



PAT McCRORY  
Governor

NICHOLAS J. TENNYSON  
Secretary

August 29, 2016

MEMORANDUM TO: Mr. Jay Swain, P.E.  
Division 13 Engineer

FROM: *for* Philip S. Harris, III, P.E., Manager  
Natural Environment Section  
Project Development and Environmental Analysis Unit

A handwritten signature in blue ink, appearing to read 'PHS', is written over the name Philip S. Harris, III in the 'FROM' field.

SUBJECT: Buncombe County, NC 63 (Leicester Highway) Improvements from SR 1380 (Jones Road) to SR 1004 (Newfound Road); Federal Aid No. BRSTP-64(84); WBS Element 34909.1.1, **TIP U-3301**.

Attached are the U.S. Army Corps of Engineers (USACE) Section 404 Individual Permit and the N.C. Division of Water Resources (DWR) Section 401 Water Quality Certification. All environmental permits have been received for the construction of this project

A copy of this permit package will be posted on the NCDOT website at:  
<https://connect.ncdot.gov/resources/Environmental>, under *Quick Links > Issued Permits*

cc w/o attachment (see website for attachments):

Mr. Randy Garris, P.E. State Contract Officer  
Mr. Roger Bryan, Division 13 Environmental Officer  
Dr. Majed Al-ghandour, P.E., Program Dev. and TIP  
Mr. Malcom Watson, P.E., Design Build  
Ms. Brenda Moore, P.E., Roadway Design  
Mr. MattLauffer, P.E., Hydraulics  
Mr. Tom Koch, P.E., Structure Design  
Mr. Mark Staley, Roadside Environmental  
Mr. Ron Hancock, P.E., State Roadway Construction Engineer  
Mr. Kevin G. Bowen, P.E., State Bridge Construction Engineer  
Mr. Robert Hanson, P.E., PDEA  
Ms. Beth Harmon, NCDMS  
Mr. Philp Ayscue, Single Audit Compliance



# PROJECT COMMITMENTS

T.I.P Project No. U-3301  
NC 63 (Leicester Highway) Improvements  
SR 1380 (Jones Road) to SR 1004 (Newfound Road)  
Buncombe County  
Federal Aid Project No. STP-63(1)  
WBS Element 34909.1.1

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### **Roadway Design Unit**

NCDOT will provide 5-foot wide paved shoulders (for shoulder sections) or 14-foot wide outside lanes (for curb and gutter sections) along both sides of NC 63 (Leicester Highway) to accommodate bicyclists. Bicycle accommodations will also be included in the replacement of Bridge No. 80 with 4-foot offsets between the rails and the travel lanes and 54-inch high rails.

### **Roadside Environmental Unit**

NCDOT will control erosion and sedimentation to the Newfound Creek watershed and tributary culvert installation through the appropriate specification, installation, and maintenance of high quality erosion and sedimentation control measures. NCDOT will also implement a landscape plan to offset the removal of trees at the Dr. C.K. Hughes House, which is historically eligible.

### **Project Development and Environmental Analysis**

NCDOT will coordinate with the N.C. Division of Water Resources (DWR) to fulfill the necessary requirements regarding stream mitigation. Compensatory mitigation with regard to stream mitigation is left to the discretion of the DWR. Pertinent details of the stream modifications will be outlined in the application to the 401 Water Quality Certification.

### **Right of Way Unit/Geotechnical Engineering Unit**

Any unregulated USTs will be identified by Right of Way during initial contacts and the Geotechnical Engineering Unit will be notified of their presence prior to the acquisition so that it can be determined if the tanks have leaked.

Right of Way will also coordinate with Sycamore Valley Farm, LLC, as well as agencies involved in the previously issued Agricultural Conservation Easement, to ensure that the Conservation Trust Fund is reimbursed accordingly, in the event that any of the related property is impacted by the project.

## COMMITMENTS FROM PERMITTING

### **Division Construction**

[404 Condition #1] All work authorized by this permit must be performed in strict compliance with the Wetland and Surface Waters Impacts Permit drawings titled “TIP Project: U-3301,” Permit Drawing Sheets 1-48, dated April 7, 2016. These drawings, and the description of work in the application and supporting information submitted by NCDOT, are now a part of this permit. Any modification to these plans must be approved by the U.S. Army Corps of Engineers (USACE) prior to implementation. In order to address concerns expressed by the North Carolina Wildlife Resources Commission (NCWRC), the following agreed-upon notes will be added to the construction plans:

- a. Site 9 – NCDOT will backfill the culvert drop at the outlet extension with native bed material (not including soil) to achieve a gradual transition in elevation to the natural stream bed.
- b. Site 9 – NCDOT will embed the rip rap of the energy dissipater pad so that the top of the rip rap is at the same elevation as the bed channel.
- c. Site 13A – NCDOT will embed the rip rap of the energy dissipater pad below the channel at the pipe outlet.

### **Roadside Environmental Unit**

[404 Condition #9] The permittee shall ensure that the Landscape Plan for the historic Dr. C.K. Hughes House (BN0468) is fully implemented. A copy of this Landscape Plan is attached.

## DEPARTMENT OF THE ARMY PERMIT

Permittee: **NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)**  
**ATTN: MR. PHILIP S. HARRIS III, P.E., C.P.M.**

Permit No.: **SAW-2014-01633**

Issuing Office: **CESAW-RG-A**

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: Mr. Philip S. Harris III, on behalf of the North Carolina Department of Transportation, is hereby authorized to conduct the following activities in waters of the U.S. for TIP No. U-3301: permanently impact 4,033 linear feet (lf) of stream, 0.07 acre of wetland, and 0.10 acre of open water, and temporarily impact 353 lf of stream in order to widen 4.3 miles of NC 60/Leicester Highway from SR 1615 (Gilbert Road) to SR 1004 (Newfound Road) in Buncombe County, North Carolina .

Project Location: The proposed project is located along 4.3 miles of NC 63/Leicester Highway, from SR 1615 (Gilbert Road) to SR 1004 (Newfound Road), in the unincorporated community of Leicester in Buncombe County, North Carolina, just beyond the City of Asheville's city limits at 35.6207 N and - 82.6540 W.

### Permit Conditions:

#### General Conditions:

1. The time limit for completing the work authorized ends on **December 31, 2021**. 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:
  - ( ) 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.

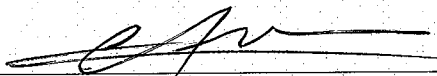
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- 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.

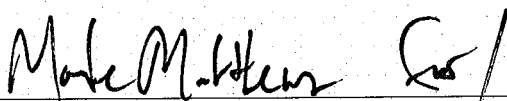
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance 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.

  
\_\_\_\_\_  
(PERMITTEE) NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
As ATTN: PHILIP S. HARRIS III, P.E., C.P.M. 08-22-2016  
(DATE)

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

  
\_\_\_\_\_  
(DISTRICT COMMANDER) KEVIN P. LANDERS, SR., COLONEL 22 Aug 2016  
(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 ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

Failure to institute and carry out the details of the following special conditions will result in a directive to cease all ongoing and permitted work within waters of the U.S. associated with the permitted project, or such other remedies and/or fine as the Wilmington District Engineer, or his authorized representatives, may seek.

**WORK LIMITS**

1) All work authorized by this permit must be performed in strict compliance with the Wetland and Surface Water Impacts Permit drawings titled "TIP Project: U-3301," Permit Drawing Sheets 1-48, dated April 7, 2016. These drawings, and the description of work in the application and supporting information submitted by NCDOT, are now a part of this permit. Any modification to these plans must be approved by the U.S. Army Corps of Engineers (USACE) prior to implementation. In order to address concerns expressed by the North Carolina Wildlife Resources Commission (NCWRC), the following agreed-upon notes will be added to the construction plans:

- a. Site 9 – NCDOT will backfill the culvert drop at the outlet extension with native bed material (not including soil) to achieve a gradual transition in elevation to the natural stream bed.
- b. Site 9 – NCDOT will embed the rip rap of the energy dissipater pad so that the top of the rip rap is at the same elevation as the bed channel.
- c. Site 13A – NCDOT will embed the rip rap of the energy dissipater pad below the channel at the pipe outlet.

2) 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.

3) 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) The permittee shall schedule a pre-construction meeting between their representatives, the contractor, and the USACE, Wilmington District, Asheville Regulatory Field Office, NCDOT Regulatory Project Manager (Division 13), prior to any work in jurisdictional waters of the U.S. to ensure that there is a mutual understanding of all terms and conditions contained in this DA permit.

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

The permittee shall provide the NCDOT Regulatory Project Manager with a copy of the final plans at least two (2) weeks prior to the pre-construction 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 pre-construction meeting for a time when the USACE and the North Carolina Division of Water Resources (NCDWR) Project Managers can attend. The permittee shall notify the USACE and NCDWR Project Managers a minimum of thirty (30) days in advance of the meeting.

- 5) The permittee shall advise the USACE in writing at least two (2) weeks prior to beginning the work authorized by this permit and again upon completion of the work authorized by this permit.
- 6) Prior to commencing construction within jurisdictional waters of the U.S. for any portion of the project, the permittee shall forward the latest version of project construction drawings to the USACE, Asheville Regulatory Field Office NCDOT Regulatory Project Manager (Division 13). Half-size drawings are acceptable.

**RELATED LAWS**

- 7) If the permittee discovers any previously unknown historic or archaeological sites while accomplishing the authorized work, he shall immediately stop work and notify the USACE, Asheville Regulatory Field Office NCDOT Regulatory Project Manager (Division 13), who will initiate the required State/Federal coordination.
- 8) 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 USACE Wilmington District Engineer will be immediately notified to initiate the required Federal coordination.
- 9) The permittee shall ensure that the Landscape Plan for the historic Dr. C. K. Hughes House (BN0468) is fully implemented. A copy of this Landscape Plan is attached.
- 10) The NCDWR has issued a conditioned Water Quality Certification for this project (Certification No. WQC004061). The conditions of this certification are hereby incorporated as special conditions of this permit. A copy of this certification is attached.

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

11) This Department of the Army permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

**PROJECT MAINTENANCE**

12) 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.

13) 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 NCDWR at (919) 733-3300 or (800) 858-0368 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

14) 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) 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.

16) The permittee shall ensure that the project remains 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.

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

17) The permittee shall ensure that NCDOT's Best Management Practices for the Protection of Surface Waters and for Construction and Maintenance Activities are utilized and enforced.

18) The permittee shall ensure that all excavation and/or construction areas in waters of the U.S. are temporarily dewatered during work.

19) 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.

20) 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 U.S. Water inside coffer dams or casings that has been in contact with concrete shall only be returned to waters of the U.S. when it no longer poses a threat to aquatic organisms (concrete is set and cured).

21) Unless otherwise requested in the application and depicted on the approved work plans, 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 and 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 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. Destabilization of the channel and head cutting upstream should be considered in the placement of the culvert.

22) 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 opening 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 gauge data, if available. In the absence of such data, bankfull flow can be used as a comparable level.

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

- 23) Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in the disequilibrium of wetlands, streambeds or stream banks adjacent to, upstream of or downstream of the structures. When practicable, riprap armoring of streams at culvert inlets and outlets shall be minimized above ordinary high water elevation in favor of bioengineering techniques such as bank sloping, erosion control matting and revegetation with deep-rooted native woody plants.
- 24) The permittee shall implement all reasonable and practicable measures to ensure that equipment, structures, fill pads, work, and operations associated with this project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, flooding, and/or stream bank erosion. The permittee shall routinely monitor for these effects, cease all work when detected, take initial corrective measures to correct actively eroding areas, and notify this office immediately. Permanent corrective measures may require additional authorization by the USACE.
- 25) The permittee shall remove all temporary fills placed in waters of the U.S., to include authorized sediment and erosion control measures, and shall restore natural grades in these areas, prior to project completion. Affected upland areas must be revegetated with native vegetation within 60 days of completion of project construction. If vegetation cannot be planted due to the time of the year, all disturbed areas will be seeded with a native mix appropriate for the impacted area, and vegetation will be planted in the fall. A native seed mix may contain non-invasive small grain annuals (e.g., millet and rye grain) to ensure adequate cover while native vegetation becomes established.
- 26) 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.
- 27) 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, Asheville Regulatory Field Office, NCDOT Regulatory Project Manager (Division 13), 151 Patton Avenue, Room 208, Asheville, NC 28801-5006, and by telephone at: (828) 271-7980. The permittee shall reference the following permit number on all submittals: SAW-2014-01633, TIP No. U-3301.

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

**COMPENSATORY MITIGATION**

28) In order to compensate for the 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.

**ENFORCEMENT**

29) A representative of the USACE 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 USACE.

30) Violation of these conditions or violation of Section 404 of the Clean Water Act must be reported in writing to the Wilmington District USACE within 24 hours of the permittee's discovery of the violation.



# U.S. ARMY CORPS OF ENGINEERS

Wilmington District

## Compensatory Mitigation Responsibility Transfer Form

Permittee: North Carolina Department of Transportation  
Project Name: TIP No. U-3301 / NC 63 (Leicester Highway)

Action ID: SAW-2014-01633  
County: Buncombe

**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 Division of Mitigation Services (NCDMS), 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 (credits) 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 bank ledger and provide a copy of the signed form and the updated bank ledger to the Permittee, the USACE Project Manager, and the Wilmington District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

### Permitted Impacts and Compensatory Mitigation Requirements:

**Permitted Impacts Requiring Mitigation\***      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	3,901		0.07			

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

**Compensatory Mitigation Requirements:**      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	7,180		0.14			

**Mitigation Site Debited:** NCDMS

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS 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 NCDMS), 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 compensatory mitigation requirement reflects a 2:1 ratio for permanent losses at all sites (3,279 lf), with the exception of the losses at Sites 13A and 14 (622 lf); these require mitigation at a 1:1 ratio.

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 11405 Falls of Neuse Road, Wake Forest, NC 27587 (email: [todd.tugwell@usace.army.mil](mailto:todd.tugwell@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

**USACE Project Manager:** Lori Beckwith  
**USACE Field Office:** Asheville Regulatory Field Office  
US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**Email:** [loretta.a.beckwith@usace.army.mil](mailto:loretta.a.beckwith@usace.army.mil)

**BECKWITH.LORETTA**  
**ANN.1173452264**

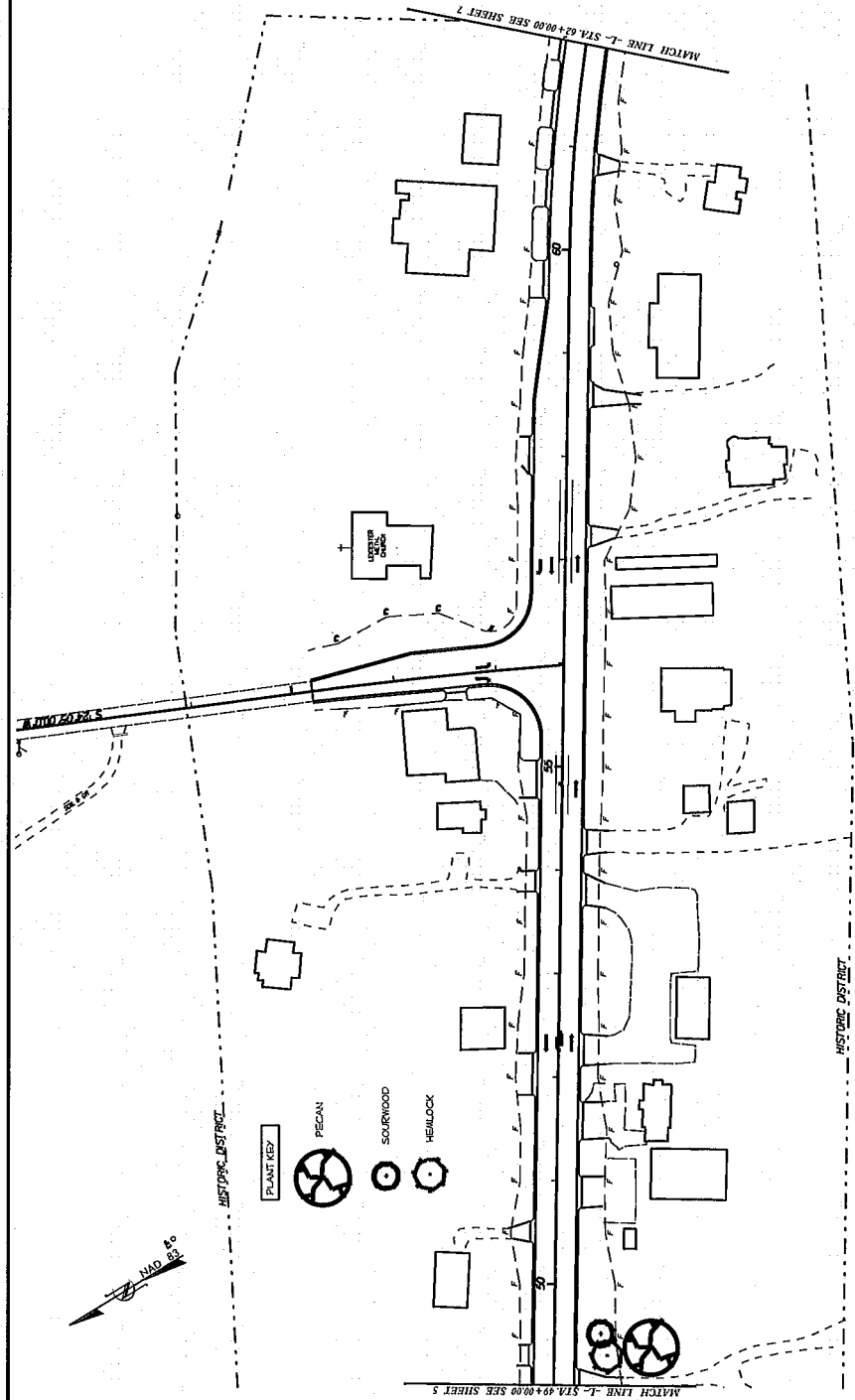
Digitally signed by  
BECKWITH.LORETTA.ANN.1173452264  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BECKWITH.LORETTA.ANN.1173452264  
Date: 2016.08.19 14:25:35 -04'00'

**USACE Project Manager Signature**

**August 19, 2016**

**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>.



PRELIMINARY PLAN

NC DOT - ROADSIDE ENVIRONMENTAL UNIT  
 LANDSCAPE DESIGN & DEVELOPMENT  
 1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557  
 PH: 919-707-2920 FAX: 919-715-2554  
<http://www.ncdot.org/development/ops/ahet/encr/roadsdev/>

NC 63 LEICESTER HIGHWAY  
 DR. C.K. HUGHES HOUSE  
 PROJECT #: 34909.1.1

REV. DESCRIPTION  
 1. 11/15/09

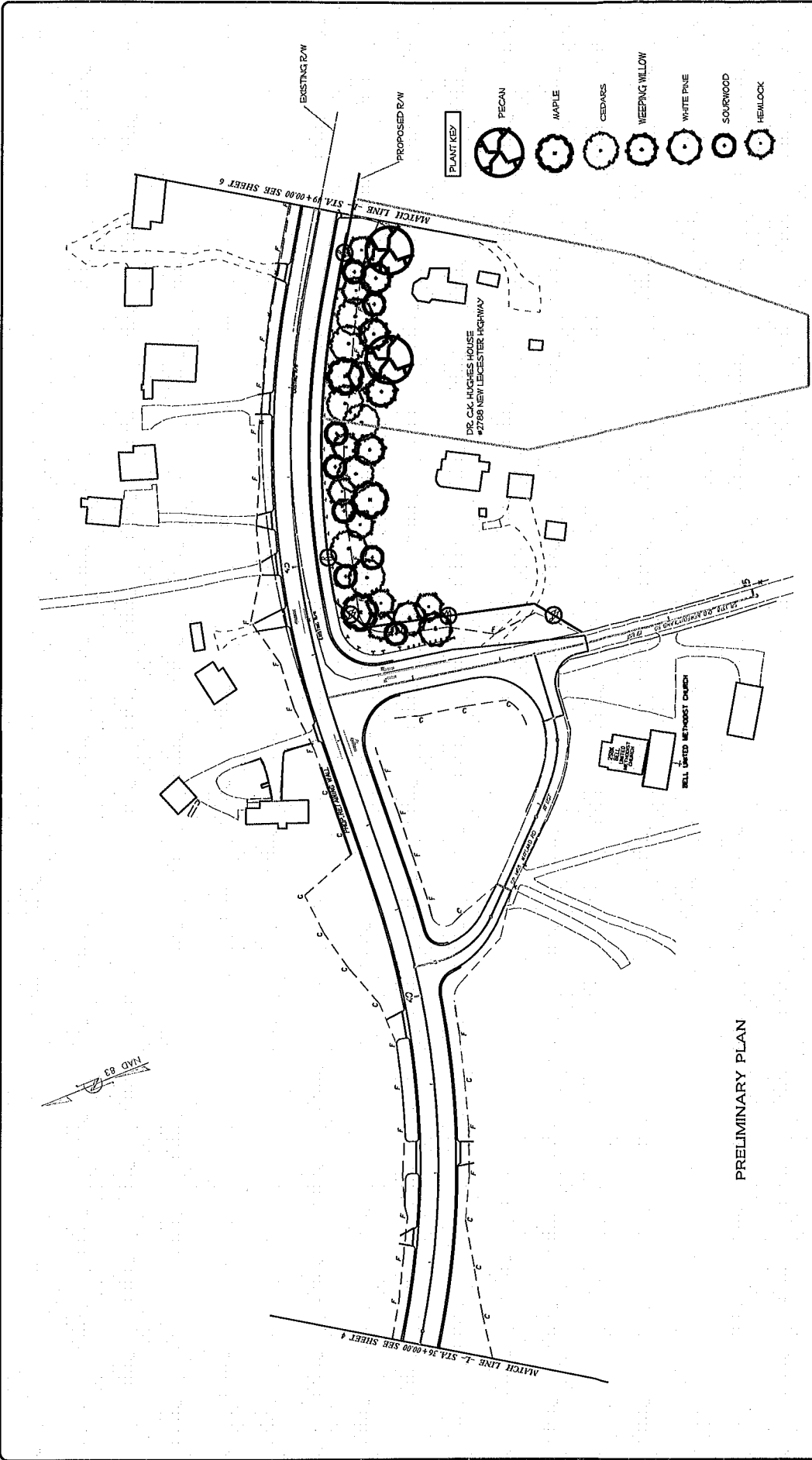
LANDSCAPE PLAN  
 HISTORIC MITIGATION

PREL. DESIGN DATE  
 CHECKED BY: E.DAVIS  
 FINAL DESIGN DATE



SHEET NO. **L-11**  
 TOTAL SHEET NO. 15

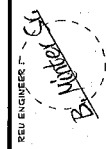




PRELIMINARY PLAN



LANDSCAPE DESIGN & DEVELOPMENT  
 1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557  
 PH: 919-707-2920 FAX: 919-715-2554  
 HTTP://WWW.LDCD.COM/OPERATIONS/CP\_CAREERS/ROADS/DE/



REG. ENGINEER  
**Brian N. Johnson**  
 NC 63 LEICESTER HIGHWAY  
 DR. C.K. HUGHES HOUSE  
 PROJECT #: 34909.1.1

SHEET DESCRIPTION  
 LANDSCAPE PLAN  
 HISTORIC MITIGATION

PREP. PERSON/DATE  
 CHECKED BY/DATE  
 FINAL DESIGN DATE



SHEET NO.  
**L-11**  
 TOTAL SHEET NO. 15



PAT MCCRORY

*Governor*

DONALD R. VAN DER VAART

*Secretary*

S. JAY ZIMMERMAN

*Director*

June 24, 2016

Mr. Philip S. Harris, III, P.E., CPM  
Natural Environment Section Head  
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 with  
ADDITIONAL CONDITIONS for Proposed improvements to NC 63 in Buncombe County,  
Federal Aid Project No. STP-63(1), TIP U-3301.  
NCDWR Project No. 2016-0401

Dear Mr. Harris:

Attached hereto is a copy of Certification No. WQC004061 issued to The North Carolina Department of  
Transportation (NCDOT) dated June 24, 2016.

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

Sincerely,

A handwritten signature in black ink that reads 'S. Schwarz' with a small 'for' written below it.

S. Jay Zimmerman, Director  
Division of Water Resources

#### Attachments

#### Electronic copy only distribution:

Lori Beckwith, US Army Corps of Engineers, Asheville Field Office  
Roger Bryan, Division 13 Environmental Officer  
Rodger Rochelle, NC Department of Transportation  
Carla Dagnino, NC Department of Transportation  
Marla Chambers, NC Wildlife Resources Commission  
Beth Harmon, Division of Mitigation Services  
File Copy

**401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act 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 Resources (NCDWR) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 0.07 acres of jurisdictional wetlands, 0.10 acres of open waters, and 4,033 linear feet of jurisdictional streams in Buncombe County. The project shall be constructed pursuant to the application dated April 22, 2016. The authorized impacts are as described below:

**Stream Impacts in the French Broad River Basin**

<b>Site</b>	<b>Permanent Fill in Intermittent Stream (linear ft)</b>	<b>Permanent Fill in Perennial Stream (linear ft)</b>	<b>Temporary Fill in Perennial Stream (linear ft)</b>	<b>Total Stream Impact (linear ft)</b>	<b>Stream Impacts Requiring Mitigation (linear ft)</b>
1		427	45	472	427
2		20	10	30	20
3		364		364	364
4		195	20	215	195
5		210	20	230	210
6		372	14	386	372
7		128	3	131	128
7A		333	20	353	333
8		10	10	20	
9		396	24	420	396
10		46	9	55	46
11		663		663	663
13		247	158	405	247
13A	115			115	115
14		507	20	527	507
<b>Total</b>	115	3,786	353	4,033	3,901

**Total Stream Impact for Project: 4,033 linear feet**

**Wetland Impacts in the French Broad River Basin**

Site	Fill (ac)	Total Wetland Impact (ac)
3	0.05	0.05
3	0.01	0.01
12	<0.01	<0.01
13A	<0.01	<0.01
<b>Total</b>	0.07	0.07

**Total Wetland Impact for Project: 0.07 acres.**

**Open Water Impacts in the French Broad River Basin**

Site	Permanent Fill in Open Waters (ac)	Total Fill in Open Waters (ac)
P1	0.10	0.10
<b>Total</b>	0.10	0.10

**Total Open Water Impact for Project: 0.10 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **French Broad 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 April 22, 2016. Should your project change, you are required to notify the NCDWR 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:**

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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

1. 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. [15A NCAC 02B.0200]
2. 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. [15A NCAC 02H.0506(b)(2)]
3. 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. [15A NCAC 02H.0506(b)(2)]
4. 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. [15A NCAC 02H.0506(b)(2)]
5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
6. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
7. 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. [15A NCAC 02H.0506(b)(3)]
8. 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. [15A NCAC 02H.0506(b)(3)]
9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. 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 the NCDWR 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, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]



12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
13. 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. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
14. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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. [15A NCAC 02H.0501 and .0502]
15. 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.
16. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
17. 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 the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. 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 [15A NCAC 02H.0506(b)(3) and (c)(3):
  - 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.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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 DEQ as follows:

Mr. Sam M. Hayes, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This the 24th day of June, 2016

DIVISION OF WATER RESOURCES



for  
S. Jay Zimmerman, Director

WQC No. 004061



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

NCDWR 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 Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR 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 \_\_\_\_\_

**SPECIAL CONDITIONS**  
**ACTION ID. SAW-2014-01633**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**TIP No. U-3301**

**COMPENSATORY MITIGATION**

28) In order to compensate for the 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.

**ENFORCEMENT**

29) A representative of the USACE 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 USACE.

30) Violation of these conditions or violation of Section 404 of the Clean Water Act must be reported in writing to the Wilmington District USACE within 24 hours of the permittee's discovery of the violation.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCEEDS AND  
REQUEST FOR APPEAL

Applicant: North Carolina Department of  
Transportation, Attention: Mr. Philip S. Harris III

File Number: Action ID: SAW-  
2014-01633, TIP No. U-3301

Date: August 22, 2016

Attached is:

See Section below

<input checked="" type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/> PERMIT DENIAL	C
<input type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION	E

**SECTION I:** The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 33.

**A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT: You may accept or appeal the permit**

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
District Engineer, Wilmington Regulatory Division,  
Attn: Lori Beckwith, Regulatory Project Manager  
Asheville Field Office  
151 Patton Avenue, Room 208  
Asheville, NC 28801

If you only have questions regarding the appeal process you may also contact:  
Mr. Jason Steele, Administrative Appeal Review Officer  
CESAD-PDO  
U.S. Army Corps of Engineers, South Atlantic Division  
60 Forsyth Street, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Date:

Telephone number:

\_\_\_\_\_  
Signature of appellant or agent.

**For appeals on Initial Proffered Permits send this form to:**

**District Engineer, Wilmington Regulatory Division, Attn: Lori Beckwith, 69 Darlington Avenue, Wilmington, North Carolina 28403**

**For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:**

**Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137**

# U.S. ARMY CORPS OF ENGINEERS

Wilmington District

## Compensatory Mitigation Responsibility Transfer Form

Permittee: North Carolina Department of Transportation  
Project Name: TIP No. U-3301 / NC 63 (Leicester Highway)

Action ID: SAW-2014-01633  
County: Buncombe

**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 Division of Mitigation Services (NCDMS), 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 (credits) 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 bank ledger and provide a copy of the signed form and the updated bank ledger to the Permittee, the USACE Project Manager, and the Wilmington District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

### Permitted Impacts and Compensatory Mitigation Requirements:

**Permitted Impacts Requiring Mitigation\***      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	3,901		0.07			

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

**Compensatory Mitigation Requirements:**      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	7,180		0.14			

**Mitigation Site Debited:** NCDMS

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS 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 NCDMS), 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 compensatory mitigation requirement reflects a 2:1 ratio for permanent losses at all sites (3,279 lf), with the exception of the losses at Sites 13A and 14 (622 lf); these require mitigation at a 1:1 ratio.

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 11405 Falls of Neuse Road, Wake Forest, NC 27587 (email: [todd.tugwell@usace.army.mil](mailto:todd.tugwell@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

**USACE Project Manager:** Lori Beckwith  
**USACE Field Office:** Asheville Regulatory Field Office  
US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**Email:** [loretta.a.beckwith@usace.army.mil](mailto:loretta.a.beckwith@usace.army.mil)

**BECKWITH.LORETTA**  
**ANN.1173452264**

Digitally signed by  
BECKWITH.LORETTA.ANN.1173452264  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BECKWITH.LORETTA.ANN.1173452264  
Date: 2016.08.19 14:25:35 -04'00'

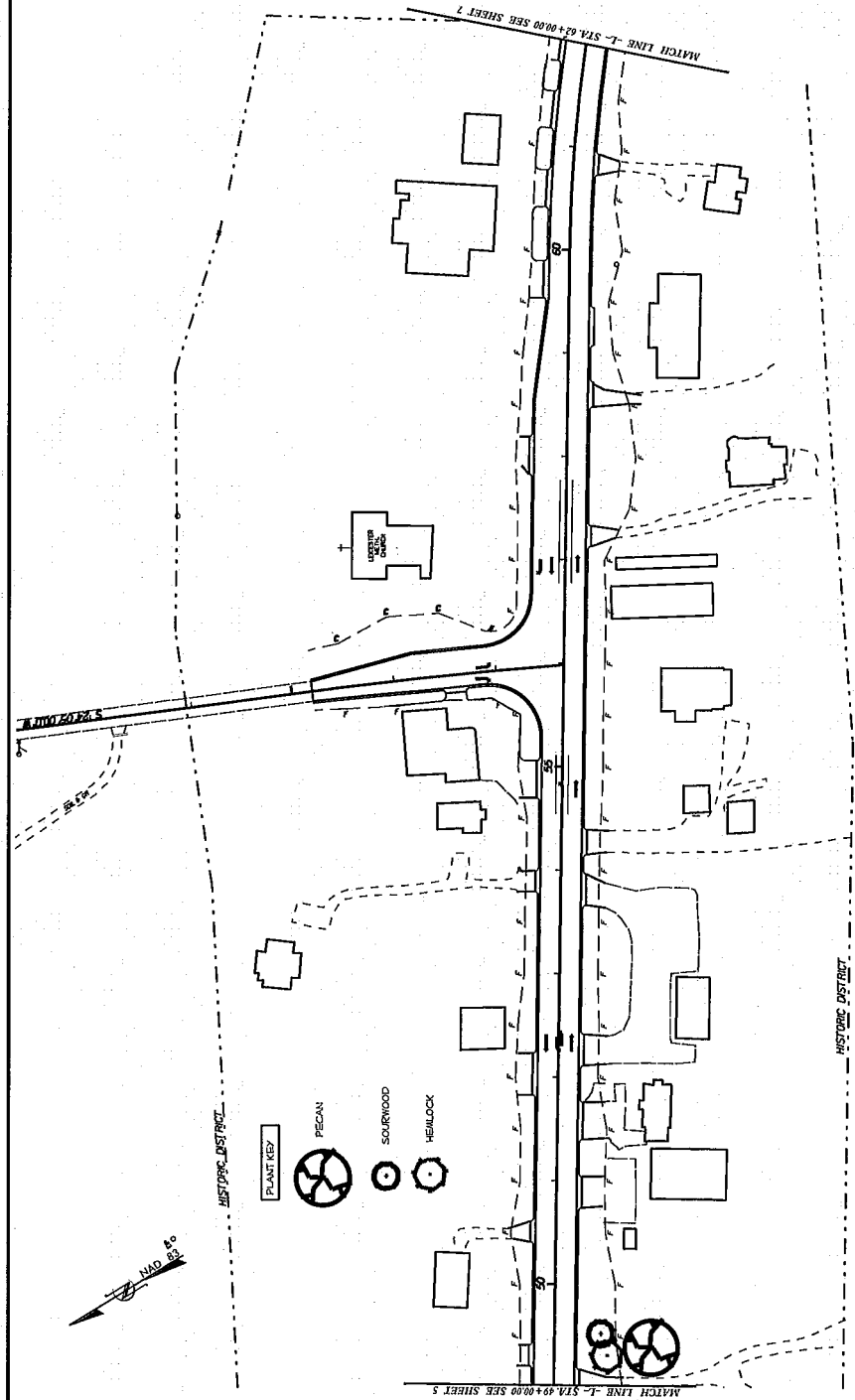
**USACE Project Manager Signature**

**August 19, 2016**

**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>.





PRELIMINARY PLAN



NC DOT - ROADSIDE ENVIRONMENTAL UNIT  
 LANDSCAPE DESIGN & DEVELOPMENT  
 1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557  
 PH: 919-707-2920 FAX: 919-715-2554  
[HTTP://WWW.NCDOT.ORG/OPERATIONS/OPS/OHET/ENCR/ROADSDEV/](http://www.ncdot.org/operations/ops/ohet/encr/roadsdev/)

NC 63 LEICESTER HIGHWAY  
 DR. C.K. HUGHES HOUSE  
 PROJECT #: 34909.1.1

REV. 04/2009  
 B. MURPHY

SHEET DESCRIPTION  
 LANDSCAPE PLAN  
 HISTORIC MITIGATION

PREL. DESIGN DATE  
 CHECKED BY: E. DAVIS  
 FINAL DESIGN DATE



SHEET NO. **L-11**  
 TOTAL SHEET NO. 15

**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 compensatory mitigation requirement reflects a 2:1 ratio for permanent losses at all sites (3,279 lf), with the exception of the losses at Sites 13A and 14 (622 lf); these require mitigation at a 1:1 ratio.

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 11405 Falls of Neuse Road, Wake Forest, NC 27587 (email: [todd.tugwell@usace.army.mil](mailto:todd.tugwell@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

**USACE Project Manager:** Lori Beckwith  
**USACE Field Office:** Asheville Regulatory Field Office  
US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**Email:** [loretta.a.beckwith@usace.army.mil](mailto:loretta.a.beckwith@usace.army.mil)

**BECKWITH.LORETTA**  
**ANN.1173452264**

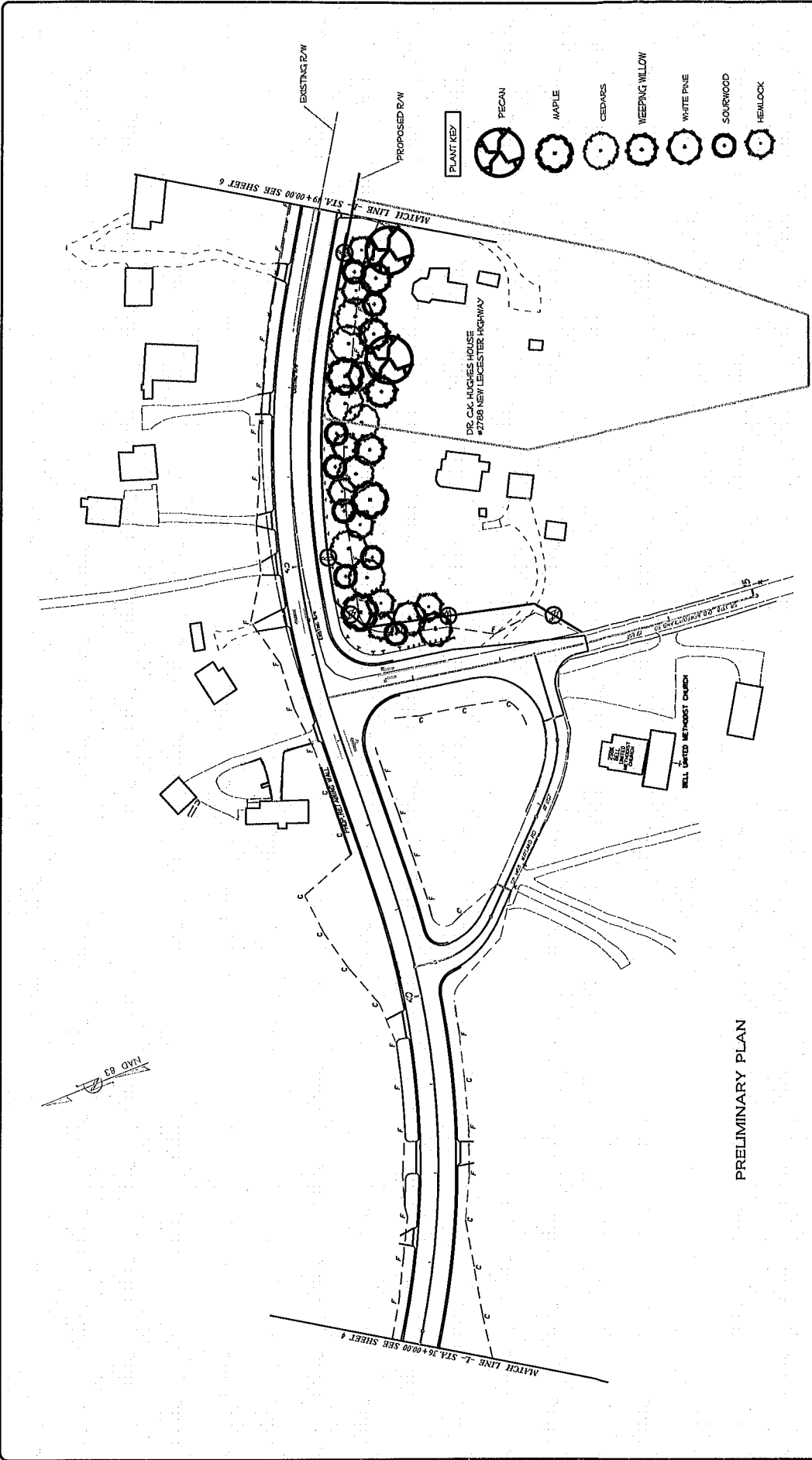
Digitally signed by  
BECKWITH.LORETTA.ANN.1173452264  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BECKWITH.LORETTA.ANN.1173452264  
Date: 2016.08.19 14:25:35 -04'00'

**USACE Project Manager Signature**

**August 19, 2016**

**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>.



PRELIMINARY PLAN

	<p>LANDSCAPE DESIGN &amp; DEVELOPMENT          1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557          PH: 919-707-2920 FAX: 919-715-2554          HTTP://WWW.LDCDD.COM/OPERATIONS/OP_CAREERS/ROADS/DE/</p>	<p>NC 63 LEICESTER HIGHWAY          DR. C.K. HUGHES HOUSE          PROJECT #: 34909.1.1</p>	<p>REG. ENGINEER            B. NUNN</p>	<p>SHEET DESCRIPTION          LANDSCAPE PLAN          HISTORIC MITIGATION</p>	<p>PREP. PERSON/DATE          CHECKED BY/DATE          FINAL DESIGN DATE</p>	<p>SHEET NO.  <b>L-11</b>          TOTAL SHEET NO. 15</p>
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PAT MCCRORY

*Governor*

DONALD R. VAN DER VAART

*Secretary*

S. JAY ZIMMERMAN

*Director*

June 24, 2016

Mr. Philip S. Harris, III, P.E., CPM  
Natural Environment Section Head  
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 with  
ADDITIONAL CONDITIONS for Proposed improvements to NC 63 in Buncombe County,  
Federal Aid Project No. STP-63(1), TIP U-3301.  
NCDWR Project No. 2016-0401

Dear Mr. Harris:

Attached hereto is a copy of Certification No. WQC004061 issued to The North Carolina Department of  
Transportation (NCDOT) dated June 24, 2016.

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

Sincerely,

A handwritten signature in black ink that reads 'S. Schwarz' with a small 'for' written below it.

S. Jay Zimmerman, Director  
Division of Water Resources

#### Attachments

#### Electronic copy only distribution:

Lori Beckwith, US Army Corps of Engineers, Asheville Field Office  
Roger Bryan, Division 13 Environmental Officer  
Rodger Rochelle, NC Department of Transportation  
Carla Dagnino, NC Department of Transportation  
Marla Chambers, NC Wildlife Resources Commission  
Beth Harmon, Division of Mitigation Services  
File Copy

**401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act 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 Resources (NCDWR) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 0.07 acres of jurisdictional wetlands, 0.10 acres of open waters, and 4,033 linear feet of jurisdictional streams in Buncombe County. The project shall be constructed pursuant to the application dated April 22, 2016. The authorized impacts are as described below:

**Stream Impacts in the French Broad River Basin**

<b>Site</b>	<b>Permanent Fill in Intermittent Stream (linear ft)</b>	<b>Permanent Fill in Perennial Stream (linear ft)</b>	<b>Temporary Fill in Perennial Stream (linear ft)</b>	<b>Total Stream Impact (linear ft)</b>	<b>Stream Impacts Requiring Mitigation (linear ft)</b>
1		427	45	472	427
2		20	10	30	20
3		364		364	364
4		195	20	215	195
5		210	20	230	210
6		372	14	386	372
7		128	3	131	128
7A		333	20	353	333
8		10	10	20	
9		396	24	420	396
10		46	9	55	46
11		663		663	663
13		247	158	405	247
13A	115			115	115
14		507	20	527	507
<b>Total</b>	115	3,786	353	4,033	3,901

**Total Stream Impact for Project: 4,033 linear feet**

**Wetland Impacts in the French Broad River Basin**

Site	Fill (ac)	Total Wetland Impact (ac)
3	0.05	0.05
3	0.01	0.01
12	<0.01	<0.01
13A	<0.01	<0.01
<b>Total</b>	0.07	0.07

**Total Wetland Impact for Project: 0.07 acres.**

**Open Water Impacts in the French Broad River Basin**

Site	Permanent Fill in Open Waters (ac)	Total Fill in Open Waters (ac)
P1	0.10	0.10
<b>Total</b>	0.10	0.10

**Total Open Water Impact for Project: 0.10 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **French Broad 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 April 22, 2016. Should your project change, you are required to notify the NCDWR 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:**

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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

1. 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. [15A NCAC 02B.0200]
2. 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. [15A NCAC 02H.0506(b)(2)]
3. 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. [15A NCAC 02H.0506(b)(2)]
4. 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. [15A NCAC 02H.0506(b)(2)]
5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
6. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
7. 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. [15A NCAC 02H.0506(b)(3)]
8. 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. [15A NCAC 02H.0506(b)(3)]
9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. 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 the NCDWR 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, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]

12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
13. 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. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
14. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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. [15A NCAC 02H.0501 and .0502]
15. 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.
16. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
17. 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 the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. 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 [15A NCAC 02H.0506(b)(3) and (c)(3):
  - 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.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]



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 DEQ as follows:

Mr. Sam M. Hayes, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This the 24th day of June, 2016

DIVISION OF WATER RESOURCES



for  
S. Jay Zimmerman, Director

WQC No. 004061



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

NCDWR 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 Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR 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 \_\_\_\_\_

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the district engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

**SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT**

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

**POINT OF CONTACT FOR QUESTIONS OR INFORMATION:**

If you have questions regarding this decision and/or the appeal process you may contact:  
District Engineer, Wilmington Regulatory Division,  
Attn: Lori Beckwith, Regulatory Project Manager  
Asheville Field Office  
151 Patton Avenue, Room 208  
Asheville, NC 28801

If you only have questions regarding the appeal process you may also contact:  
Mr. Jason Steele, Administrative Appeal Review Officer  
CESAD-PDO  
U.S. Army Corps of Engineers, South Atlantic Division  
60 Forsyth Street, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.	Date:	Telephone number:
----------------------------------	-------	-------------------

For appeals on Initial Proffered Permits send this form to:

District Engineer, Wilmington Regulatory Division, Attn: Lori Beckwith, 69 Darlington Avenue, Wilmington, North Carolina 28403

For Permit denials, Proffered Permits and approved Jurisdictional Determinations send this form to:

Division Engineer, Commander, U.S. Army Engineer Division, South Atlantic, Attn: Mr. Jason Steele, Administrative Appeal Officer, CESAD-PDO, 60 Forsyth Street, Room 10M15, Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

# U.S. ARMY CORPS OF ENGINEERS

Wilmington District

## Compensatory Mitigation Responsibility Transfer Form

Permittee: North Carolina Department of Transportation  
Project Name: TIP No. U-3301 / NC 63 (Leicester Highway)

Action ID: SAW-2014-01633  
County: Buncombe

**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 Division of Mitigation Services (NCDMS), 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 (credits) 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 bank ledger and provide a copy of the signed form and the updated bank ledger to the Permittee, the USACE Project Manager, and the Wilmington District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

### Permitted Impacts and Compensatory Mitigation Requirements:

**Permitted Impacts Requiring Mitigation\***      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	3,901		0.07			

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

**Compensatory Mitigation Requirements:**      **8-digit HUC and Basin: 06010105, French Broad River Basin**

Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
	7,180		0.14			

**Mitigation Site Debited:** NCDMS

(List the name of the bank to be debited. For umbrella banks, also list the specific site. For NCDMS, list NCDMS. If the NCDMS 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 NCDMS), 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 compensatory mitigation requirement reflects a 2:1 ratio for permanent losses at all sites (3,279 lf), with the exception of the losses at Sites 13A and 14 (622 lf); these require mitigation at a 1:1 ratio.

This form is not valid unless signed below by the USACE Project Manager and by the Mitigation Sponsor on Page 1. **Once signed, the Sponsor should provide copies of this form along with an updated bank ledger to: 1) the Permittee, 2) the USACE Project Manager at the address below, and 3) the Wilmington District Mitigation Office, Attn: Todd Tugwell, 11405 Falls of Neuse Road, Wake Forest, NC 27587 (email: [todd.tugwell@usace.army.mil](mailto:todd.tugwell@usace.army.mil)).** Questions regarding this form or any of the permit conditions may be directed to the USACE Project Manager below.

**USACE Project Manager:** Lori Beckwith  
**USACE Field Office:** Asheville Regulatory Field Office  
US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**Email:** [loretta.a.beckwith@usace.army.mil](mailto:loretta.a.beckwith@usace.army.mil)

**BECKWITH.LORETTA**  
**ANN.1173452264**

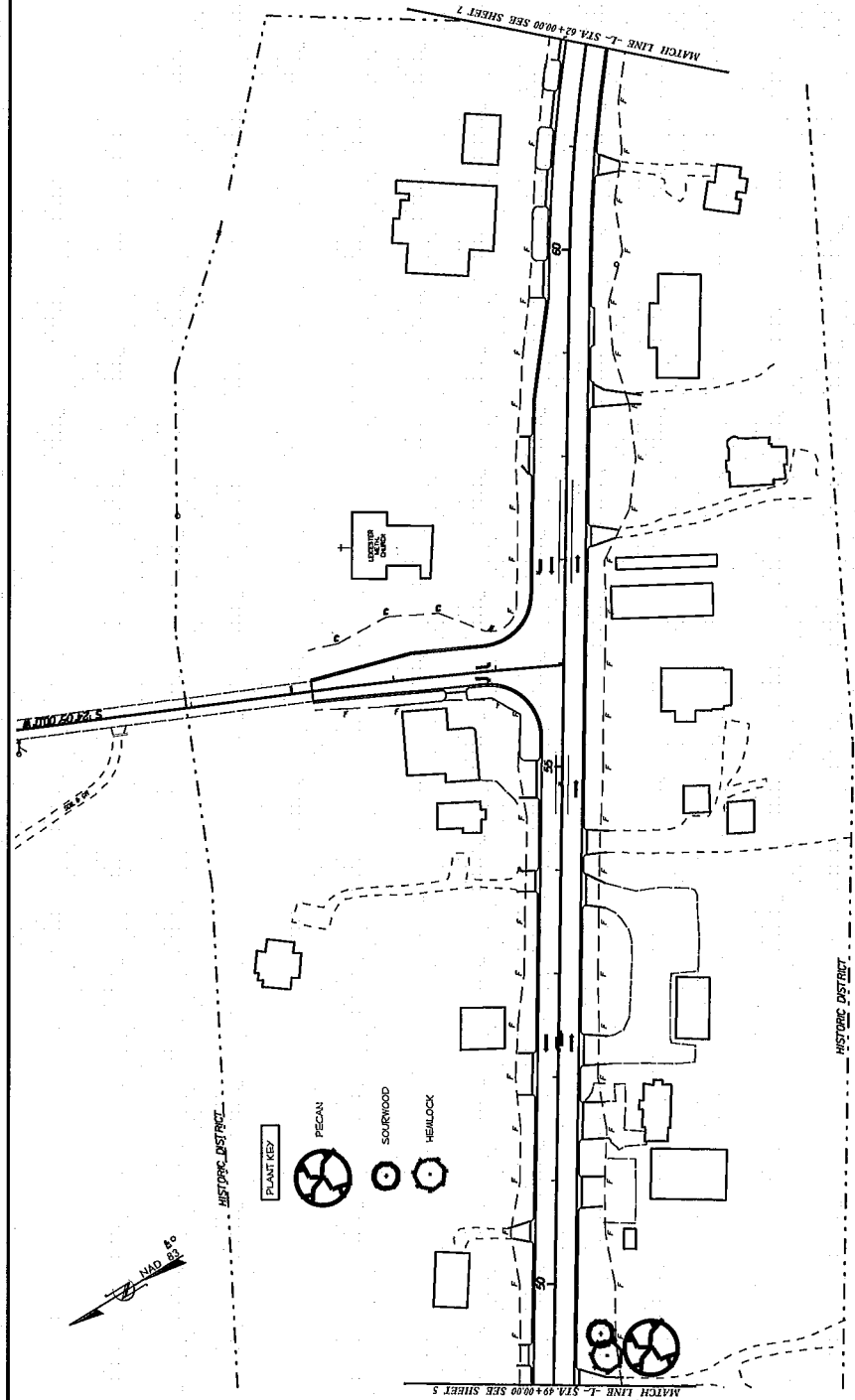
Digitally signed by  
BECKWITH.LORETTA.ANN.1173452264  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BECKWITH.LORETTA.ANN.1173452264  
Date: 2016.08.19 14:25:35 -04'00'

**USACE Project Manager Signature**

**August 19, 2016**

**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>.



PRELIMINARY PLAN

SHEET NO. **L-11**  
TOTAL SHEET NO. 15



PRELIMINARY DATE: \_\_\_\_\_  
CHECKED BY: E.D.A. DATE: \_\_\_\_\_  
FINAL DESIGN DATE: \_\_\_\_\_

LANDSCAPE PLAN  
HISTORIC MITIGATION

REV. 1/15/15  
E.D.A.

NC 63 LEICESTER HIGHWAY  
DR. C.K. HUGHES HOUSE  
PROJECT #: 34909.1.1

NC DOT - ROADSIDE ENVIRONMENTAL UNIT  
LANDSCAPE DESIGN & DEVELOPMENT  
1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557  
PH: 919-707-2920 FAX: 919-715-2554  
HTTP://WWW.NCDOT.ORG/OPERATIONS/OP\_SERVICES/ENVIRONMENTAL



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

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**USACE Project Manager:** Lori Beckwith  
**USACE Field Office:** Asheville Regulatory Field Office  
US Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

**Email:** [loretta.a.beckwith@usace.army.mil](mailto:loretta.a.beckwith@usace.army.mil)

**BECKWITH.LORETTA**  
**ANN.1173452264**

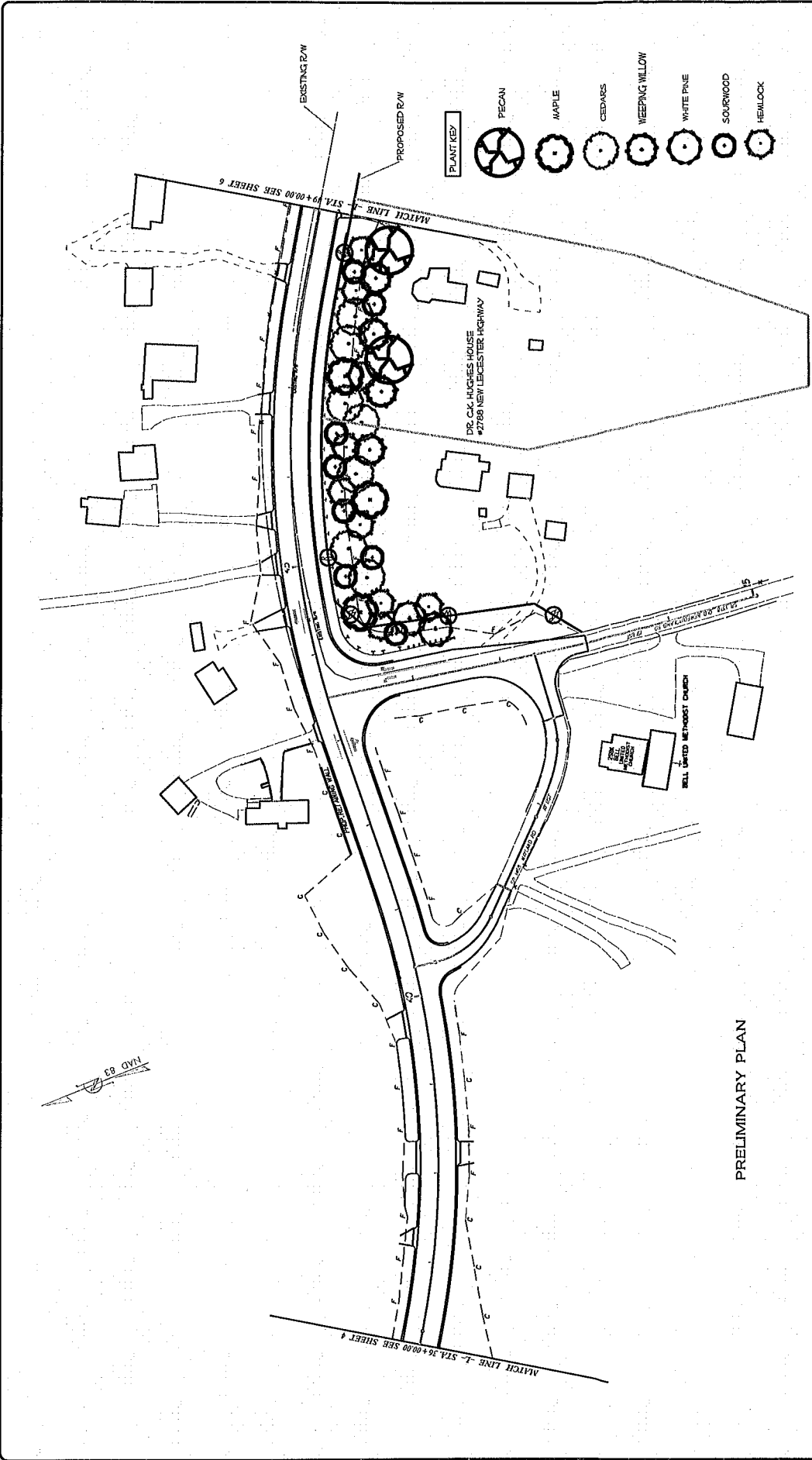
Digitally signed by  
BECKWITH.LORETTA.ANN.1173452264  
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI,  
ou=USA, cn=BECKWITH.LORETTA.ANN.1173452264  
Date: 2016.08.19 14:25:35 -04'00'

**USACE Project Manager Signature**

**August 19, 2016**

**Date of Signature**

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PRELIMINARY PLAN

	<p>LANDSCAPE DESIGN &amp; DEVELOPMENT          1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557          PH: 919-707-2920 FAX: 919-715-2554          HTTP://WWW.LDCD.COM/OPERATIONS/OP_CAREERS/ROADS/</p>	<p>NC 63 LEICESTER HIGHWAY          DR. C.K. HUGHES HOUSE          PROJECT #: 34909.1.1</p>	<p>REG. ENGINEER            B. NUNN</p>	<p>SHEET DESCRIPTION          LANDSCAPE PLAN          HISTORIC MITIGATION</p>	<p>PREP. PERSON/DATE          CHECKED BY/DATE          FINAL DESIGN DATE</p>	<p>SHEET NO.  <b>L-11</b>          TOTAL SHEET NO. 15</p>
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PAT MCCRORY

*Governor*

DONALD R. VAN DER VAART

*Secretary*

S. JAY ZIMMERMAN

*Director*

June 24, 2016

Mr. Philip S. Harris, III, P.E., CPM  
Natural Environment Section Head  
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 with  
ADDITIONAL CONDITIONS for Proposed improvements to NC 63 in Buncombe County,  
Federal Aid Project No. STP-63(1), TIP U-3301.  
NCDWR Project No. 2016-0401

Dear Mr. Harris:

Attached hereto is a copy of Certification No. WQC004061 issued to The North Carolina Department of  
Transportation (NCDOT) dated June 24, 2016.

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

Sincerely,

A handwritten signature in black ink that reads 'S. Jay Zimmerman'. The signature is written in a cursive style.

S. Jay Zimmerman, Director  
Division of Water Resources

#### Attachments

#### Electronic copy only distribution:

Lori Beckwith, US Army Corps of Engineers, Asheville Field Office  
Roger Bryan, Division 13 Environmental Officer  
Rodger Rochelle, NC Department of Transportation  
Carla Dagnino, NC Department of Transportation  
Marla Chambers, NC Wildlife Resources Commission  
Beth Harmon, Division of Mitigation Services  
File Copy

**401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act 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 Resources (NCDWR) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 0.07 acres of jurisdictional wetlands, 0.10 acres of open waters, and 4,033 linear feet of jurisdictional streams in Buncombe County. The project shall be constructed pursuant to the application dated April 22, 2016. The authorized impacts are as described below:

**Stream Impacts in the French Broad River Basin**

<b>Site</b>	<b>Permanent Fill in Intermittent Stream (linear ft)</b>	<b>Permanent Fill in Perennial Stream (linear ft)</b>	<b>Temporary Fill in Perennial Stream (linear ft)</b>	<b>Total Stream Impact (linear ft)</b>	<b>Stream Impacts Requiring Mitigation (linear ft)</b>
1		427	45	472	427
2		20	10	30	20
3		364		364	364
4		195	20	215	195
5		210	20	230	210
6		372	14	386	372
7		128	3	131	128
7A		333	20	353	333
8		10	10	20	
9		396	24	420	396
10		46	9	55	46
11		663		663	663
13		247	158	405	247
13A	115			115	115
14		507	20	527	507
<b>Total</b>	115	3,786	353	4,033	3,901

**Total Stream Impact for Project: 4,033 linear feet**

**Wetland Impacts in the French Broad River Basin**

Site	Fill (ac)	Total Wetland Impact (ac)
3	0.05	0.05
3	0.01	0.01
12	<0.01	<0.01
13A	<0.01	<0.01
<b>Total</b>	0.07	0.07

**Total Wetland Impact for Project: 0.07 acres.**

**Open Water Impacts in the French Broad River Basin**

Site	Permanent Fill in Open Waters (ac)	Total Fill in Open Waters (ac)
P1	0.10	0.10
<b>Total</b>	0.10	0.10

**Total Open Water Impact for Project: 0.10 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **French Broad 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 April 22, 2016. Should your project change, you are required to notify the NCDWR 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:**

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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

1. 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. [15A NCAC 02B.0200]
2. 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. [15A NCAC 02H.0506(b)(2)]
3. 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. [15A NCAC 02H.0506(b)(2)]
4. 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. [15A NCAC 02H.0506(b)(2)]
5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
6. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
7. 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. [15A NCAC 02H.0506(b)(3)]
8. 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. [15A NCAC 02H.0506(b)(3)]
9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. 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 the NCDWR 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, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]

12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
13. 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. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
14. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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. [15A NCAC 02H.0501 and .0502]
15. 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.
16. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
17. 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 the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. 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 [15A NCAC 02H.0506(b)(3) and (c)(3):
  - 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.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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 DEQ as follows:

Mr. Sam M. Hayes, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This the 24th day of June, 2016

DIVISION OF WATER RESOURCES



for  
S. Jay Zimmerman, Director

WQC No. 004061



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

NCDWR 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 Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR 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.

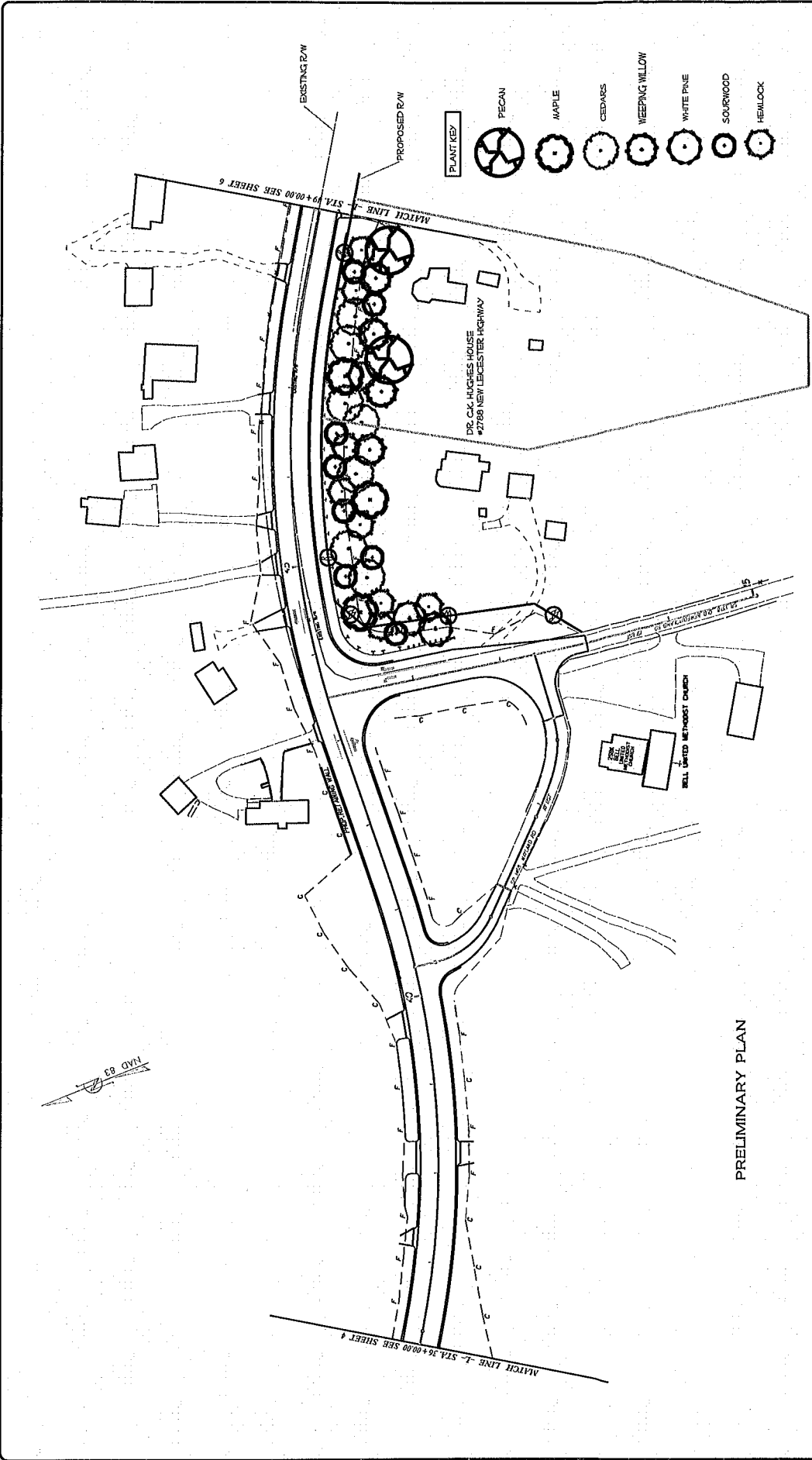
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**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 \_\_\_\_\_



PRELIMINARY PLAN

	<p>LANDSCAPE DESIGN &amp; DEVELOPMENT          1557 MAIL SERVICE CENTER, RALEIGH, NC 27699-1557          PH: 919-707-2920 FAX: 919-715-2554          HTTP://WWW.LDCD.COM/OPERATIONS/OP_CAREERS/ROADS/</p>	<p>NC 63 LEICESTER HIGHWAY          DR. C.K. HUGHES HOUSE          PROJECT #: 34909.1.1</p>	<p>REG. ENGINEER            B. NUNN</p>	<p>SHEET DESCRIPTION          LANDSCAPE PLAN          HISTORIC MITIGATION</p>	<p>PREP. PERSON/DATE          CHECKED BY/DATE          FINAL DESIGN DATE</p>	<p>SHEET NO.  <b>L-11</b>          TOTAL SHEET NO. 15</p>
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PAT MCCRORY

*Governor*

DONALD R. VAN DER VAART

*Secretary*

S. JAY ZIMMERMAN

*Director*

June 24, 2016

Mr. Philip S. Harris, III, P.E., CPM  
Natural Environment Section Head  
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 with  
ADDITIONAL CONDITIONS for Proposed improvements to NC 63 in Buncombe County,  
Federal Aid Project No. STP-63(1), TIP U-3301.  
NCDWR Project No. 2016-0401

Dear Mr. Harris:

Attached hereto is a copy of Certification No. WQC004061 issued to The North Carolina Department of  
Transportation (NCDOT) dated June 24, 2016.

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

Sincerely,

A handwritten signature in black ink that reads 'S. Jay Zimmerman'. The signature is written in a cursive style.

S. Jay Zimmerman, Director  
Division of Water Resources

#### Attachments

#### Electronic copy only distribution:

Lori Beckwith, US Army Corps of Engineers, Asheville Field Office  
Roger Bryan, Division 13 Environmental Officer  
Rodger Rochelle, NC Department of Transportation  
Carla Dagnino, NC Department of Transportation  
Marla Chambers, NC Wildlife Resources Commission  
Beth Harmon, Division of Mitigation Services  
File Copy

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ADDITIONAL CONDITIONS**

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**Stream Impacts in the French Broad River Basin**

<b>Site</b>	<b>Permanent Fill in Intermittent Stream (linear ft)</b>	<b>Permanent Fill in Perennial Stream (linear ft)</b>	<b>Temporary Fill in Perennial Stream (linear ft)</b>	<b>Total Stream Impact (linear ft)</b>	<b>Stream Impacts Requiring Mitigation (linear ft)</b>
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7A		333	20	353	333
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13		247	158	405	247
13A	115			115	115
14		507	20	527	507
<b>Total</b>	115	3,786	353	4,033	3,901

**Total Stream Impact for Project: 4,033 linear feet**

**Wetland Impacts in the French Broad River Basin**

Site	Fill (ac)	Total Wetland Impact (ac)
3	0.05	0.05
3	0.01	0.01
12	<0.01	<0.01
13A	<0.01	<0.01
<b>Total</b>	0.07	0.07

**Total Wetland Impact for Project: 0.07 acres.**

**Open Water Impacts in the French Broad River Basin**

Site	Permanent Fill in Open Waters (ac)	Total Fill in Open Waters (ac)
P1	0.10	0.10
<b>Total</b>	0.10	0.10

**Total Open Water Impact for Project: 0.10 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **French Broad 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 April 22, 2016. Should your project change, you are required to notify the NCDWR 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:**

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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

1. 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. [15A NCAC 02B.0200]
2. 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. [15A NCAC 02H.0506(b)(2)]
3. 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. [15A NCAC 02H.0506(b)(2)]
4. 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. [15A NCAC 02H.0506(b)(2)]
5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
6. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
7. 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. [15A NCAC 02H.0506(b)(3)]
8. 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. [15A NCAC 02H.0506(b)(3)]
9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. 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 the NCDWR 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, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]

12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
13. 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. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
14. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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. [15A NCAC 02H.0501 and .0502]
15. 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.
16. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
17. 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 the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. 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 [15A NCAC 02H.0506(b)(3) and (c)(3):
  - 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.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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 DEQ as follows:

Mr. Sam M. Hayes, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This the 24th day of June, 2016

DIVISION OF WATER RESOURCES



for  
S. Jay Zimmerman, Director

WQC No. 004061



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

NCDWR 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 Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR 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 \_\_\_\_\_

**Wetland Impacts in the French Broad River Basin**

Site	Fill (ac)	Total Wetland Impact (ac)
3	0.05	0.05
3	0.01	0.01
12	<0.01	<0.01
13A	<0.01	<0.01
<b>Total</b>	0.07	0.07

**Total Wetland Impact for Project: 0.07 acres.**

**Open Water Impacts in the French Broad River Basin**

Site	Permanent Fill in Open Waters (ac)	Total Fill in Open Waters (ac)
P1	0.10	0.10
<b>Total</b>	0.10	0.10

**Total Open Water Impact for Project: 0.10 acres.**

The application provides adequate assurance that the discharge of fill material into the waters of the **French Broad 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 April 22, 2016. Should your project change, you are required to notify the NCDWR 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.

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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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]

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2. 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. [15A NCAC 02H.0506(b)(2)]
3. 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. [15A NCAC 02H.0506(b)(2)]
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12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
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14. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, 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. [15A NCAC 02H.0501 and .0502]
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16. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
17. 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 the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
18. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
19. 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 [15A NCAC 02H.0506(b)(3) and (c)(3):
  - 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.
20. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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.

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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 DEQ as follows:

Mr. Sam M. Hayes, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This the 24th day of June, 2016

DIVISION OF WATER RESOURCES



for  
S. Jay Zimmerman, Director

WQC No. 004061



PAT MCCRORY

Governor

DONALD R. VAN DER VAART

Secretary

S. JAY ZIMMERMAN

Director

NCDWR 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 Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR 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.

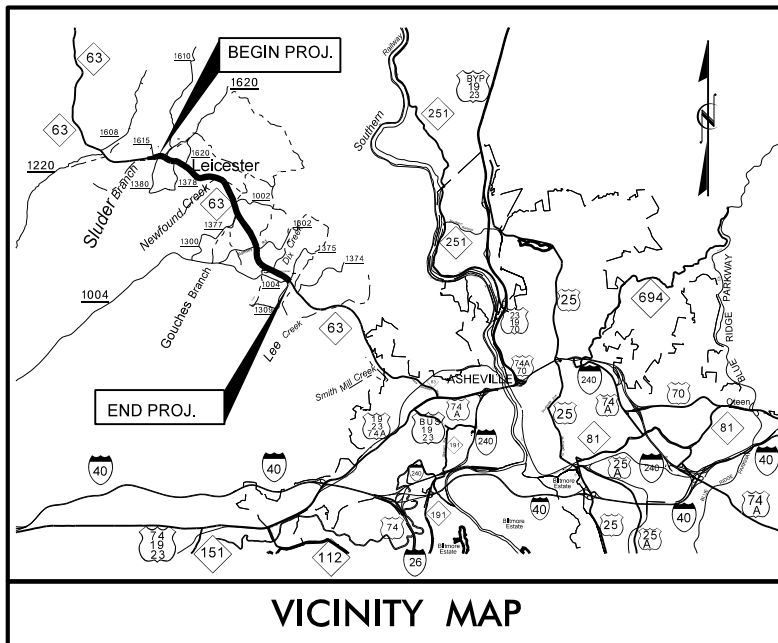
Signature \_\_\_\_\_ Registration No. \_\_\_\_\_ Date \_\_\_\_\_

09/08/99  
 4/7/2016 9:15:44 AM P:\2015\15345.09 U-3301\DESIGN BUILD\Hydraulics\PERMITS\_Environmental\Permit Drawings\Microstation\_files\U-3301\_Hyd\_prm\_wet\_1.dgn

**TIP PROJECT: U-3301**

**CONTRACT: C203575**

See Sheet 1-A For Index of Sheets



VICINITY MAP

THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**BUNCOMBE COUNTY**

LOCATION: NC 63 (LEICESTER HWY) FROM SR 1615 (GILBERT RD.)  
TO SR 1004 (NEFOUND ROAD) NORTHWEST OF ASHEVILLE

TYPE OF WORK: GRADING, DRAINAGE, PAVING, CULVERTS  
AND STRUCTURES

WETLAND AND SURFACE WATER IMPACTS PERMIT

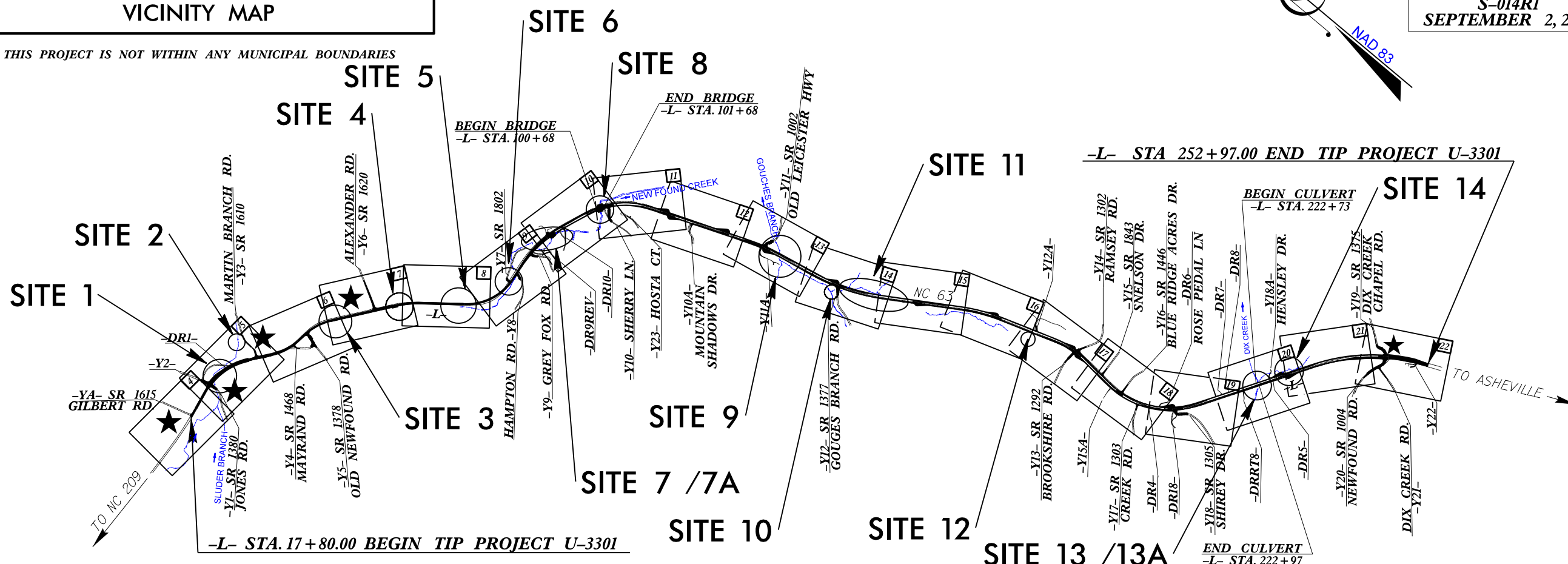
PERMIT DRAWING  
SHEET 1 OF 48

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	U-3301	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
34909.1.1	STP-63(1)	PE	



INCOMPLETE PLANS  
DO NOT USE FOR R/W ACQUISITION  
PRELIMINARY PLANS  
DO NOT USE FOR CONSTRUCTION

100% HYDRO PLANS  
S-014R1  
SEPTEMBER 2, 2015



★ SIGNALIZED INTERSECTION

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD ??

<p><b>GRAPHIC SCALES</b></p> <p>50 25 0 50 100 PLANS</p> <p>50 25 0 50 100 PROFILE (HORIZONTAL)</p> <p>10 5 0 10 20 PROFILE (VERTICAL)</p>	<p><b>DESIGN DATA</b></p> <p>ADT 2014 = 20,200 VPD ADT 2040 = 29,200 VPD</p> <p>K = 9 % D = 70 % T = 4 % * V = 50-60 MPH</p> <p>*TTST = 1% DUAL = 3%</p> <p>FUNCTIONAL CLASSIFICATION MAJOR COLLECTOR (3 LANE) PRINCIPLE ARTERIAL (4 LANE)</p>	<p><b>PROJECT LENGTH</b></p> <p>LENGTH ROADWAY TIP PROJECT U-3301 = 4.431 MILES</p> <p>LENGTH STRUCTURE TIP PROJECT U-3301 = 0.024 MILES</p> <p>TOTAL LENGTH OF TIP PROJECT U-3301 = 4.455 MILES</p> <p>NCDOT CONTACT <b>K. ZAK HAMIDI, PE</b> DESIGN BUILD PROJECT ENGINEER</p>	<p>Prepared in the Office of: <b>VAUGHN &amp; MELTON, INC.</b> 1318-F PATTON AVENUE ASHEVILLE, NC 28806 PHONE (828)253-2796</p> <p>2012 STANDARD SPECIFICATIONS</p> <p>RIGHT OF WAY DATE: MARCH 16, 2015</p> <p>LETTING DATE: MARCH 16, 2015</p> <p>RECE SCHULER, PE PROJECT ENGINEER</p> <p>JOHN LANSFORD, PE PROJECT DESIGN ENGINEER</p>	<p>HYDRAULICS ENGINEER</p> <p>SIGNATURE: _____ P.E.</p> <p>ROADWAY DESIGN ENGINEER</p> <p>SIGNATURE: _____ P.E.</p>	<p>DIVISION OF HIGHWAYS</p> <p>STATE OF NORTH CAROLINA</p>
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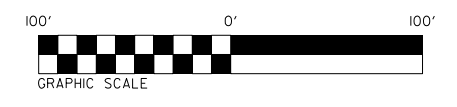
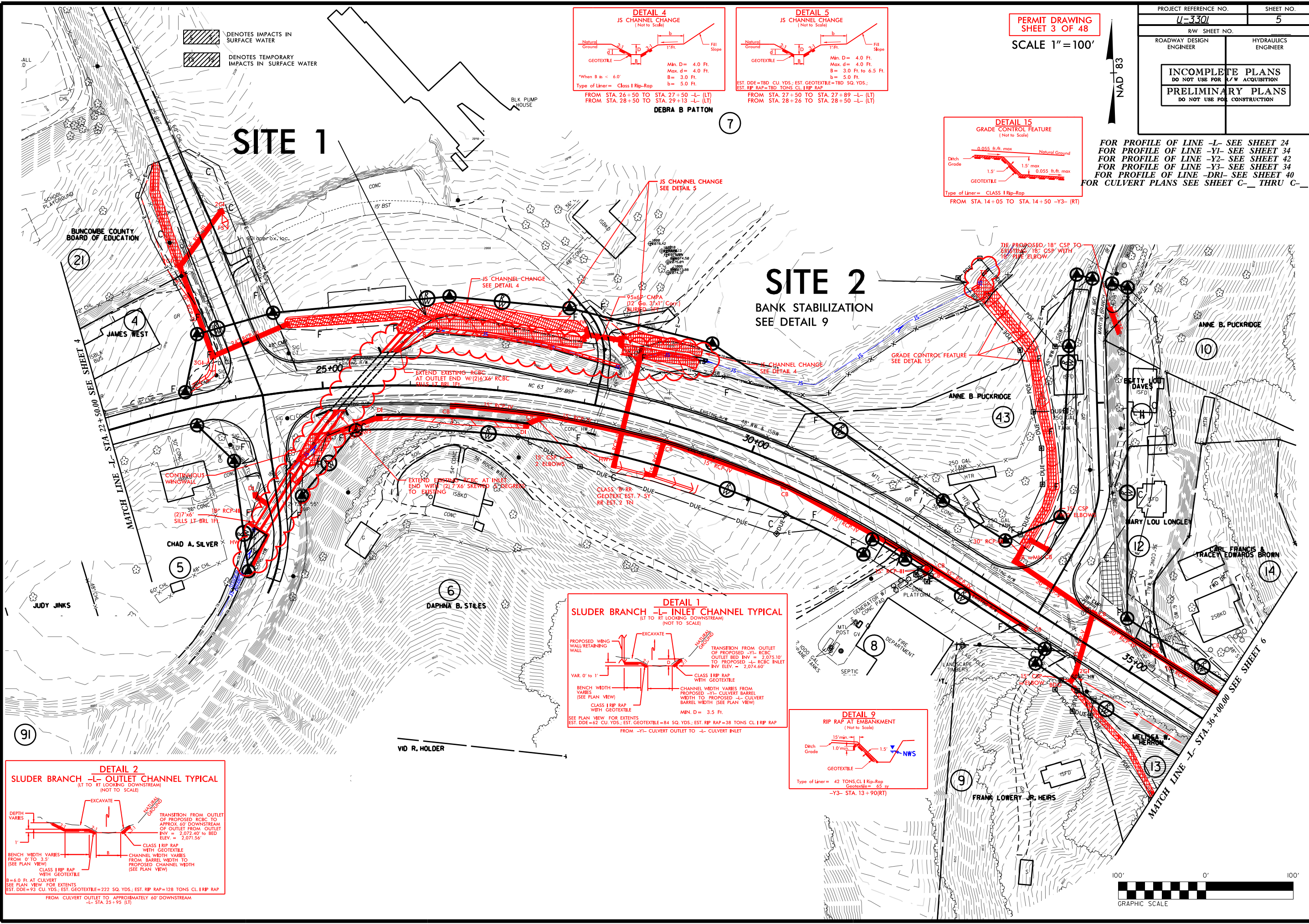
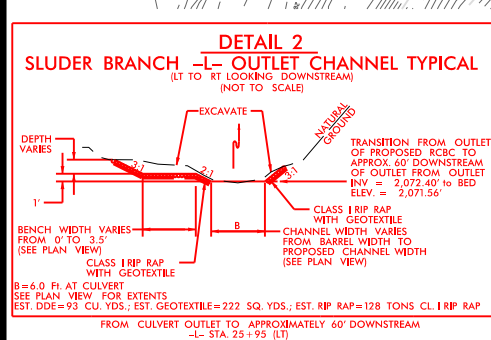
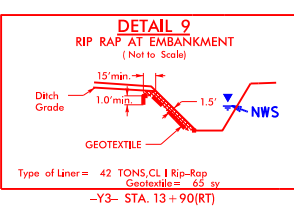
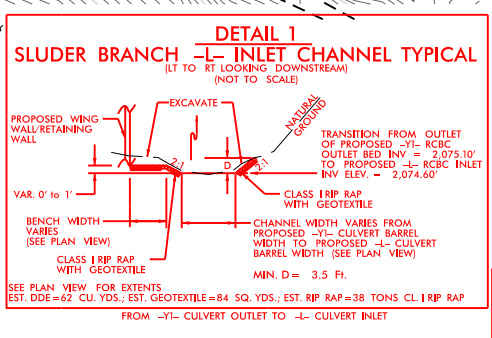
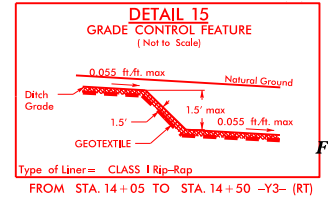
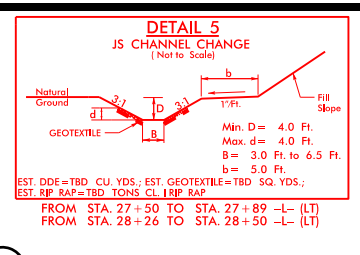
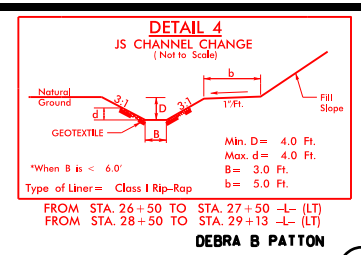






PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>5</b>
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

**PERMIT DRAWING**  
**SHEET 3 OF 48**  
**SCALE 1" = 100'**



8/17/99  
 3/14/2016 AM  
 10:10:32  
 REVISIONS  
 PROJECT: U-3301, SITE 1 & 2, BANK STABILIZATION  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]



PROJECT REFERENCE NO. U-3301	SHEET NO. 5 DETAIL
RW SHEET NO. ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

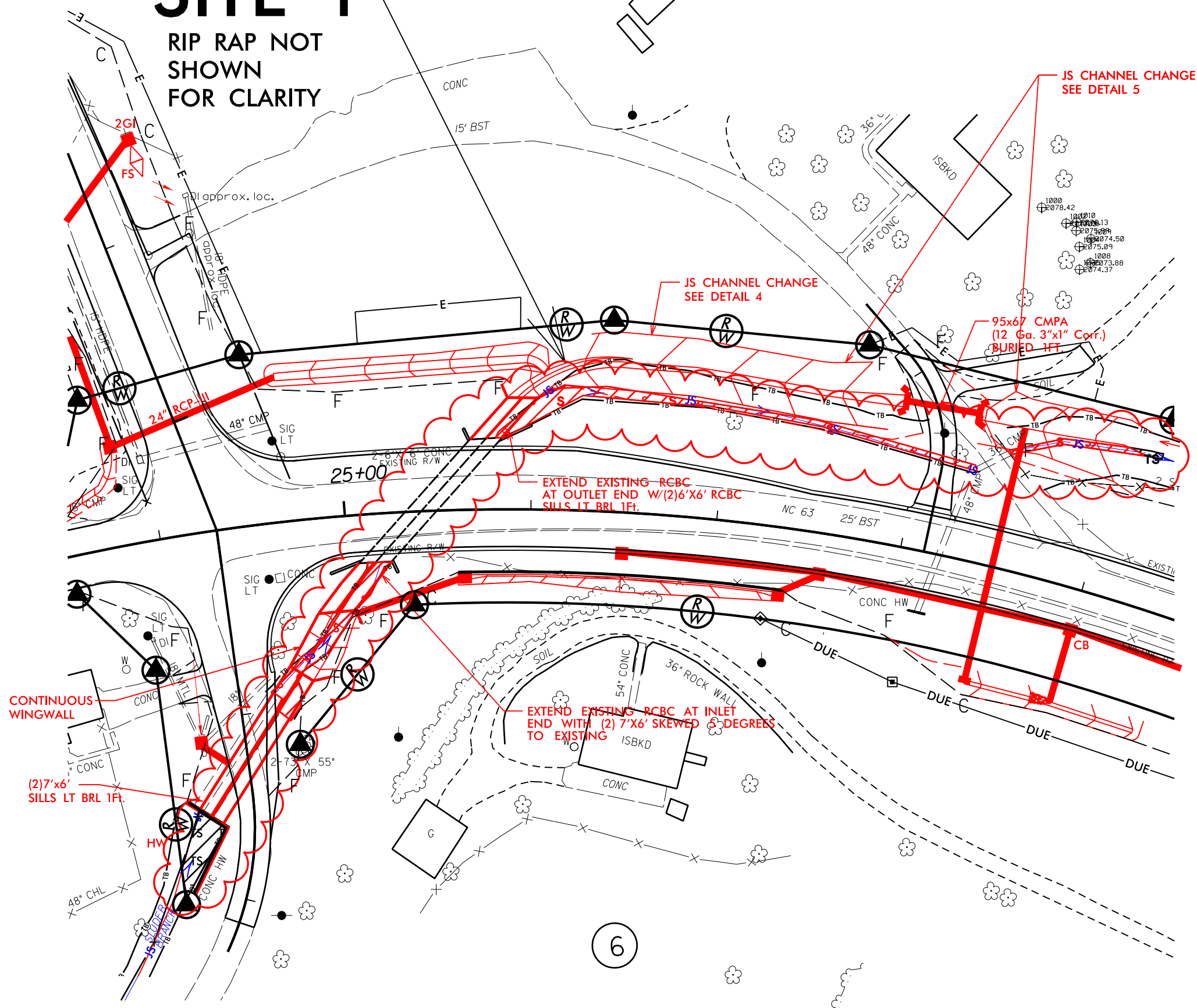
PERMIT DRAWING  
SHEET 4 OF 48

SCALE 1" = 60'



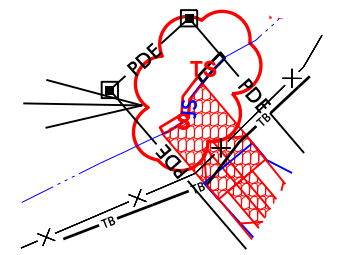
# SITE 1

RIP RAP NOT SHOWN FOR CLARITY

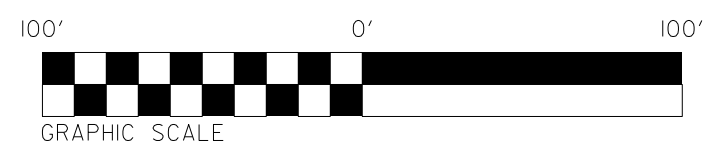


- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

# SITE 2



BANK STABILIZATION  
SEE DETAIL 9



REVISIONS

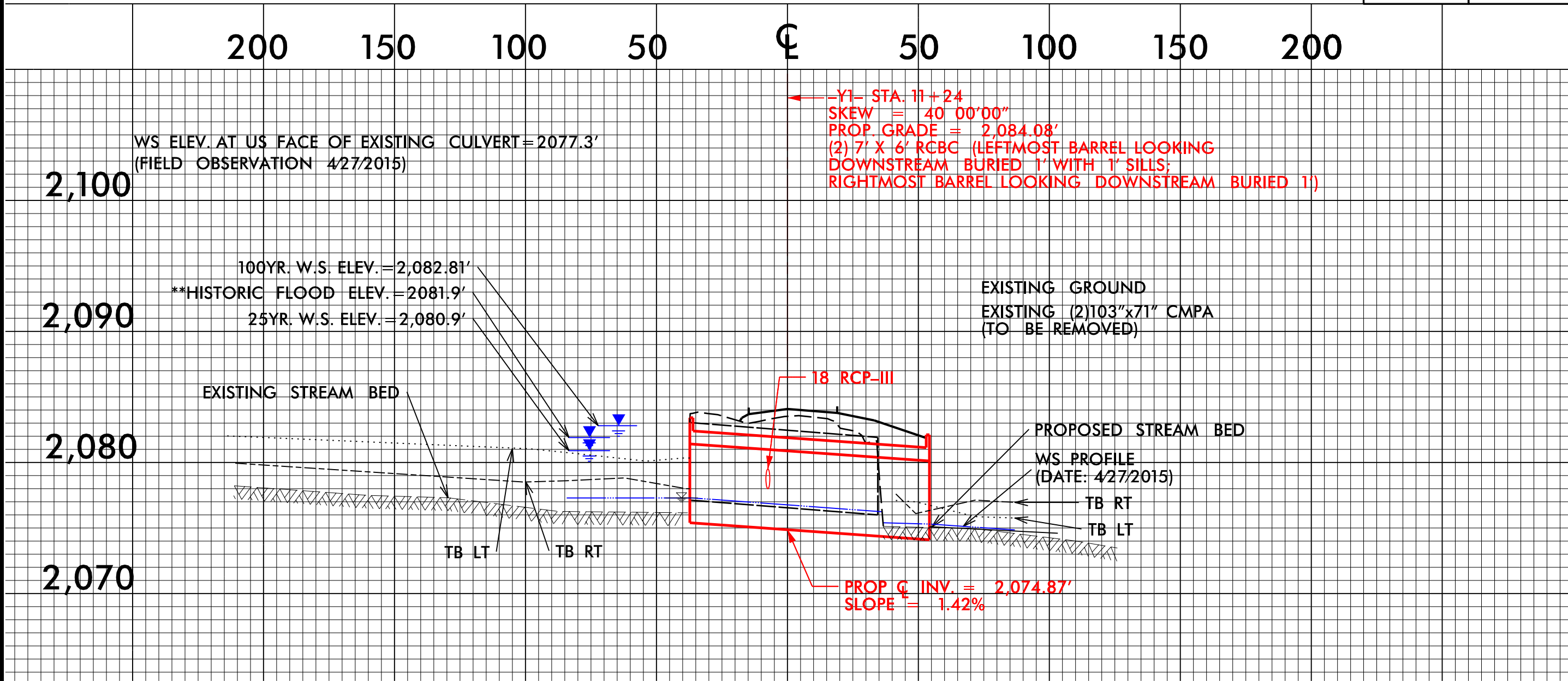
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5/14/99

PROJECT REFERENCE NO.	SHEET NO.
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PERMIT DRAWING SHEET 5 OF 48	

# SITE 1



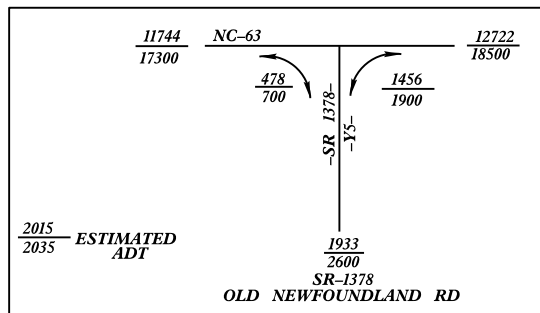
HORIZ. SCALE 1" = 40'  
VERT. SCALE 1" = 8'

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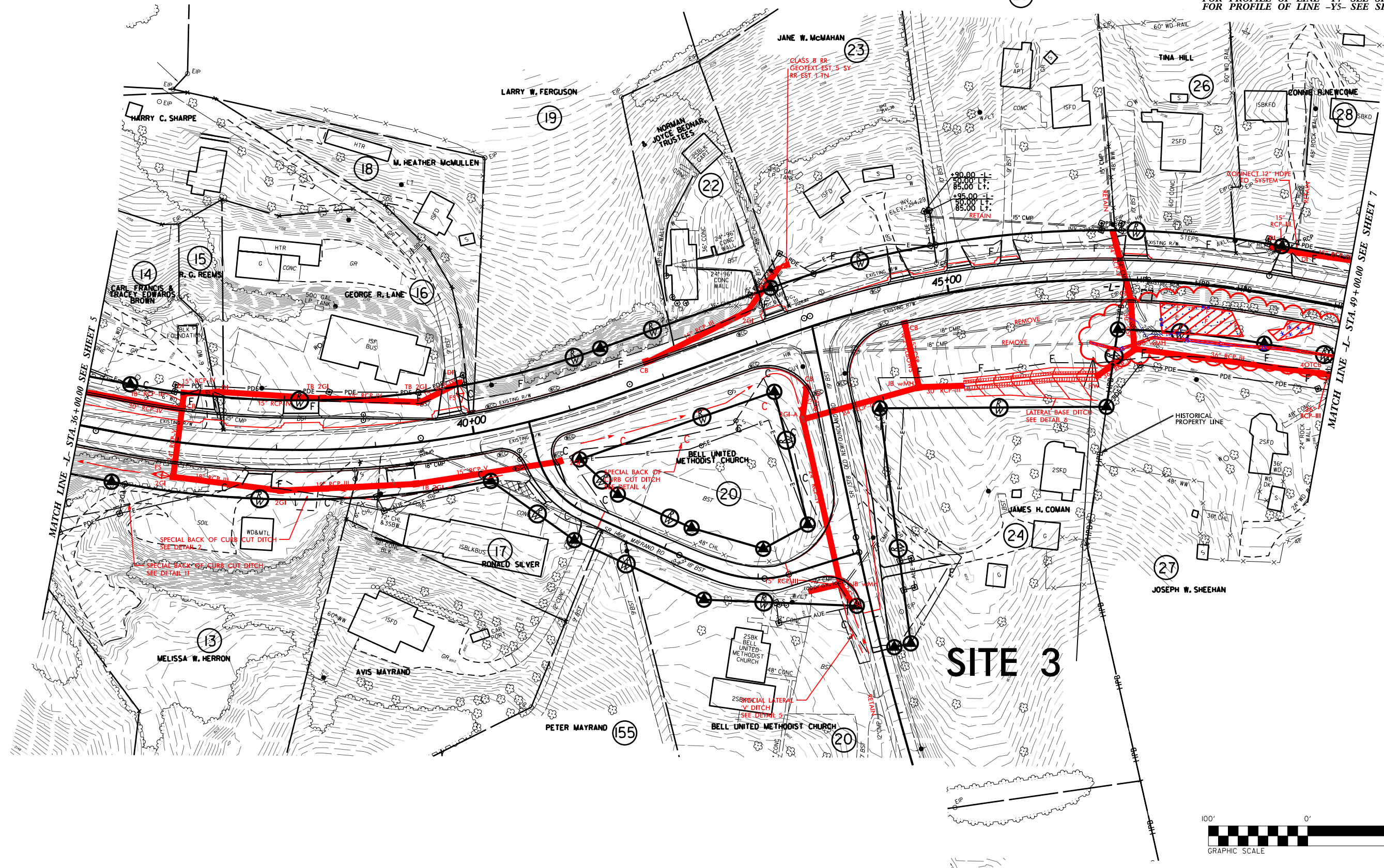


PERMIT DRAWING  
SHEET 8 OF 48  
SCALE 1" = 100'

PROJECT REFERENCE NO.	SHEET NO.
U-3301	6
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF LINE -L- SEE SHEETS 24 & 25  
 FOR PROFILE OF LINE -Y4- SEE SHEET 34  
 FOR PROFILE OF LINE -Y5- SEE SHEET 35

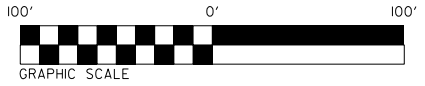
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND



MATCH LINE -L- STA. 36+00.00 SEE SHEET 5

MATCH LINE -L- STA. 49+00.00 SEE SHEET 7

**SITE 3**



REVISIONS

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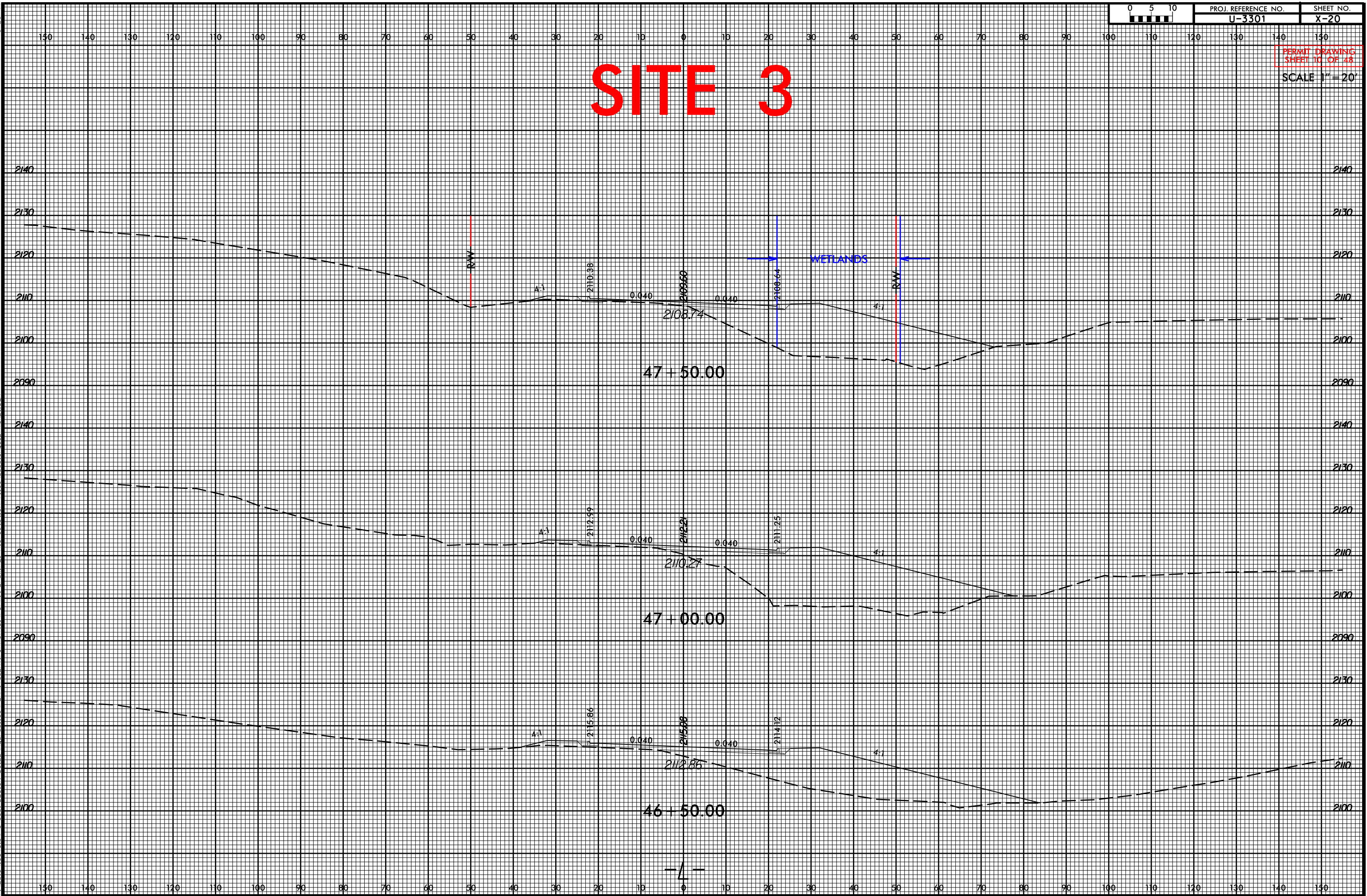




8/23/99

PERMIT DRAWING  
SHEET 10 OF 28  
SCALE 1" = 20'

# SITE 3



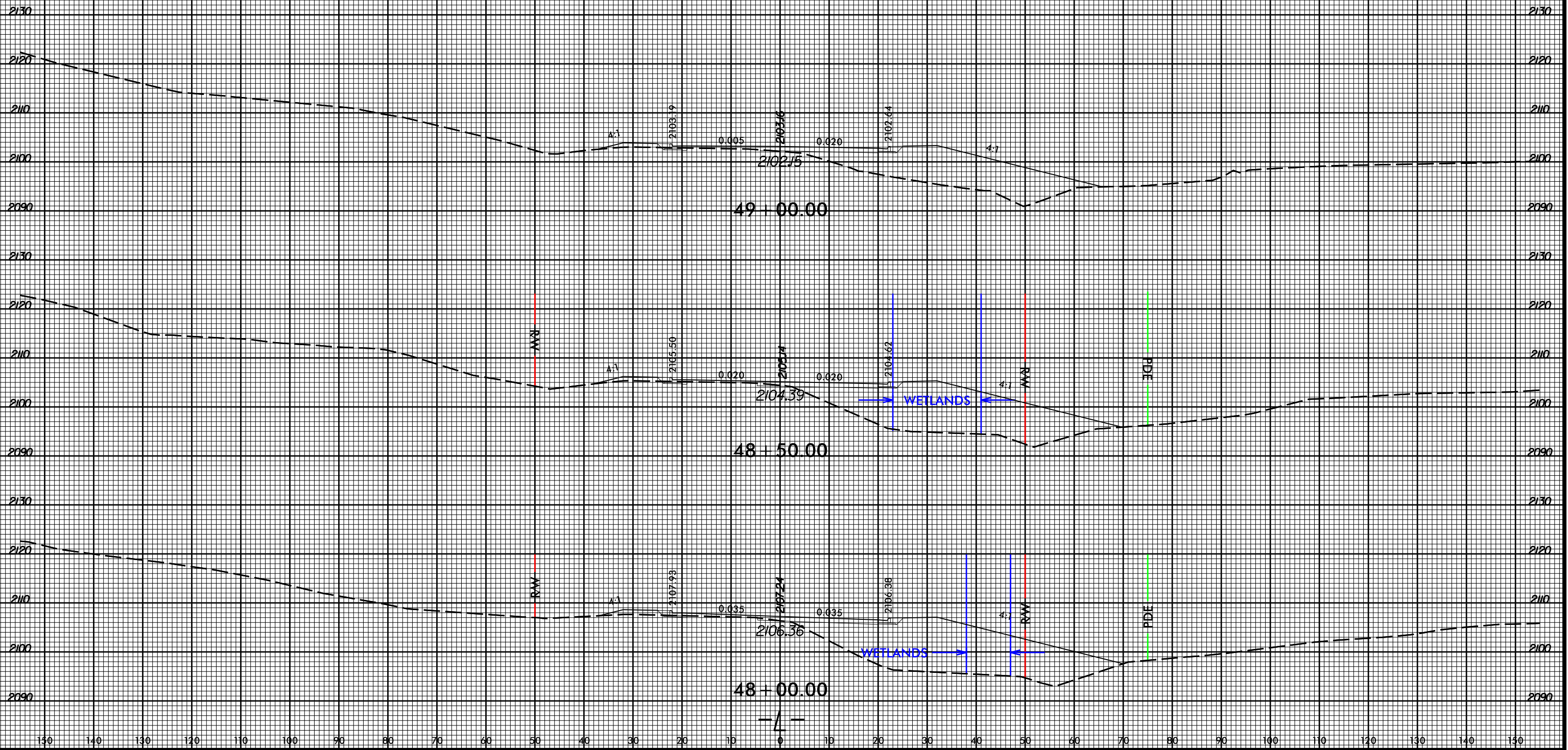
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8/23/99



# SITE 3

PERMIT DRAWING  
SHEET 11 OF 28  
SCALE 1" = 20'



3/14/2016 10:28:20 AM  
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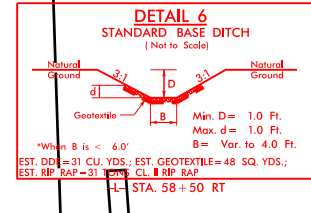
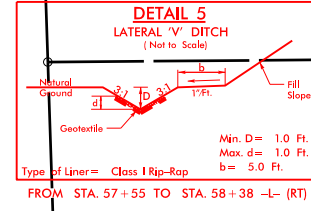
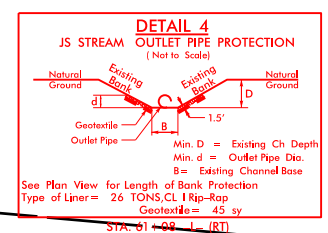




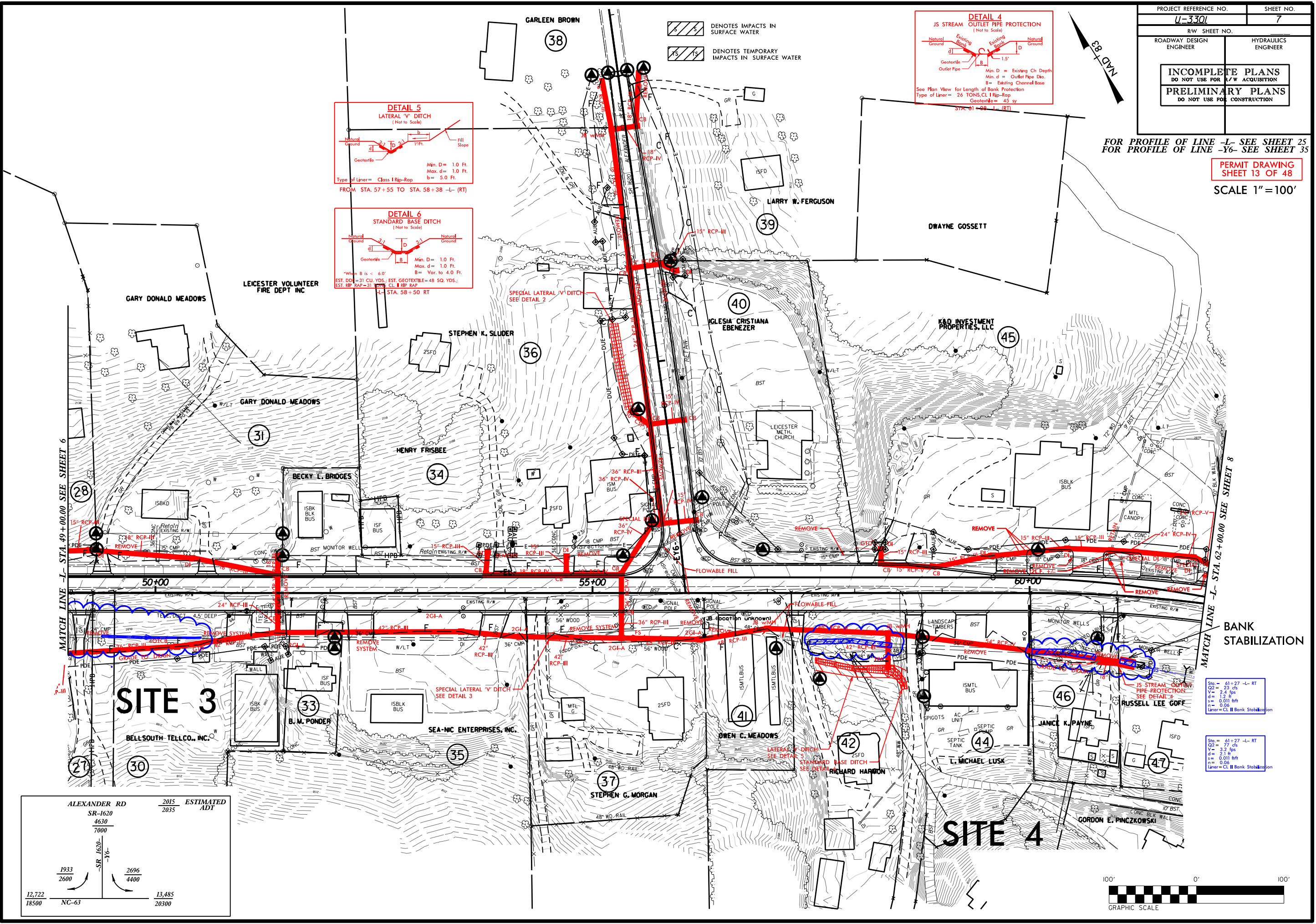
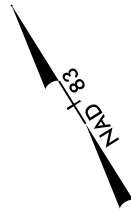
PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>7</b>
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF LINE -L- SEE SHEET 25  
FOR PROFILE OF LINE -Y6- SEE SHEET 35

PERMIT DRAWING  
SHEET 13 OF 48  
SCALE 1" = 100'



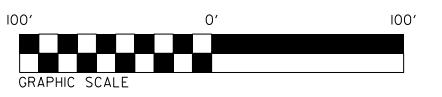
5/5 DENOTES IMPACTS IN SURFACE WATER  
7/5 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



ALEXANDER RD		2015	ESTIMATED
SR-1620		2035	ADT
4630			
7000			
1933			
2600			
-SR 1620-			
-36-			
2696			
4400			
12,722			
18500			
NC-63			
		13,485	
		20300	

Sta = 61+27 -L- RT  
Q2 = 23 cfs  
V = 2.4 fps  
d = 1.2 ft  
s = 0.011 ft/ft  
n = 0.06  
Liner = CL II Bank Stabilization

Sta = 61+27 -L- RT  
Q2 = 77 cfs  
V = 3.2 fps  
d = 1.2 ft  
s = 0.011 ft/ft  
n = 0.06  
Liner = CL II Bank Stabilization



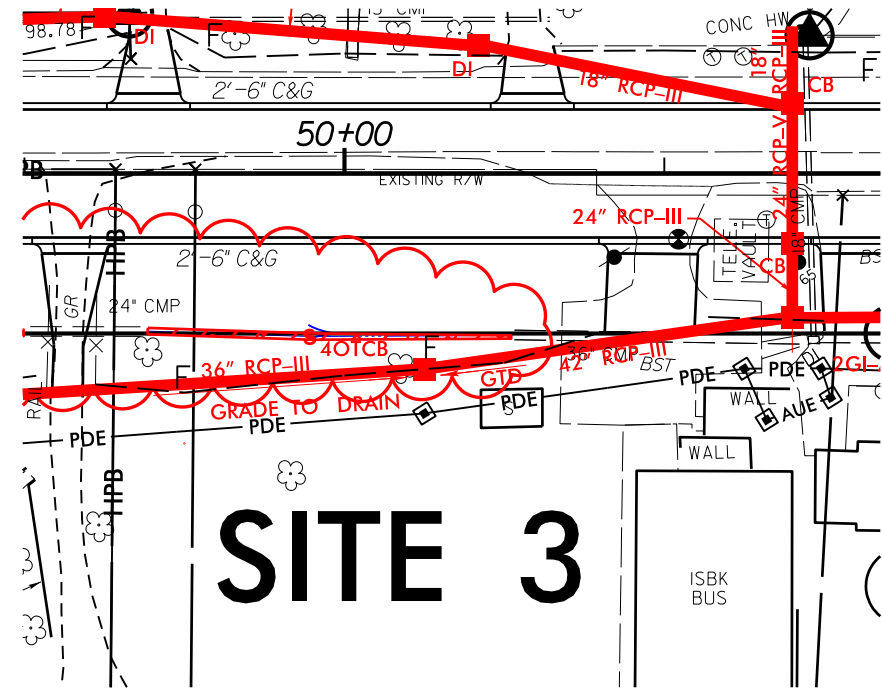
REVISIONS

3/14/2016 10:34:56 AM 12:22:15 18500 NC-63 13,485 20300

PROJECT REFERENCE NO.	SHEET NO.
	7 DETAIL
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

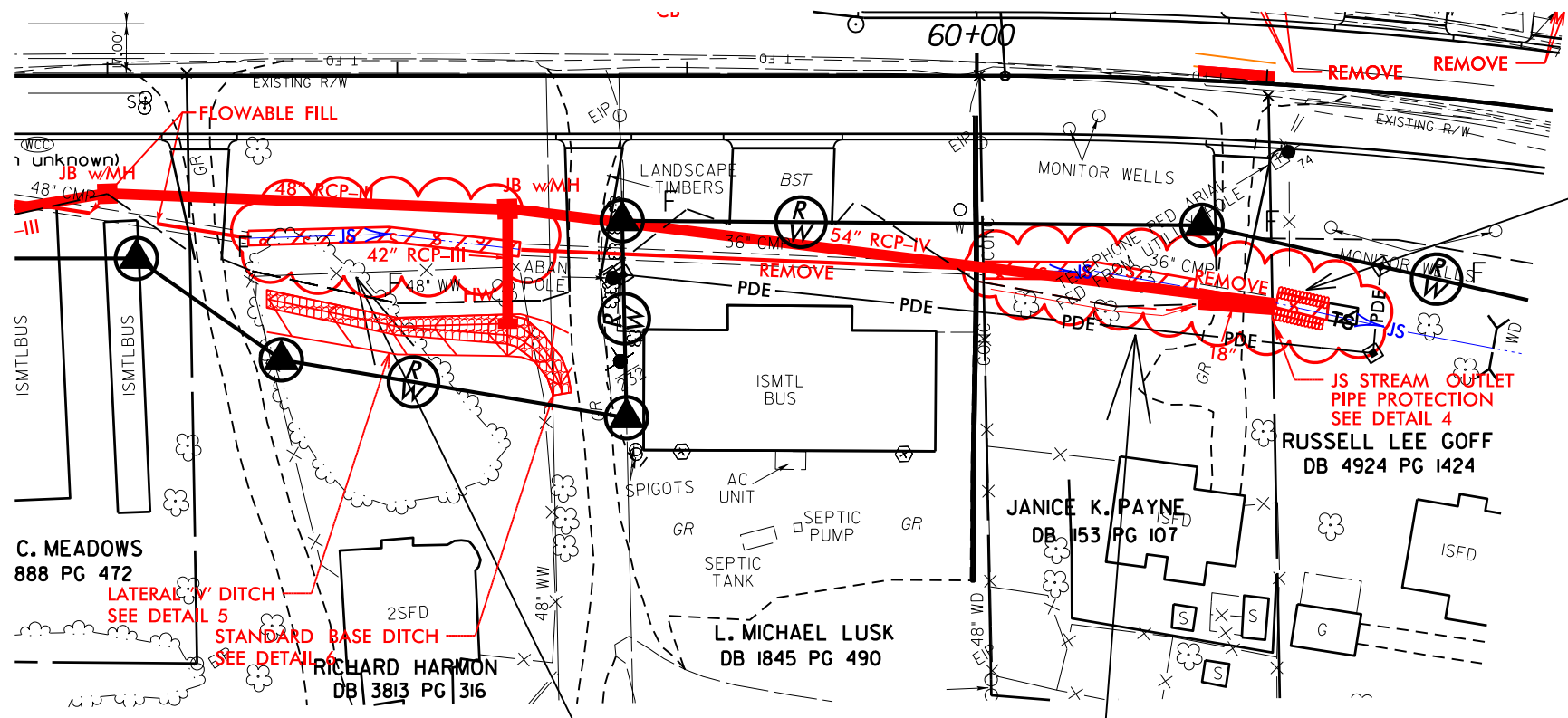
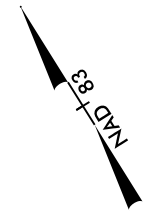
PERMIT DRAWING  
SHEET 14 OF 48

SCALE 1" = 60'



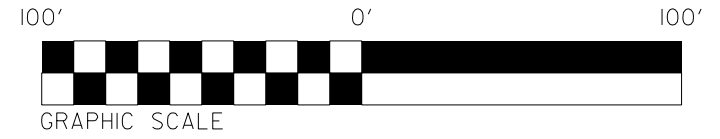
# SITE 3

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER



# SITE 4

BANK STABILIZATION



REVISIONS

8/17/99  
 3/14/2016  
 10:34:46 AM  
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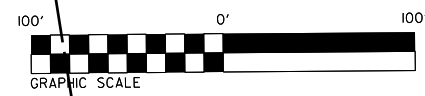
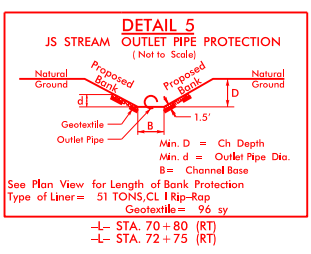
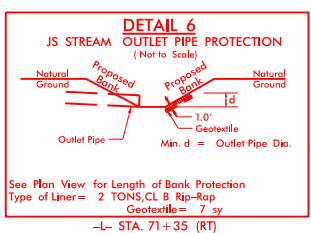
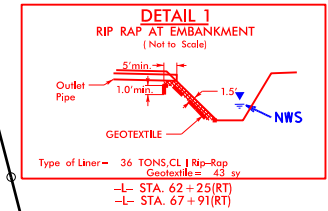


PROJECT REFERENCE NO.	SHEET NO.
U-3301	8
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

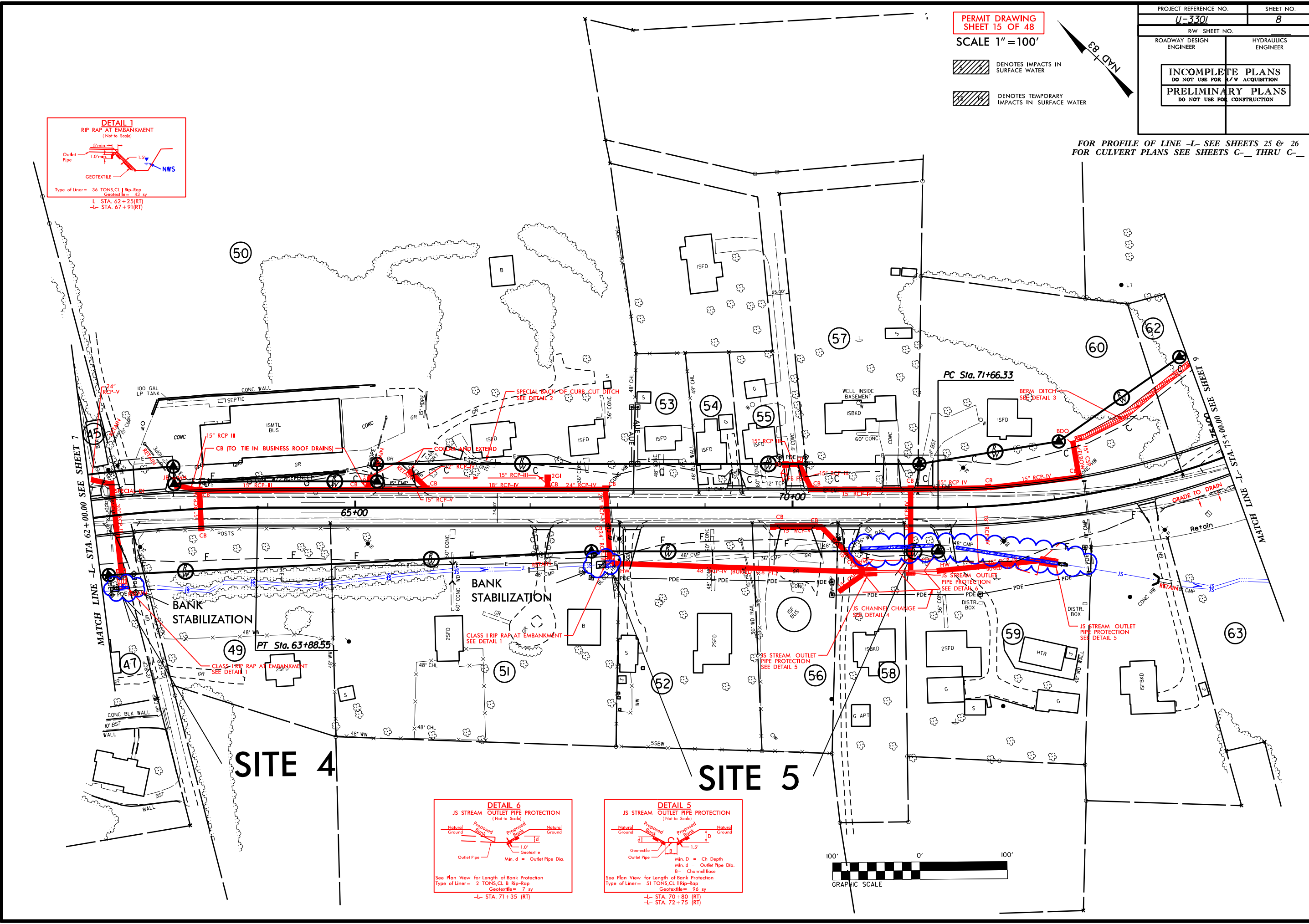
PERMIT DRAWING  
SHEET 15 OF 48  
SCALE 1" = 100'

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

FOR PROFILE OF LINE -L- SEE SHEETS 25 & 26  
FOR CULVERT PLANS SEE SHEETS C- THRU C-



8/17/99  
 REVISIONS  
 4/13/2016 PM  
 2:50:43  
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8/17/99

REVISIONS

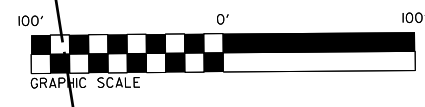
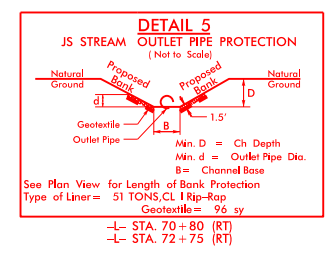
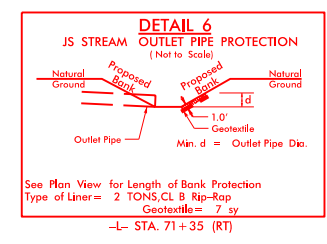
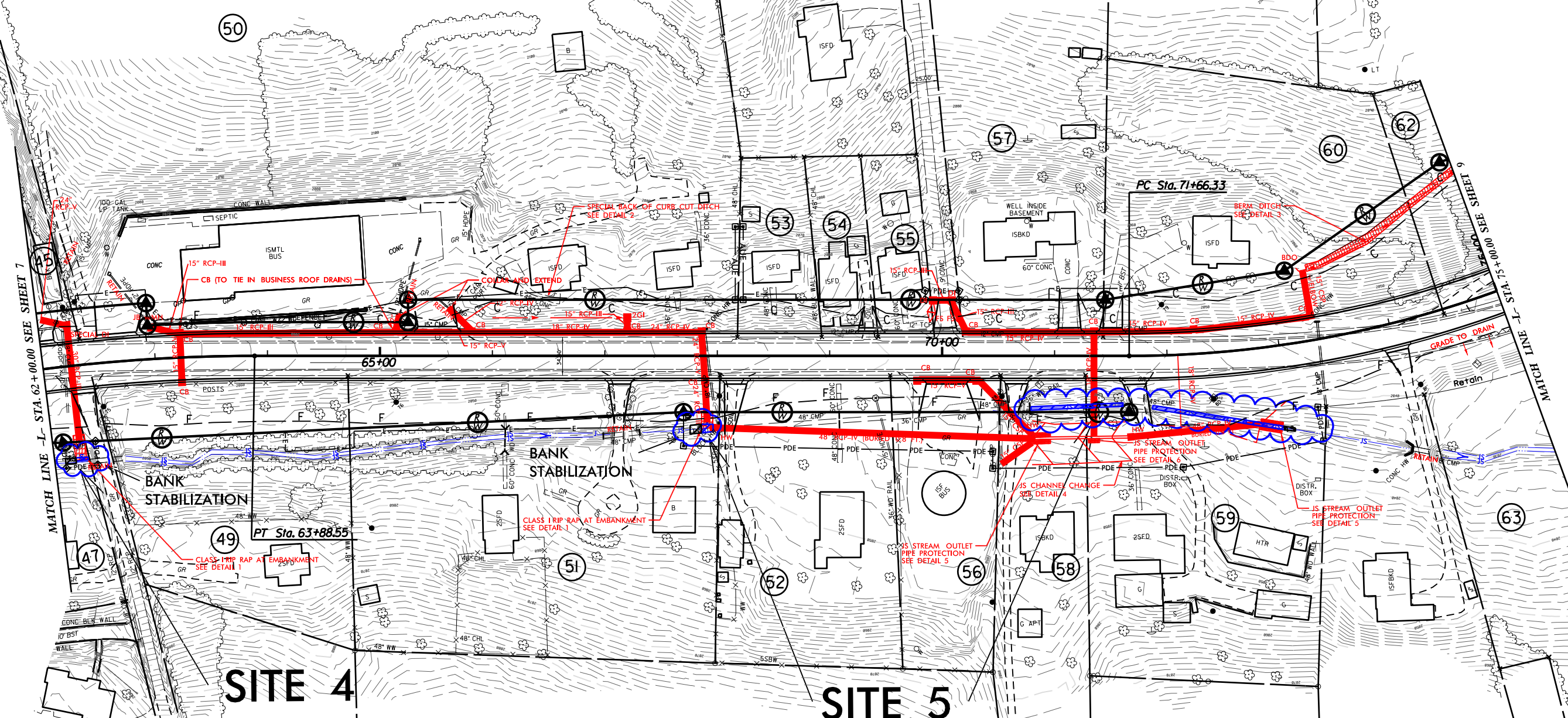
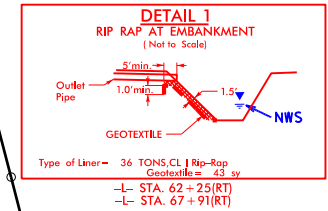
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25/01/15/2016 08:11:20:01 Design: Environmental Permit Drawings: Microsoft Word: 15 and 16.mxd: 8.dwg

PERMIT DRAWING  
SHEET 16 OF 48  
SCALE 1" = 100'

/// DENOTES IMPACTS IN SURFACE WATER  
/// DENOTES TEMPORARY IMPACTS IN SURFACE WATER

PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>8</b>
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

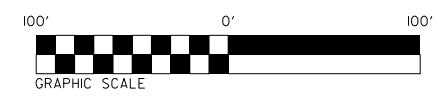
FOR PROFILE OF LINE -L- SEE SHEETS 25 & 26  
FOR CULVERT PLANS SEE SHEETS C- THRU C-



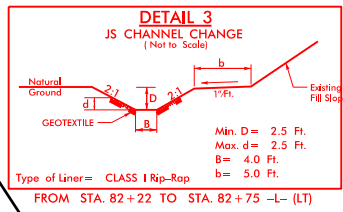
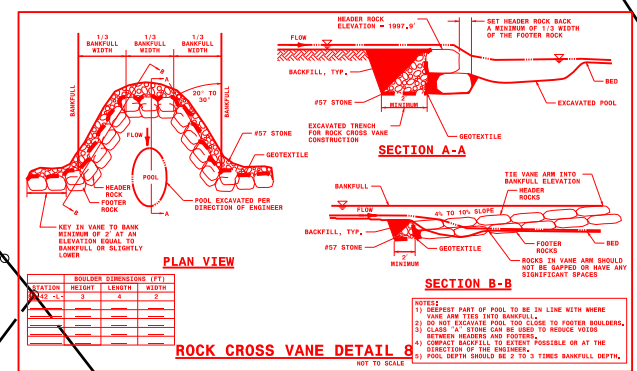




PERMIT DRAWING  
SHEET 18 OF 48  
SCALE 1" = 100'



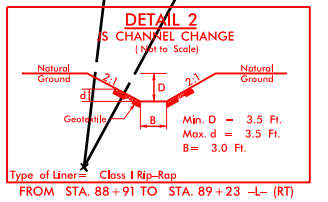
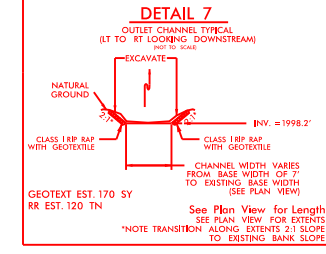
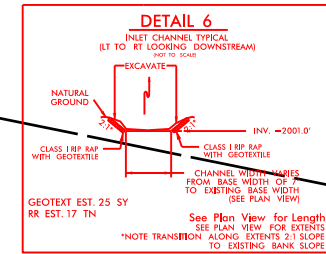
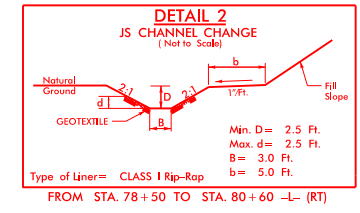
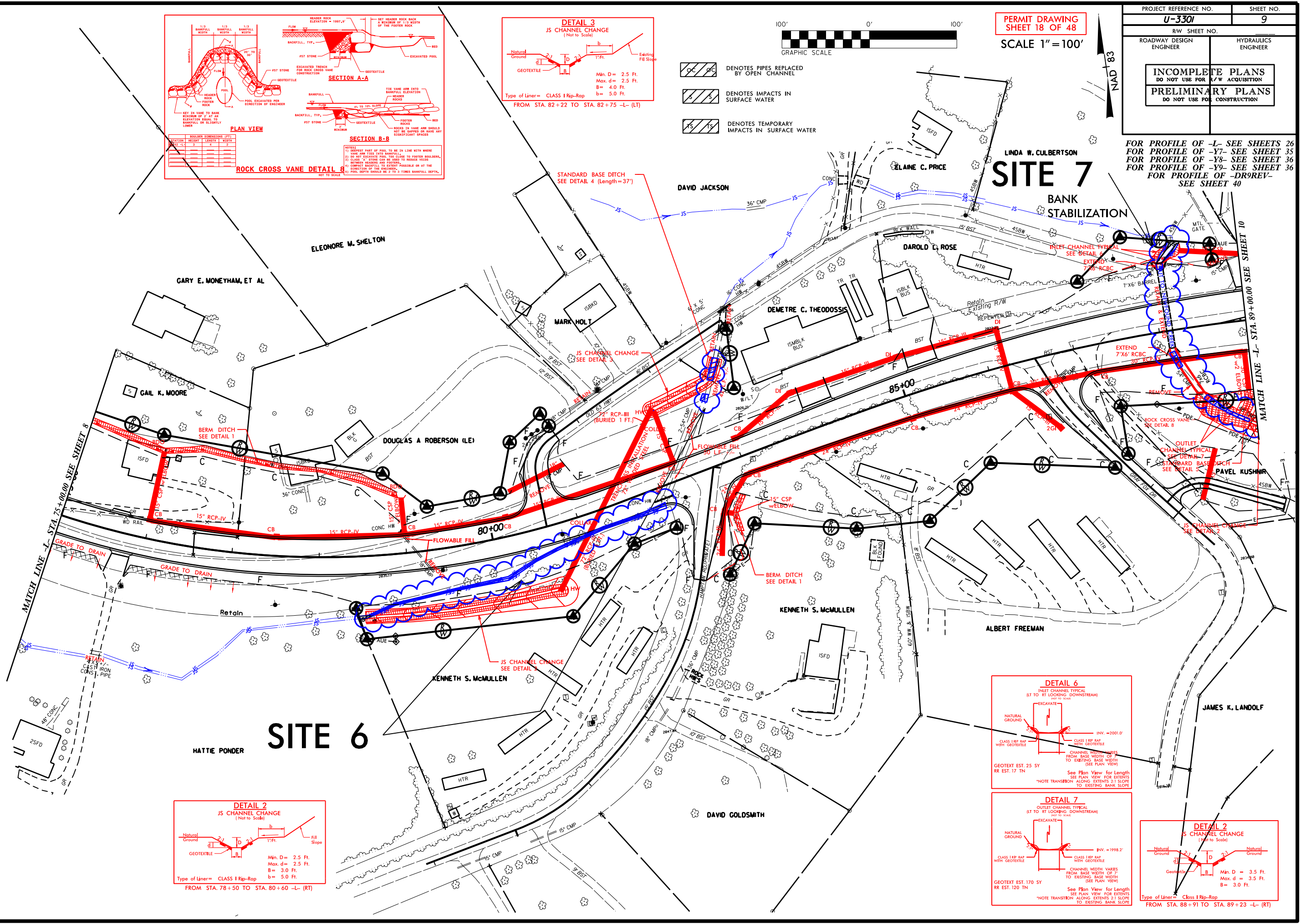
NAD 83



- DENOTES PIPES REPLACED BY OPEN CHANNEL
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

**SITE 7**  
BANK STABILIZATION

FOR PROFILE OF -L- SEE SHEETS 26  
FOR PROFILE OF -Y7- SEE SHEET 35  
FOR PROFILE OF -Y8- SEE SHEET 36  
FOR PROFILE OF -Y9- SEE SHEET 36  
FOR PROFILE OF -DR9REV- SEE SHEET 40

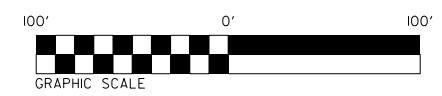


REVISIONS

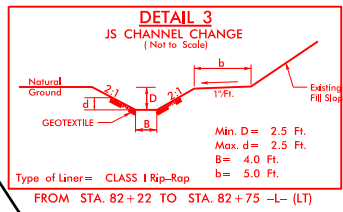
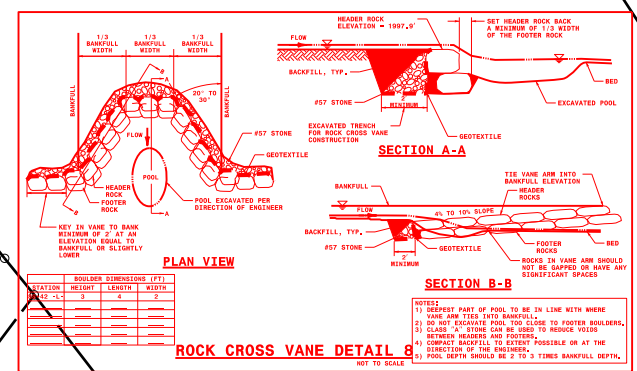
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 11-2001 DESIGN BUIL D.M.H.



PERMIT DRAWING  
 SHEET 19 OF 48  
 SCALE 1" = 100'



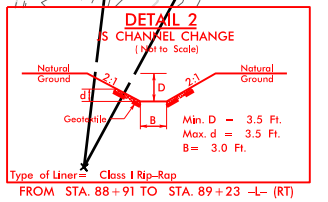
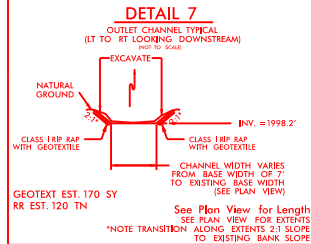
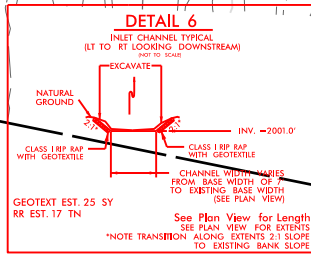
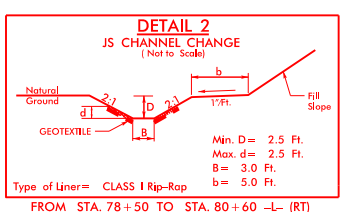
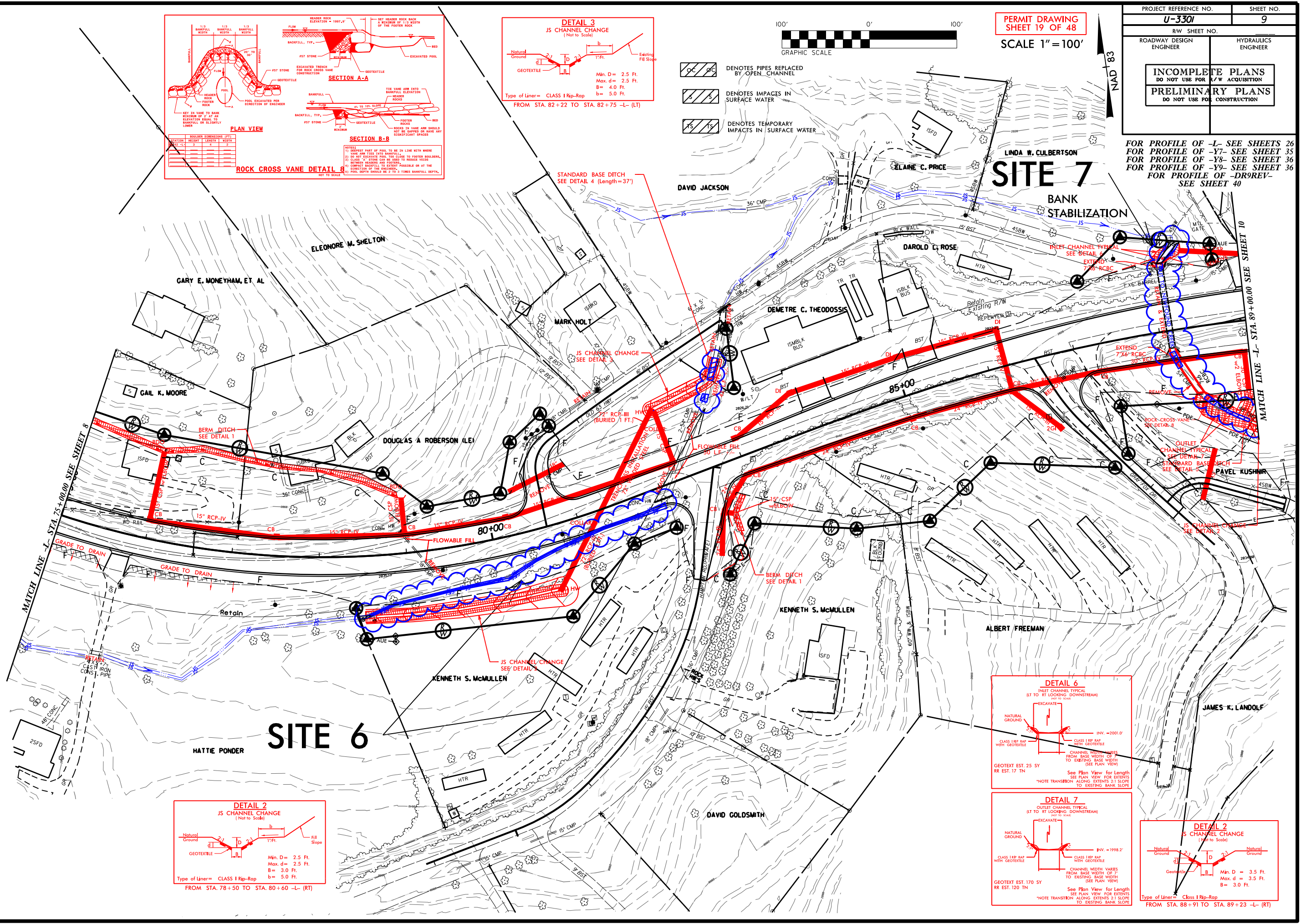
NAD 83



- OC OC DENOTES PIPES REPLACED BY OPEN CHANNEL
- AS AS DENOTES IMPACTS IN SURFACE WATER
- TS TS DENOTES TEMPORARY IMPACTS IN SURFACE WATER

FOR PROFILE OF -L- SEE SHEETS 26  
 FOR PROFILE OF -Y7- SEE SHEET 35  
 FOR PROFILE OF -Y8- SEE SHEET 36  
 FOR PROFILE OF -Y9- SEE SHEET 36  
 FOR PROFILE OF -DR9REV- SEE SHEET 40

**SITE 7**  
 BANK STABILIZATION



REVISIONS

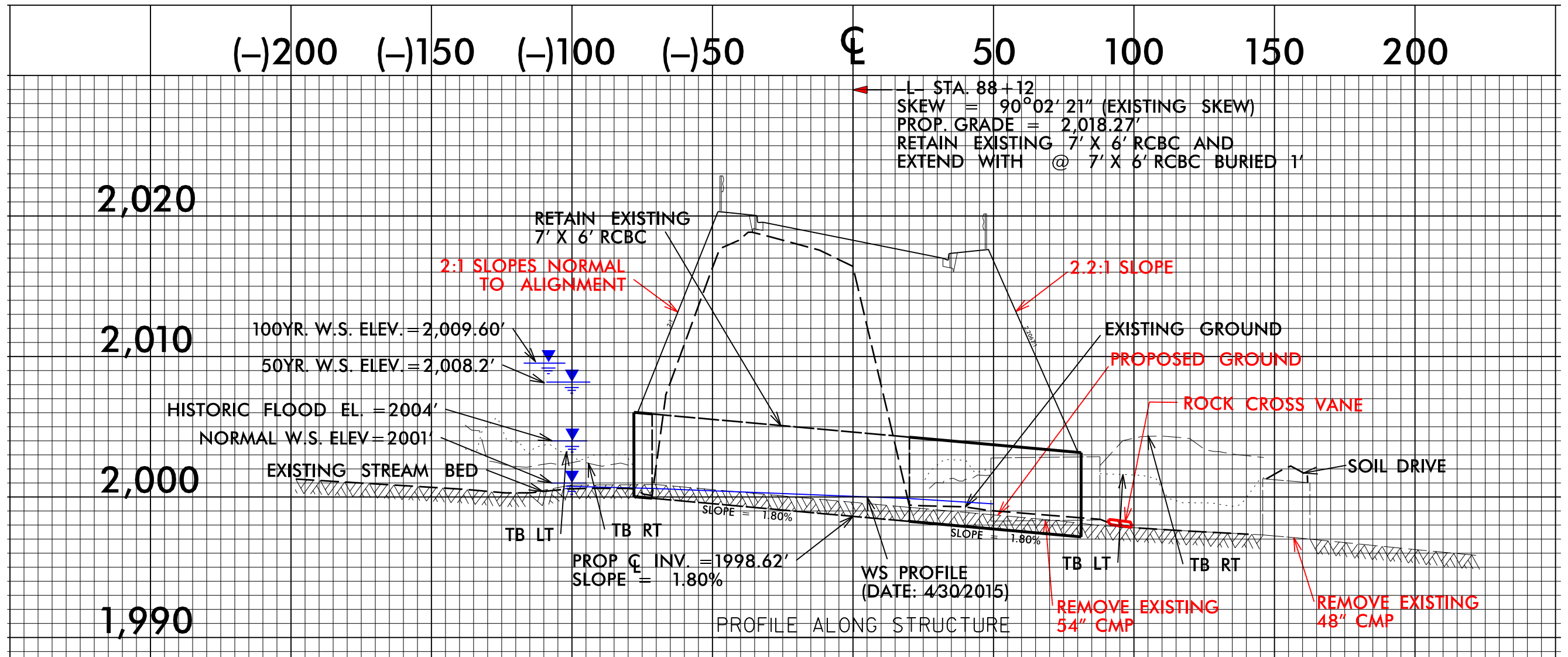
8/17/99  
 3/14/2016  
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PROJECT REFERENCE NO.	SHEET NO.
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

# SITE 7

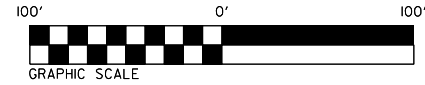


HORIZ. SCALE 1" = 40'  
 VERT. SCALE 1" = 8'

PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>10</b>
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

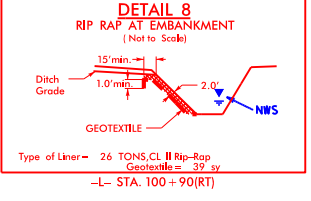
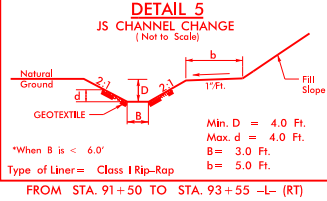
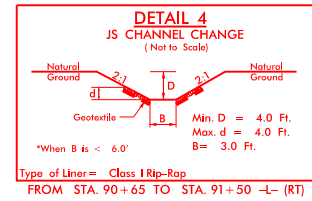
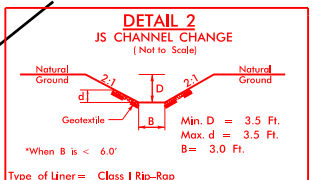
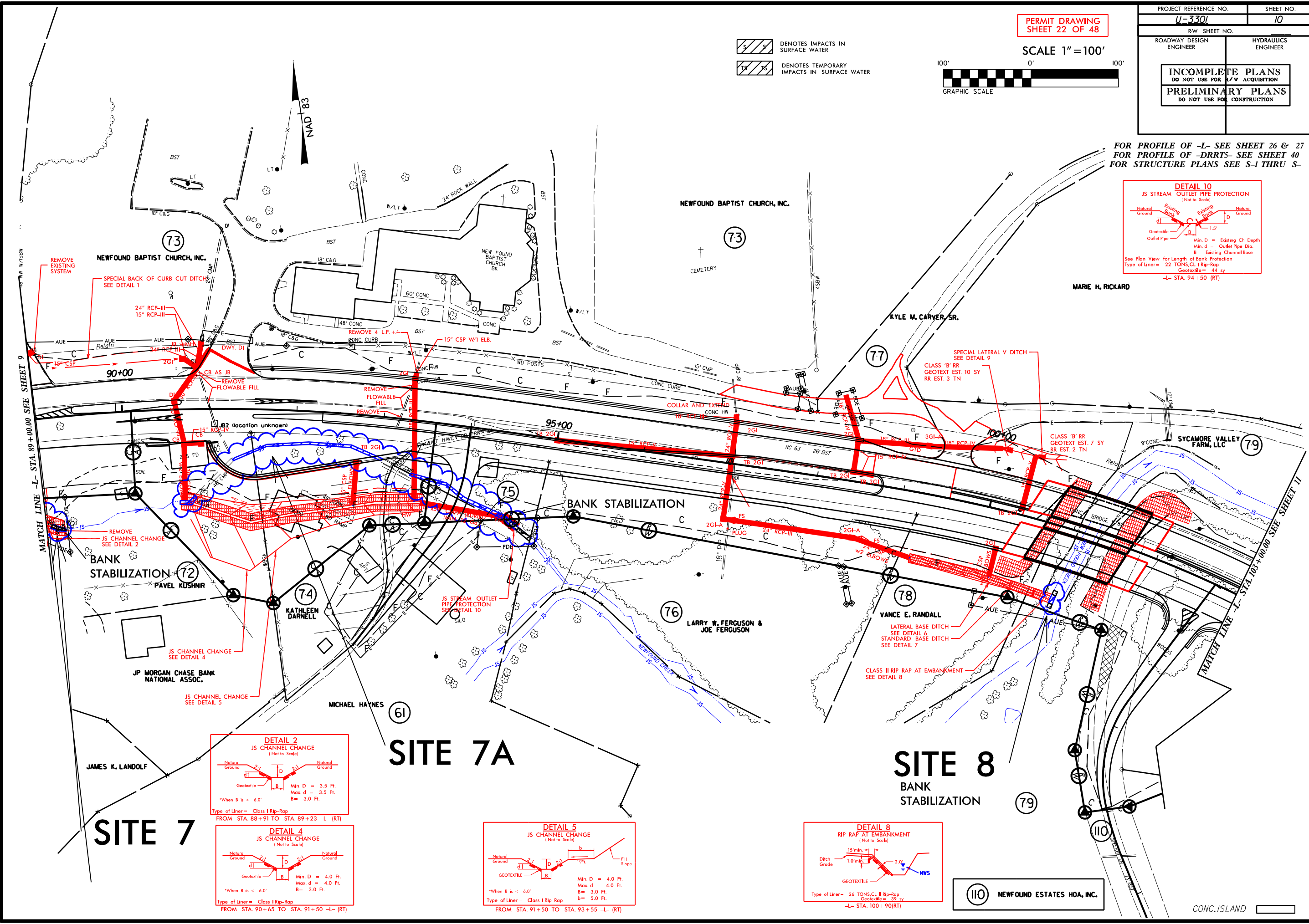
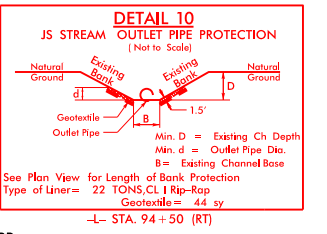
**PERMIT DRAWING**  
SHEET 22 OF 48

SCALE 1" = 100'



- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER

FOR PROFILE OF -L- SEE SHEET 26 & 27  
FOR PROFILE OF -DRRTS- SEE SHEET 40  
FOR STRUCTURE PLANS SEE S-1 THRU S-



**SITE 7**

**SITE 7A**

**SITE 8**  
BANK STABILIZATION

**110 NEWFOUND ESTATES HOA, INC.**

CONC. ISLAND

REVISIONS

8/17/99  
3/17/2016 PM  
2:52:56Z  
2016.04.08 11:32:01 AM  
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Project: Newfound Estates  
Sheet: 22 of 48  
Scale: 1" = 100'  
Date: 3/17/2016

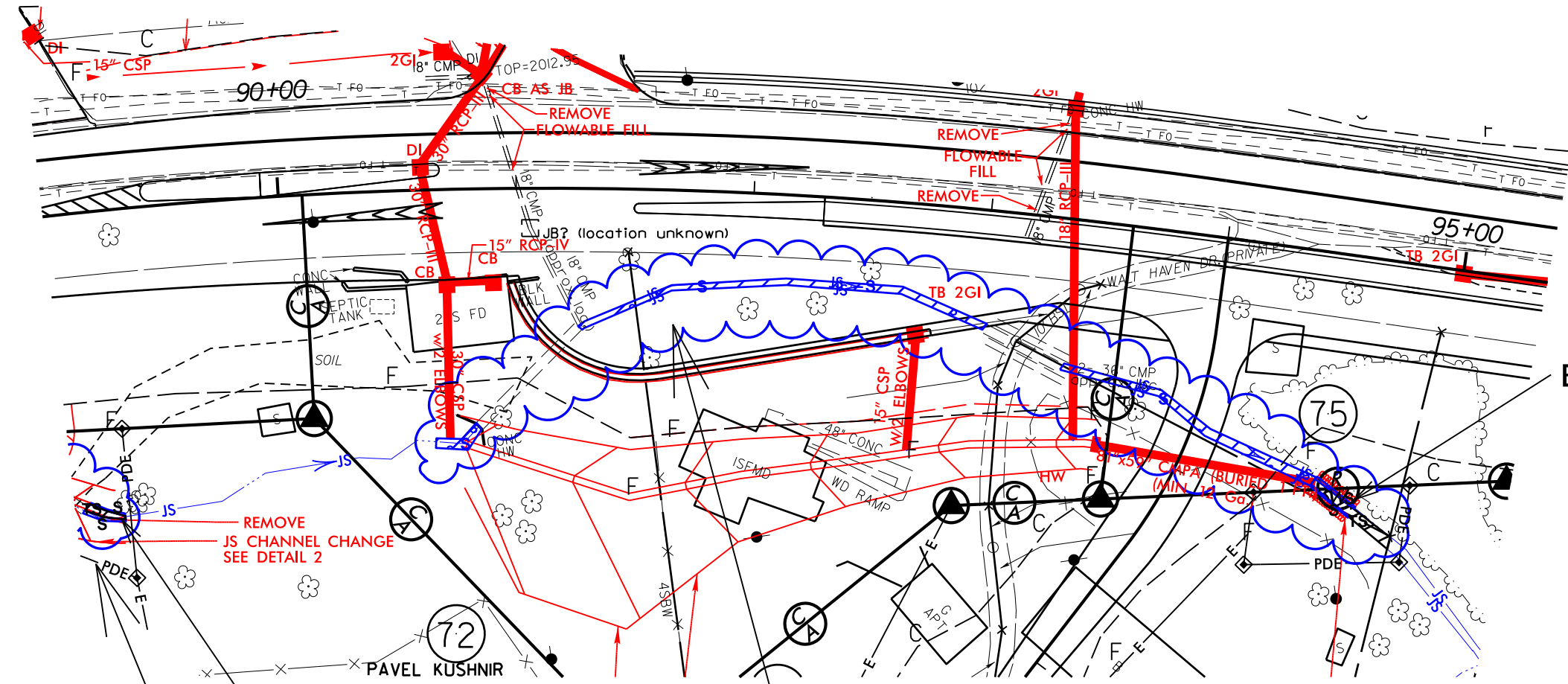




PROJECT REFERENCE NO.	SHEET NO.
	10 DETAIL
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 24 OF 48

SCALE 1" = 60'

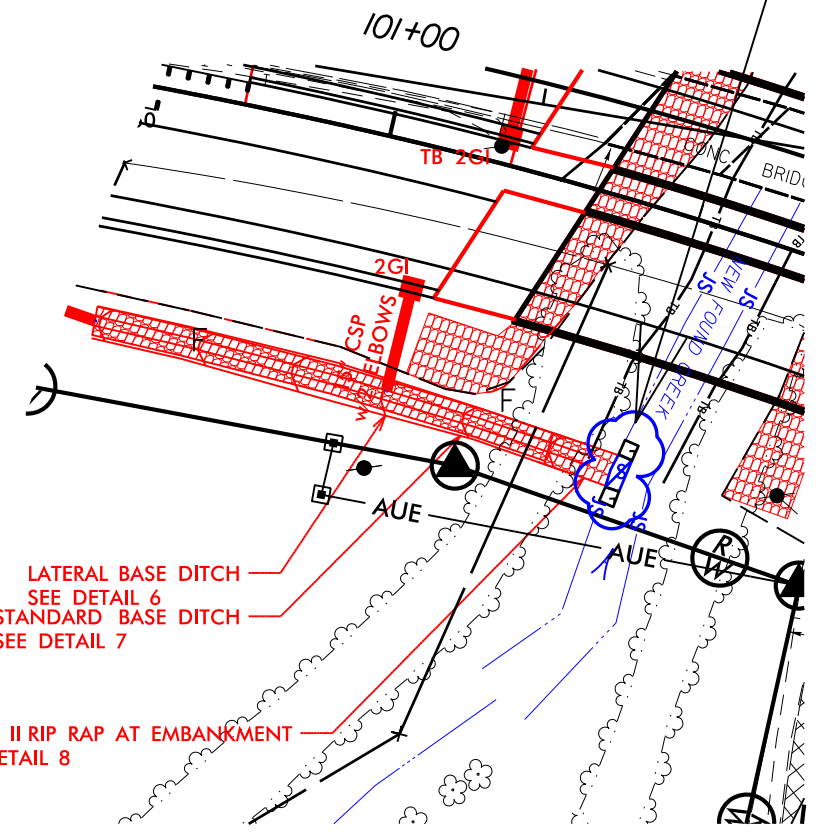


BANK STABILIZATION  
RIGHT OF WAY  
NOT SHOWN  
FOR CLARITY

BANK  
STABILIZATION  
RIP RAP AND EXISTING PIPE TEXT  
NOT SHOWN FOR CLARITY

# SITE 8

## BANK STABILIZATION

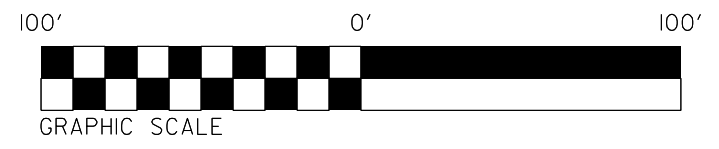


LATERAL BASE DITCH  
SEE DETAIL 6  
STANDARD BASE DITCH  
SEE DETAIL 7  
  
CLASS II RIP RAP AT EMBANKMENT  
SEE DETAIL 8

# SITE 7A

# SITE 7

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER



REVISIONS

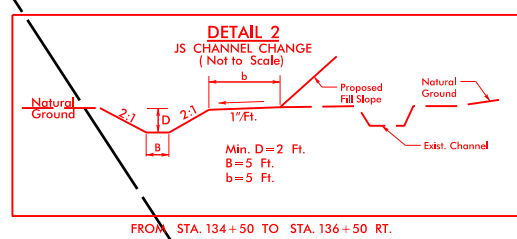
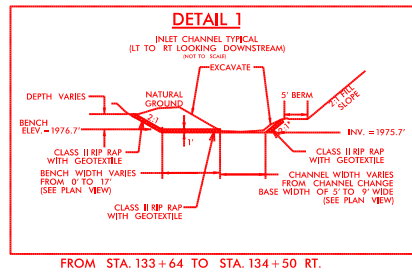
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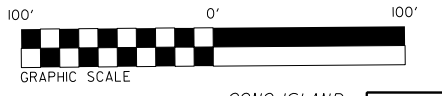
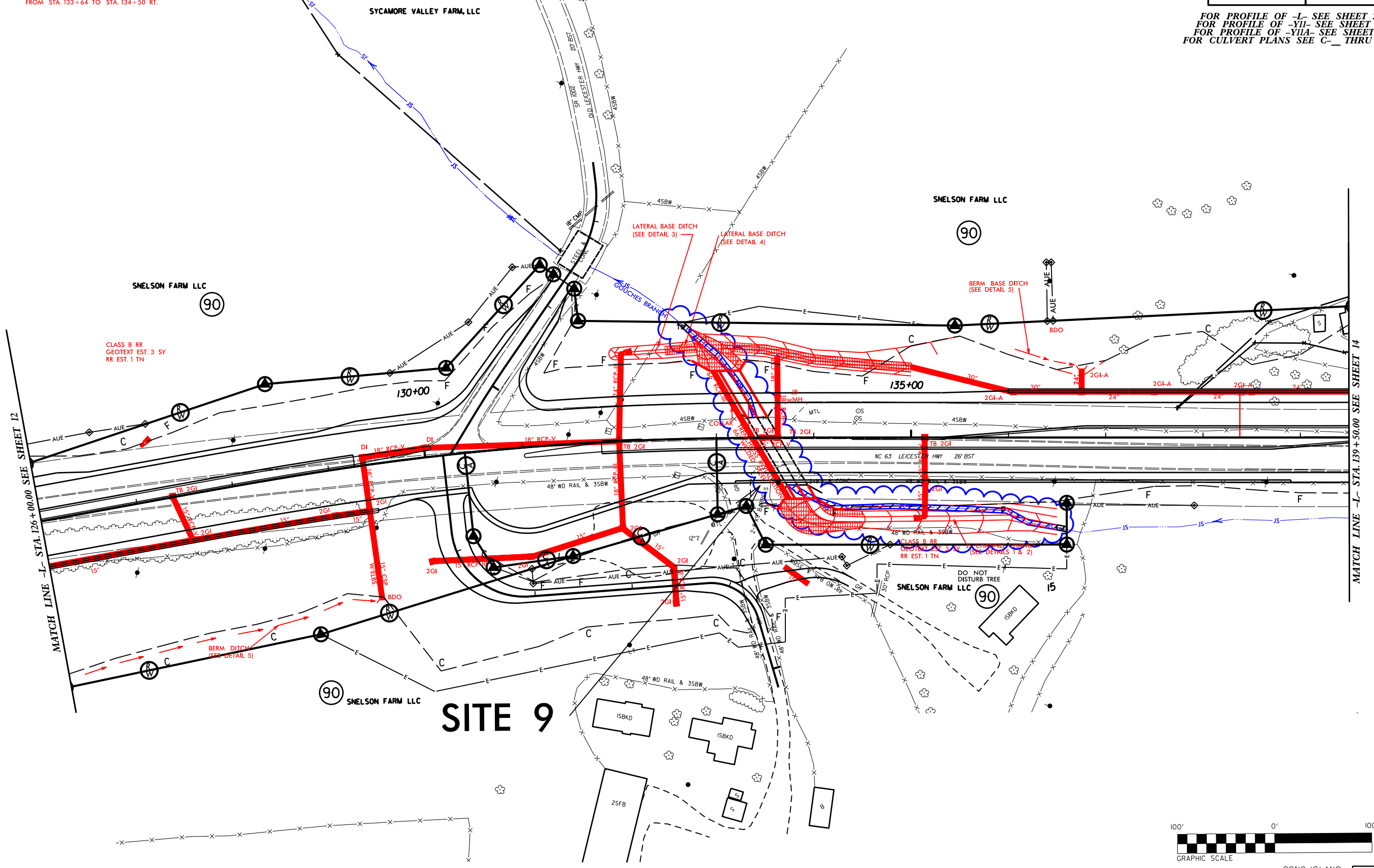
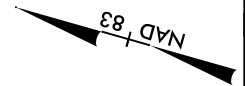
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RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF -L- SEE SHEET 28  
 FOR PROFILE OF -VII- SEE SHEET 37  
 FOR PROFILE OF -VIIA- SEE SHEET 42  
 FOR CULVERT PLANS SEE C- THRU C-



DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

**PERMIT DRAWING**  
**SHEET 26 OF 48**  
 SCALE 1"=100'

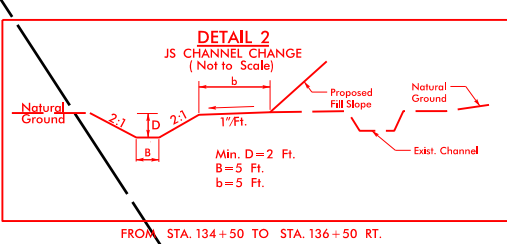
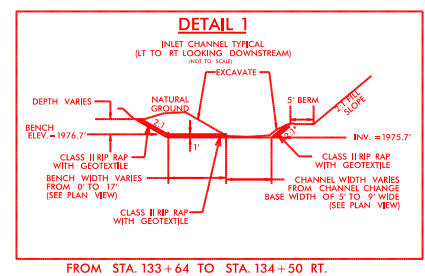
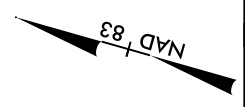


REVISIONS

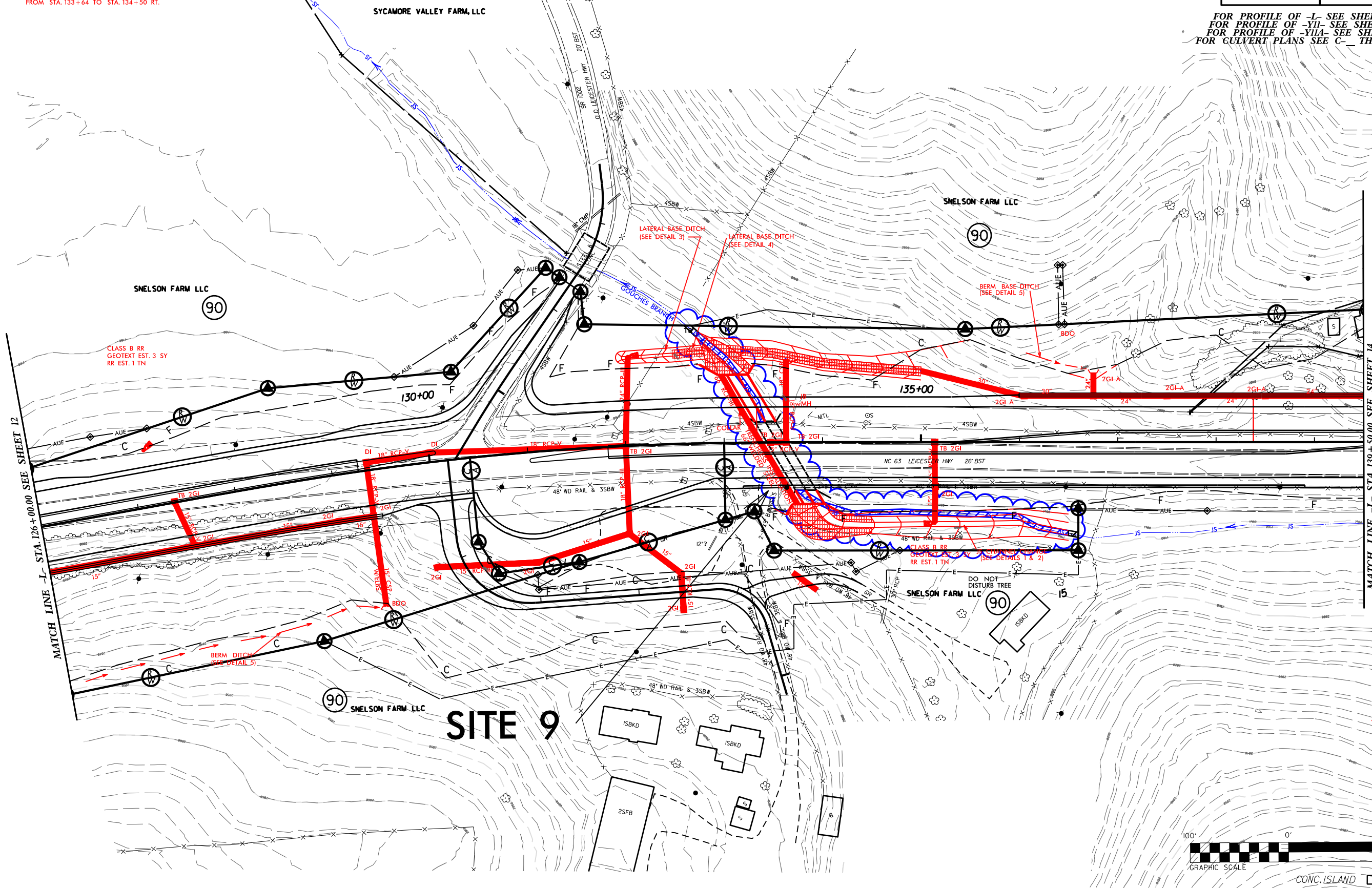
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PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>13</b>
RW SHEET NO. ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

**PERMIT DRAWING**  
**SHEET 27 OF 48**  
SCALE 1" = 100'

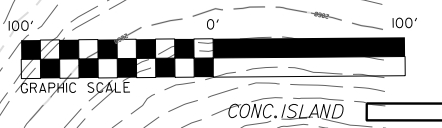


- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER



MATCH LINE -L- STA. 126+00.00 SEE SHEET 12

MATCH LINE -L- STA. 139+50.00 SEE SHEET 14



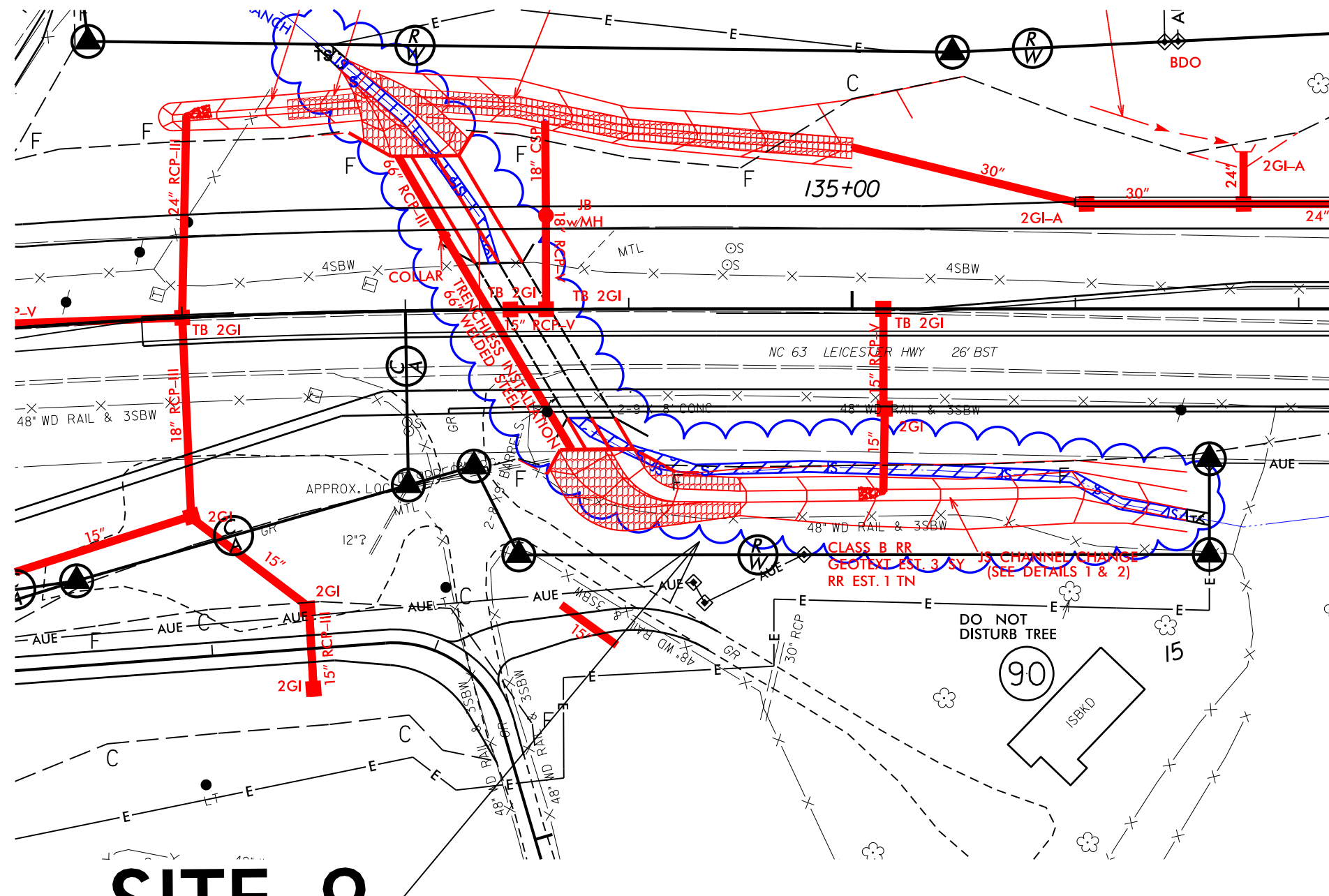
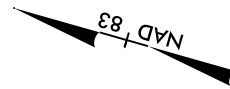
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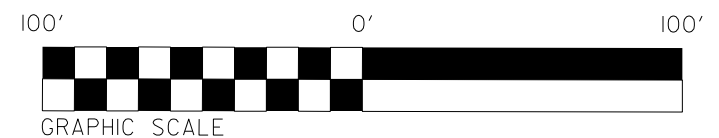
PROJECT REFERENCE NO.	SHEET NO.
	13 DETAIL
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

PERMIT DRAWING  
 SHEET 28 OF 48  
**SCALE 1" = 60'**



# SITE 9



REVISIONS

3/14/2016 10:47:53 AM  
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 8/17/99



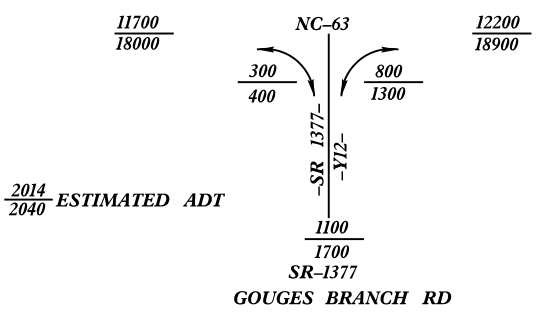
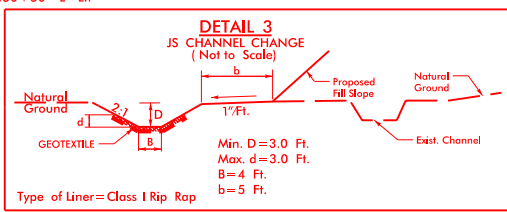
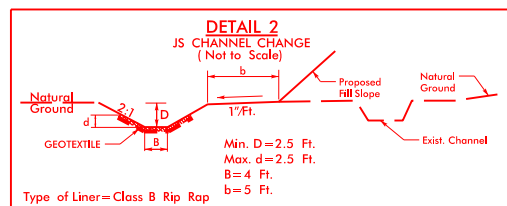
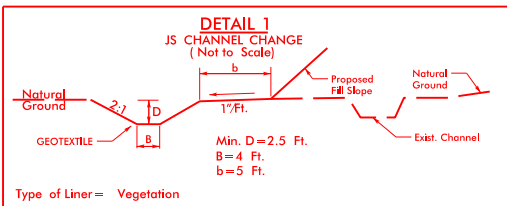
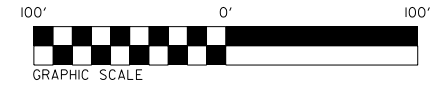


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RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

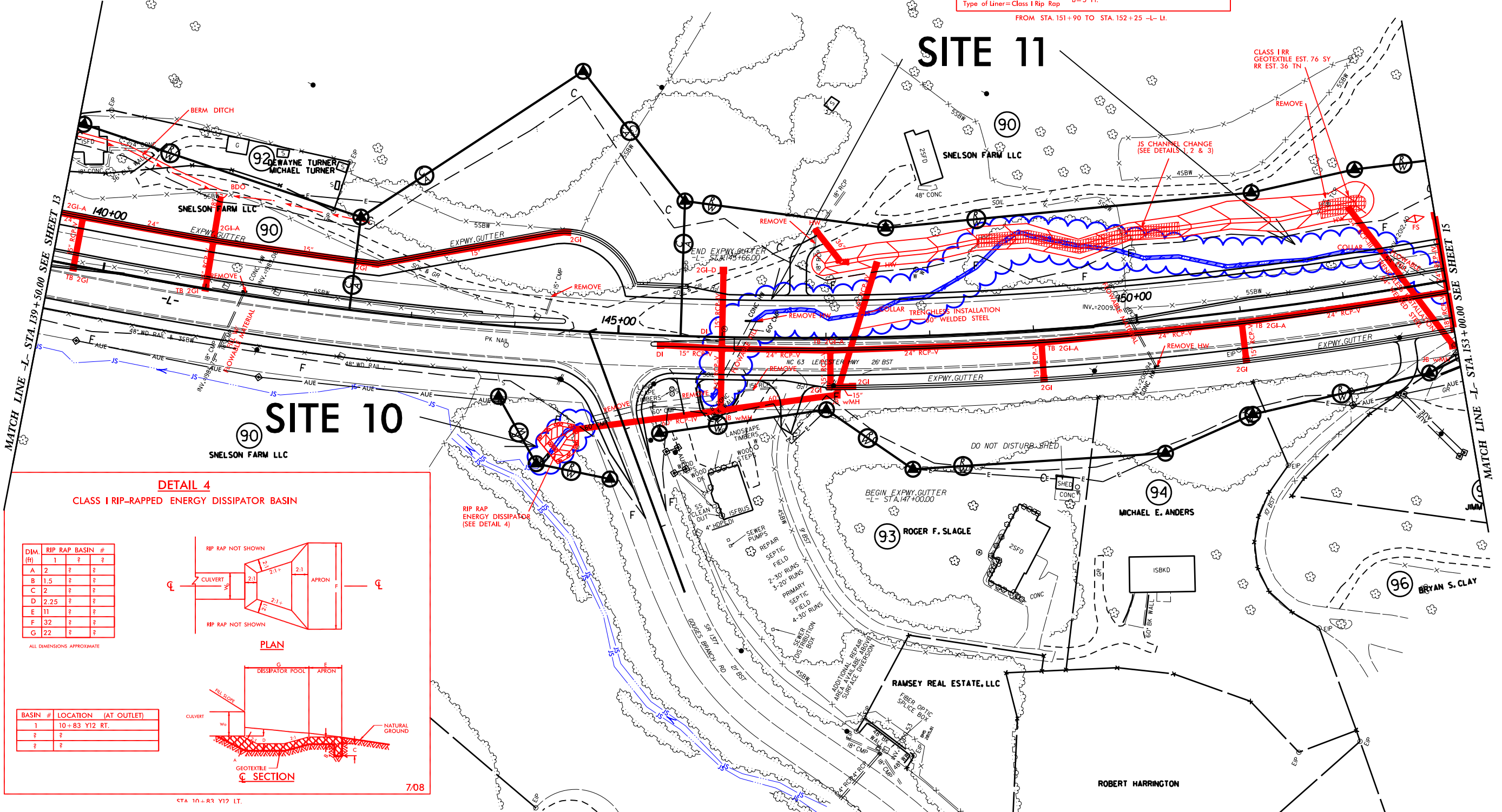
FOR PROFILE OF LINE -L- SEE SHEETS 28 AND 29  
 FOR PROFILE OF LINE -Y12- SEE SHEET 37

PERMIT DRAWING  
 SHEET 30 OF 48

SCALE 1" = 100'



**DI** DENOTES IMPACTS IN SURFACE WATER  
**TS** DENOTES TEMPORARY IMPACTS IN SURFACE WATER



**DETAIL 4 CLASS I RIP-RAPPED ENERGY DISSIPATOR BASIN**

DIM. (ft)	1	2	3
A	?	?	?
B	1.5	?	?
C	2	?	?
D	2.25	?	?
E	11	?	?
F	32	?	?
G	22	?	?

ALL DIMENSIONS APPROXIMATE

**PLAN**

**C SECTION**

7/08

REVISIONS  
 3/14/2016 PM 12:45  
 3/17/99




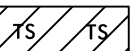


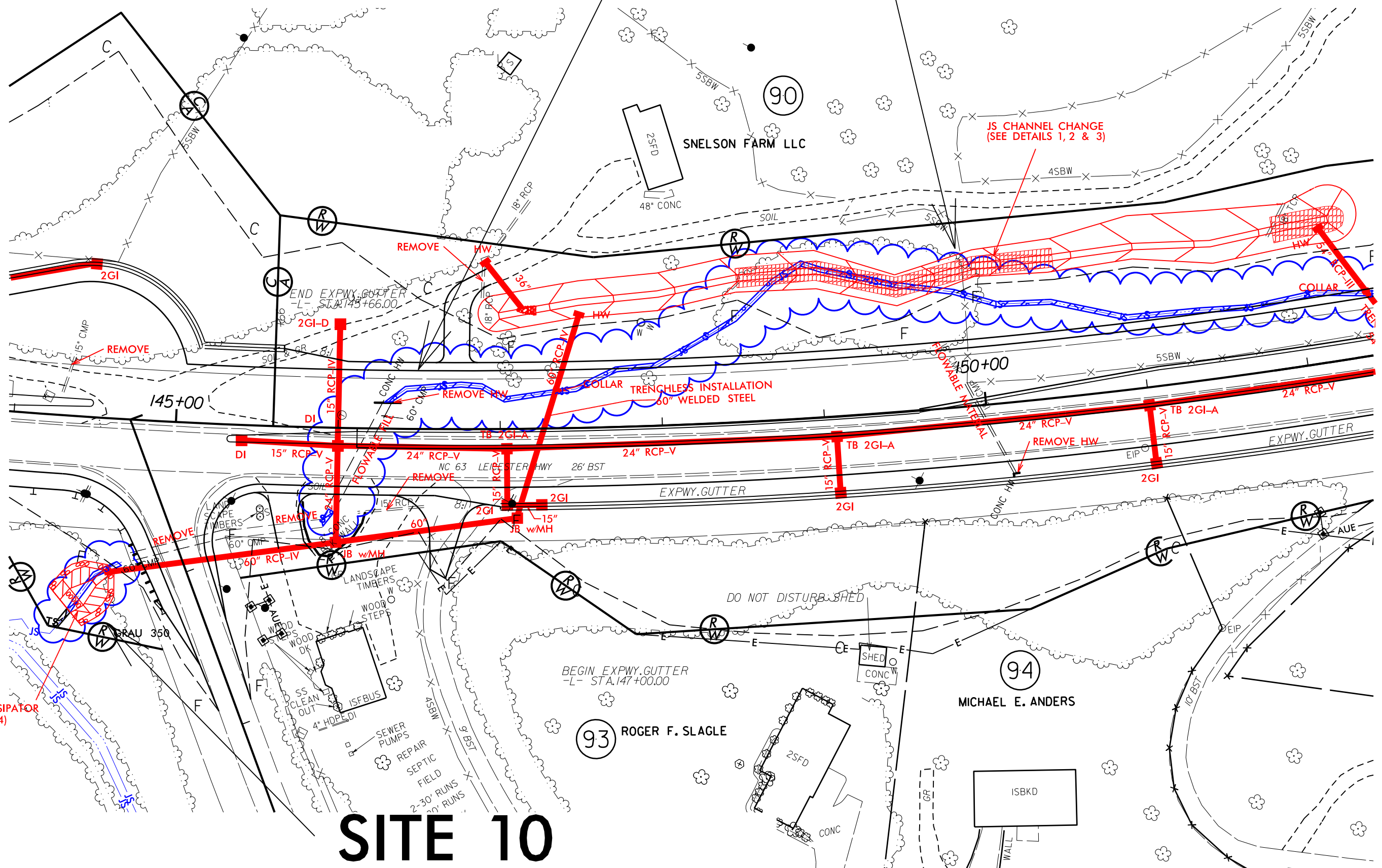
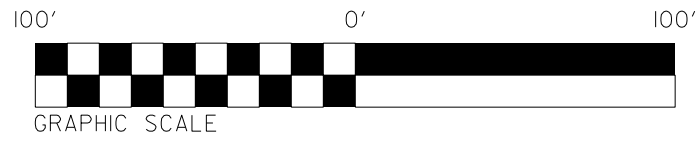
PROJECT REFERENCE NO.	SHEET NO./SHEET NO.
	14 DETAIL
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 32 OF 48  
SCALE 1" = 60'

# SITE 11

ROW MARKERS  
REMOVED FOR CLARITY

 DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



RIP RAP ENERGY DISSIPATOR  
(SEE DETAIL 4)

# SITE 10

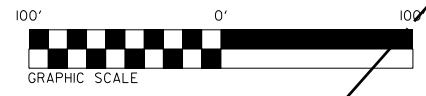
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 REVISIONS  
 REVISIONS  
 3/14/2016  
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 2016.05.15.08 11:20 AM DESIGN BUILD PARTIAL PERMITS Environmental Services, Inc. 3201 Government Center Blvd., Suite 200, Raleigh, NC 27601



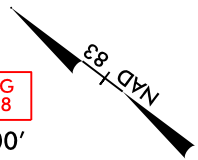
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RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF LINE -L- SEE SHEET 29

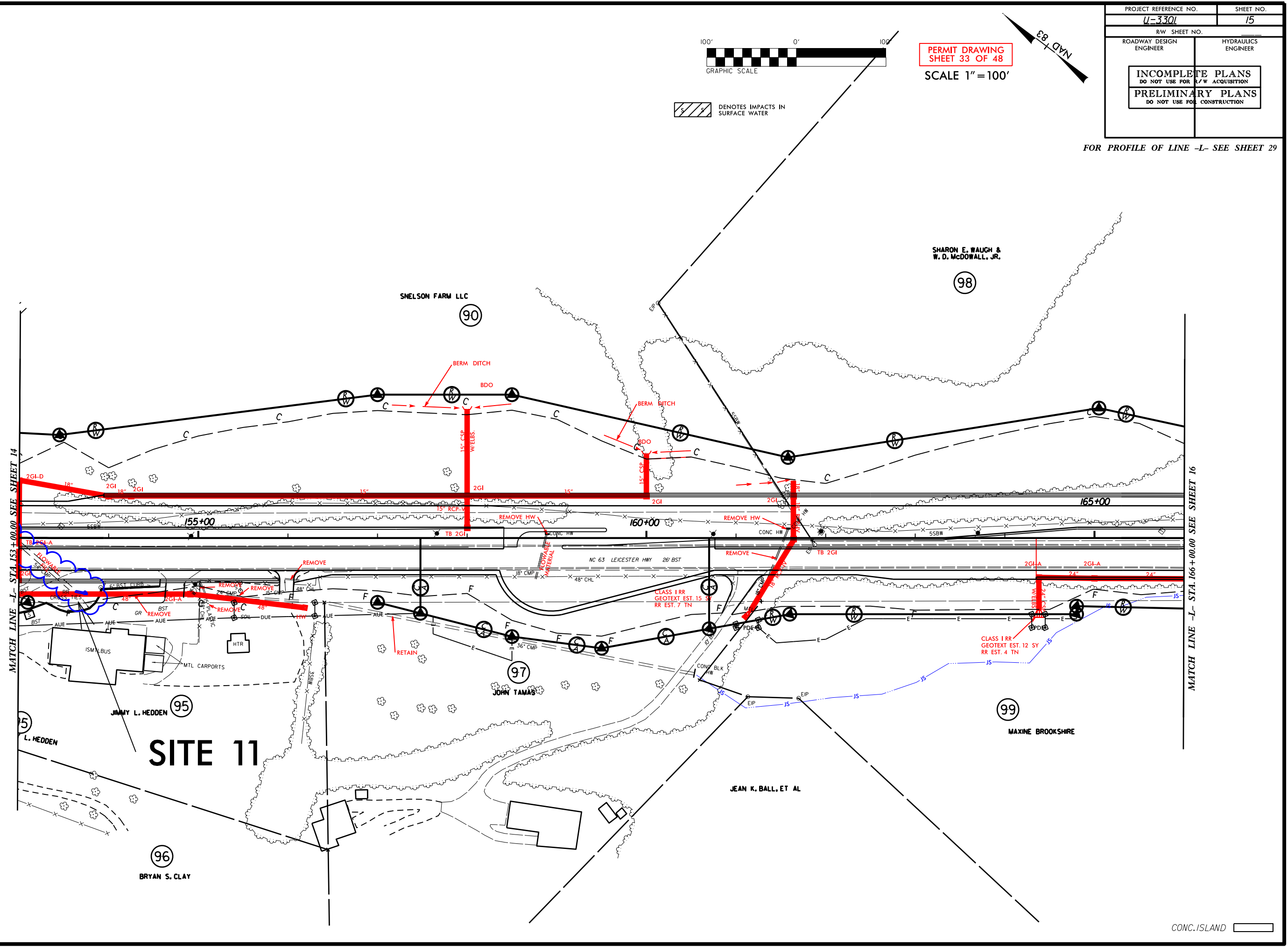
**PERMIT DRAWING**  
**SHEET 33 OF 48**  
 SCALE 1" = 100'



DENOTES IMPACTS IN SURFACE WATER



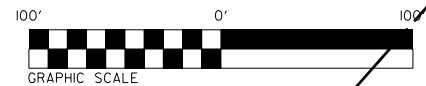
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CONC. ISLAND

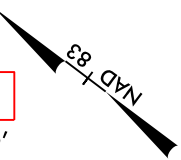
PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>15</b>
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF LINE -L- SEE SHEET 29

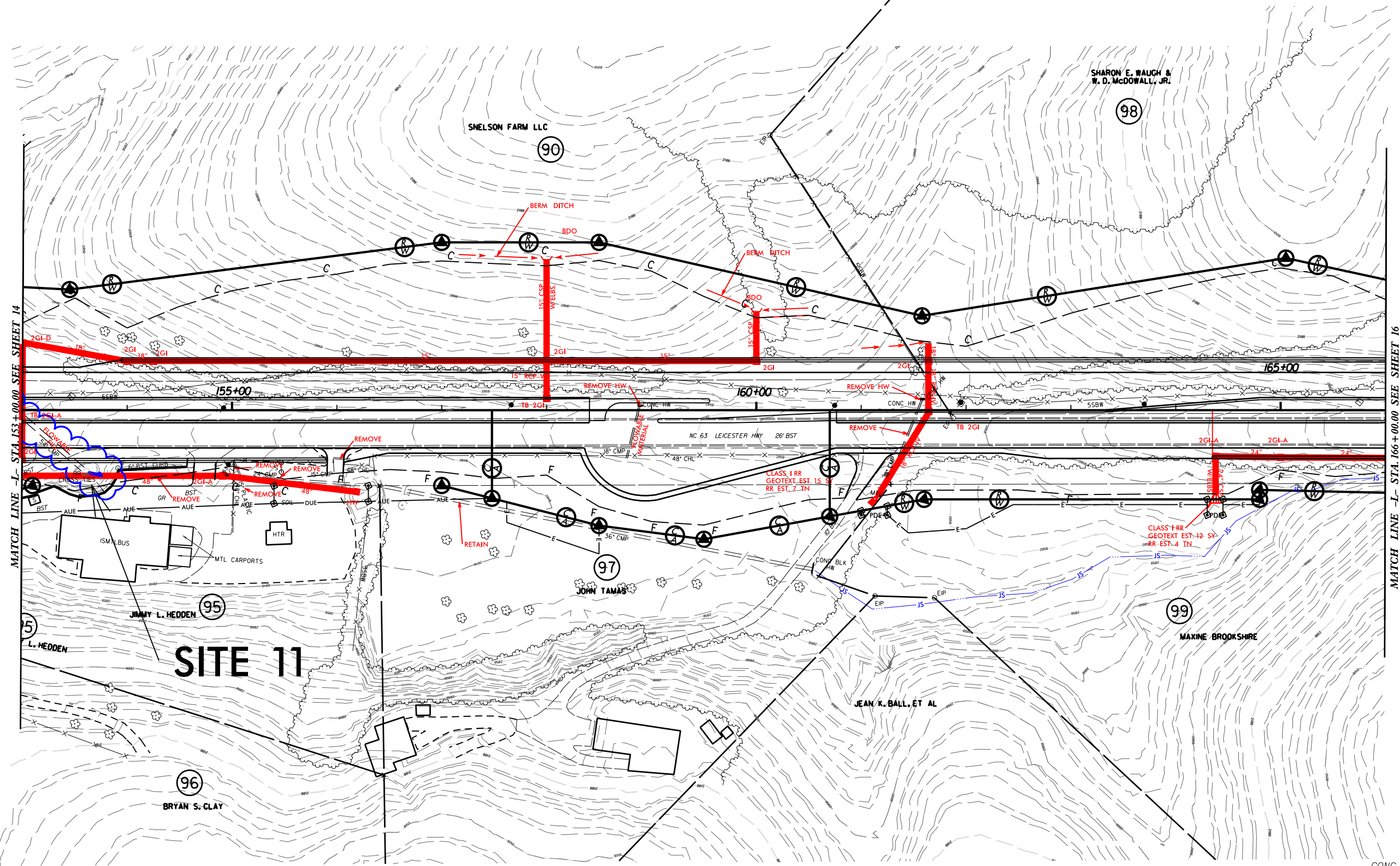


**PERMIT DRAWING**  
**SHEET 34 OF 48**  
SCALE 1" = 100'

DENOTES IMPACTS IN SURFACE WATER



REVISIONS  
 3/14/2016 12:47:40 PM  
 2016.03.14.15.00 11:20:01 DESIGN: BUII.D\H.d\sh... PERMITS: Environmental\Permit Drawings: Miscellaneous\11-2001 Hydromat 33 and 34.dwg 15.dwg



CONC. ISLAND

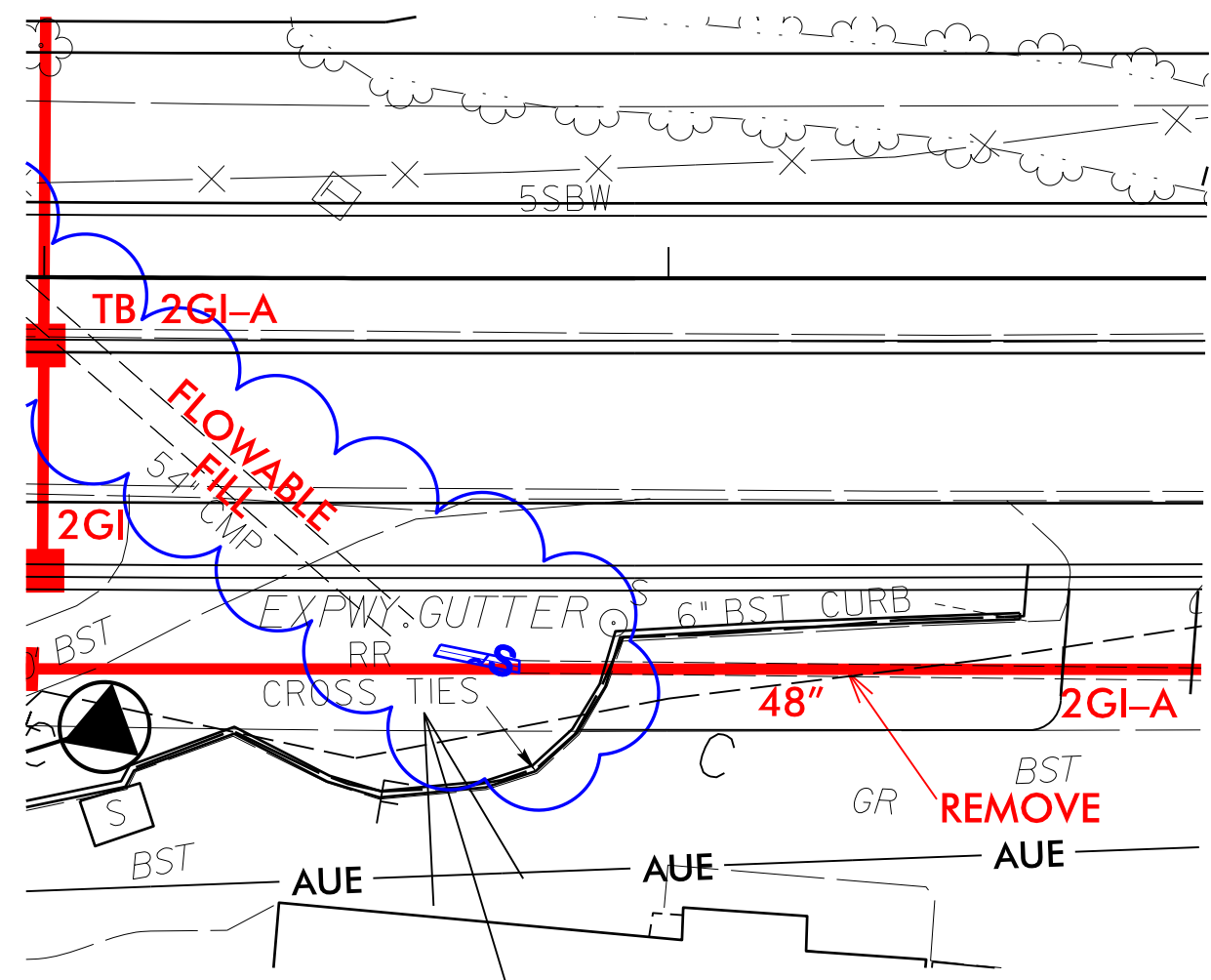
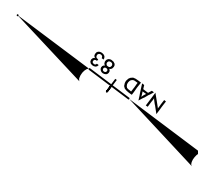
PROJECT REFERENCE NO.	SHEET NO.
	15 DETAIL
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR A/W ACQUISITION	
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 35 OF 48

SCALE 1" = 30'

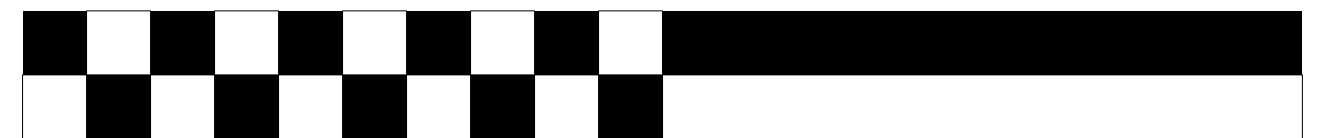


DENOTES IMPACTS IN  
SURFACE WATER



# SITE 11

100' 0' 100'



GRAPHIC SCALE

REVISIONS

8/17/99  
 3/14/2016 12:48:27 PM  
 20160315.08 11-2001 DESIGN\_BUILD HYDRAULIC PERMITS ENVIRONMENTAL PERMIT DIVISION MICROSTATION FILES\11-2001 Hyd.dwg, vst, gal, placement, sub, l, 7.dwg

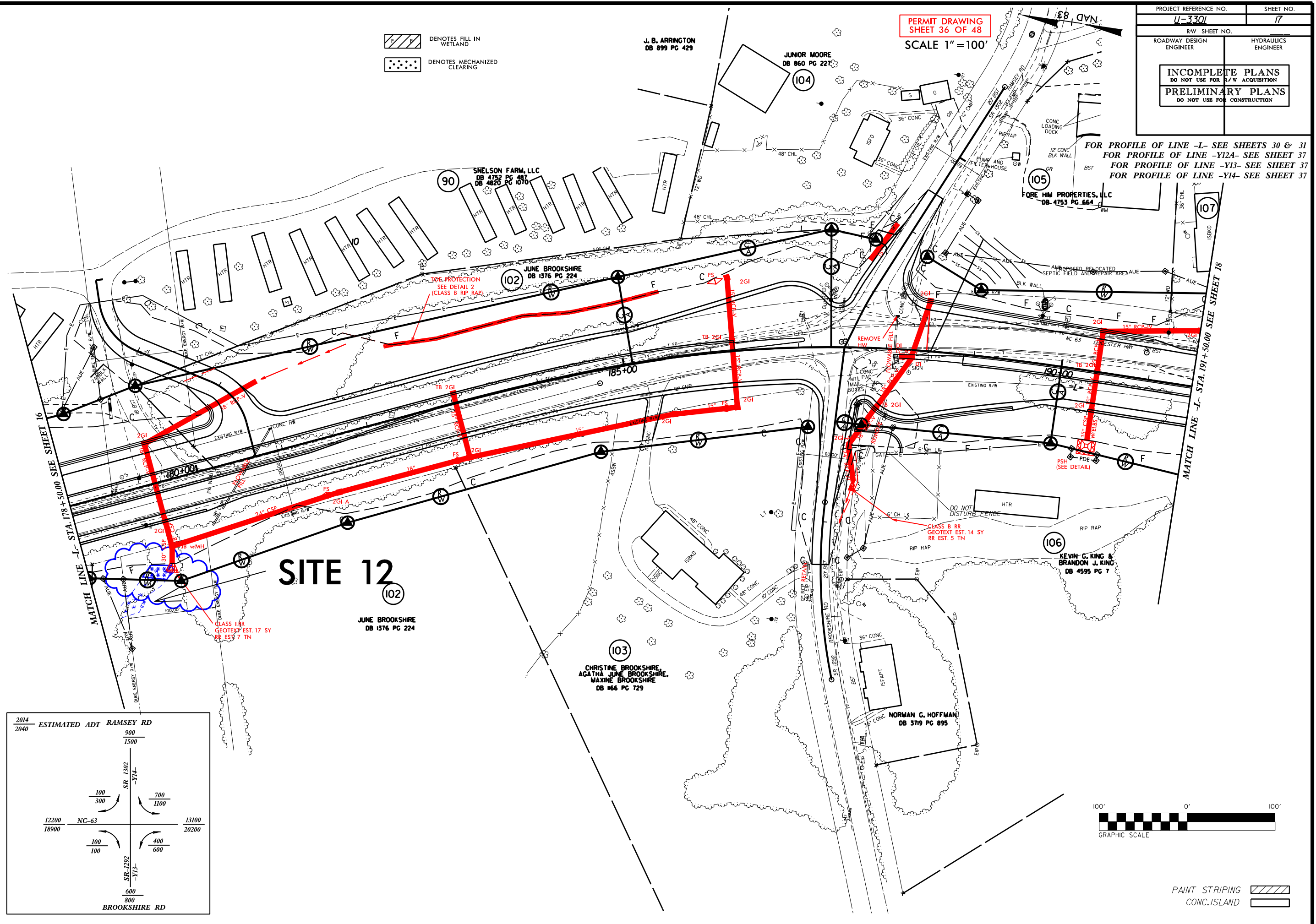


PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>17</b>
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

**PERMIT DRAWING**  
**SHEET 36 OF 48**  
**SCALE 1" = 100'**

FOR PROFILE OF LINE -L- SEE SHEETS 30 & 31  
FOR PROFILE OF LINE -Y12A- SEE SHEET 37  
FOR PROFILE OF LINE -Y13- SEE SHEET 37  
FOR PROFILE OF LINE -Y14- SEE SHEET 37

 DENOTES FILL IN WETLAND  
 DENOTES MECHANIZED CLEARING



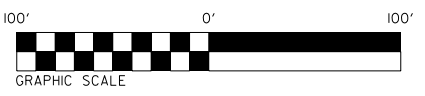
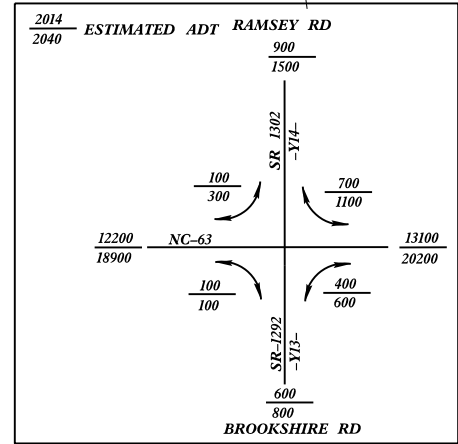
**SITE 12**

JUNE BROOKSHIRE  
DB 1376 PG 224

CHRISTINE BROOKSHIRE,  
AGATHA JUNE BROOKSHIRE,  
MAXINE BROOKSHIRE  
DB 166 PG 729

NORMAN G. HOFFMAN  
DB 379 PG 895

KEVIN C. KING &  
BRANDON J. KING  
DB 4595 PG 7



PAINT STRIPING   
CONC. ISLAND 

REVISIONS

3/4/2016 12:50:30 PM 11-2301 DESIGN BUIL DWH.dwg 11-2301 PERMITS Environmental Services, Inc. 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000





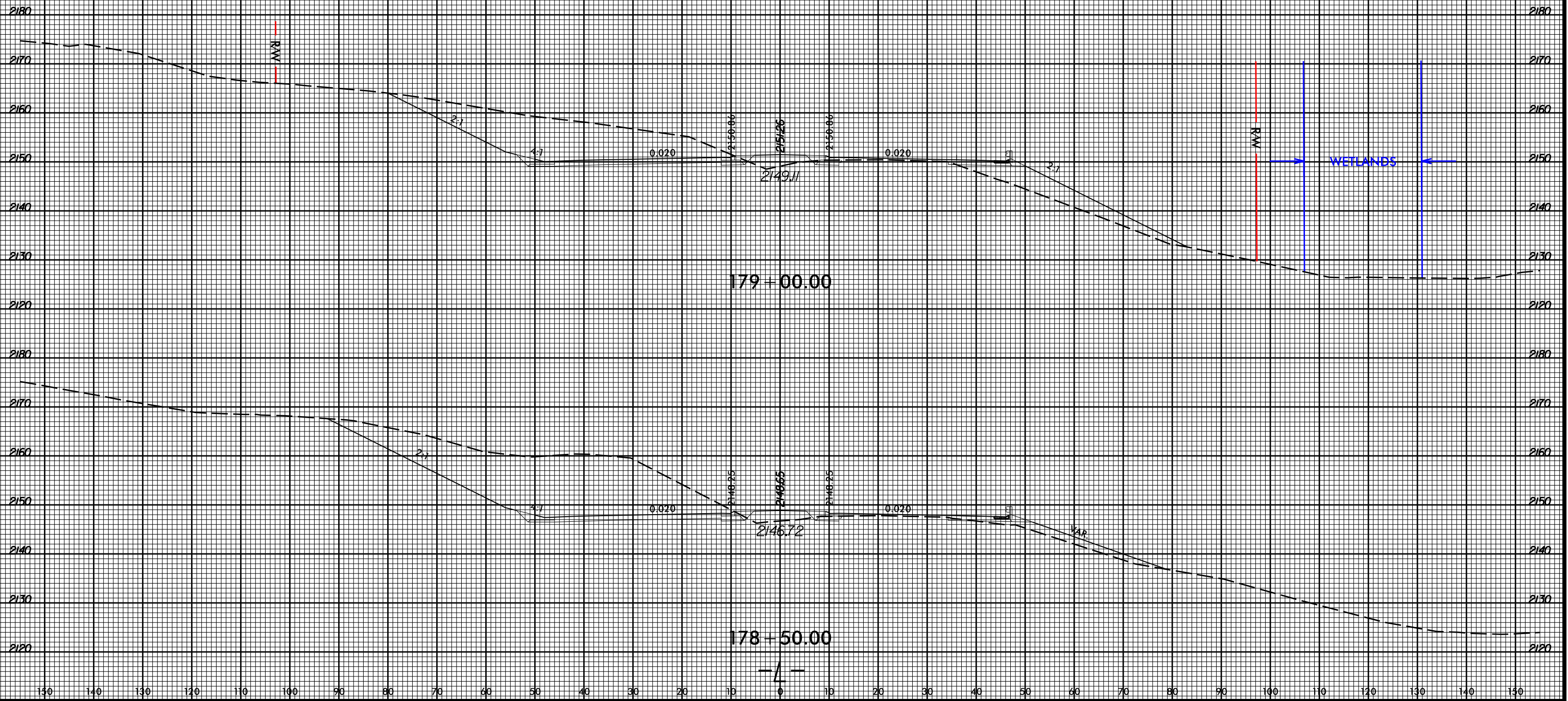


8/23/99



PERMITS DRAWING SHEET 39 OF 48 SCALE 1" = 20'

# SITE 12

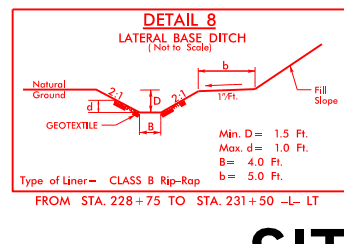
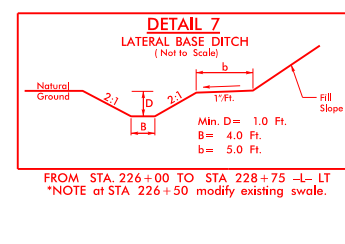
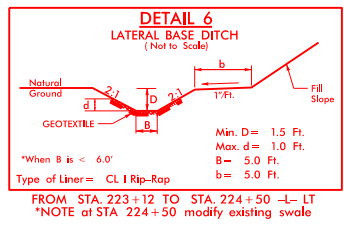
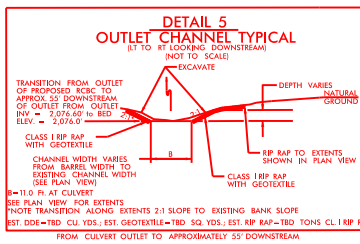
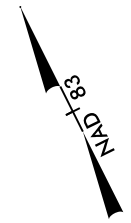


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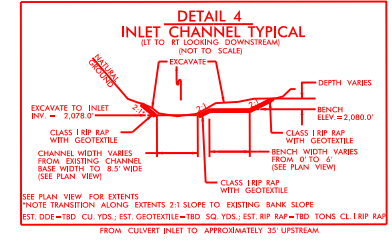
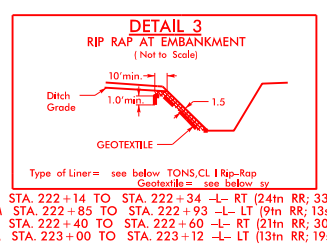
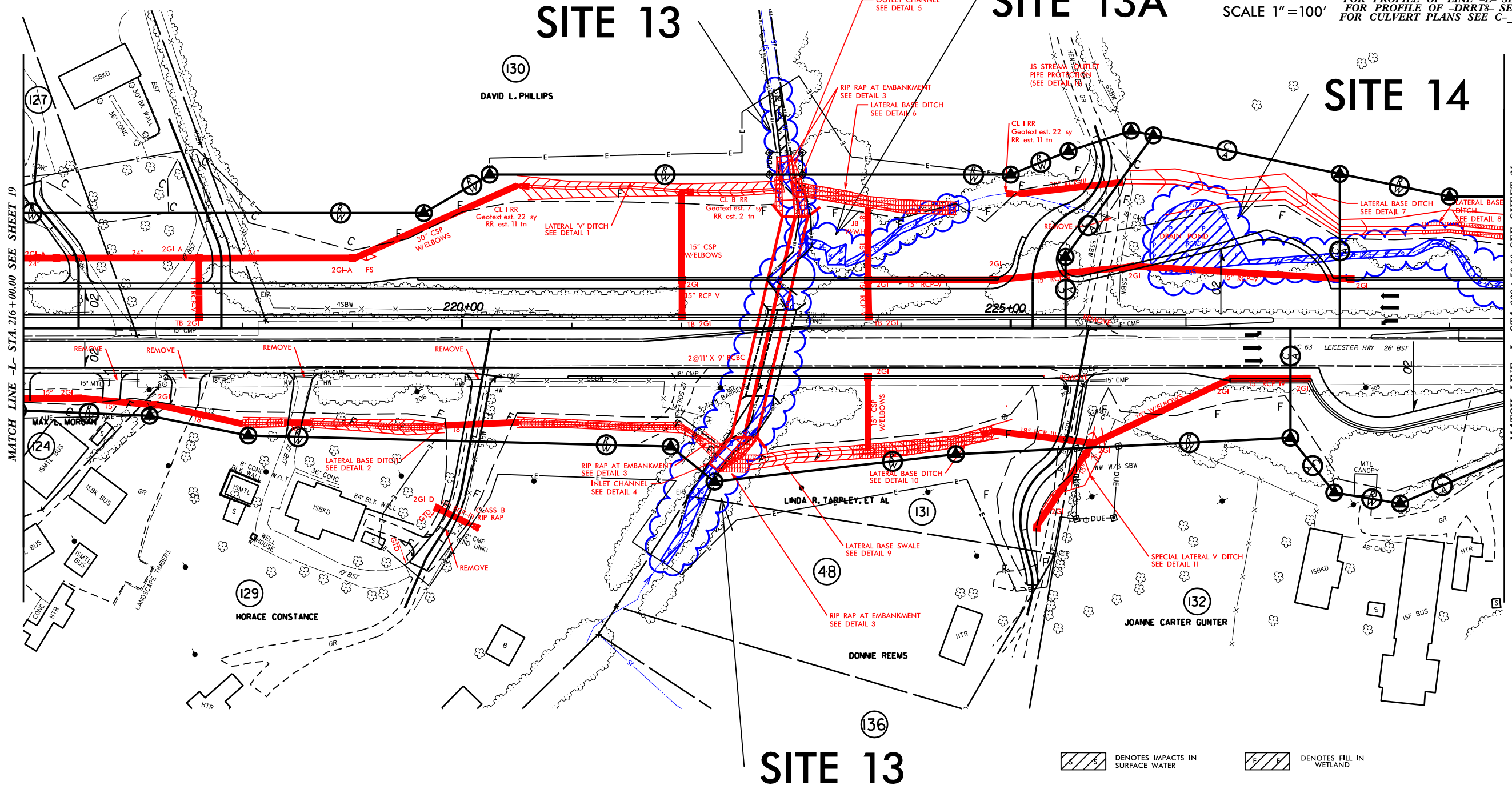
PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>20</b>
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 40 OF 48

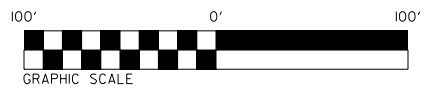


# SITE 13      SITE 13A

SCALE 1" = 100'  
FOR PROFILE OF LINE -L- SEE SHEET 32  
FOR PROFILE OF -DRR18- SEE SHEET 40  
FOR CULVERT PLANS SEE C- THRU C-



- DENOTES IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES IMPACTS IN SURFACE WATER (POND)



8/17/99  
 REVISIONS  
 3/11/2016 PM  
 3:55:47  
 08-11-2001 DESIGN BUILD PARTIAL PERMITS Environmental Permit Drawings - MicroStation  
 08-11-2001 DESIGN BUILD PARTIAL PERMITS Environmental Permit Drawings - MicroStation

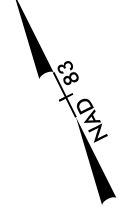




PROJECT REFERENCE NO.	SHEET NO.
	20 DETAIL
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING SHEET 42 OF 48

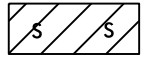
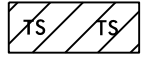
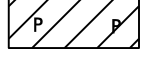

SCALE 1" = 60'

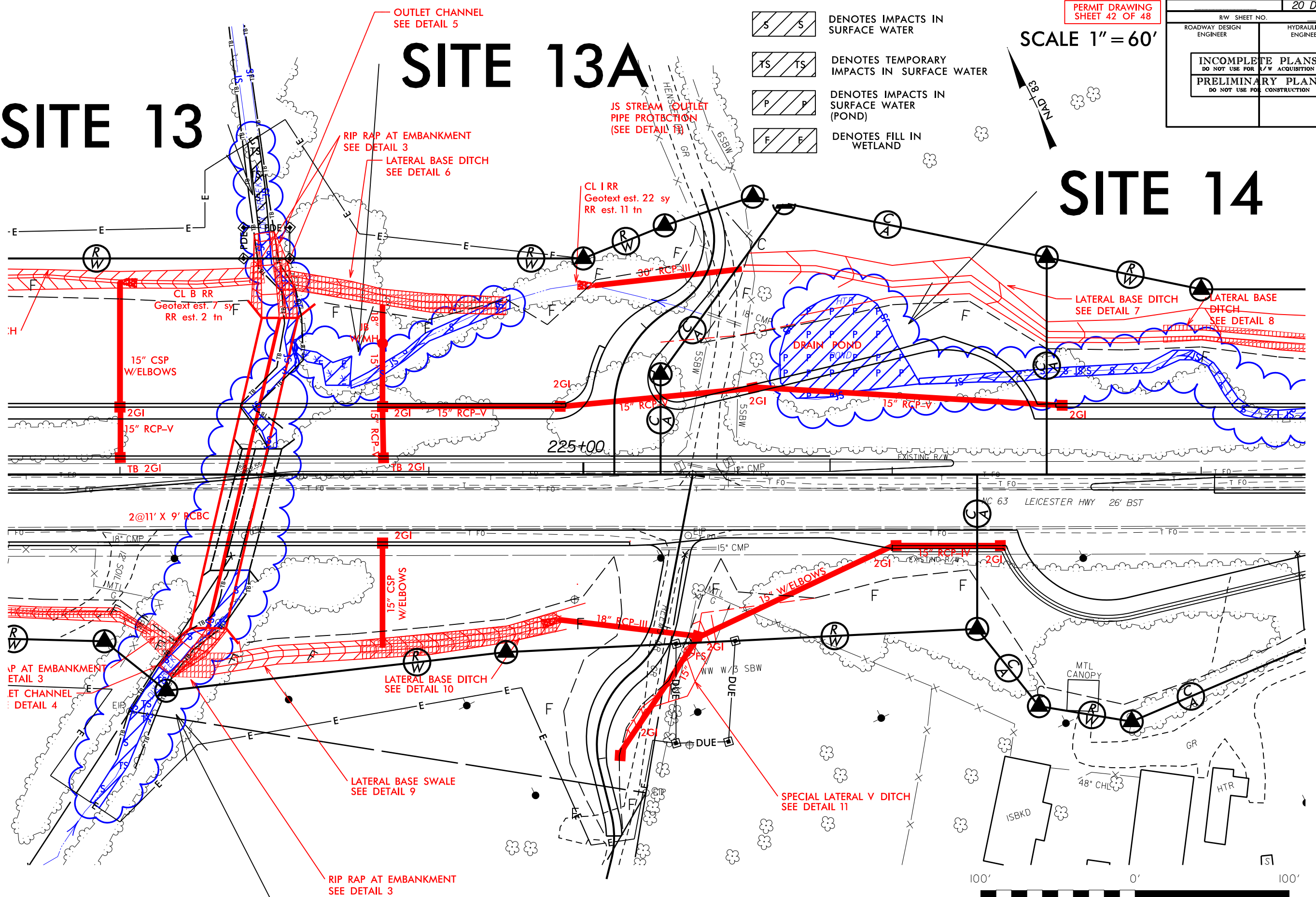


# SITE 13A

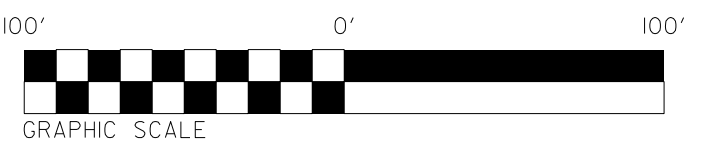
# SITE 13

# SITE 14

-  DENOTES IMPACTS IN SURFACE WATER
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER
-  DENOTES IMPACTS IN SURFACE WATER (POND)
-  DENOTES FILL IN WETLAND



# SITE 13



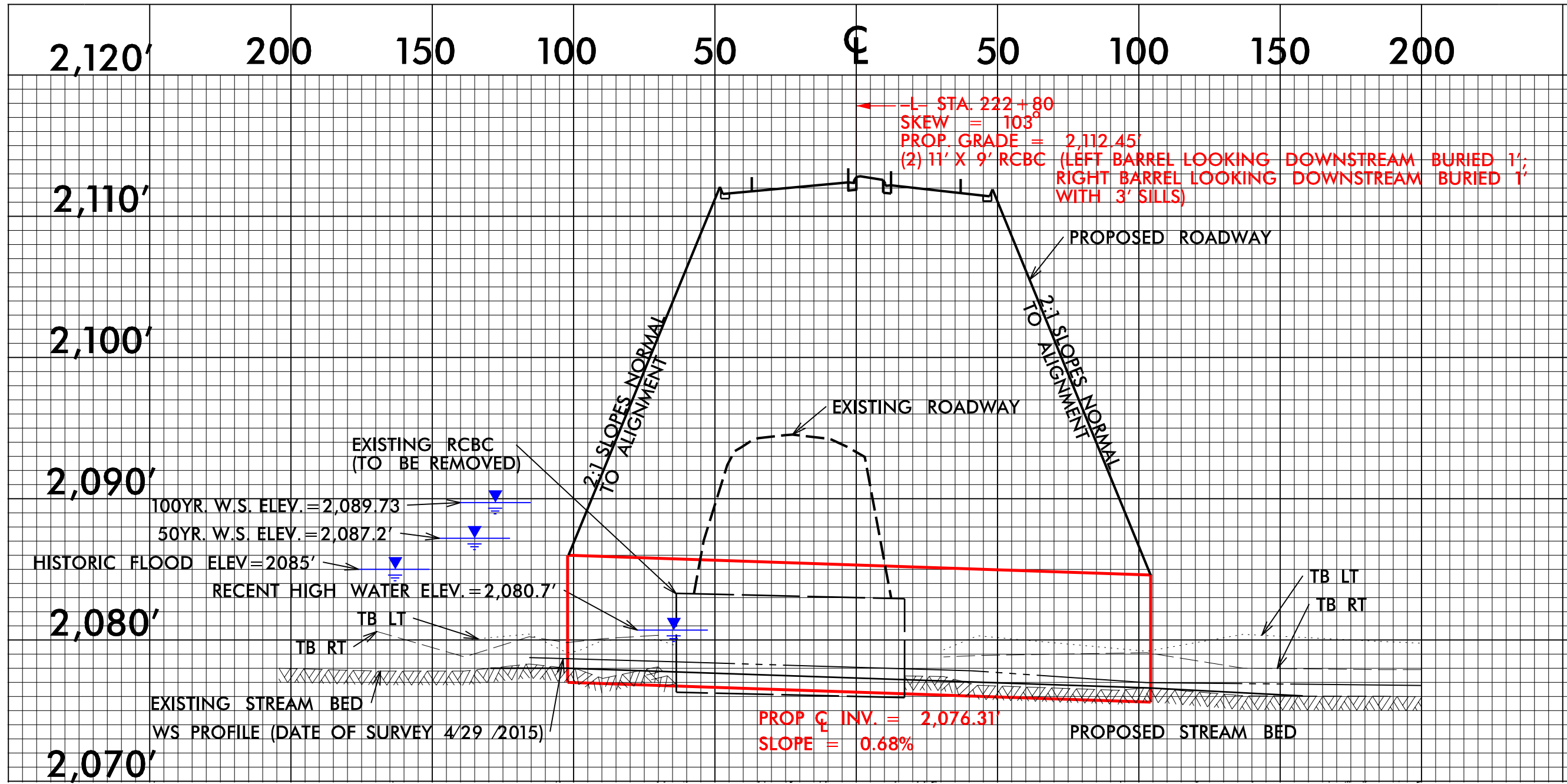
REVISIONS

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PROJECT REFERENCE NO.	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 43 OF 48

# SITE 13



HORIZ. SCALE 1" = 40'  
VERT. SCALE 1" = 8'

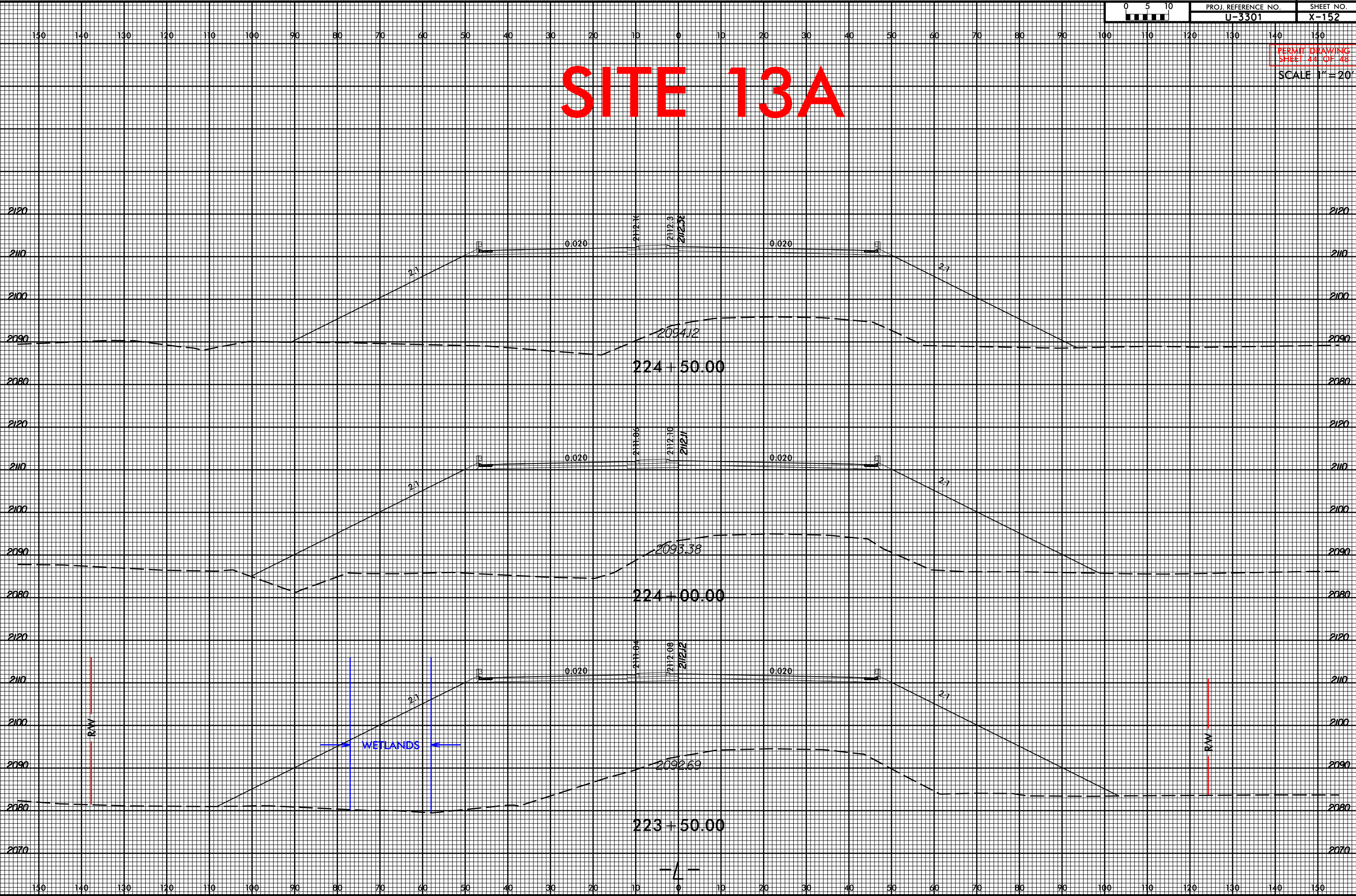
REVISIONS

8/17/99  
 3/14/2016 12:54:36 PM  
 20150515.09 11:30AM DESIGN\_BUILD\_Hydrology\_Permit\_Division\_Miscellaneous\_files\112016\_Hydrology\13\_Div\_Col\_permit\_13\_2016.dwg

8/23/99

# SITE 13A

PERMIT DRAWING  
SHEET 14 OF 28  
SCALE 1" = 20'



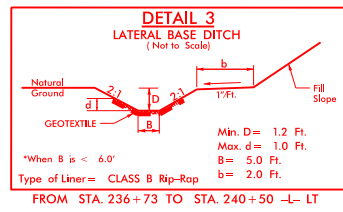
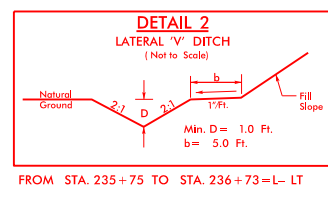
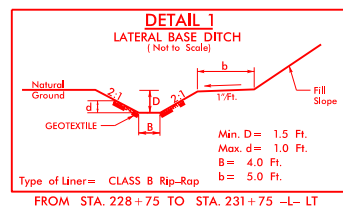
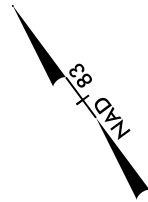
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8/17/99

PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>21</b>
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION	
<b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

PERMIT DRAWING  
SHEET 45 OF 48

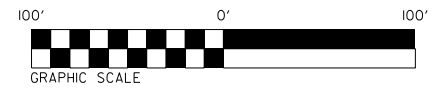
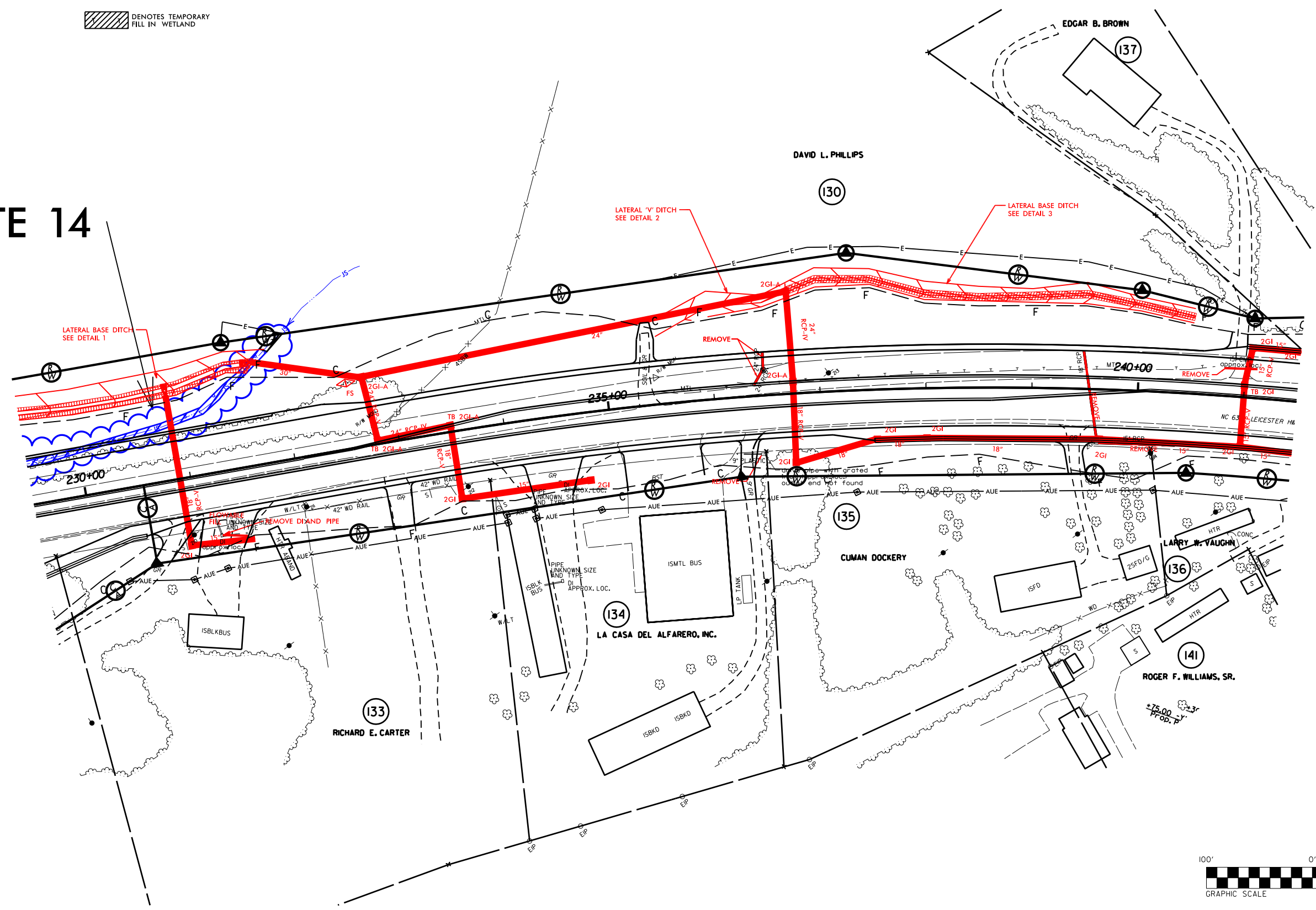
SCALE 1" = 100'



DENOTES IMPACTS IN SURFACE WATER

DENOTES TEMPORARY FILL IN WETLAND

# SITE 14



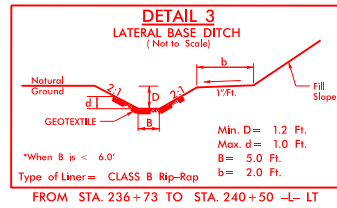
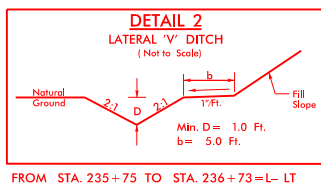
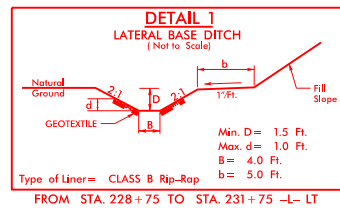
REVISIONS

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 8/17/99



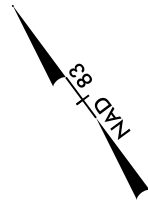
8/17/99

REVISIONS  
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2/21/2016 11:45:02 AM  
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PERMIT DRAWING  
SHEET 46 OF 48

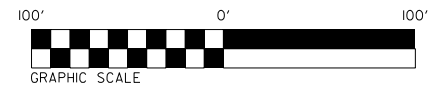
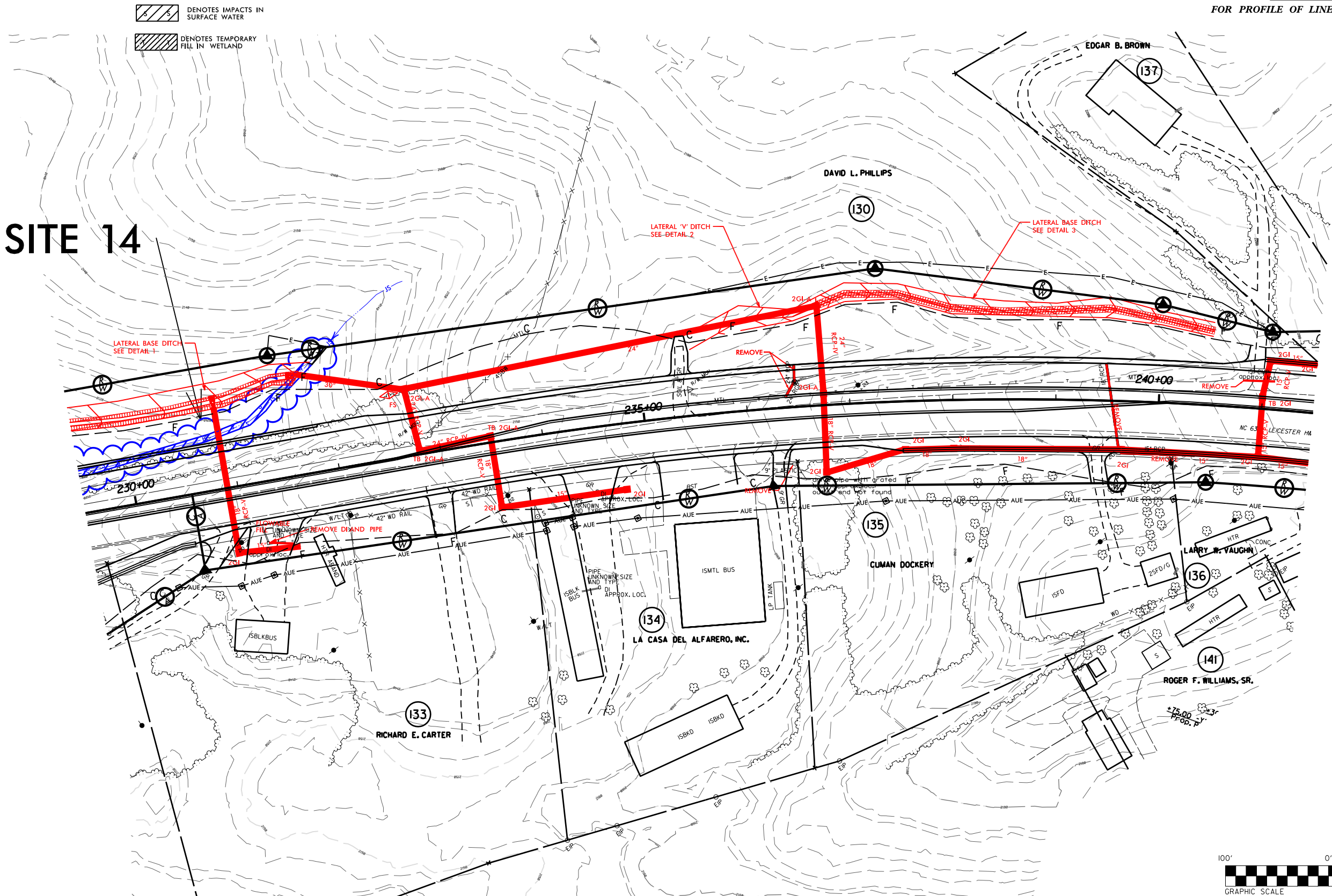
SCALE 1" = 100'



PROJECT REFERENCE NO. <b>U-3301</b>	SHEET NO. <b>21</b>
RW SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR A/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

FOR PROFILE OF LINE -L- SEE SHEETS 32 & 33

# SITE 14







PROJECT REFERENCE NO.	SHEET NO.
	21 DETAIL
R/W SHEET NO.	HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION <b>PRELIMINARY PLANS</b> DO NOT USE FOR CONSTRUCTION	

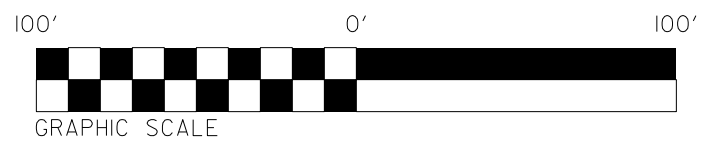
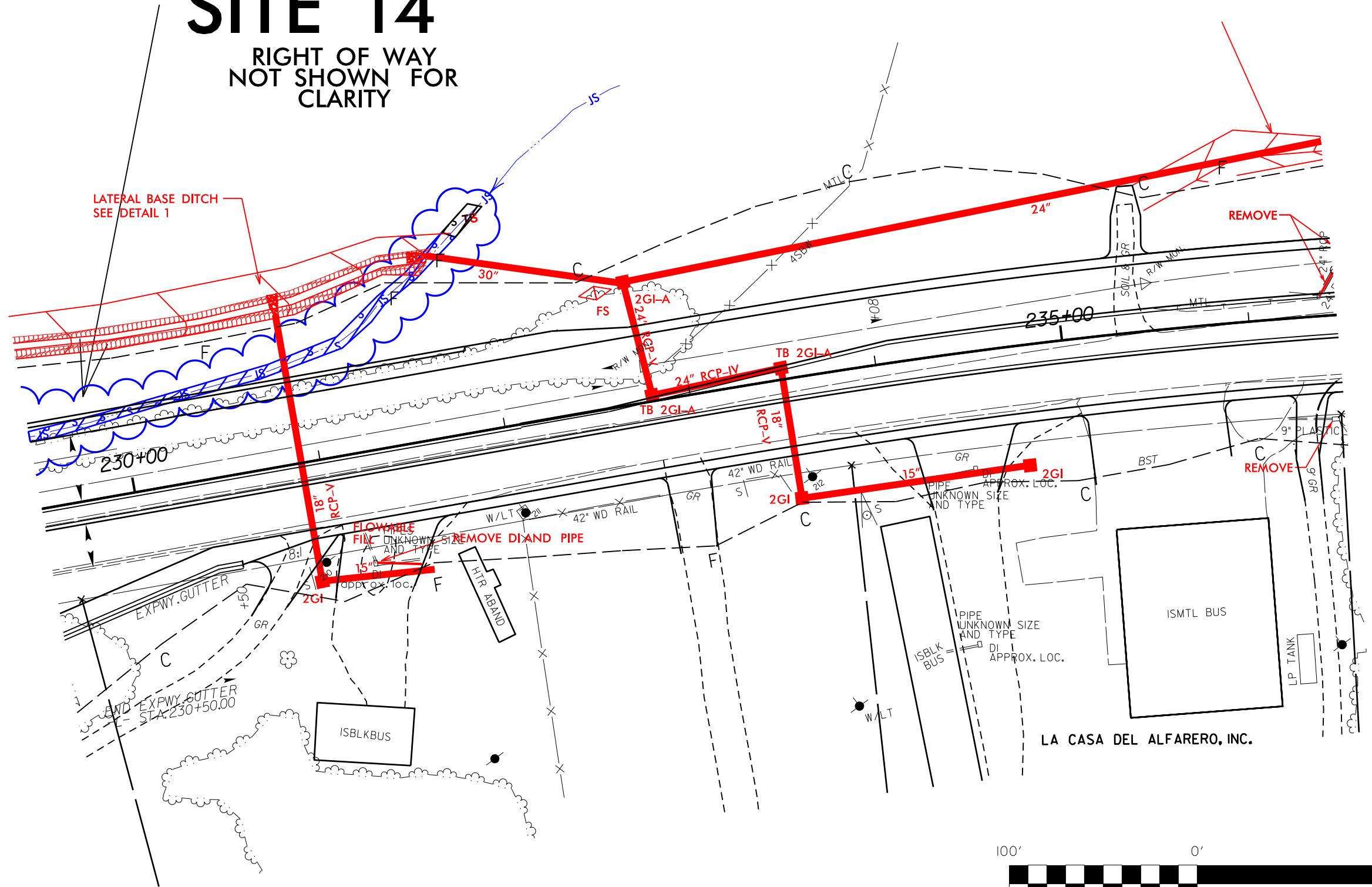
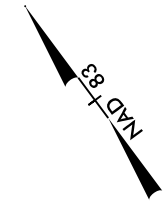
PERMIT DRAWING  
SHEET 47 OF 48

SCALE 1" = 60'

-  DENOTES IMPACTS IN SURFACE WATER
-  DENOTES TEMPORARY IMPACTS IN SURFACE WATER

# SITE 14

RIGHT OF WAY  
NOT SHOWN FOR  
CLARITY



REVISIONS

8/17/99  
 3/4/2016 12:56:40 PM  
 20160315 15:08 11-2001 DESIGN BUILD HYDRAULIC PERMITS Environmental Permit Division Microsoft Word - 11-2001 Hyd.dwg, sheet 21 of 27

**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)	Perm. SW Pond impacts (ac)	
1	23+70 (rt) to 29+20 (lt) L	2 - 2 @ 6'x6' RCBC							0.05	0.02	427	45	
2	14+00 (rt) Y3	Bank Stabilization							< 0.01	< 0.01	20	10	
**3	46+40 to 50+55 (rt) L	Roadway Embankment	0.06						0.02		364		
4	57+50 to 58+45 (rt) L	Roadway Embankment							0.01		94		
4	60+00 to 60+80 (rt) L	Roadway Embankment							< 0.01		73		
4	61+10 to 61+45 (rt) L	Bank Stabilization							< 0.01	< 0.01	18	10	
**4	62+10 to 62+30 (rt) L	Bank Stabilization							< 0.01	< 0.01	10	10	
5	67+70 to 67+95 (rt) L	Bank Stabilization							< 0.01	< 0.01	10	10	
5	70+75 to 73+25 (rt) L	Roadway Embankment							0.01	< 0.01	200	10	
6	78+40 (rt) to 83+20 (lt) L	Roadway Embankment							0.03	< 0.01	372	14	
7	88+25 (lt) L	Bank Stabilization							< 0.01	< 0.01	27	3	
7	88+12 L	6'x 7' RCBC							0.01		84		
**7	89+10 (rt) L	Bank Stabilization							< 0.01	< 0.01	17		
7A	90+60 to 94+50 (rt) L	Roadway Embankment							0.02		313		
7A	94+50 to 94+85 (rt) L	Bank Stabilization							< 0.01	< 0.01	20	20	
8	101+00 (rt) L	Bank Stabilization							< 0.01	< 0.01	10	10	
9	133+54 L	2 @ 8'x8' RCBC w/66" RCP							0.03	< 0.01	193	14	
9	134+50 to 136+50 (rt) L	Roadway Embankment							0.02	< 0.01	203	10	
10	144+50 (rt) L	Energy Dissipator							< 0.01	< 0.01	46	9	
**11	45+90 to 153+75 (lt & rt)	Roadway Embankment							0.05		663		
12	179+30 (rt) L	Roadway Embankment	< 0.01			< 0.01							
13	222+80 L	2 @ 11' x 9' RCBC							0.04	0.03	247	158	
***13A	223+10 to 224+55 (lt) L	Roadway Embankment	< 0.01						0.02		115		
**14	226+25 to 232+05 (lt) L	Roadway Embankment							0.07	< 0.01	507	20	0.10
<b>TOTALS*:</b>			0.07			< 0.01			0.39	0.07	4033	353	0.10

\*Rounded totals are sum of actual impacts

NOTES:

\*\* Site on two separate Plan Sheets

\*\*\* Intermittent Stream

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 1/26/2016  
 Buncombe County  
 U-3301  
 34909.1.1  
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