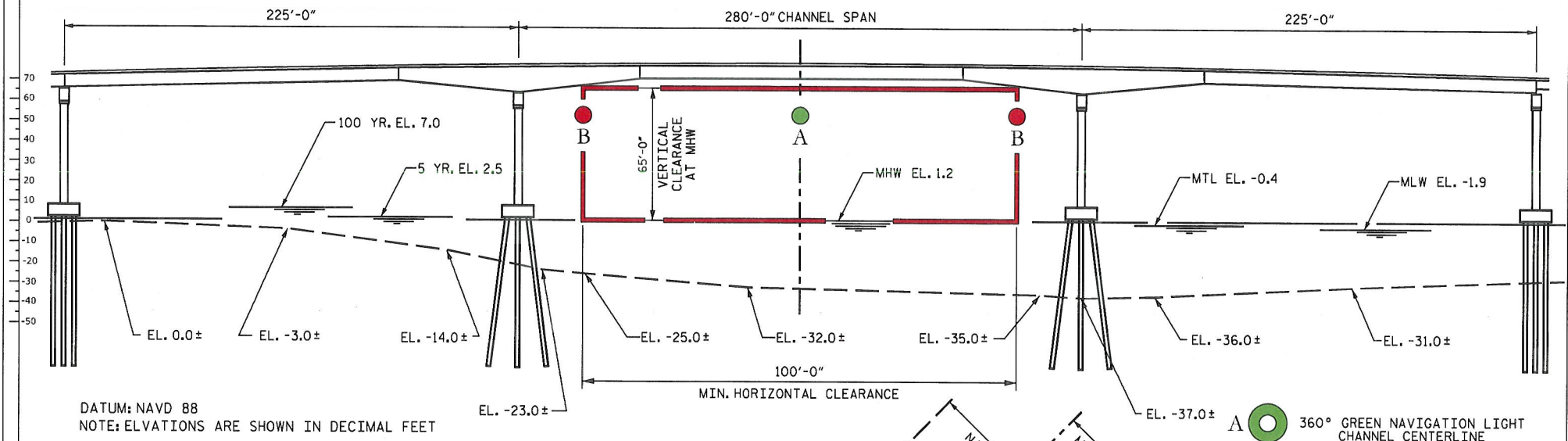
A handwritten signature in blue ink that reads "Waverly W. Gregory, Jr.".

WAVERLY W. GREGORY, JR.
Bridge Program Manager
By direction of the Commander
Fifth Coast Guard District

Encl: Copy of approved navigational lighting plan

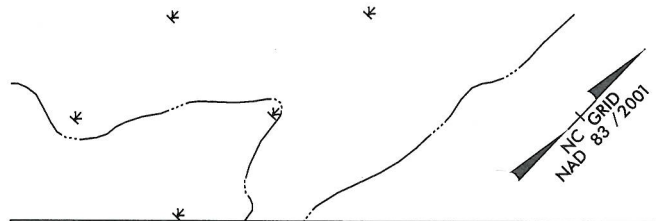
Copy: CG Sector North Carolina, Waterways Management w/encl

29 SPANS TOTALING 3395'-0"
 5 @ 86'-0", 10 @ 130'-0", 1 @ 225'-0", 1 @ 280'-0", 1 @ 225'-0", 11 @ 85'-0"



DATUM: NAVD 88
 NOTE: ELEVATIONS ARE SHOWN IN DECIMAL FEET

- A 360° GREEN NAVIGATION LIGHT CHANNEL CENTERLINE
- B 180° RED NAVIGATION LIGHT CHANNEL MARGIN



THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. THE DESIGN VESSEL FOR THIS BRIDGE IS THE "ODELL", OWNED BY TD EURE CONSTRUCTION COMPANY.

Office, Commander, Fifth Coast Guard District
 431 Crawford Street
 Portsmouth, VA 23705
 Navigational lights and/or other signals approved as shown
Laneville
 Chief, Bridge Administrator
 Date: 1/10/14

☒ DENOTES APPROXIMATE WATER DEPTH AT MLW

REPLACES BRIDGE No. 29	
FEB. 8, 2012	SHEET 1 OF 6
STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION RALEIGH, NC	
CARTERET COUNTY	
PROPOSED BRIDGE ON NEW LOCATION OF US 70 BETWEEN RADIO ISLAND & MICHAEL J. SMITH FIELD OVER GALLANTS CHANNEL @ MILE POINT 0.1	
STATE PROJECT NO. : R-3307	

From: James.L.Rousseau2@uscg.mil on behalf of [Rousseau, James L CIV](#)
To: [Rivenbark, Chris](#)
Subject: RE: Gallants Channel Bridge Understanding of bridge removal (UNCLASSIFIED)
Date: Tuesday, January 14, 2014 8:13:08 AM

Thanks Chris

Jim Rousseau
Bridge Management Specialist
United States Coast Guard District 5
431 Crawford Street
Portsmouth, Va. 23704
757-398-6557

-----Original Message-----

From: crivenbark@ncdot.gov [<mailto:crivenbark@ncdot.gov>]
Sent: Tuesday, January 14, 2014 8:11 AM
To: Rousseau, James L CIV
Subject: RE: Gallants Channel Bridge Understanding of bridge removal (UNCLASSIFIED)

Jim,

This is from the special provision concerning removal of the existing structure.

Included with the removal of existing structure are the removal of the bridge including bascule spans, fender system, pile clusters (dolphins) in the vicinity of the fender system, tender house, and other miscellaneous appurtenances. Removal of the existing bascule pier foundations is required to the top of the existing sill at elevation -22 +/- MSL. Removal of the existing railroad bridge foundations is also required. Two exposed railroad piers and one submerged pier are to be removed above elevation -22 +/- MSL or as directed by the Engineer.

Let me know if you need anything else.

Chris Rivenbark

NCDOT, PDEA-Natural Environment Section

(919) 707-6152 office

-----Original Message-----

From: James.L.Rousseau2@uscg.mil [<mailto:James.L.Rousseau2@uscg.mil>]
Sent: Monday, January 13, 2014 2:11 PM
To: Rivenbark, Chris; Bullock, Roger D SAW; Horton, James T SAW
Cc: Steffens, Thomas A SAW; Stanton, Tyler P

Subject: RE: Gallants Channel Bridge Understanding of bridge removal
(UNCLASSIFIED)

Chris,

The Coast Guard has no issues as well and are in concurrence with U.S. Army Corps of Engineers, this will still fall under the approved existing permit for this project. If you have any questions please let me know.

Regards,

Jim

Jim Rousseau

Bridge Management Specialist

United States Coast Guard District 5

431 Crawford Street

Portsmouth, Va. 23704

757-398-6557

-----Original Message-----

From: crivenbark@ncdot.gov <<mailto:crivenbark@ncdot.gov>>
[<mailto:crivenbark@ncdot.gov> <<mailto:crivenbark@ncdot.gov>>]

Sent: Monday, January 13, 2014 1:53 PM

To: Bullock, Roger D SAW; Horton, James T SAW

Cc: Rousseau, James L CIV; Steffens, Thomas A SAW; Stanton, Tyler P

Subject: RE: Gallants Channel Bridge Understanding of bridge removal
(UNCLASSIFIED)

Mr. Bullock,

Thank you for your help resolving this so quickly. That is correct, we

are proposing to remove the existing bascule piers down to the top of the seal as shown on the attached as built plan sheet. Additionally, I have confirmed that we are removing the fender systems in their entirety.

We truly appreciate your assistance.

Chris Rivenbark

NCDOT, PDEA-Natural Environment Section

(919) 707-6152 office

-----Original Message-----

From: Bullock, Roger D SAW [<mailto:Roger.D.Bullock@usace.army.mil> <<mailto:Roger.D.Bullock@usace.army.mil>>]

Sent: Monday, January 13, 2014 1:02 PM

To: Rivenbark, Chris; Steffens, Thomas A SAW; Horton, James T SAW; Stanton, Tyler P

Subject: Gallants Channel Bridge Understanding of bridge removal

(UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Good afternoon Chris and all,

After discussing with you on the phone, Todd Horton and I sketched what appears to be the mudline and top of seal, which I placed red lines on to clarify removal of structure. If this is the location for removal of bridge, then Navigation concurs with what portion of bridge remains in the subsurface. Essentially, we believe removing all structure to the mudline will work in our interest to maintain navigation of the federal channel. We do request that you remove the fender systems in their entirety in order to have full width of the authorized channel. Thanks for including us in this discussion. Please let me know if you need further clarification.

My best,

Roger

ROGER BULLOCK

Deputy Chief of Operations-Navigation

Designated Diving Coordinator

U.S. Army Corps of Engineers-Wilmington District

69 Darlington Avenue

Wilmington, North Carolina 28403

(910) 251-4822 Office

(910) 512-7463 Mobile

Roger.D.Bullock@usace.army.mil <<mailto:Roger.D.Bullock@usace.army.mil>>

Classification: UNCLASSIFIED

Caveats: NONE

Email correspondence to and from this sender is subject to the N.C.

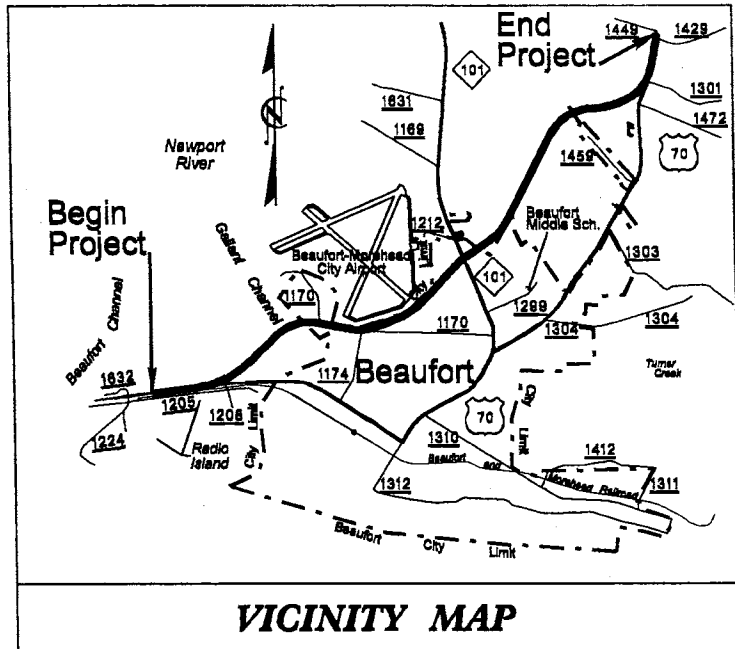
Public Records Law and may be disclosed to third parties.

Email correspondence to and from this sender is subject to the N.C.
Public Records Law and may be disclosed to third parties.

09/08/09

TIP PROJECT: R-3307

See Sheet 1-A For Index of Sheets
See Sheet 1-B For Conventional Symbols



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

CARTERET COUNTY

LOCATION: US 70 FROM EXISTING FOUR LANES AT RADIO ISLAND TO US 70 NORTH OF SR 1429 (OLGA ROAD)

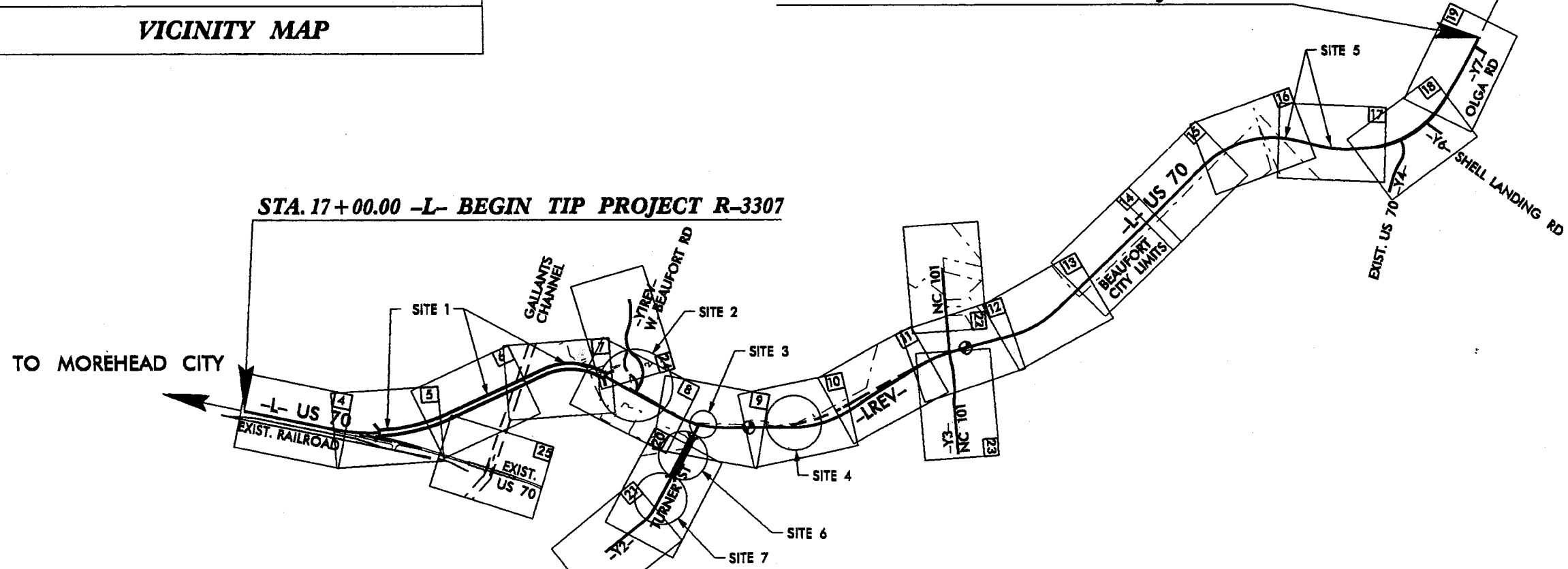
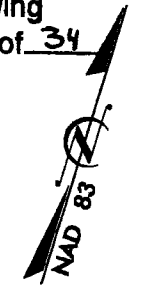
TYPE OF WORK: GRADING, PAVING, DRAINAGE, CURB & GUTTER SIGNALS, CULVERT AND STRUCTURES

WETLAND & STREAM IMPACTS

STA. 207+95.09 -L- END TIP PROJECT R-3307

STATE	STATE PROJECT EXPERIENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	R-3307	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
34528.1.1	STPNHF-70(43)	PE	
34528.2.2	STPNHF-70(105)	RAW, UTIL.	

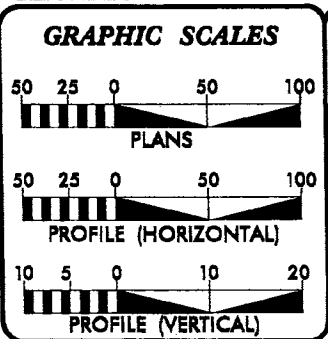
Permit Drawing Sheet 1 of 34



★ PROPOSED TRAFFIC SIGNAL
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD III.
A PORTION OF THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF BEAUFORT.
THIS IS A PARTIAL CONTROLLED-ACCESS PROJECT WITH ACCESS BEING LIMITED TO POINTS AS SHOWN ON THE PLANS.

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

CONTRACT:



DESIGN DATA

ADT 2011 =	27620
ADT 2031 =	39389
DHV =	11 %
D =	60 %
T =	5 % *
V (SHOULDER) =	60 MPH**
V (CURB & GUTTER) =	50 MPH
* (TTST 1 % + DUAL 4) %	
FUNC. CLASS =	ARTERIAL
STATEWIDE TIER	

PROJECT LENGTH

LENGTH OF ROADWAY PROJECT R-3307	=	2.980 MI
LENGTH OF STRUCTURE PROJECT R-3307	=	0.643 MI
TOTAL LENGTH OF F.A. PROJECT STPNHF-70(43)	=	3.623 MI

Prepared in the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh NC, 27610

2006 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: JULY 18, 2008	BRENDA MOORE, PE PROJECT ENGINEER
LETTING DATE: JULY 17, 2012	REKHA PATEL, PE PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

P.E.

ROADWAY DESIGN ENGINEER

P.E.

**DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA**

STATE HIGHWAY DESIGN ENGINEER

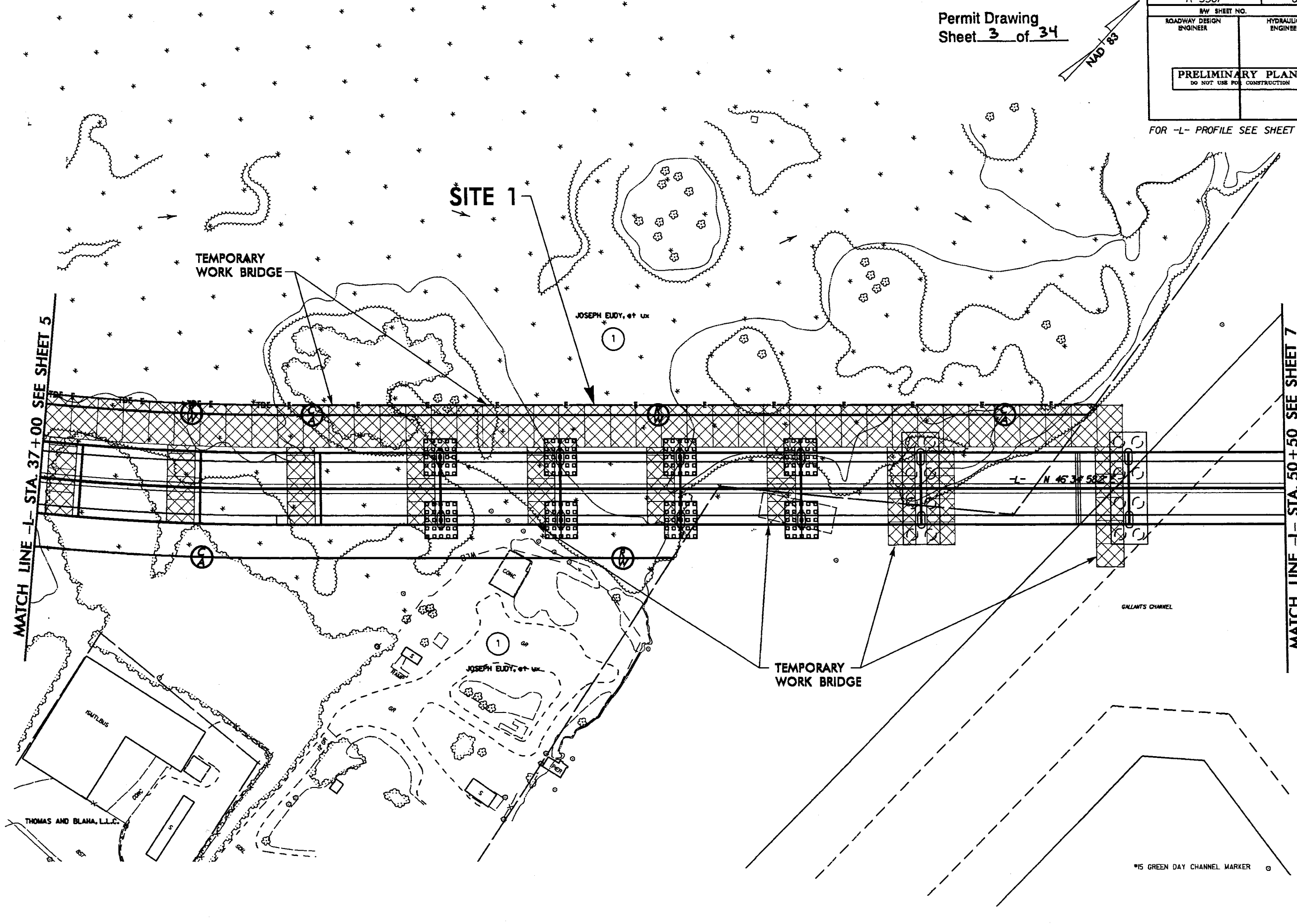
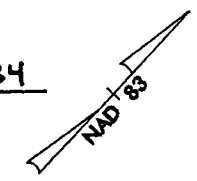
\$\$\$\$\$SYTIME\$\$\$\$\$
\$\$\$\$\$DGN\$\$\$\$\$
\$\$\$\$\$USERNAME\$\$\$\$\$

8/17/99

Permit Drawing
Sheet 3 of 34

PROJECT REFERENCE NO. R-3307		SHEET NO. 6	
RAW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			

FOR -L- PROFILE SEE SHEET 27



REVISIONS

 SYSTEMS
 TIME

 DGN

*15 GREEN DAY CHANNEL MARKER

-Y1-
 P1 Sta 12+32.18
 $\Delta = 66^{\circ} 34' 30.8" (LT)$
 $D = 242.22' 52.3"$
 $L = 281.26'$
 $T = 160.23'$
 $R = 235.00'$
 $SE = .06$

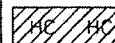
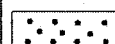
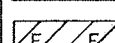
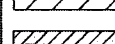
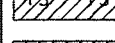
-Y1-
 P1 Sta 15+42.09
 $\Delta = 76^{\circ} 42' 04.0" (RT)$
 $D = 351.1' 49.9"$
 $L = 200.80'$
 $T = 118.68'$
 $R = 150.00'$

STD. GRASS SWALE
 GRASS SWALE DATA
 DA = 0.91'
 SLOPE = 0.4%
 L = 135'
 Q2 = 4.4cfs
 V2 = 1.31fps
 D2 = 1.1'
 Q10 = 6cfs
 V10 = 1.44fps
 D10 = 1.2'
 -L- STA. 65+37 LT.

GRASS SWALE DATA
 DA = 4.13'
 SLOPE = 0.4%
 L = 864'
 Q2 = 5.7cfs
 V2 = 1.23fps
 D2 = 0.8'
 Q10 = 8.3 cfs
 V10 = 1.34fps
 D10 = 1.0'
 -L- STA. 68+86 TO 77+50 LT.

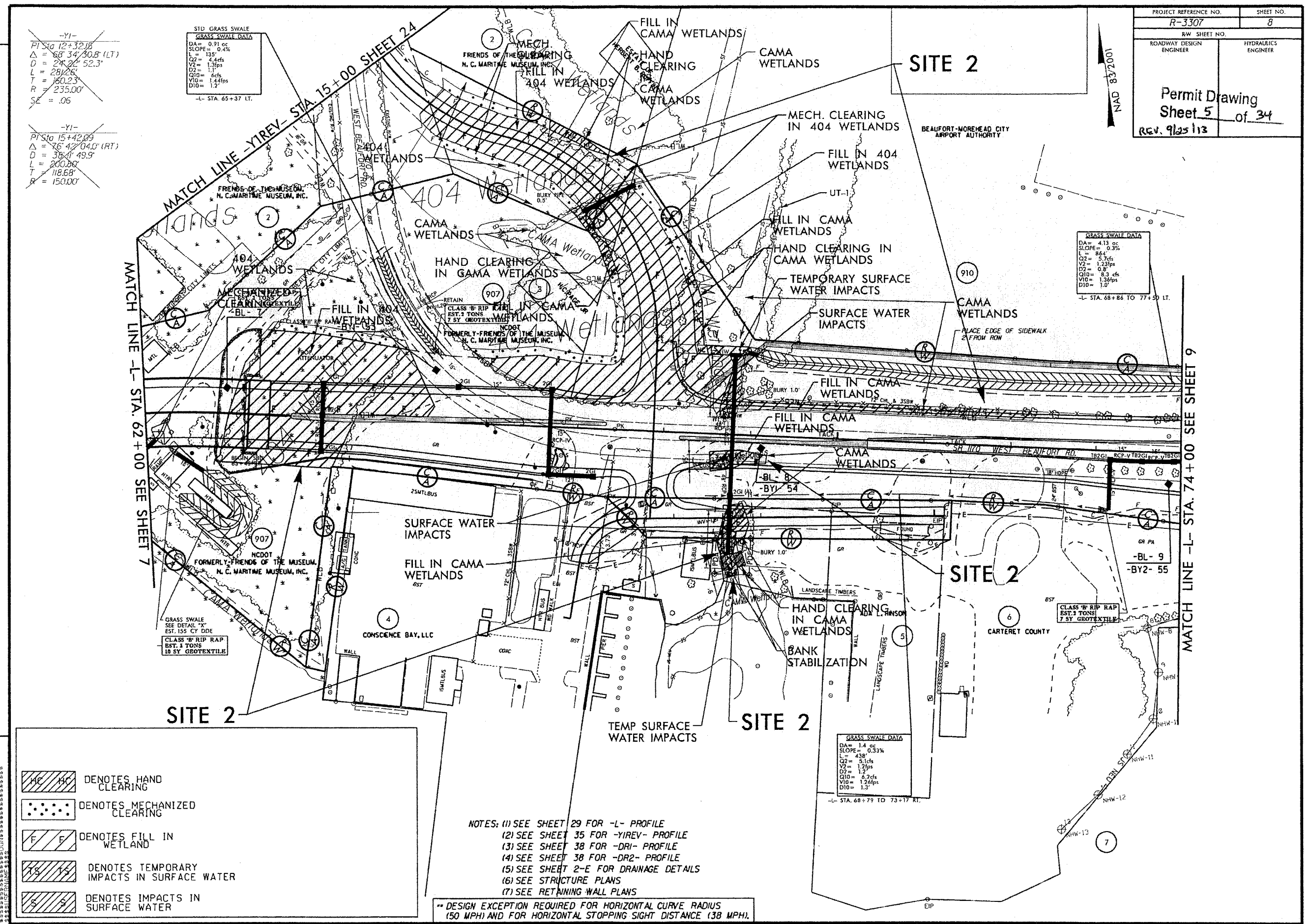
GRASS SWALE DATA
 DA = 1.4'
 SLOPE = 0.33%
 L = 438'
 Q2 = 5.1cfs
 V2 = 1.21fps
 D2 = 1.2'
 Q10 = 6.2cfs
 V10 = 1.26fps
 D10 = 1.3'
 -L- STA. 68+79 TO 73+17 RT.

REVISIONS

-  DENOTES HAND CLEARING
-  DENOTES MECHANIZED CLEARING
-  DENOTES FILL IN WETLAND
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER
-  DENOTES IMPACTS IN SURFACE WATER

NOTES: (1) SEE SHEET 29 FOR -L- PROFILE
 (2) SEE SHEET 35 FOR -YIREV- PROFILE
 (3) SEE SHEET 38 FOR -DRI- PROFILE
 (4) SEE SHEET 38 FOR -DR2- PROFILE
 (5) SEE SHEET 2-E FOR DRAINAGE DETAILS
 (6) SEE STRUCTURE PLANS
 (7) SEE RETAINING WALL PLANS

** DESIGN EXCEPTION REQUIRED FOR HORIZONTAL CURVE RADIUS (50 MPH) AND FOR HORIZONTAL STOPPING SIGHT DISTANCE (38 MPH).

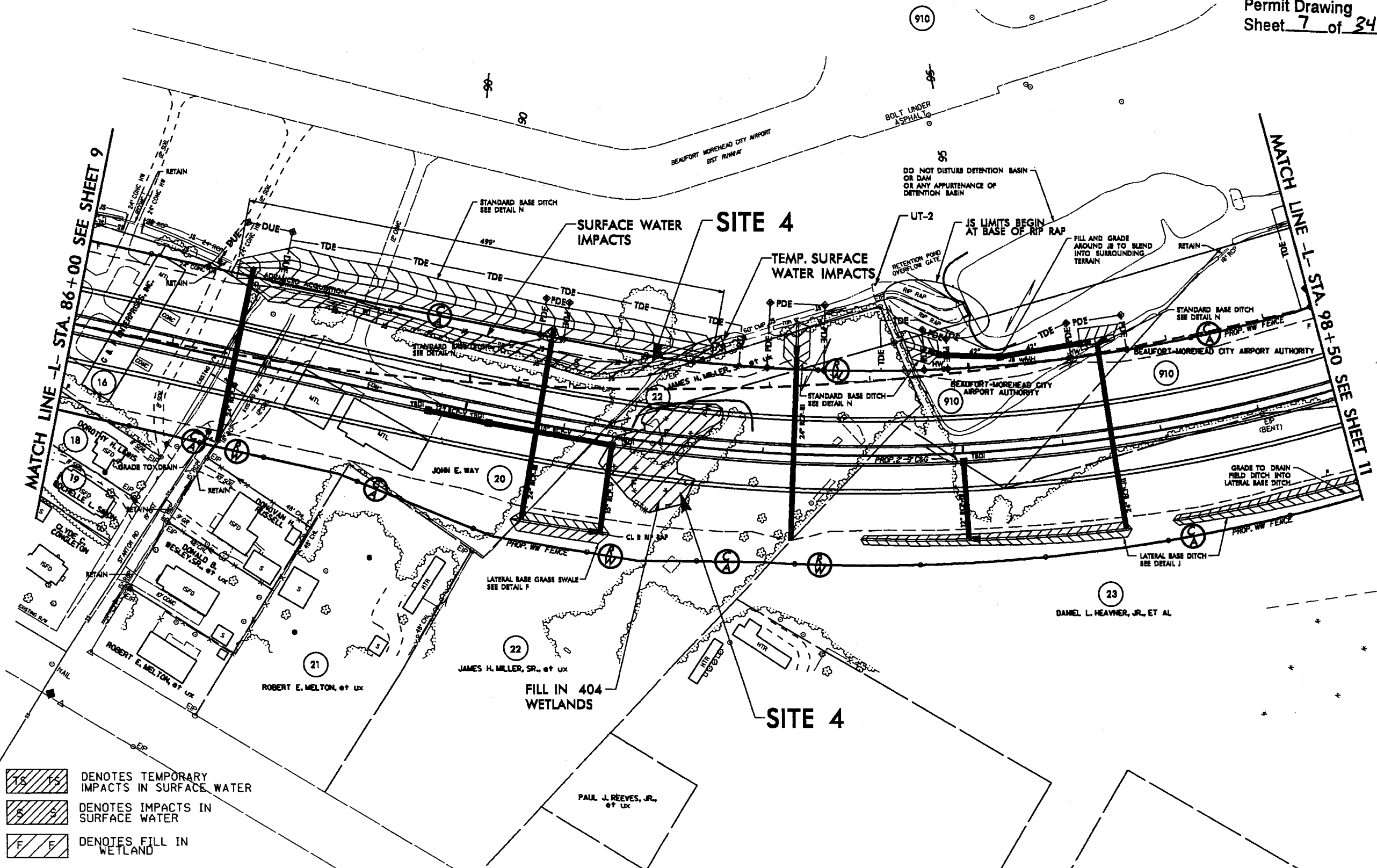
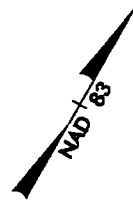


BEAUFORT-MOREHEAD CITY AIRPORT AUTHORITY

PROJECT REFERENCE NO. R-3307		SHEET NO. 10	
RWY SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			

FOR -LREV- PROFILE SEE SHEET 30

Permit Drawing Sheet 7 of 34



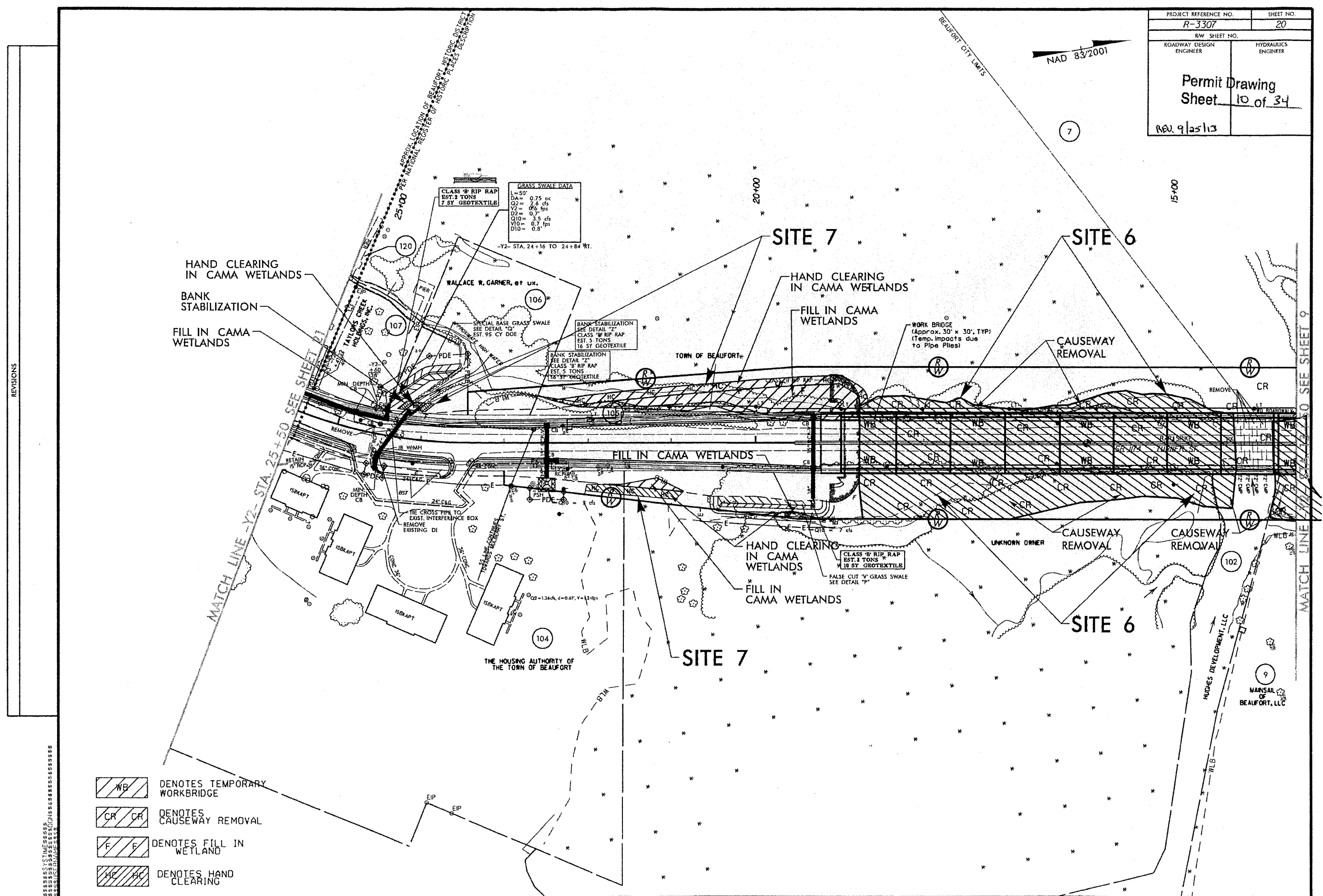
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND

REVISIONS
 R/W REV. 07/29/10 (K/MW) REVISED EXIST/PROP R/W TO NUMERICAL OFFSET.
 R/W REV. 04/18/11 (K/MW) DELETED PDE, REVISED TDE, AND ADDED DUE ON PARCEL 90.

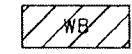
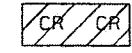
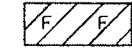
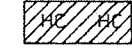
8/17/98

PROJECT REFERENCE NO. R-3307	SHEET NO. 20
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 10 of 34	
REV. 9/25/13	

NAD 83/2001



REVISIONS

-  DENOTES TEMPORARY WORKBRIDGE
-  DENOTES CAUSEWAY REMOVAL
-  DENOTES FILL IN WETLAND
-  DENOTES HAND CLEARING

GRASS SWALE DATA

L=50'
DA= 0.75 pc
Q2= 2.6 cfs
V2= 0.95 fps
D2= 0.9' rps
Q10= 3.5 cfs
V10= 0.7 fps
D10= 0.8'

CLASS 'B' RIP RAP
EST. 2 TONS
7 SY GEOTEXTILE

BANK STABILIZATION
SEE DETAIL 'Z'
CLASS 'B' RIP RAP
EST. 5 TONS
16 SY GEOTEXTILE

CLASS 'B' RIP RAP
EST. 1 TONS
18 SY GEOTEXTILE
FALSE CUT 'V' GRASS SWALE
SEE DETAIL 'P'

WORK BRIDGE
(Approx. 30' x 30', TYP)
(Temp. impacts due to Pipe Piles)

HAND CLEARING
IN CAMA WETLANDS
BANK STABILIZATION
FILL IN CAMA WETLANDS

SITE 7

SITE 6

SITE 7

SITE 6

MATCH LINE -Y2- STA 25+50 SEE SHEET 11

MATCH LINE -Y1- STA 20+00 SEE SHEET 9

WALLACE W. GARNER, et ux.
TAYLOR'S CREEK HOLDINGS, INC.
-Y2- STA. 24+16 TO 24+84 Wt.

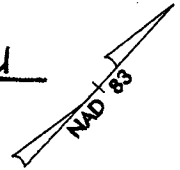
THE HOUSING AUTHORITY OF THE TOWN OF BEAUFORT

UNKNOWN OWNER

HUGHES DEVELOPMENT, LLC
MANSAL OF BEAUFORT, LLC

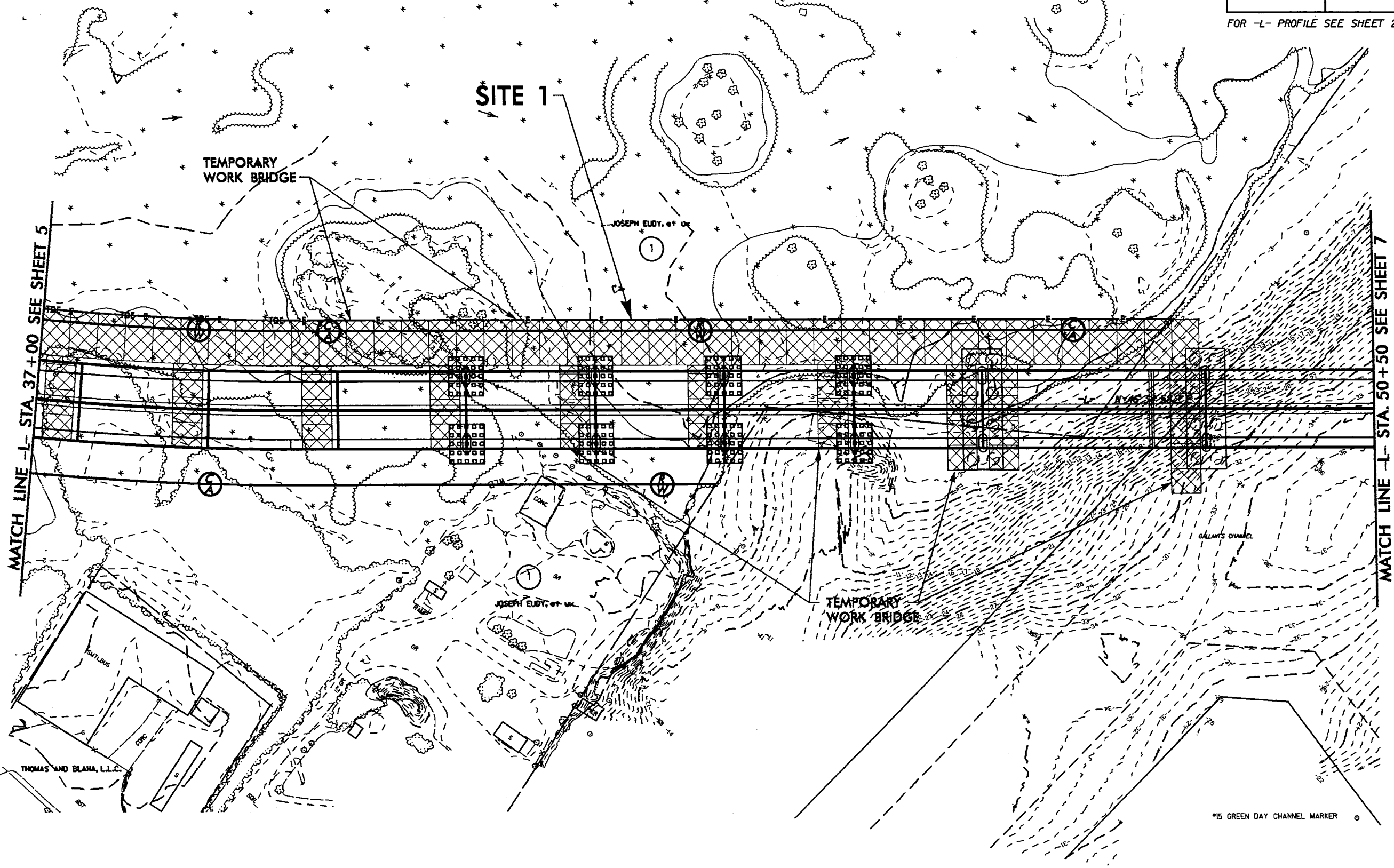
8/17/99

Permit Drawing
Sheet 12 of 34



PROJECT REFERENCE NO. R-3307	SHEET NO. 6
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

FOR -L- PROFILE SEE SHEET 27



REVISIONS

SYSTEMS DESIGN

-YI-
 PVI STA 12+32.18
 $\Delta = 58' 34" 30.8" (LT)$
 $D = 28' 22" 52.3"$
 $L = 281.26'$
 $T = 160.23'$
 $R = 235.00'$
 $SE = .06$

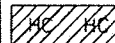
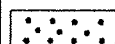
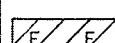
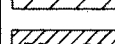
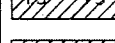
STD. GRASS SWALE
 GRASS SWALE DATA
 $DA = 0.91$ sq
 $SLOPE = 0.4\%$
 $L = 135'$
 $Q2 = 4.4cfs$
 $V2 = 1.3fps$
 $D2 = 1.1'$
 $Q10 = 4cfs$
 $V10 = 1.44fps$
 $D10 = 1.2'$
 -L- STA. 65+37 LT.

-YI-
 PVI STA 15+42.09
 $\Delta = 75' 42" 04.0" (RT)$
 $D = 38' 11" 49.9"$
 $L = 200.89'$
 $T = 118.68'$
 $R = 150.00'$

GRASS SWALE DATA
 $DA = 4.13$ sq
 $SLOPE = 0.3\%$
 $L = 864'$
 $Q2 = 5.7cfs$
 $V2 = 1.23fps$
 $D2 = 0.8'$
 $Q10 = 8.3cfs$
 $V10 = 1.36fps$
 $D10 = 1.0'$
 -L- STA. 68+86 TO 77+50 LT.

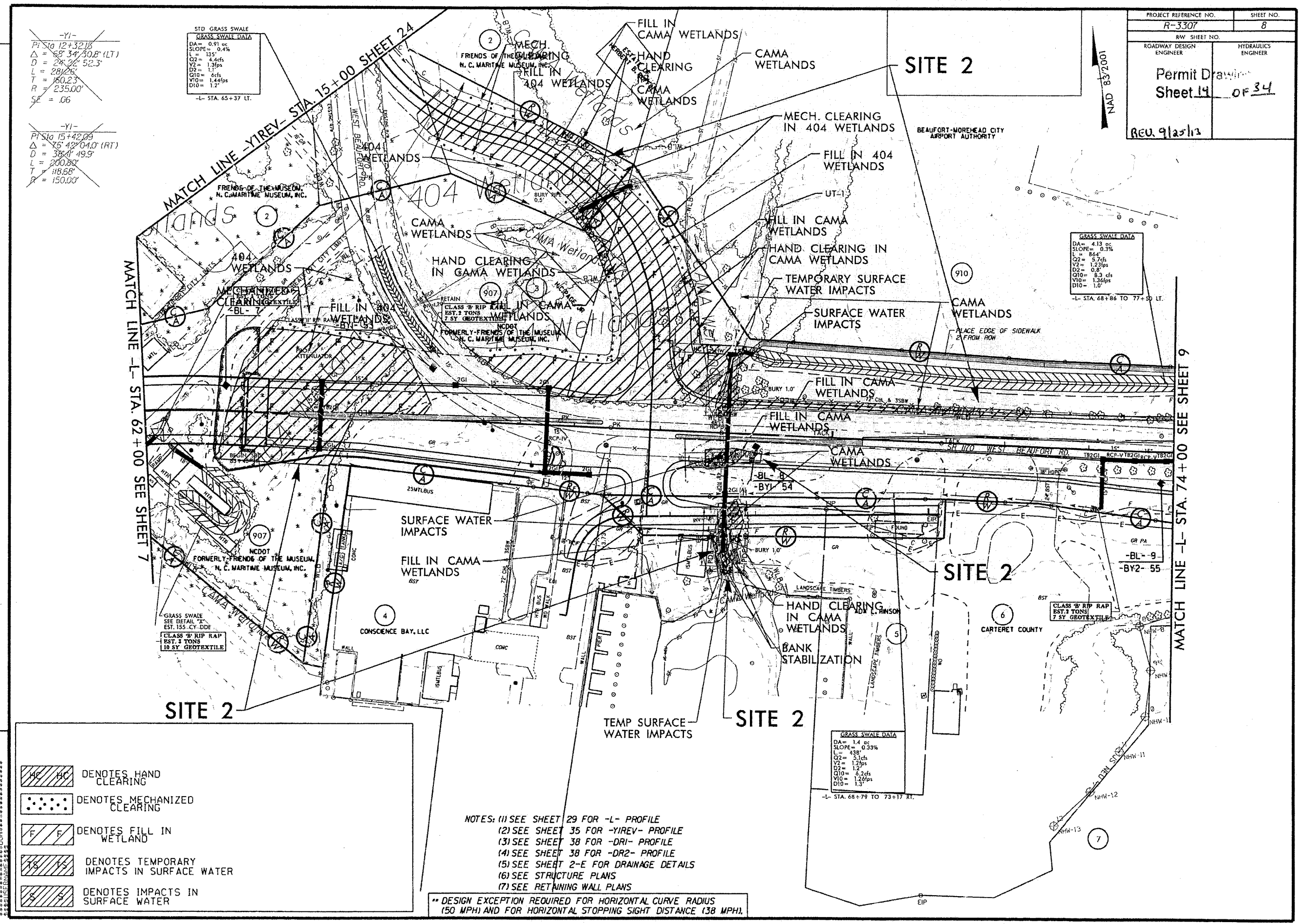
GRASS SWALE DATA
 $DA = 1.4$ sq
 $SLOPE = 0.33\%$
 $L = 438'$
 $Q2 = 5.1cfs$
 $V2 = 1.2fps$
 $D2 = 1.2'$
 $Q10 = 3.2cfs$
 $V10 = 1.24fps$
 $D10 = 1.3'$
 -L- STA. 68+79 TO 73+17 RT.

REVISIONS

-  DENOTES HAND CLEARING
-  DENOTES MECHANIZED CLEARING
-  DENOTES FILL IN WETLAND
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER
-  DENOTES IMPACTS IN SURFACE WATER

NOTES: (1) SEE SHEET 29 FOR -L- PROFILE
 (2) SEE SHEET 35 FOR -YIREV- PROFILE
 (3) SEE SHEET 38 FOR -DRI- PROFILE
 (4) SEE SHEET 38 FOR -DR2- PROFILE
 (5) SEE SHEET 2-E FOR DRAINAGE DETAILS
 (6) SEE STRUCTURE PLANS
 (7) SEE RETAINING WALL PLANS

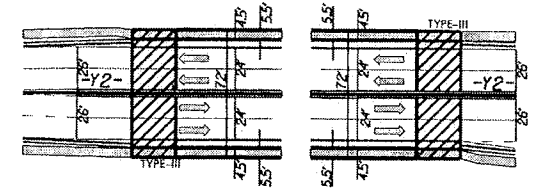
** DESIGN EXCEPTION REQUIRED FOR HORIZONTAL CURVE RADIUS (50 MPH) AND FOR HORIZONTAL STOPPING SIGHT DISTANCE (38 MPH).



PROJECT REFERENCE NO. R-3307	SHEET NO. 9
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 15 of 34	
REV. 9/25/13	

910
BEAUFORT-MOREHEAD CITY
AIRPORT AUTHORITY

NAD 83/2001

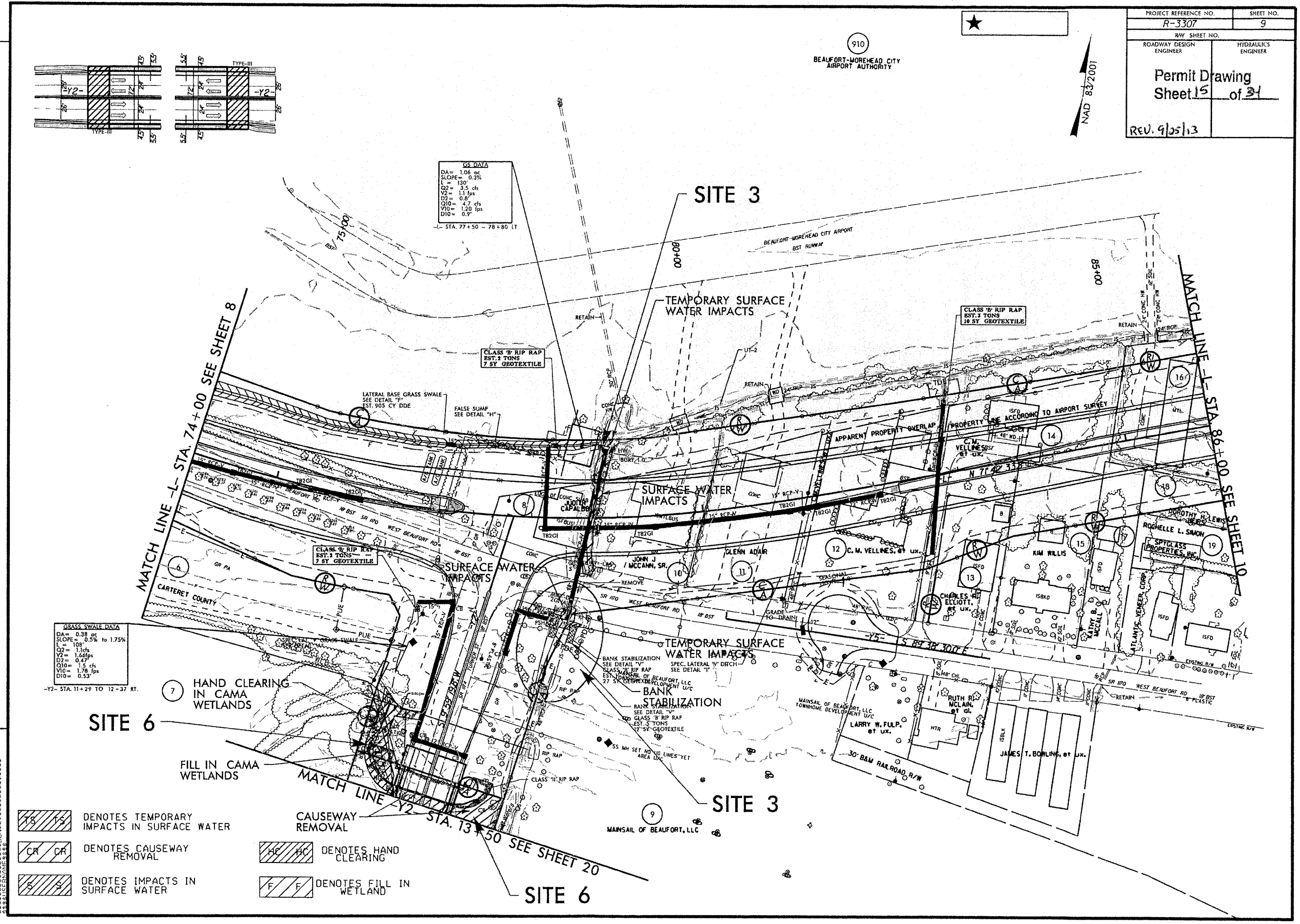


GS DATA
DA = 1.06 ac
SLOPE = 0.3%
L = 130'
Q2 = 3.5 cfs
V2 = 1.1 fps
D2 = 0.8'
Q10 = 4.7 cfs
V10 = 1.20 fps
D10 = 0.9'

GRASS SWALE DATA
DA = 0.38 ac
SLOPE = 0.5% to 1.75%
L = 108'
Q2 = 1.1 cfs
V2 = 1.66 fps
D2 = 0.47'
Q10 = 1.5 cfs
V10 = 1.78 fps
D10 = 0.53'

REVISIONS

- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES CAUSEWAY REMOVAL
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES HAND CLEARING
- DENOTES FILL IN WETLAND



8/17/99

BEAUFORT-MOREHEAD CITY AIRPORT AUTHORITY

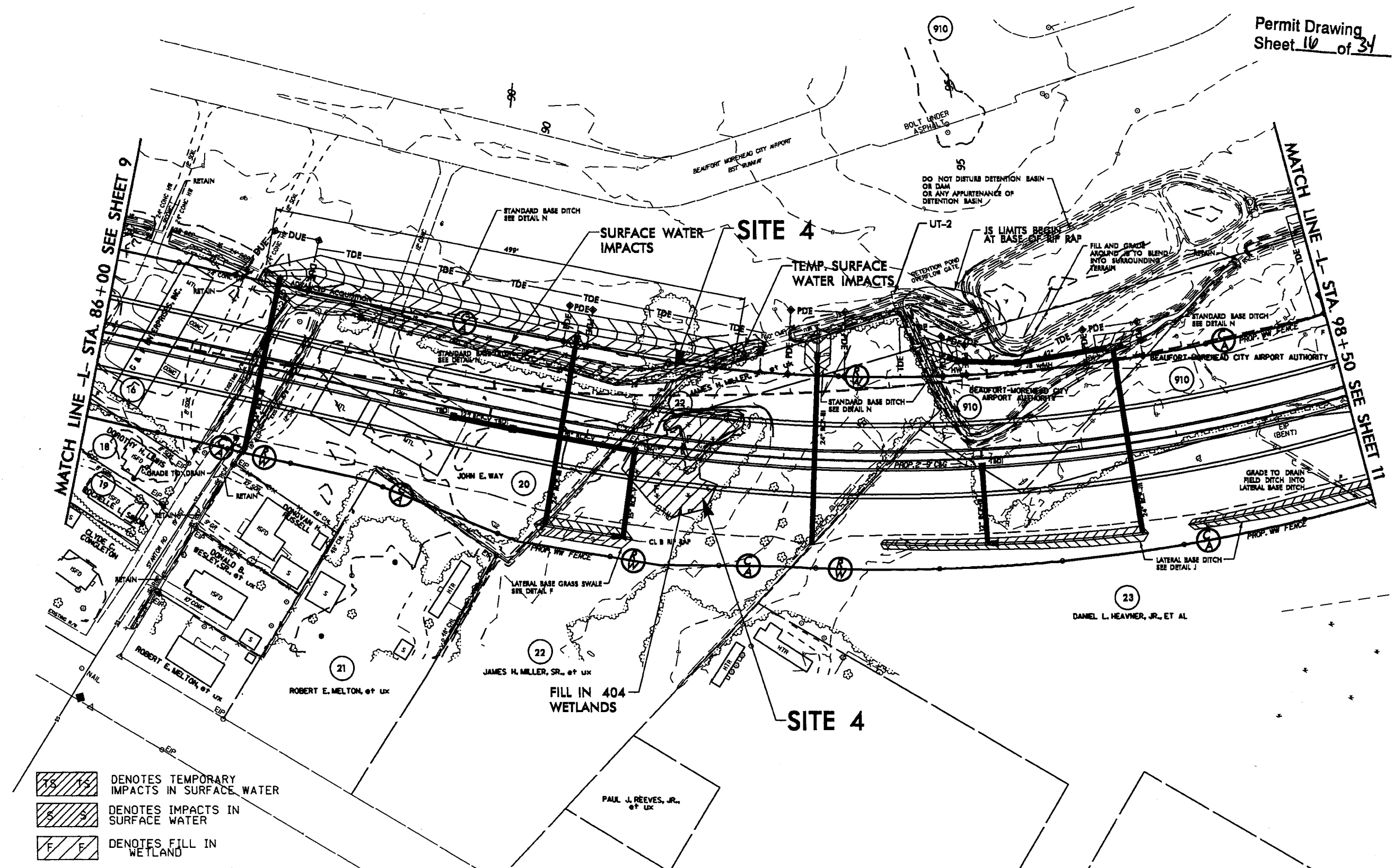
PROJECT REFERENCE NO. R-3307	SHEET NO. 10
BY SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

FOR -LEV- PROFILE SEE SHEET 30

Permit Drawing
Sheet 10 of 34

REVISIONS

R/W REV. 07/29/10 (KWA) REVISED EXIST/PROP R/W TO NUMERICAL OFFSET.
R/W REV. 04/18/11 (KWA) DELETED PDE, REVISED TDE, AND ADDED DUE ON PARCEL 910.

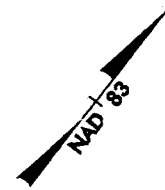


- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND

DANIEL L. HEAVNER, JR., ET AL

8/17/98

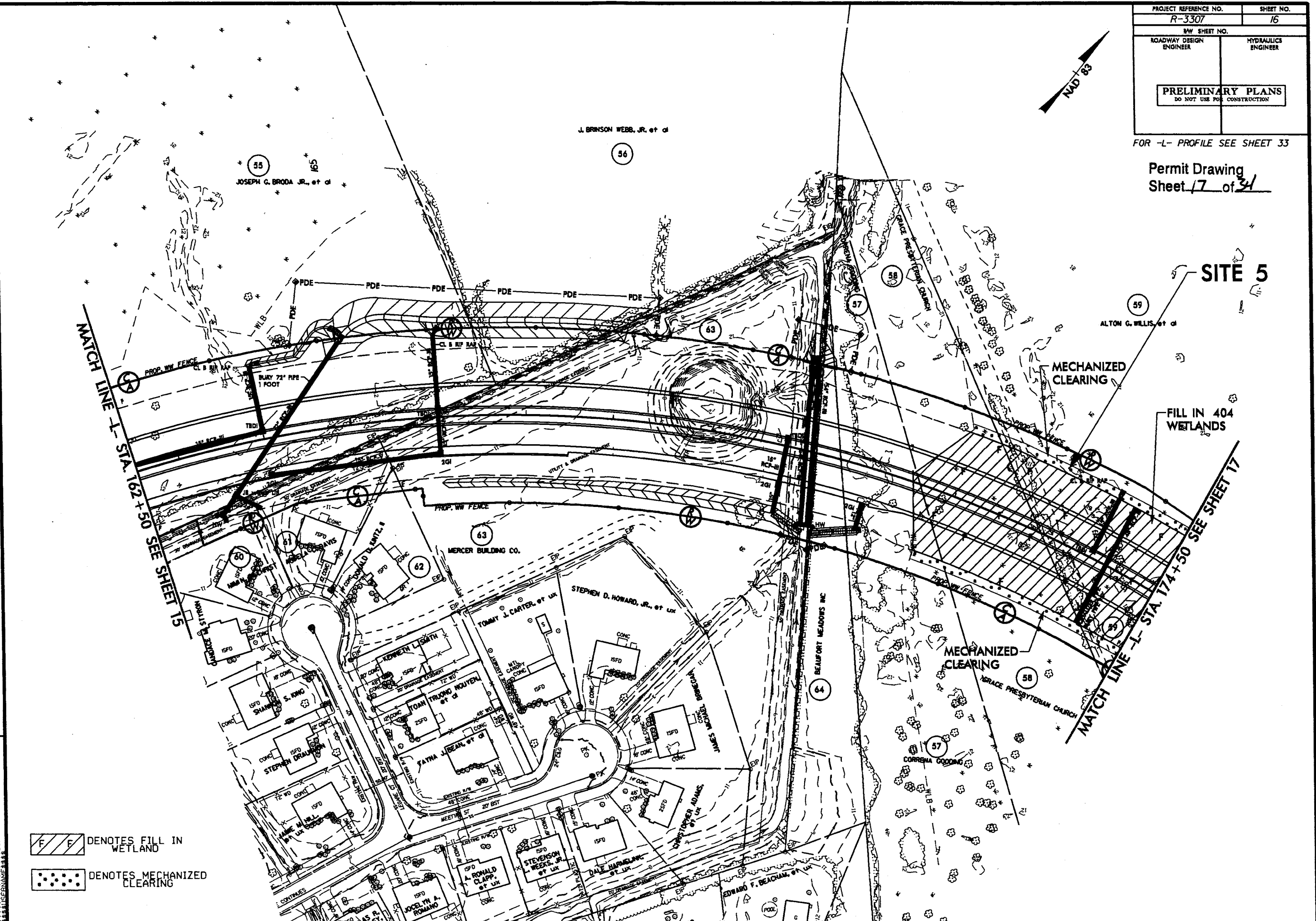
PROJECT REFERENCE NO. R-3307		SHEET NO. 16	
HW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION			


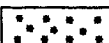


FOR -L- PROFILE SEE SHEET 33

Permit Drawing
Sheet 17 of 34

REVISIONS
R/W REV. 07/29/00 (KWA) REVISED EXIST/PROP R/W TO NUMERICAL OFFSET.



 DENOTES FILL IN WETLAND
 DENOTES MECHANIZED CLEARING

MATCH LINE -L- STA. 162+50 SEE SHEET 15

MATCH LINE -L- STA. 174+50 SEE SHEET 17

SITE 5

MECHANIZED CLEARING

FILL IN 404 WETLANDS

MECHANIZED CLEARING

J. BRINSON WEBB, JR. et al

JOSEPH C. BRODA JR., et al

ALTON G. WILLIS, et al

MERCER BUILDING CO.

STEPHEN D. HOWARD, JR., et al

TOMMY J. CARTER, et al

KENNETH L. SMITH

TOAN TRUONG NGUYEN, et al

FAYNA J. BEAN, et al

STEPHEN DEALMAN

SHANNON S. KING

MARK W. HILL, et al

JOELYN A. ROMANO

A. RONALD CLAPS, et al

STEVENS W. WEEKS, JR., et al

DALE HARMELANG, et al

CHRIS LOOPER ADAMS, et al

EDWARD F. BEACHAM, et al

SEAFORT MEADOWS INC

GRACE PRESBYTERIAN CHURCH

CORNELIA GOODING

PROJECT REFERENCE NO. R-3307	SHEET NO. 17
HW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

FOR -L- PROFILE SEE SHEET 33

Permit Drawing
Sheet 18 of 34

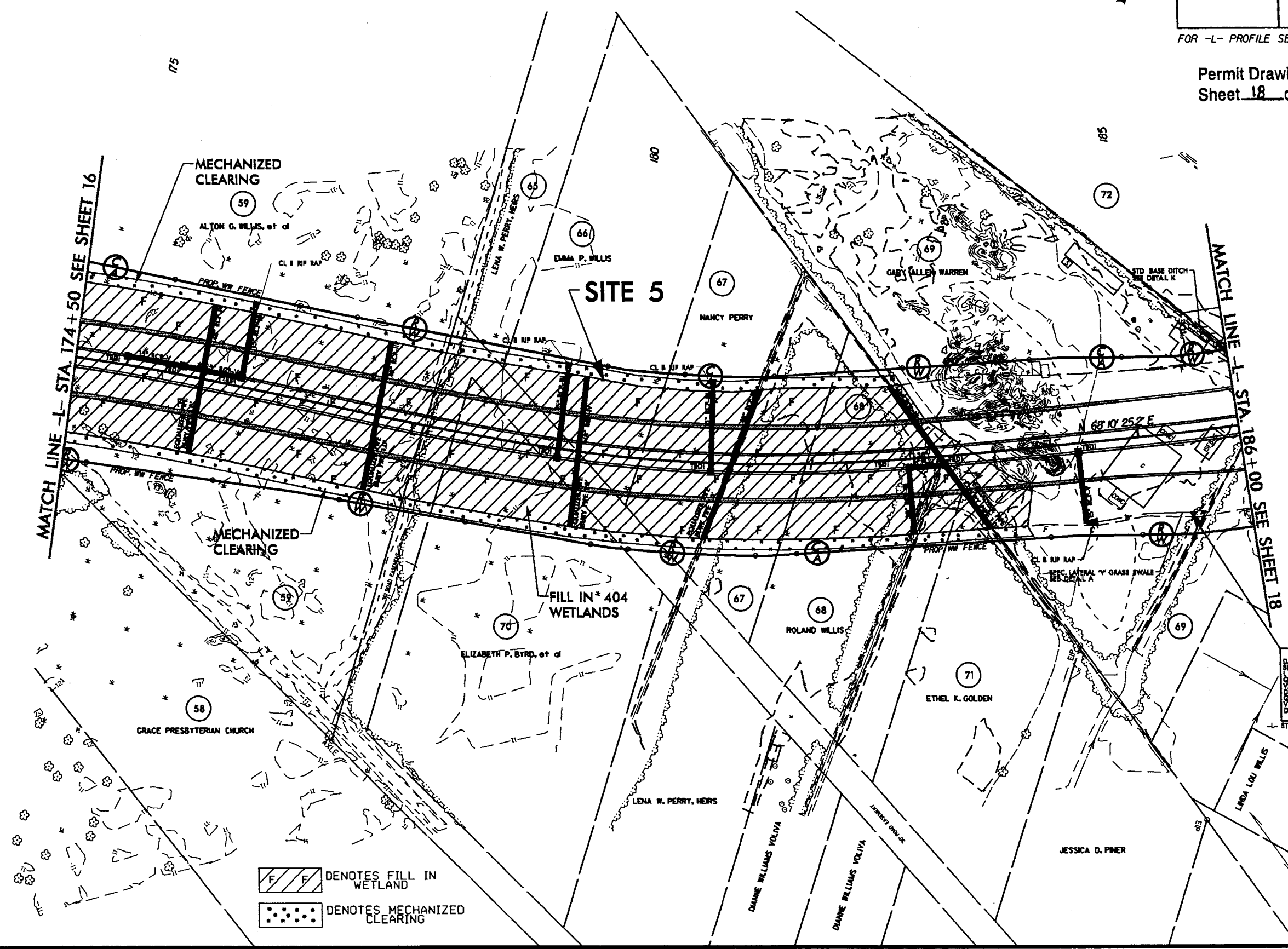




8/17/99

REVISIONS

R/W REV. 07/29/10 (KWA) REVISED PROP R/W TO NUMERICAL OFFSET.

SYSTEMS



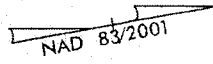
 DENOTES FILL IN WETLAND
 DENOTES MECHANIZED CLEARING

GRASS SWALE DATA

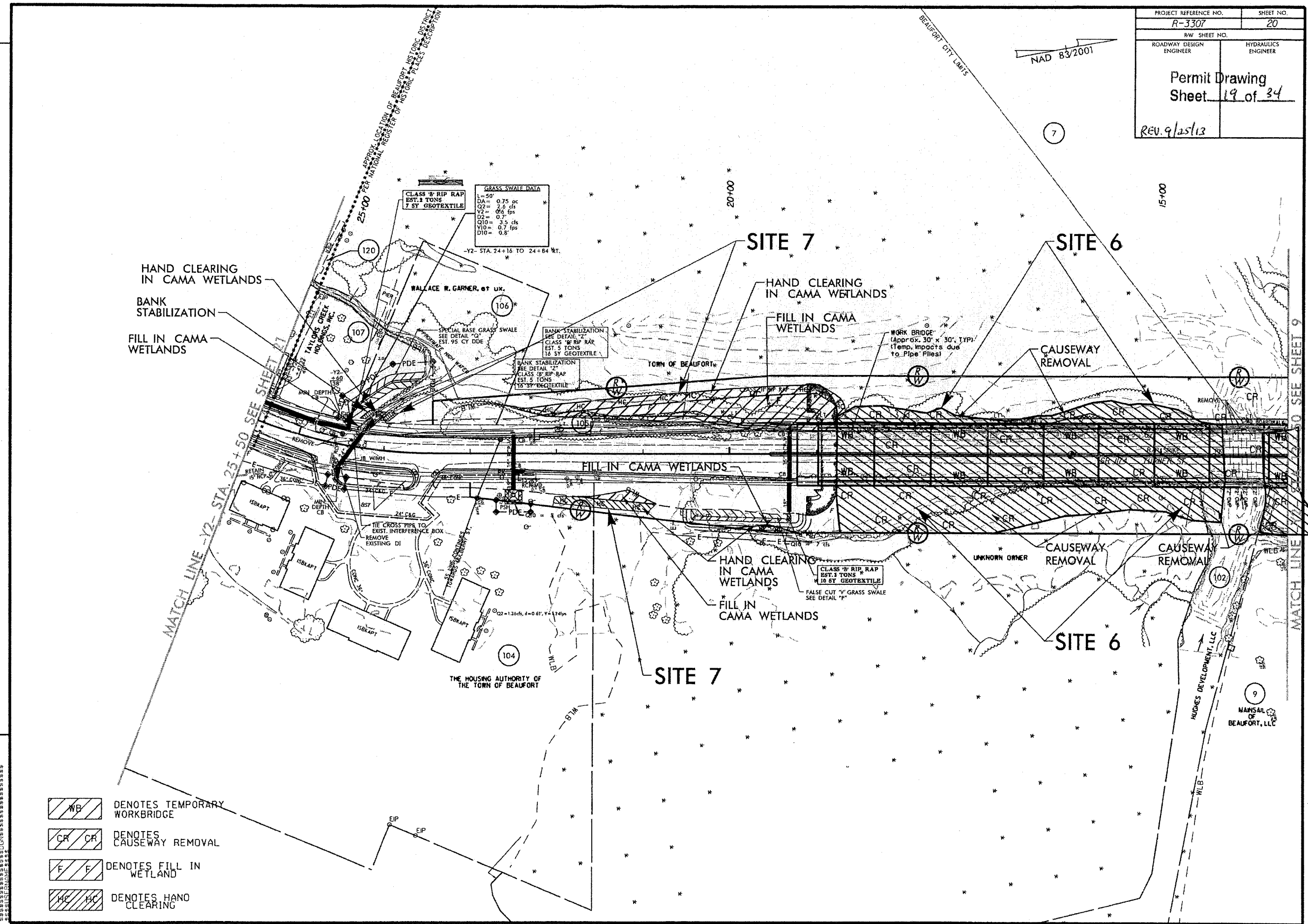
DA =	0.02%
SLOPE =	0.02%
ST =	120'
CSG =	0.5%
CSL =	0.25%
CSR =	0.1%
CSL =	0.25%
CSR =	0.1%
CSL =	0.25%
CSR =	0.1%

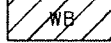
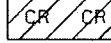
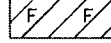
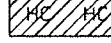
STA. 184+40 TO 185+60 FT.

PROJECT REFERENCE NO. R-3307	SHEET NO. 20
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 19 of 34	
REV. 9/25/13	



REVISIONS

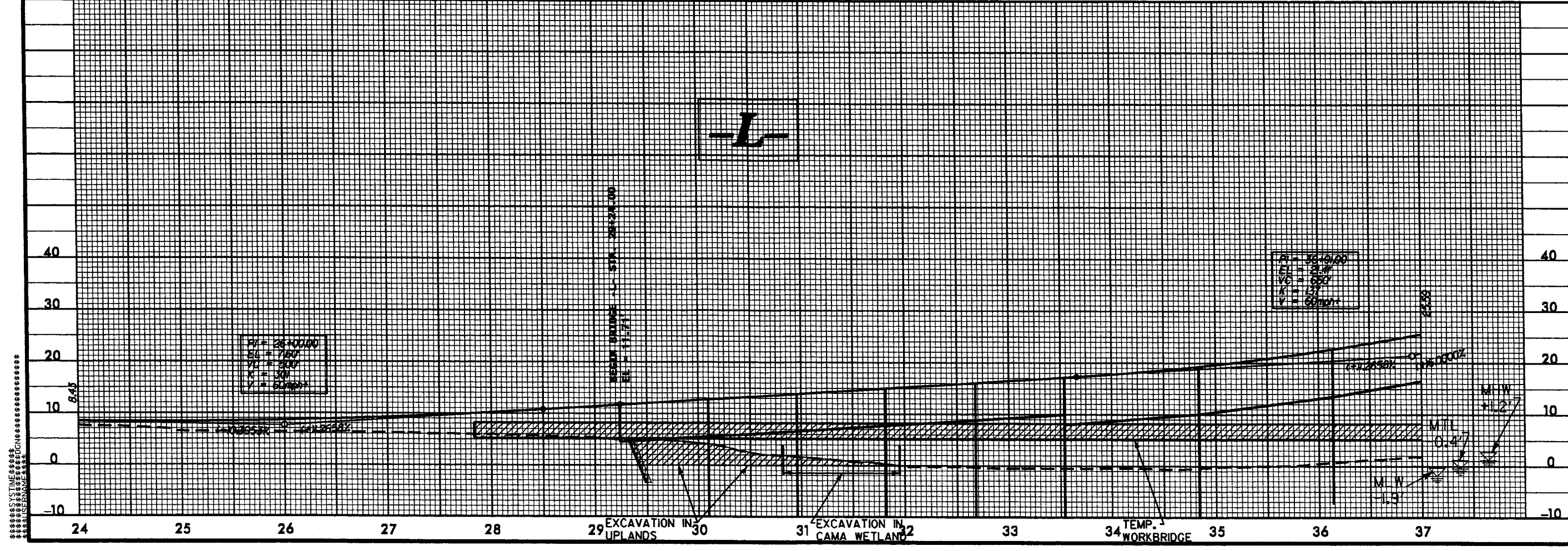
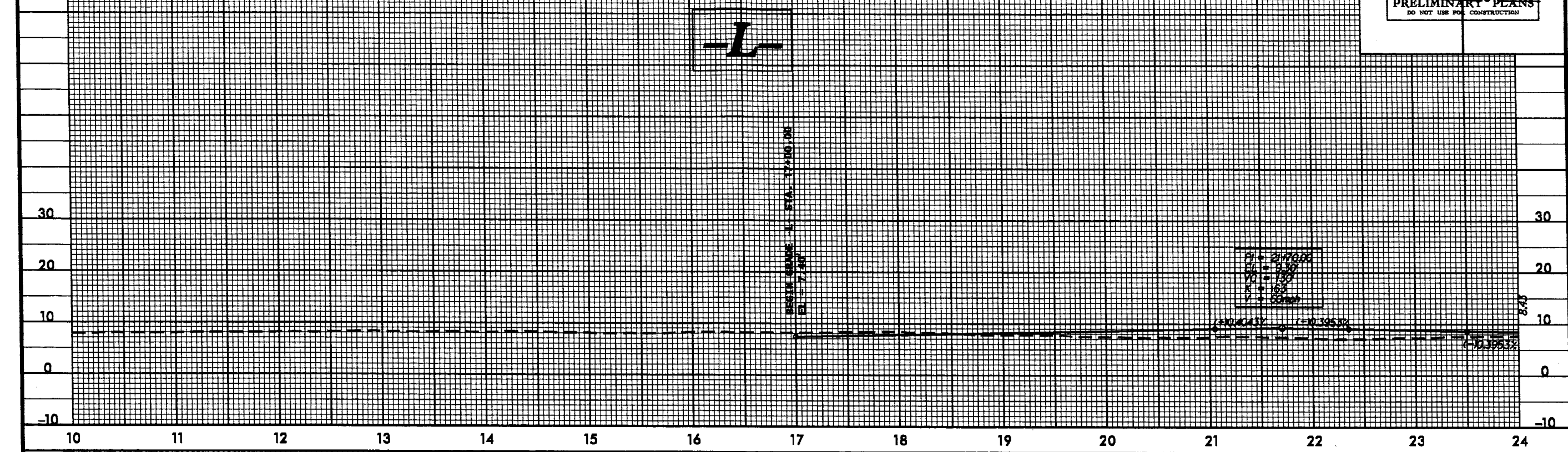


-  DENOTES TEMPORARY WORKBRIDGE
-  DENOTES CAUSEWAY REMOVAL
-  DENOTES FILL IN WETLAND
-  DENOTES HAND CLEARING

DATE PLOTTED: 10/15/13 10:58 AM

5/28/99

PROJECT REFERENCE NO. R-3307	SHEET NO. 26
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 20 of 34 PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	



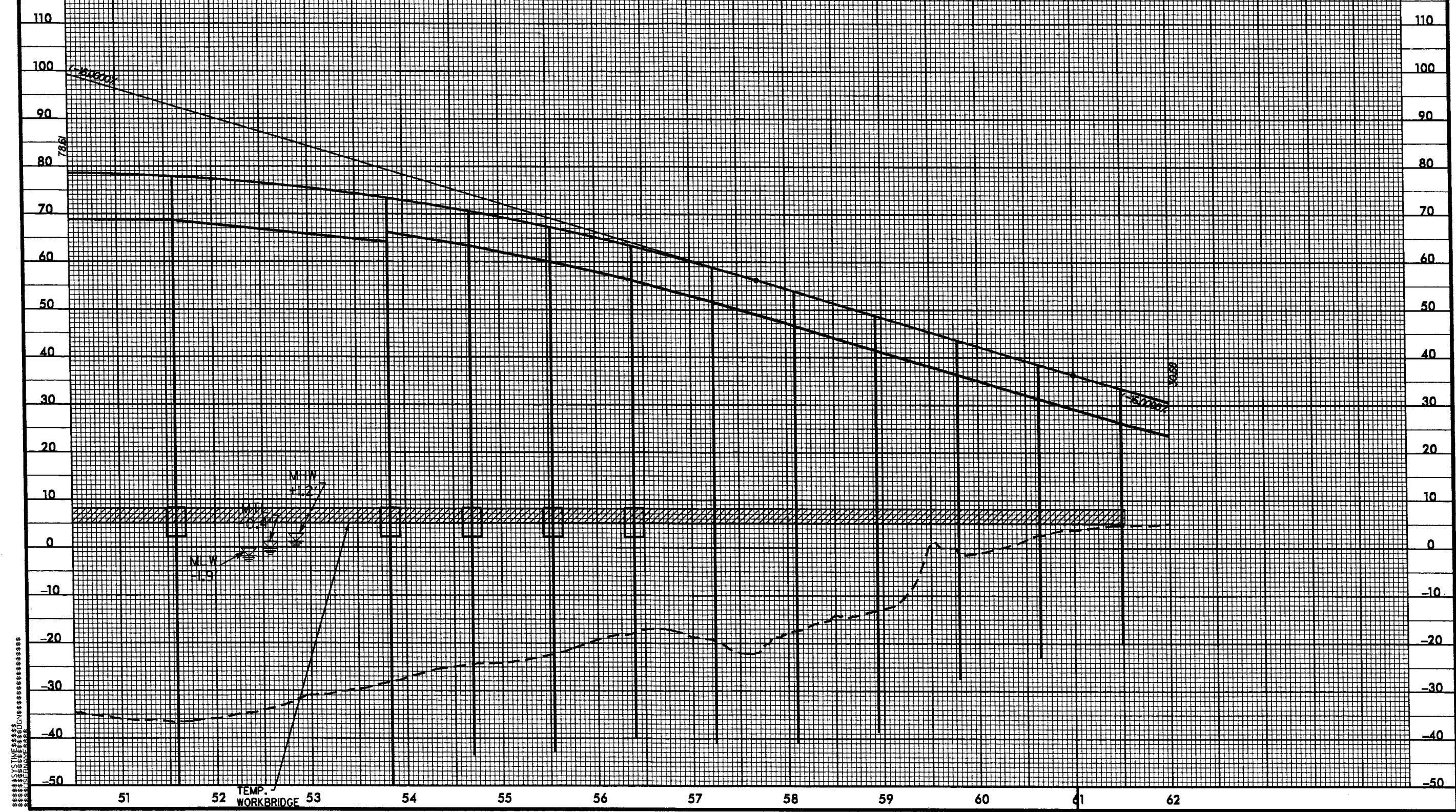
SYSTEMS

5/14/99

DESIGN EXCEPTION IS REQUIRED FOR MAXIMUM GRADE.

PROJECT REFERENCE NO. R-3307	SHEET NO. 28
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 28 of 34	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

-L-



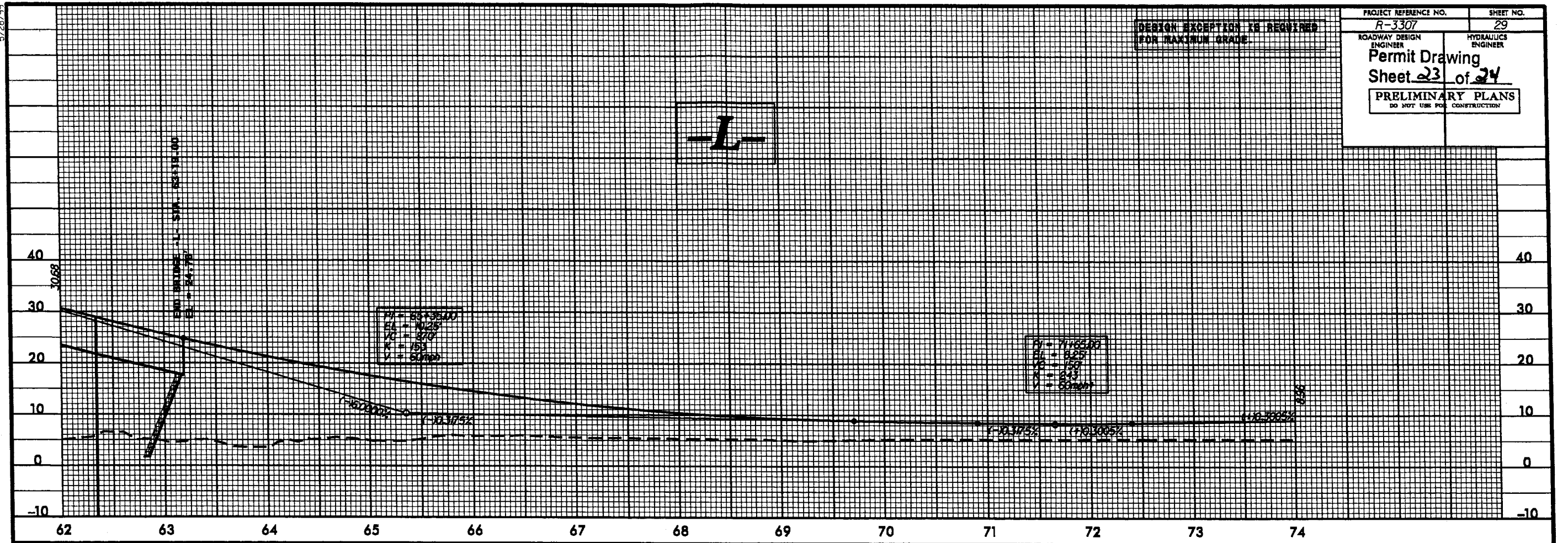
VERTICAL CURVE DATA
STATION
ELEVATION
GRADE
CURVATURE

TEMP. WORKBRIDGE

5/28/99

DESIGN EXPERTISE IS REQUIRED FOR MAXIMUM GRADE

PROJECT REFERENCE NO. R-3307	SHEET NO. 29
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing Sheet 23 of 24	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

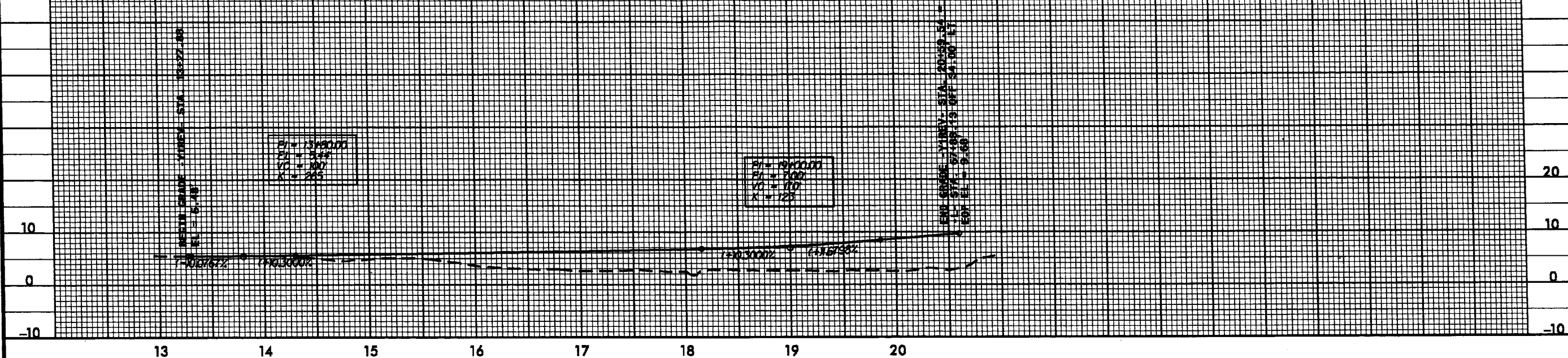


SYSTEMS ENGINEERING

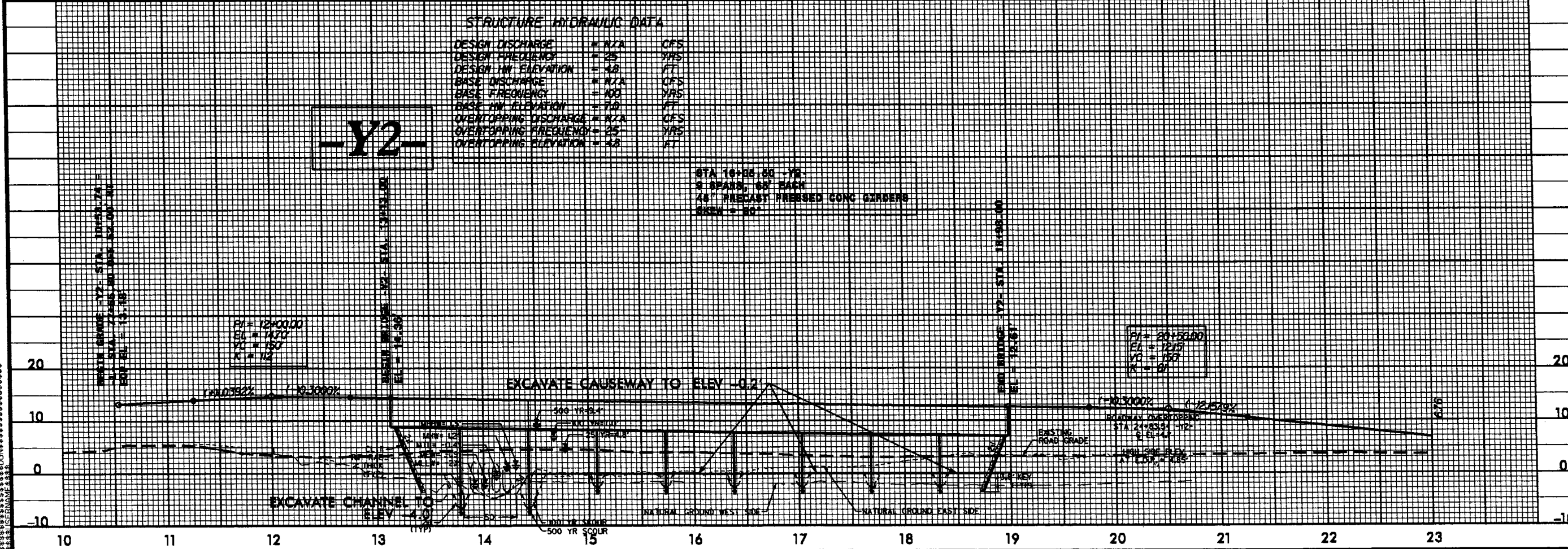
5/28/99

PROJECT REFERENCE NO. R-3307	SHEET NO. 35
ROADWAY DESIGN Permit Drawing Sheet 24 of 34	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

-Y1REV-



-Y2-



SYSTEMS ENGINEERING

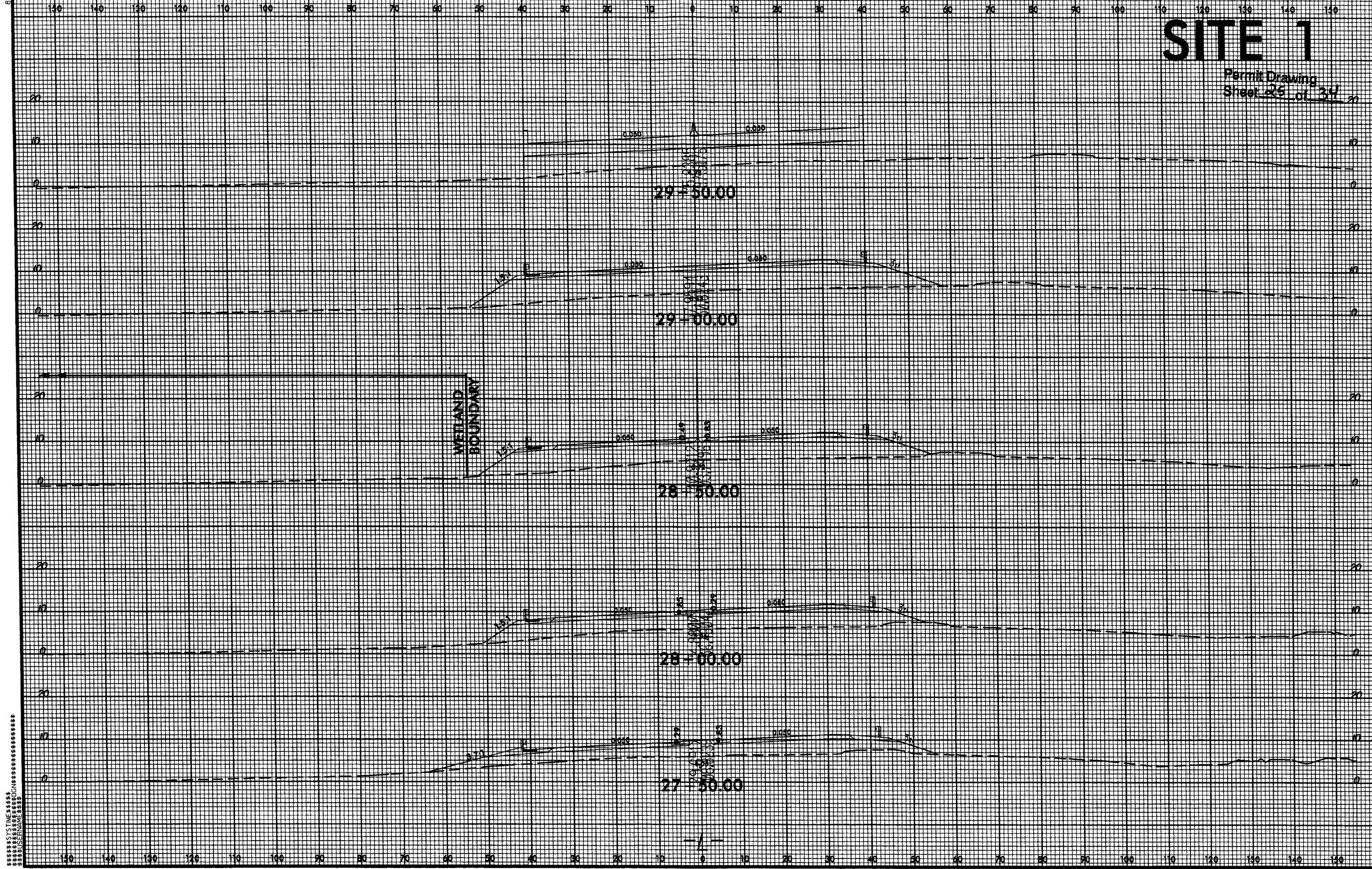
8/23/99



PROJ. REFERENCE NO. R-3307	SHEET NO. X-5
-------------------------------	------------------

SITE 1

Permit Drawing
Sheet 25 of 34



*****SYSTEMS*****
*****USER*****

5/14/99

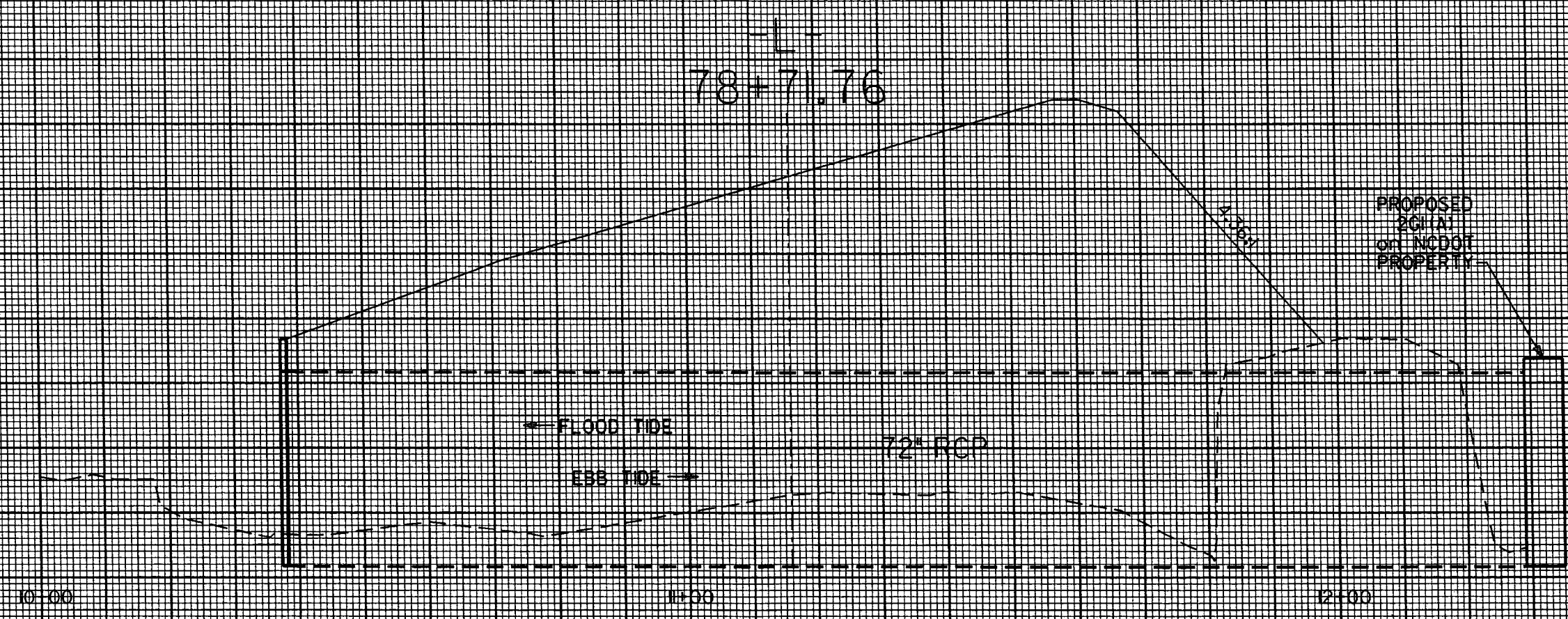
SITE 3

PROJECT REFERENCE NO. R-3307	SHEET NO.
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR A/V ACQUISITION	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

Permit Drawing
Sheet 29 of 34

15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
0
-1
-2

15
14
13
12
11
10
9
8
7
6
5
4
3
2
1
0
-1
-2



PROFILE
FOR
72" PIPE AT L STA 78+72 (+/-)

*****SYSTEMS TIME*****
*****DESIGN/CONSTRUCTION*****
*****DATE: 5/14/99*****

5/14/98

PROJECT REFERENCE NO.	SHEET NO.
R-3307	
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
Permit Drawing	
Sheet 33	of 34

PROPERTY OWNERS

NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
1	Eudy, Joseph	519 E. Front St. New Bern, NC 28560
4	Conscience Bay LLC	232 W. Beaufort Rd. Beaufort, NC 28516
5	Hinson, Ada L.	P.O. Box 367 Beaufort, NC 28516
9	MAINSAIL OF BEAUFORT, LLC	901-F Paverstone Dr. Raleigh, NC 27615
	Beaufort - Morehead	Beaufort, NC 28516
	City Airport	
8	Capalbo, Judith	101 Campen Rd. Beaufort, NC 28516
10	McCann, John J.	224 Lands End Rd. Morehead City, 28557
57	Gooding, Correna	P.O. Box 8 Beaufort, NC 28516
58	Grace Presbyterian Church	P.O. Box 889 Beaufort, NC 28516
59	Willis, Edward C.	1670 Wimbledon Dr. Greenville, NC 27858
65	Perry, Lena W. heirs	P.O. Box 60 Davis, NC 28524
70	Byrd, Elizabeth	1909 Indianwood Ct. Raleigh, NC 27604
66	Willis, Emma Perry	5201 Bentgrass Dr. Raleigh, NC 27610
67	Piner, Nancy Perry	P.O. Box 60, Beaufort, NC 28516

PARCEL NO.	NAMES	ADDRESSES
68	Willis, Roland D.	579 Cape Lookout Dr. Harkers Island, NC 28531
69	Warren, Gary Allen	158 Pigott Rd. Gloucester, NC 28528
71	Golden, Ethel K.	151 Tanners Creek Rd. Beaufort, NC 28516
106	Garner, Wallace W.	134 Pivers Rd. Beaufort, NC 28516
104	The Housing Authority of the Town of Beaufort	716 Mulberry St. Beaufort, NC 28516

WETLAND PERMIT IMPACT SUMMARY															
Site No.	Station (From/To)	Structure Size / Type	Wetland Restoration (ac)	WETLAND IMPACTS						SURFACE WATER IMPACTS					
				CAMA Permanent Fill In Wetlands (ac)	404 Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)	
1	-L- STA. 28+10 TO 29+47 LT	Roadway Fill		<0.01						0.02					
	-L- STA 28+99 TO 63+44	Bridge		0.02	<0.01	0.07	0.16*				0.03	0.06			
2	-L- STA. 62+82 TO 72+30 &	48" RCP &		0.24	1.38			0.21	0.06	0.02	0.01	139	9		
	-Y1REV- STA. 15+74 TO 20+64	Roadway Fill										16			
3	-L- STA. 78+58 TO 79+06 &	72" RCP								0.04	0.01	165	22		
	-Y2- STA. 10+78 TO 11+18 LT	Roadway Fill										24			
4	-L- STA. 87+50 TO 92+56	Roadway Fill			**					0.16	<0.01	499	10	***	
	-L- STA. 171+47 TO 183+92	Roadway Fill			3.98			0.53							
6	-Y2- STA. 13+13 TO 18+77 ****	Bridge	1.46	<0.01		<0.01					<0.01	<0.01			
	-Y2- STA. 12+33 TO 13+48 RT	Roadway Fill		0.04					0.03						
7	-Y2- STA. 18+66 TO 24+34	Roadway Fill		0.20					0.12			8			
		Bank Stabilization													
TOTALS:			1.46	0.50	5.36	0.07	0.16	0.74	0.23	0.25	0.09	851	41	0.00	

- * 0.16 ACRES of EXCAVATION IN CAMA WETLANDS. REQUIRED TO PROVIDE ACCESS FOR BRIDGE CONSTRUCTION AND MAINTENANCE / INSPECTION
- ** 0.18 ACRES of ISOLATED WETLANDS
- *** NEW BASE DITCH TO BE EXCAVATED PARALLEL TO EXISTING BASE DITCH. PROVIDES DRAINAGE FOR AIRPORT PROPERTY. MITIGATION NOT REQUIRED PER 4C MEETING ON 20 OCT 2010.
- **** CAUSEWAY REMOVAL: SITE 6

BRIDGE IMPACTS: Impacts for permanent and temporary bents are included in table above. Break-out for impacts are as follows:

Gallants Channel Bridge
 Perm. Fill in CAMA wetlands: 0.02 Ac
 Perm. Fill in 404 wetlands: <0.01 Ac
 Perm. Fill in Surface Waters: 0.03 Ac
 Temp. Fill in wetlands: 0.07 Ac
 Temp. Fill in Surface Waters: 0.06 Ac.

Turner Street Bridge
 Perm. Fill in CAMA wetlands: <0.01 Ac
 Perm. Fill in 404 wetlands: 0 Ac
 Perm. Fill in Surface Waters: <0.01 Ac
 Temp. Fill in wetlands: <0.01 Ac
 Temp. Fill in Surface Waters: <0.01 Ac.

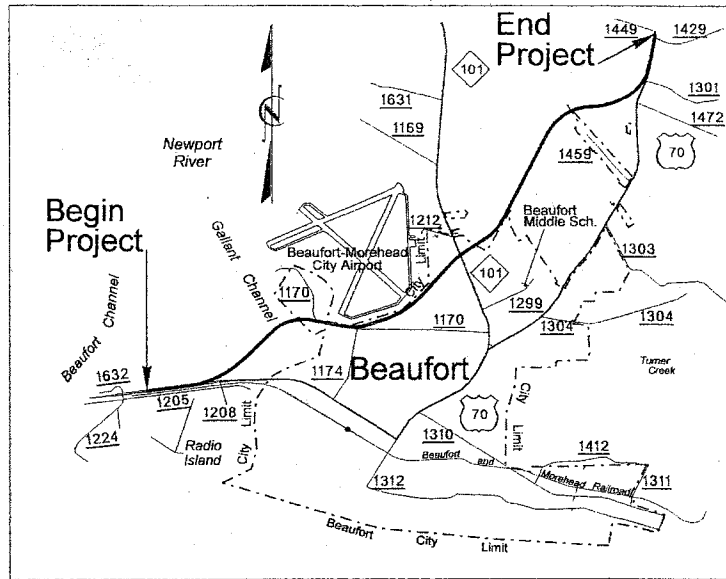
N.C.D.O.T.
 DIVISION OF HIGHWAYS
 CARTERET COUNTY
 PROJECT: 34528.1.1 (R-3307)
 US 70 FROM EXISTING FOUR LANES
 AT RADIO ISLAND TO US 70 NORTH
 OF SR 1429 (OLGA ROAD)
 SHEET (7/27/2011)

ATN Revised 3/31/05

Permit Drawing
 Sheet 34 of 34
 REVISED 1/24/12

05/28/99

TIP PROJECT: R-3307



VICINITY MAP

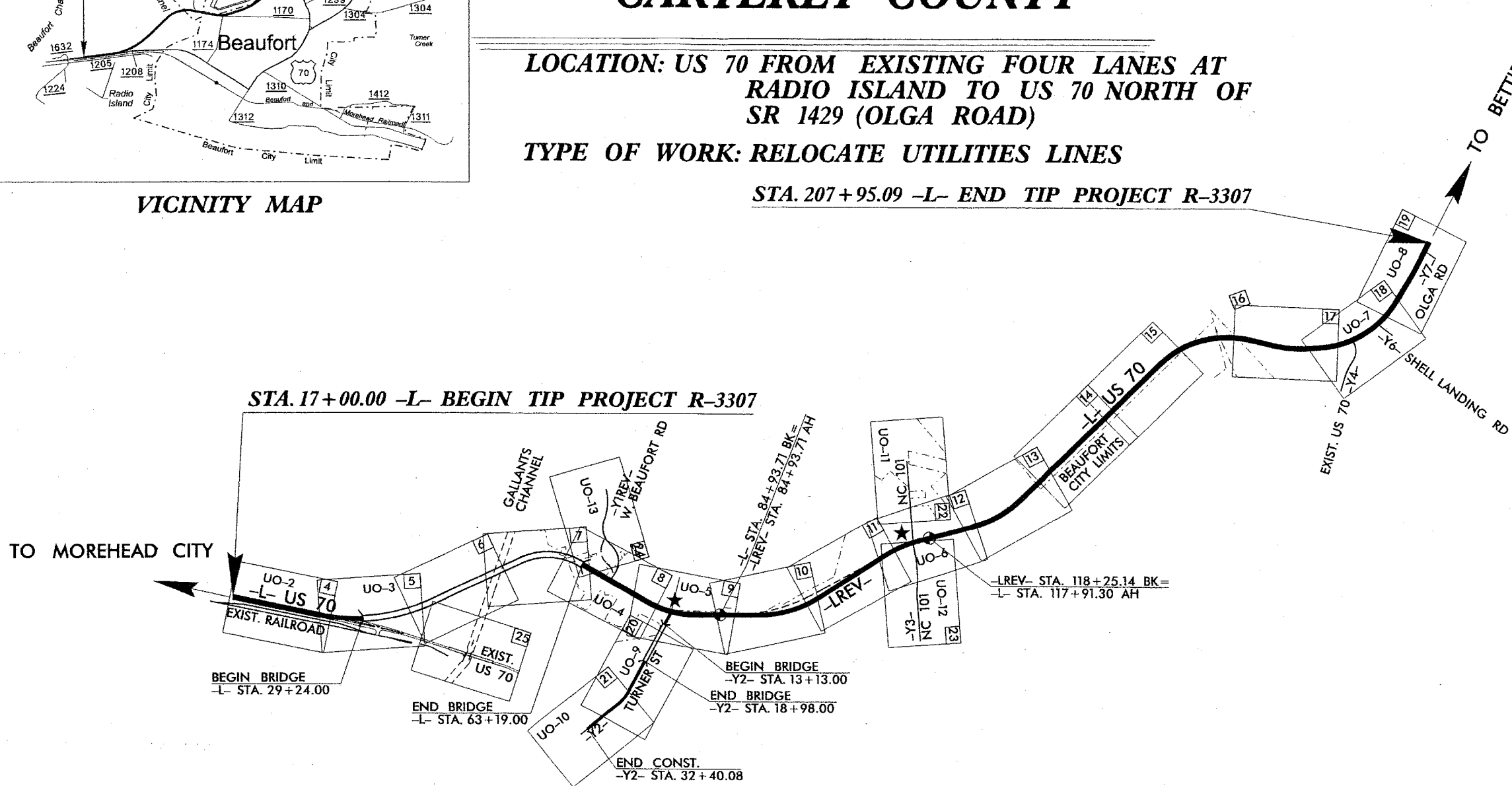
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

**NEU PERMIT DRAWINGS
CARTERET COUNTY**

LOCATION: US 70 FROM EXISTING FOUR LANES AT
RADIO ISLAND TO US 70 NORTH OF
SR 1429 (OLGA ROAD)

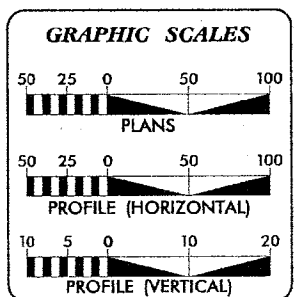
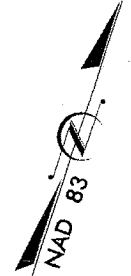
TYPE OF WORK: RELOCATE UTILITIES LINES

STA. 207+95.09 -L- END TIP PROJECT R-3307



T.I.P. NO.	SHEET NO.
R-3307	UO-1

Utility Permit Drawing
Sheet 1 of 16



INDEX OF SHEETS

SHEET NO.	DESCRIPTION
UO-1	TITLE SHEET
UO-2 THRU UO-13	UTILITY BY OTHERS PLAN SHEETS

UTILITY OWNERS ON PROJECT

- CENTURY LINK
- PROGRESS ENERGY
- TIME WARNER CABLES

PREPARED IN THE OFFICE OF:
**DIVISION OF HIGHWAYS
UTILITIES ENGINEERING
SECTION**

1591 MAIL SERVICES CENTER
RALEIGH, NC 27699-1591
PHONE (919) 307-6699
FAX (919) 250-4151

Roger Worthington, P.E. UTILITIES SECTION ENGINEER
Gorey Bousquet, P.E. UTILITIES SQUAD LEADER PROJECT ENGINEER
Kifah Kamil UTILITIES PROJECT DESIGNER

04-AUG-2011 2:09
R:\Utilities\rdy_U\N\Proj\Revised_NEUR\3307_UT_UO1.dgn
\$\$\$\$\$USERNAME\$\$\$\$\$

REVISED PLANS
9/20/12

-L-
PI Sta 31+49.36
Δ = 36° 26' 02.2" (LT)
D = 2' 10" 42.8"
L = 1672.40'
T = 865.56'
R = 2630.00'
SE = .05

UTILITIES BY OTHERS
NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

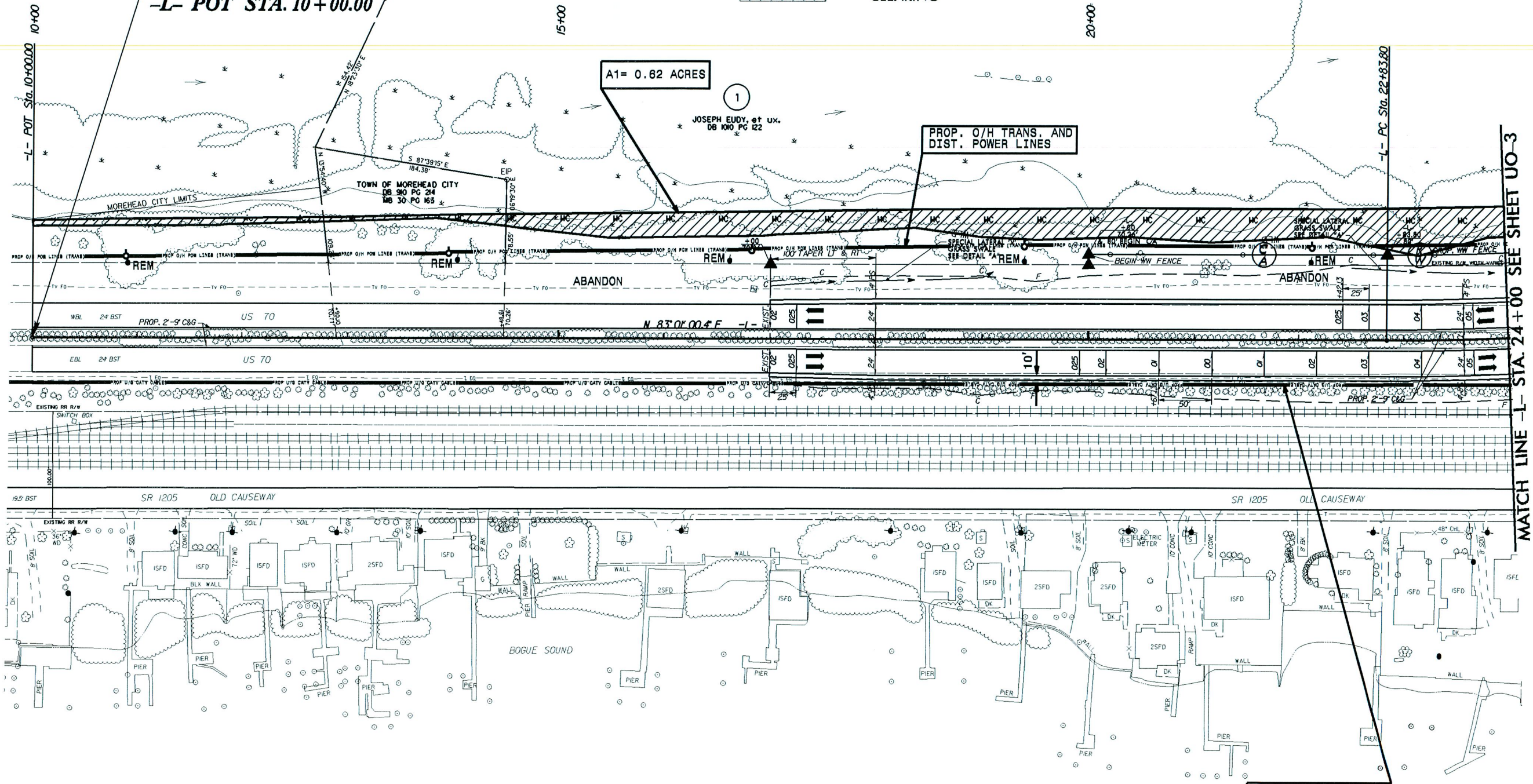
REVISED 9/20/12
Utility Permit Drawing
Sheet 2 of 16

BEGIN TIP PROJECT R-3307
-L- POT STA. 10+00.00

HC HC DENOTES HAND CLEARING

A1= 0.82 ACRES

PROP. O/H TRANS. AND
DIST. POWER LINES



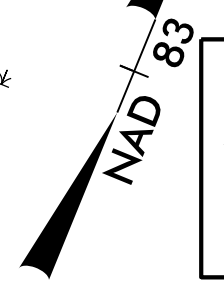
MATCH LINE -L- STA. 24+00 SEE SHEET UO-3

5/14/99
20-SEP-2012 14:58
\\s\p\U\p\5\REVISED_NEU\p-3307-ut-4_uo2_NEU.psd.dgn

REVISED PLANS
01/09/14

UTILITIES BY OTHERS

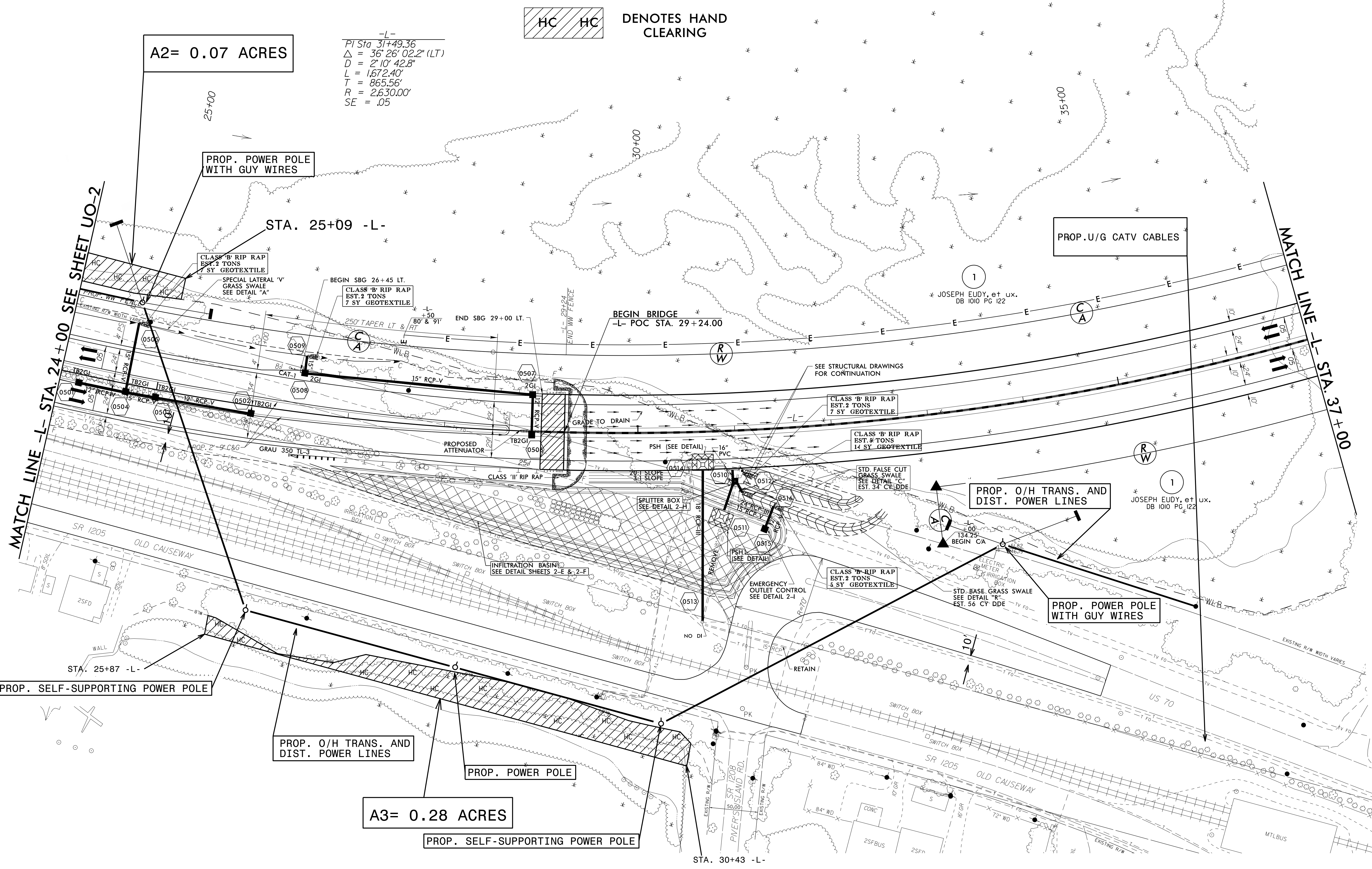
NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS



HC HC DENOTES HAND CLEARING

A2= 0.07 ACRES

-L-
PI Sta 31+49.36
Δ = 36° 26' 02.2" (LT)
D = 2° 10' 42.8"
L = 1672.40'
T = 865.56'
R = 2630.00'
SE = .05



MATCH LINE -L- STA. 24+00 SEE SHEET UO-2

MATCH LINE -L- STA. 37+00

PROP. SELF-SUPPORTING POWER POLE

PROP. O/H TRANS. AND DIST. POWER LINES

PROP. POWER POLE

A3= 0.28 ACRES

PROP. SELF-SUPPORTING POWER POLE

STA. 30+43 -L-

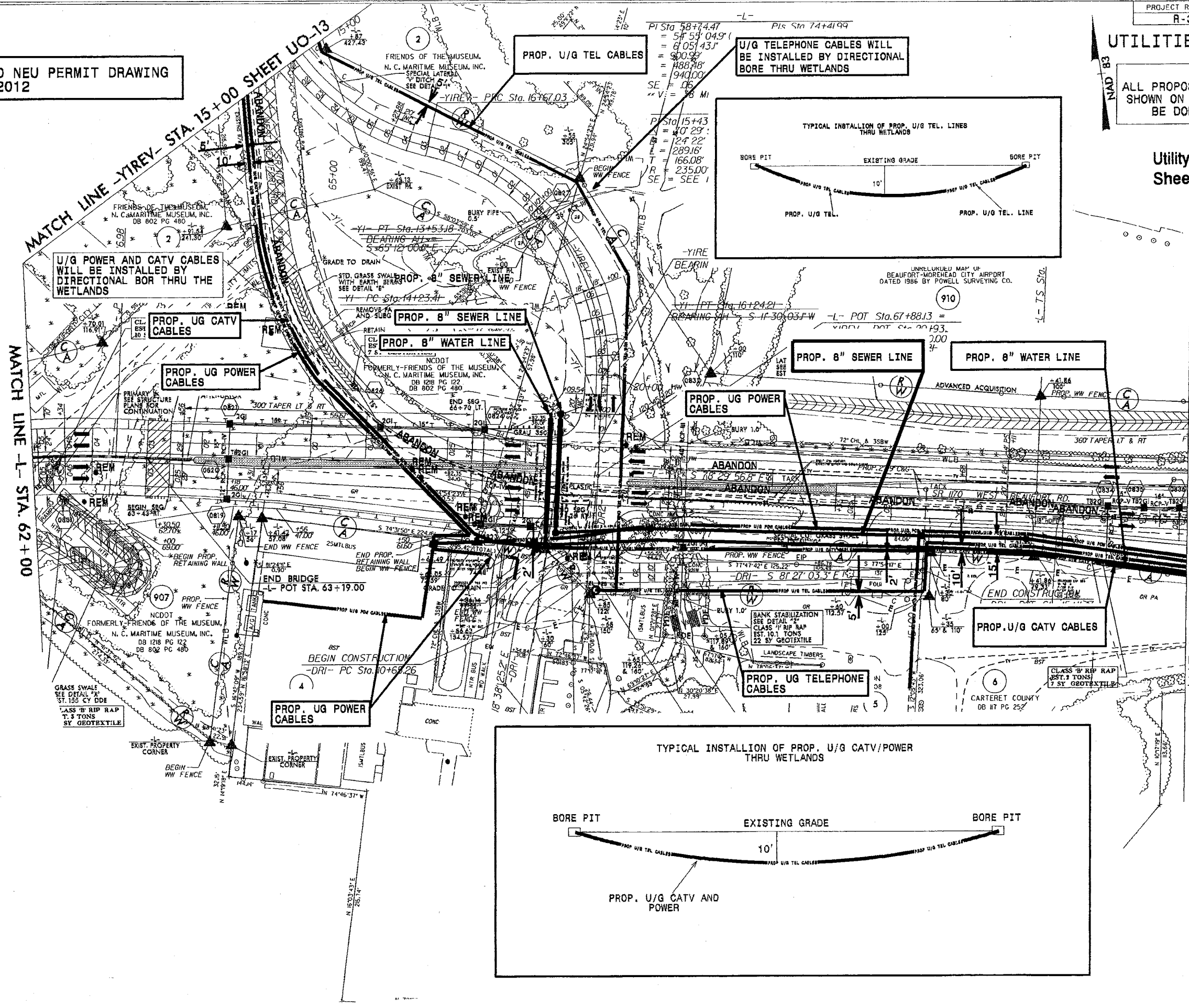
09-JAN-2014 15:03
C:\Users\jcooper\Documents\Revised_NEU\3307\ut_5_uo3_NEU.dgn

REVISED NEU PERMIT DRAWING
03/05/2012

UTILITIES BY OTHERS

NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 4 of 16



5/14/99
 05-MAR-2012 12:35
 V:\GIS\PROJECTS\NEU\3307\REVISED\NEU\3307\REVISED\UO-4.dgn
 USER: [unreadable]

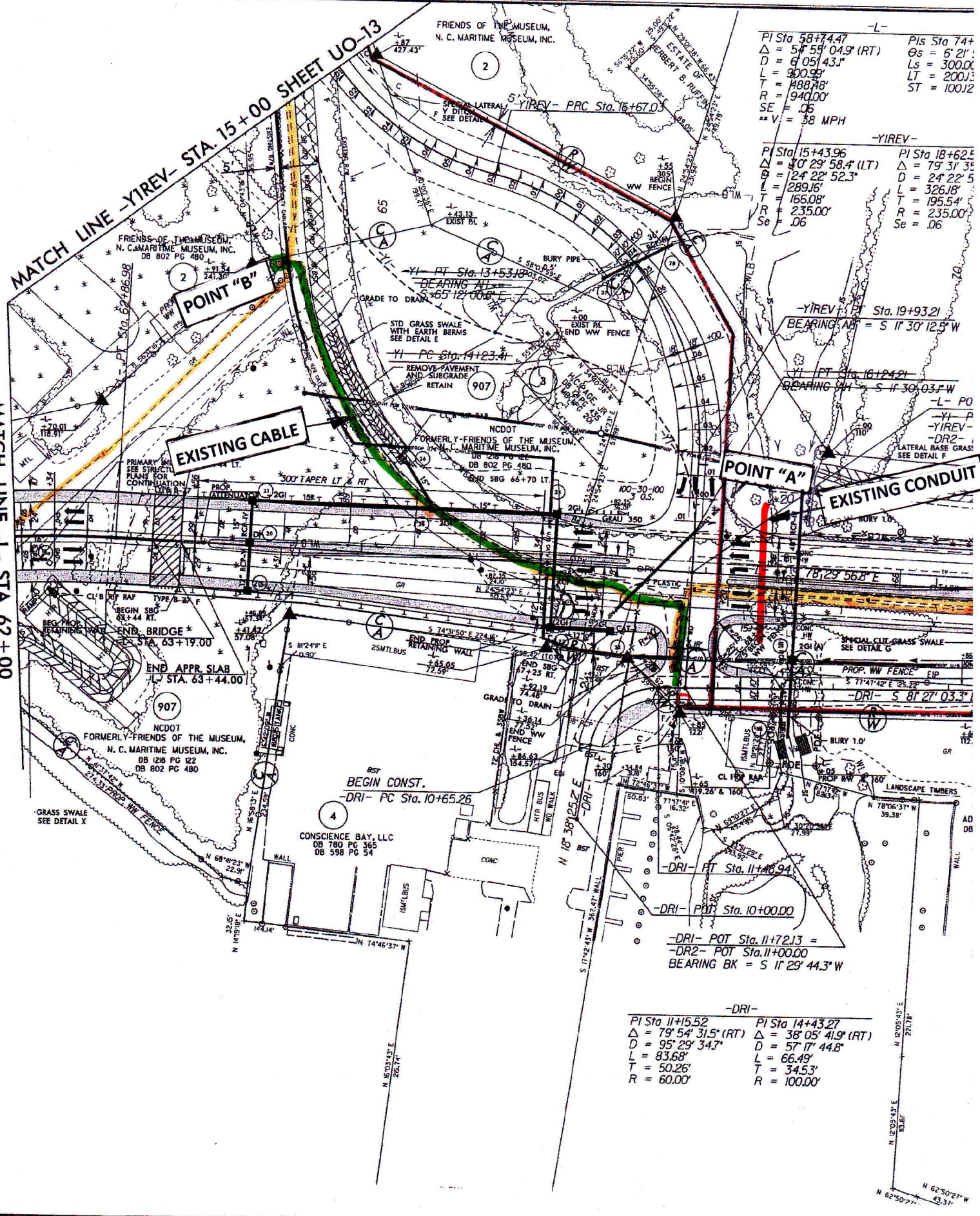
MATCH LINE -L- STA. 74+00 SEE SHEET UO-5

MATCH LINE -L- STA. 62+00

MATCH LINE -YIREV- STA. 15+00 SHEET UO-13

MATCH LINE -L- STA. 62+00

MATCH LINE -YIREV- STA. 15+00 SHEET UO-13



-L-
 PI Sta 58+74.47
 $\Delta = 54^{\circ} 55' 04.9''$ (RT)
 $D = 6' 05'' 43.1''$
 $L = 900.98'$
 $T = 488.78'$
 $R = 940.00'$
 $SE = .06$
 $**V = 38$ MPH

-YIREV-
 PI Sta 15+43.96
 $\Delta = 20^{\circ} 29' 58.4''$ (LT)
 $D = 24' 22'' 52.3''$
 $L = 289.16'$
 $T = 166.08'$
 $R = 235.00'$
 $Se = .06$

PI Sta 18+62.96
 $\Delta = 79^{\circ} 31' 35''$
 $D = 24' 22'' 52.3''$
 $L = 326.18'$
 $T = 195.54'$
 $R = 235.00'$
 $Se = .06$

-YIREV- RT Sta. 19+93.21
 BEARING BK = $S 11^{\circ} 30' 12.5''$ W

-YI- PT Sta. 16+24.21
 BEARING BK = $S 11^{\circ} 30' 03.1''$ W

-L- PO
 -YI- P
 -YIREV-
 -DR2-
 LATERAL BASE GRASS
 SEE DETAIL F

BEARING BK = $S 81^{\circ} 27' 03.3''$ W

BEARING BK = $S 11^{\circ} 41' 42'' 25.22''$ W

-DRI- $S 81^{\circ} 27' 03.3''$ W

-DRI- PC Sta. 10+65.26
 BEARING BK = $S 11^{\circ} 29' 44.3''$ W

-DRI- RT Sta. 11+48.94

-DRI- POT Sta. 11+72.13 =
 -DR2- POT Sta. 11+00.00

-DRI- POT Sta. 10+00.00

-DRI- POT Sta. 11+72.13 =
 -DR2- POT Sta. 11+00.00
 BEARING BK = $S 11^{\circ} 29' 44.3''$ W

-DRI-
 PI Sta 11+15.52
 $\Delta = 79^{\circ} 54' 31.5''$ (RT)
 $D = 95' 29'' 34.7''$
 $L = 83.68'$
 $T = 50.26'$
 $R = 60.00'$

PI Sta 14+43.27
 $\Delta = 38^{\circ} 05' 41.9''$ (RT)
 $D = 57' 17'' 44.8''$
 $L = 66.49'$
 $T = 34.53'$
 $R = 100.00'$

N 62°50'21" W
 43.31'

N 62°50'21" W
 43.31'

N 62°50'21" W
 43.31'

UTILITIES BY OTHERS

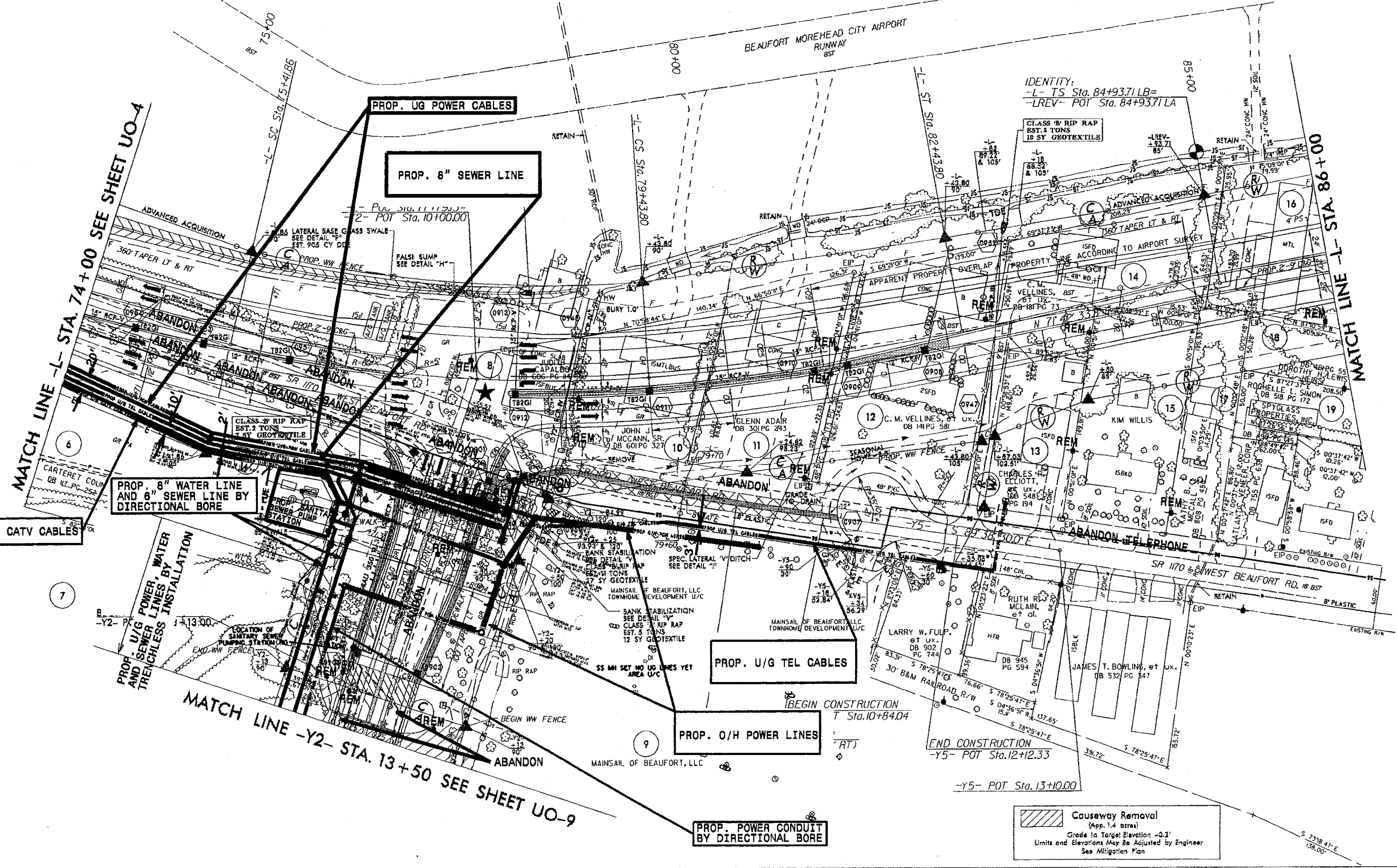
NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 5 of 16

Pts Sta 74+41.99 Os = 6' 21" 58.3" Ls = 300.00' LT = 200.13' ST = 100.12'	Pt Sta 77+44.33 Δ = 17' 03" 32.8" (LT) D = 4' 14" 38.9" L = 401.95' T = 202.47' R = 1,350.00' SE = .04	Pts Sta 80+43.92 Os = 6' 21" 58.3" Ls = 300.00' LT = 200.13' ST = 100.12'	Pts Sta 86+80.40 Os = 2' 42" 09.5" Ls = 250.00' LT = 166.69' ST = 83.35'
---	--	---	--

910
BEAUFORT-MOREHEAD CITY
AIRPORT AUTHORITY
DB 11 PG 420
DB 16 PG 554
DB 100 PG 374
DB 100 PG 455
DB 100 PG 471
DB 101 PG 231
DB 101 PG 263
DB 101 PG 265
DB 101 PG 288
DB 101 PG 296
DB 101 PG 331-333
DB 409 PG 18
DB 517 PG 127
DB 524 PG 346
DB 583 PG 142
DB 688 PG 216
DB 734 PG 890
DB 808 PG 559
MB 1 PG 201
MB 1 PG 249
UNRECORDED MAP OF
BEAUFORT-MOREHEAD CITY AIRPORT
DATED 1986 BY POWELL SURVEYING CO.

REVISED NEU PERMIT DRAWING
03/05/2012



5/14/99
 05-MAR-2012 16:02
 1/20/11 11:53 AM
 Revised-NEU-v-3307-ut-9-uo5.psh.dgn
 USER:NAME

Causeway Removal
(App. 1.4 Acre)
Grade to Target Elevation -2.1'
Limits and Elevations May Be Adjusted by Engineer
See Mitigation Plan

UTILITIES BY OTHERS

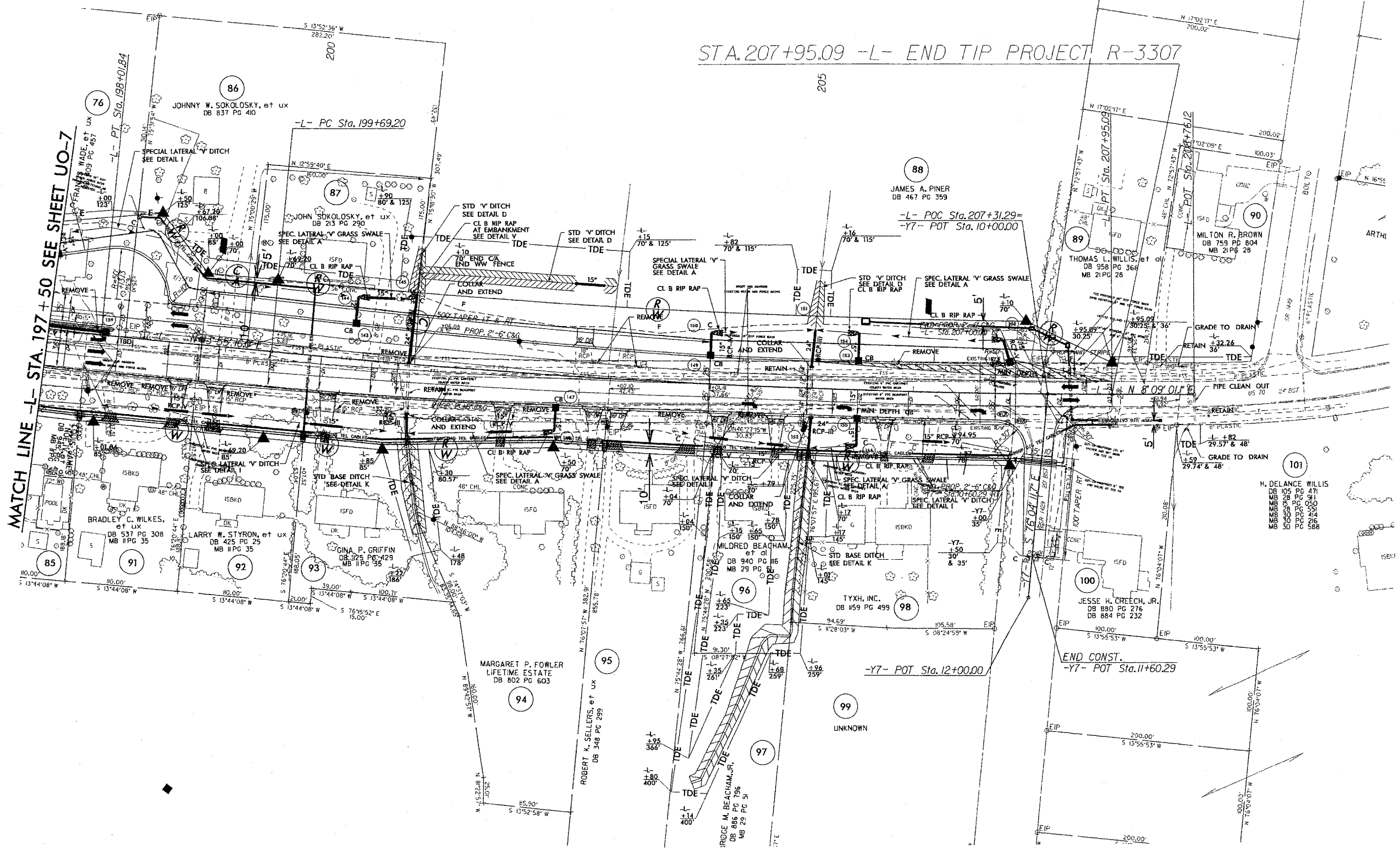
NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 8 of 16

-L-
PI Sta 192+23.85 Δ = 54°15'09.2" (LT)
D = 418'28.6"
L = 1,259.36'
T = 681.37'
R = 1,330.00'
SE = .05

PI Sta 203+82.50 Δ = 5°46'14.8" (LT)
D = 0'41'55.4"
L = 825.90'
T = 413.30'
R = 8,200.00'
SE = NC

STA. 207+95.09 -L- END TIP PROJECT R-3307



MATCH LINE -L- STA. 197+50 SEE SHEET UO-7

04-AUG-2011 11:37
P:\Projects\3307\Revised_NEU\3307_utl19_uc8_psh.dgn
11:37 AM 8/11/2011

Causeway Removal
 (Appx. 1.4 acres)
 Grade to Target Elevation -0.2'
 Limits and Elevations May Be Adjusted by Engineer
 See Mitigation Plan

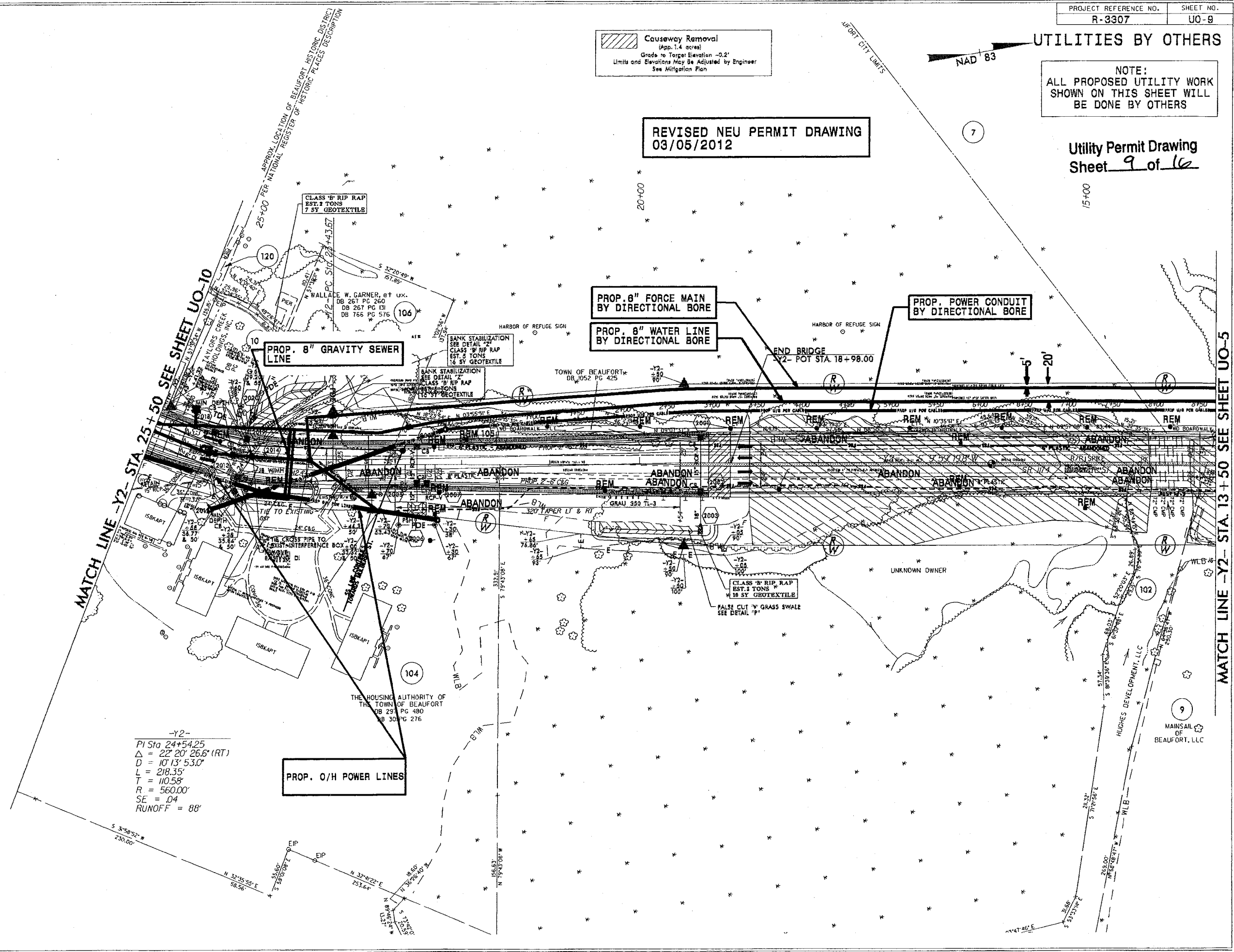
UTILITIES BY OTHERS

NOTE:
 ALL PROPOSED UTILITY WORK
 SHOWN ON THIS SHEET WILL
 BE DONE BY OTHERS

REVISED NEU PERMIT DRAWING
 03/05/2012

Utility Permit Drawing
 Sheet 9 of 16

5/14/99
 05-MAR-2012 12:34
 ARQU:\AS\PCO\Revise\neu-r-3307_ut-20_uc9_psf.dgn
 USER:GREG



-Y2-
 PI Sta 24+54.25
 $\Delta = 22^\circ 20' 26.6''$ (RT)
 $D = 10' 13' 53.0''$
 $L = 218.35'$
 $T = 110.58'$
 $R = 560.00'$
 $SE = .04$
 $RUNOFF = 88'$

PROP. O/H POWER LINES

PROP. 8" FORCE MAIN
 BY DIRECTIONAL BORE

PROP. 8" WATER LINE
 BY DIRECTIONAL BORE

PROP. POWER CONDUIT
 BY DIRECTIONAL BORE

PROP. 8" GRAVITY SEWER
 LINE

MATCH LINE -Y2- STA 25+50 SEE SHEET UO-10

MATCH LINE -Y2- STA. 13+50 SEE SHEET UO-5

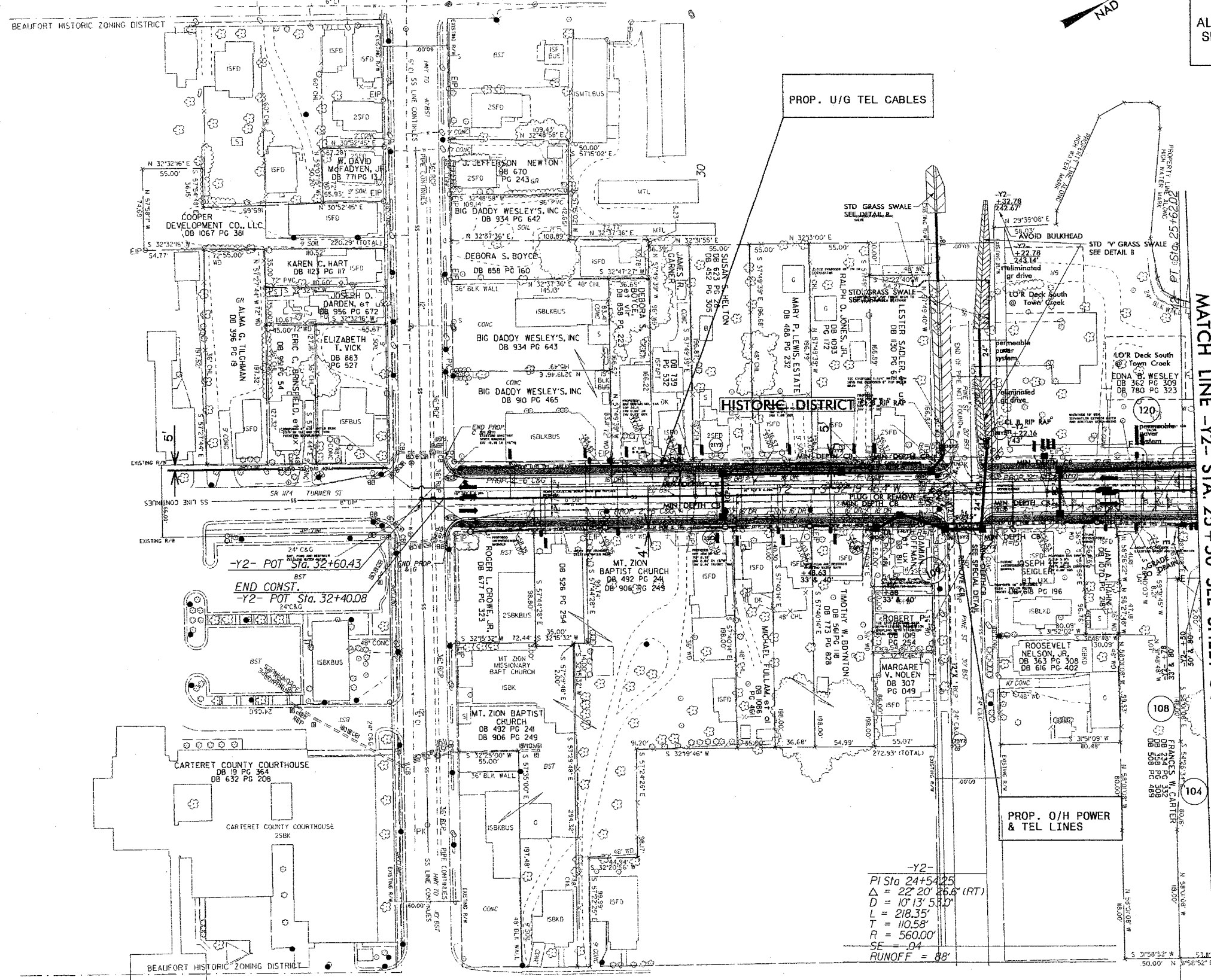
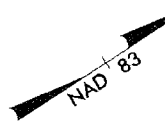
7

9
 MANSAIL
 OF
 BEAUFORT, LLC

UTILITIES BY OTHERS

NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 10 of 16



MATCH LINE -Y2- STA. 25+50 SEE SHEET UO-9

-Y2-
PI Sta 24+54.25
Δ = 22° 20' 26.6" (RT)
D = 10' 13' 5.0"
L = 218.35'
T = 110.58'
R = 560.00'
SE = 04'
RUNOFF = 88'

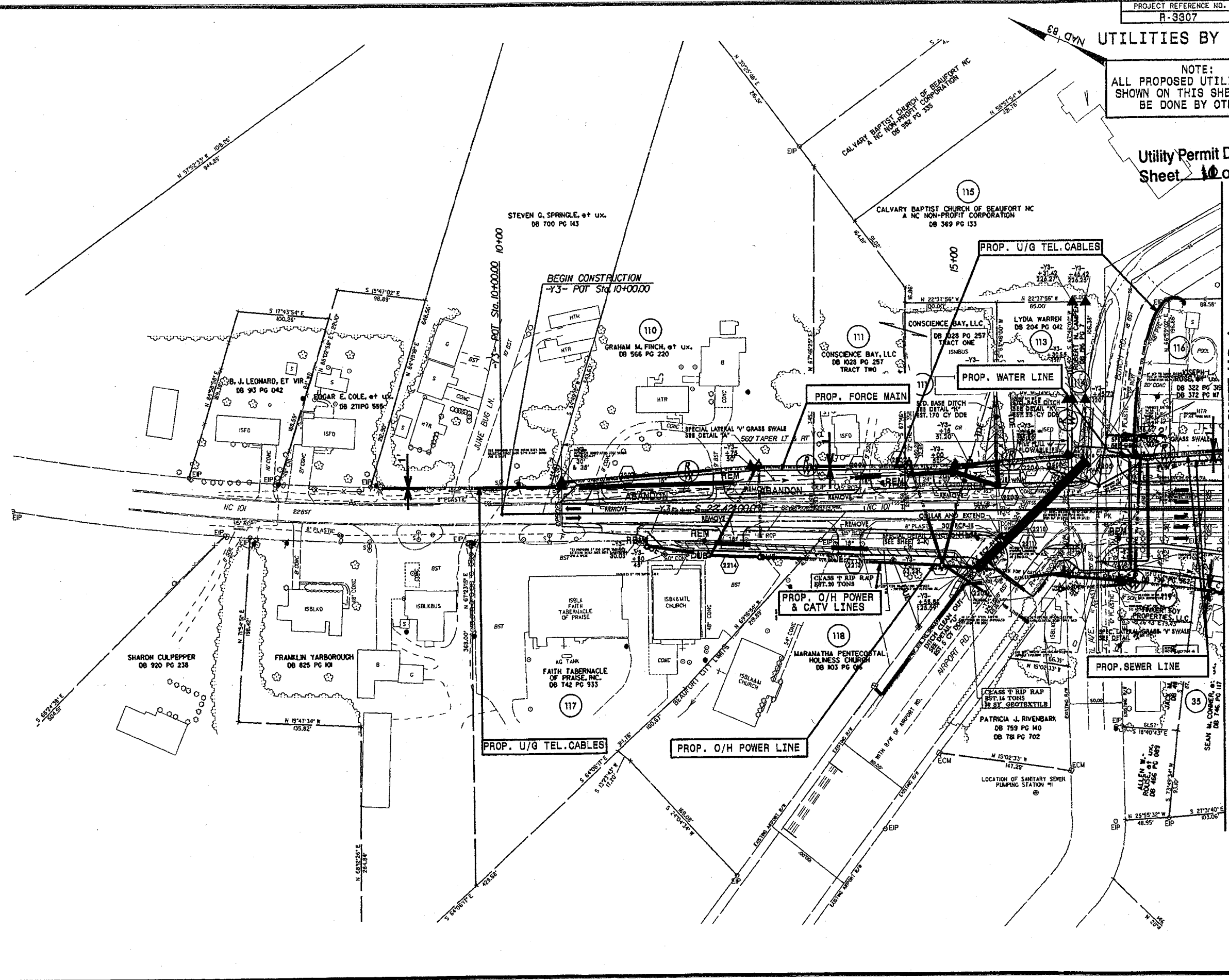
APPROX. LOCATION OF BEAUFORT HISTORIC DISTRICT
PER NATIONAL REGISTER OF HISTORIC PLACES DESCRIPTION

5/14/2010 04:15:20\\f229... NEUV-3307-ut-21-uo10.psh.dgn

UTILITIES BY OTHERS

NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 10 of 16



MATCH LINE -Y3- STA. 18+00 SEE SHEET UO-6

01-MAY-2017 16:01 R:\UO-11\3907\10-11\10-11.dgn

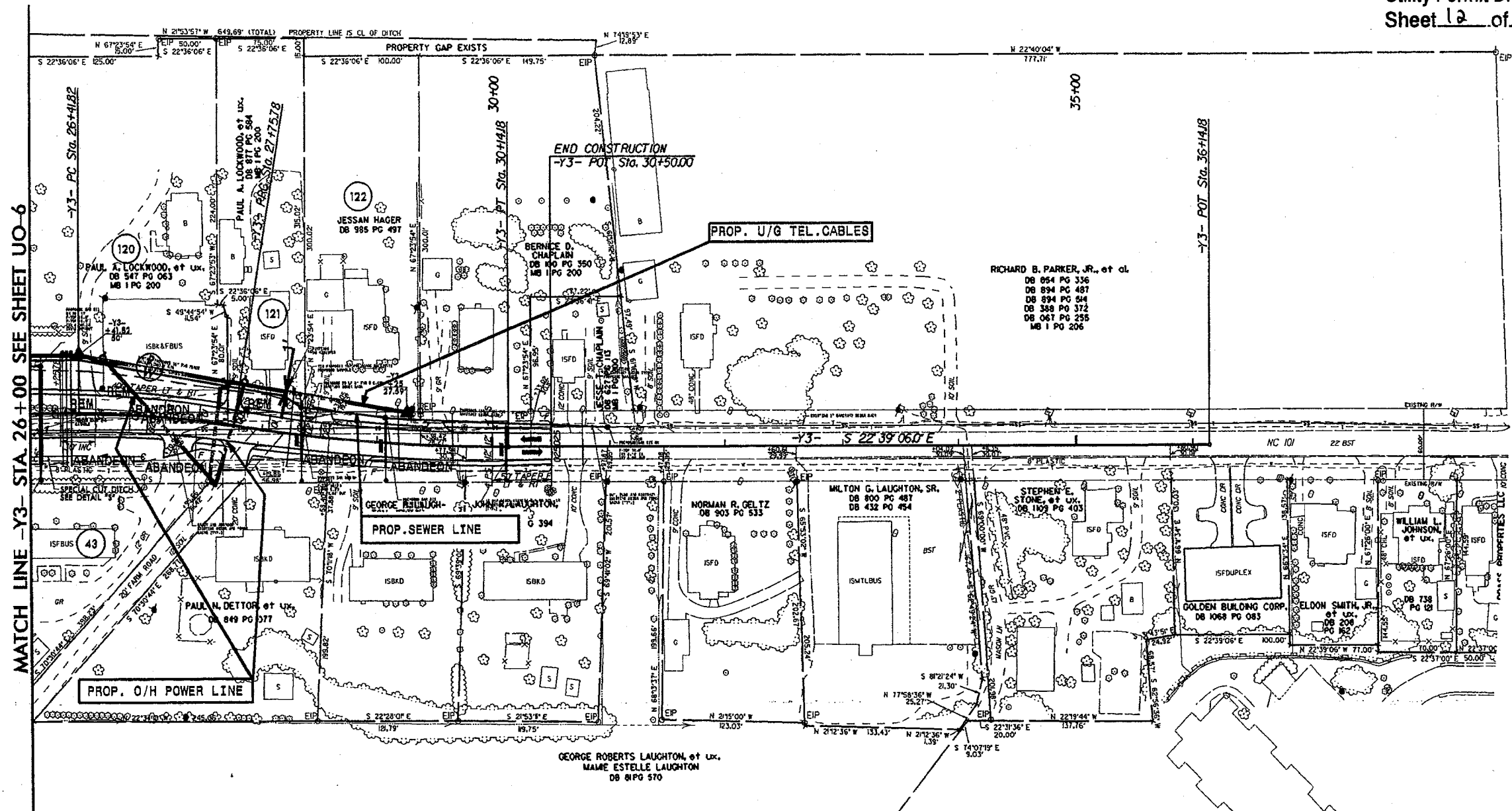
UTILITIES BY OTHERS

NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 12 of 16

-Y3-

PI Sta 27+08.94	PI Sta 28+95.23
$\Delta = 9^{\circ}01'47.3''$ (RT)	$\Delta = 9^{\circ}06'22.2''$ (LT)
D = 6'44'26.4"	D = 3'49'11.0"
L = 133.96'	L = 238.40'
T = 67.12'	T = 119.45'
R = 850.00'	R = 1500.00'
SE = .06	SE = .06



MATCH LINE -Y3- STA. 26+00 SEE SHEET UO-6

5/14/93

01-MAY-2012 16:02
R:\U\1\33807_ut.23.us12_psh.dgn

UTILITIES BY OTHERS

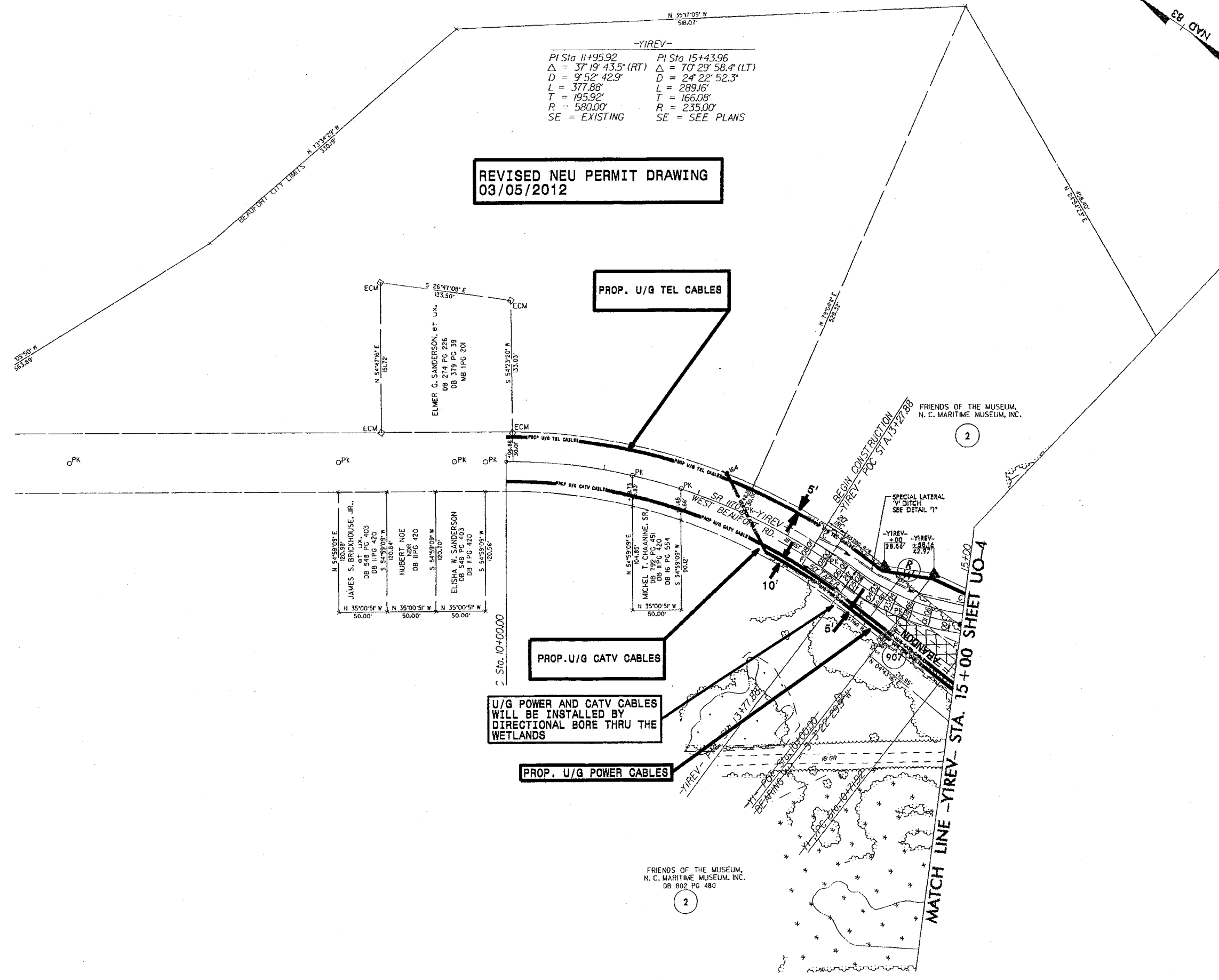
NOTE:
ALL PROPOSED UTILITY WORK
SHOWN ON THIS SHEET WILL
BE DONE BY OTHERS

Utility Permit Drawing
Sheet 13 of 16

5/14/99
05-MAR-2012 10:03
R:\UO\UO\REVISED_NEU\REVISED_NEU\UO-13.dgn
*****USER:SERGEI*****

-YIREV-
PI Sta 11+95.92 PI Sta 15+43.96
Δ = 37°19'43.5" (RT) Δ = 70°29'58.4" (LT)
D = 9°52'42.9" D = 24°22'52.3"
L = 377.88' L = 289.16'
T = 195.92' T = 166.08'
R = 580.00' R = 235.00'
SE = EXISTING SE = SEE PLANS

**REVISED NEU PERMIT DRAWING
03/05/2012**



PROP. U/G TEL CABLES

PROP. U/G CATV CABLES

**U/G POWER AND CATV CABLES
WILL BE INSTALLED BY
DIRECTIONAL BORE THRU THE
WETLANDS**

PROP. U/G POWER CABLES

FRIENDS OF THE MUSEUM,
N. C. MARITIME MUSEUM, INC.

FRIENDS OF THE MUSEUM,
N. C. MARITIME MUSEUM, INC.
DB 802 PC 480

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
A1	sta. 10+00 to 24+00 L- sheet UO-2	O/H Power Line					0.62					
A2	Sta.24+00 to 25+09 L- sheet UO-3	O/H Power Line					0.07					
A3	Sta.25+87 to 30+43 L- sheet UO-3	O/H Power Line					0.28					
TOTALS:			0.00	0.00	0.00	0.00	0.97	0.00	0.00	0.00	0.00	0.00

All proposed underground utilities will be installed by trenchless installation thru the wetlands.

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 CARTERET COUNTY
 TIP PROJECT (R-3307)

Revised 9/20/2012

ATN Revised 3/31/05

REVISED 9/20/12
 Utility Permit Drawing
 Sheet 16 of 16