



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY PERDUE
GOVERNOR

EUGENE CONTI
SECRETARY

June 16, 2009

MEMORANDUM TO: Mr. Mike Mills, PE
Division Seven Engineer

FROM: Philip S. Harris, III, P.E., Unit Head
Natural Environment Unit
Project Development and Environmental Analysis Branch

SUBJECT: Guilford County, SR 4126 (Bridford Parkway) Extension from Hornaday Road to Burnt Poplar Road at Swing Road; T.I.P. Number U-4006; Federal Aid Project No. STP-4126(1); State Project 8.2496901

Attached are the U.S. Army Corps of Engineers Section 404 Individual Permit, N.C. Division of Water Quality Section 401 Individual Water Quality Certification and DWQ Correction letter to the Section 401 Certification for the above referenced project. 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:
<http://www.ncdot.gov/doh/preconstruct/pe/neu/permit.html>

PSH/gyb

Attachment

Cc: W/attachment
Mr. Randy Garris, P.E. State Contract Officer
Mr. Jerry Parker, Division Environmental Officer

Cc: W/o attachment (see website for attachments)
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Jay Bennett, P.E., Roadway Design
Dr. David Chang, P.E., Hydraulics
Mr. Art McMillan, P.E., Highway Design
Mr. Tom Koch, P.E., Structure Design
Mr. Mark Staley, Roadside Environmental
Mr. John F. Sullivan, FHWA
Mr. Ron Hancock, P.E., State Roadway Construction Engineer
Mr. Mike Robinson, P.E., State Bridge Construction Engineer
Mr. Eric Midkiff, P.E., PDEA Central Region Unit Head
Ms. Beth Harmon, EEP

PROJECT COMMITMENTS

**Greensboro, Guilford County
SR 4126 (Bridford Parkway) Extension
From Hornaday Road
To Burnt Poplar Road at Swing Road
Federal Aid Project No. STP-4126(1)
State Project No. 8.2496901
WBS Element 35007.1.1
T.I.P Project No. U-4006**

Commitments Developed through Project Development and Design

Geotechnical Unit, Right of Way Branch:

Prior to Right-of-Way acquisition, the Geo Technical Unit will conduct a thorough survey for hazardous materials at the following sites: 305 Swing Road (former Community Heating and Plumbing) and 307 Swing Road (former Associated Mechanical Contractors) as described in the Hazardous Materials section of the FONSI. There is a danger of contaminated soil at these sites. The sites will be purchased in permanent easement.

An investigation of soil and groundwater contamination Unit at these sites by the Geotechnical Unit is currently underway. The current property owner of the 305 Swing Road property has been unreceptive to efforts by NCDOT and it's contractors to access the site for subsurface investigations. Further efforts to gain property access are being coordinated through the State Attorney General's office. The Geotechnical Unit's preliminary drainage recommendation is to avoid or minimize subsurface work in this area, and that special handling of contaminated soil and groundwater is to be expected during any necessary subsurface work in the area. The Geotechnical Unit expects to complete the investigation and report by January 30, 2007.

Action Taken: An investigation of soil and groundwater contamination at these sites by the Geotechnical Engineering Unit has been completed. Both properties have low levels of soil and groundwater contamination caused by petroleum and solvents, but these areas are outside the limits of construction. A special provision has been included in the contract to address this contamination on the unlikely event it is encountered during construction. One property has been settled by fee simple with a statement included in the deed holding NCDOT harmless for any contamination on the site, while the other has been condemned by permanent easement and is still pending.

Roadway Design Unit, Program Development Branch:

Sidewalks will be provided on both sides for the entire length of Bridford Parkway Extension and along the southern side of the Big Tree Way realignment. The City of Greensboro will be responsible for maintenance and liability of the proposed sidewalks, as well as sharing the cost of construction according to the NCDOT requirements for a municipality with a population above 100,000 (50% NCDOT and 50% municipality).

Wide outside lanes (fourteen-foot) have been included to accommodate bicycle traffic.

Since the publication of the FONSI, the City of Greensboro has changed its policy regarding sidewalk construction to include installation of sidewalks on all improved roadway sections. Therefore, sidewalks will be provided on both sides of the Bridford Parkway Extension and on both sides of each alignment to be improved within the project area along Big Tree Way, Guilford College Road, Swing Road, and Burnt Poplar Road. Responsibility and cost sharing for sidewalk installation and maintenance requirements remain as stated in the FONSI and above. The City of Greensboro will enter into a formal municipal agreement with NCDOT to include these provisions.

Action Taken: No change.

Roadway Design Unit/Right of Way Branch:

A concrete island will be installed on Guilford College Road from the intersection with Bridford Parkway to just north of the Hywood Drive entrance at the end of the control of access limits. The island could be extended past Hywood Drive making it a right-in, right-out entrance onto Guilford College Road during the right of way plan development pending future development of the Hyde Park Community and whether or not another access is provided to Bridford Parkway.

Future development has not been identified off of Hywood Drive at this time. The island is currently shown in the same location just north of the Hywood Drive entrance, maintaining full access from and to Guilford College Road.

Roadway Design Unit:

An exclusive left-turn lane will be installed on Burnt Poplar Road. The widening will be done along the southern side of Burnt Poplar Road and will be kept within the existing right of way if possible. Coordination with the City of Greensboro will be done for any future widening plans for this segment of Burnt Poplar Road.

The exclusive left-turn lane will be installed on Burnt Poplar Road. Symmetrical widening along Burnt Poplar Road will be done along Burnt Poplar Road to distribute property impacts equally on both sides of the roadway. Coordination with the City of Greensboro will be done for any future widening of this segment of Burnt Poplar Road.

Action Taken: No Change

Traffic Engineering Branch:

The NCDOT's standard practice is to use metal poles with mast arms at new signalized intersections and at existing intersections which are to be upgraded. If the City of Greensboro desires decorative types of poles and mast arms, the city will be required to reimburse the department the cost difference between the standard assemblies and decorative assemblies. The additional cost will be addressed in the municipal agreement.

No Change. The metal poles and mast arms are planned for the intersections on the project.

Action Taken: This project does not meet the Department's standard criteria to use metal poles with mast arms. It therefore falls under NCDOT's standard practice of using wooden poles. The City of Greensboro has requested metal poles with mast arms for this project. The city will be required to reimburse the department the cost difference between the wooden poles and the metal poles with mast arms. The additional cost will be addressed in the municipal agreement.

Commitments Developed Through the Permitting Process

Natural Environment Unit:

NC-EEP STREAM MITIGATION: Compensatory mitigation for the loss of 548 linear feet of stream, associated with the proposed project, shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated November 24, 2008 from William D. Gilmore, EEP Director. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corp of Engineers signed July 22, 2003, the EEP will provide 998 linear feet of warm-water restoration equivalent stream mitigation in the Haw River basin (Hydrologic Cataloging Unit 03030002) by one year of the date of this permit. The 998 linear feet of warm water restoration equivalent stream mitigation results from 450 linear feet of stream impacts mitigated at a ratio of 2:1 and 98 linear feet of stream impacts mitigated at a ratio of 1:1. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

Action Taken: The Natural Environment Unit has met this requirement.

DEPARTMENT OF THE ARMY PERMIT

Permittee: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

Permit No: SAW-2009-00032

Issuing Office: USAED, WILMINGTON

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 the office acting under the authority of the commanding officer.

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

Project Description: The project, identified as U-4006, consists of extending SR 4126, also known as Bridford Parkway, on new location from its existing northern terminus at Hornaday Road, south of I-40 Business, to the intersection of Burnt Poplar Road and Swing Road, north of I-40 Business. The cross section of this project will consist of a four-lane median divided facility with curb and gutter. Total permanent impacts for this construction of this project are 548 linear feet of perennial stream channel, including 69 linear feet of impacts due to bank stabilization activities. Temporary impacts total 99 linear feet of the perennial stream channel, associated with equipment and construction access. The applicant will mitigate for unavoidable impacts to streams by payment into the North Carolina Ecosystem Enhancement Program in the amount necessary to perform the restoration of 450 linear feet of important warm water streams at a 2:1 ratio and 98 linear feet of warm water streams at a 1:1 ratio within the in the Cape Fear River Basin (HUC 03030002).

Project Location: The project, known as U-4006, begins at the intersection of SR 1541 (Wendover Avenue) at Hornaday Road and extends 1.1 miles northwestward to the intersection of Burnt Poplar Road at Swing Road in Greensboro, Guilford County, North Carolina. Coordinates (in decimal degrees) for the site are 36.0665° N, -79.9043° W. The site contains the headwater portion of South Buffalo Creek and one unnamed tributary to South Buffalo Creek, which flow to Buffalo Creek and Reedy Fork downstream of the project site. Buffalo Creek and Reedy Fork are tributaries to the Haw River, which flows to Cape Fear River, a navigable water of the United States.

Permit Conditions:

General Conditions:

1. The time Limit for completing the work authorized ends on December 31, 2014. 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 Conditions 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 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 33CFR 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 measure by contract or otherwise and bill you for the cost.

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

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

E. P. Lusk for Gregory J. Thorpe, PhD June 16, 2009
 (PERMITTEE) NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (DATE)

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

 (DISTRICT Engineer) JEFFERSON M. RYSCAVAGE (DATE)
 COLONEL, U. S. ARMY
 DISTRICT COMMANDER

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.

 (Transferee) (Date)

SPECIAL CONDITIONS (Action ID. 2009-00032); North Carolina Department of Transportation/TIP U4006)

Work Limits

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

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

3. 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.

Related Laws

4. All mechanized equipment will be regularly inspected and maintained to prevent contamination of waters and wetlands from fuels, lubricants, hydraulic fluids, or other toxic materials. In the event of a spill of petroleum products or any other hazardous waste, the permittee shall immediately report it to the N.C. Division of Water Quality at (919) 733-5083, Ext. 526 or (800) 662-7956 and provisions of the North Carolina Oil Pollution and Hazardous Substances Control Act will be followed.

Project Maintenance

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

6. 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.

7. 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

SPECIAL CONDITIONS (Action ID. 2009-00032); North Carolina Department of Transportation/TIP U4006)

permit, including all conditions, shall be available at the project site during construction and maintenance of this project

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

9. 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.

Enforcement

10. Violations of these conditions or violations of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act must be reported in writing to the Wilmington District U.S. Army Corps of Engineers within 24 hours of the permittee's discovery of the violation.

Culverts

11. All authorized culverts will be installed to allow the passage of low stream flows and the continued movement of fish and other aquatic life as well as to prevent headcutting of the streambed. For all box culverts and for pipes greater than 48 inches in diameter, the bottom of the pipe will be buried at least one foot below the bed of the stream unless burial would be impractical and the Corps of Engineers has waived this requirement. For culverts 48 inches in diameter or smaller, the bottom of the pipe must be buried below the bed of the stream to a depth equal to or greater than 20 percent of the diameter of the culvert. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or streambeds or banks, adjacent to, upstream or downstream of the structures. In order to allow for the continued movement of bed load and aquatic organisms, existing stream channel

SPECIAL CONDITIONS (Action ID. 2009-00032); North Carolina Department of Transportation/TIP U4006)

widths and depths will be maintained at the inlet and outlet ends of culverts. Riprap armoring of streams at culvert inlets and outlets shall be minimized above the ordinary high water elevation in favor of bioengineering techniques such as bank sloping, erosion control matting and revegetation with deep-rooted, woody plants.

Pre-Construction Meeting

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

Borrow and Waste

13. To ensure that all borrow and waste activities occur on high ground and do not result in the degradation of adjacent wetlands and streams, except as authorized by this permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material, or to dispose of dredged, fill, or waste material. The permittee shall provide the USACE with appropriate maps indicating the locations of proposed borrow or waste sites as soon as the permittee has that information. The permittee will coordinate with the USACE before approving any borrow or waste sites that are within 400 feet of any streams or wetlands. All jurisdictional wetland lines on borrow and waste sites shall be verified by the Corps of Engineers and shown on the approved reclamation plans. The permittee shall ensure that all such areas comply with Special Condition b) of this permit, and shall

SPECIAL CONDITIONS (Action ID. 2009-00032); North Carolina Department of Transportation/TIP U4006)

require and maintain documentation of the location and characteristics of all borrow and disposal sites associated with this project. This information will include data regarding soils, vegetation and hydrology sufficient to clearly demonstrate compliance with the Special Condition b). All information will be available to the USACE upon request. NCDOT shall require its contractors to complete and execute reclamation plans for each waste and borrow site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps of Engineers within 30 days of the completion of the reclamation work.

EEP Mitigation

14. NC-EEP STREAM MITIGATION: Compensatory mitigation for the loss of 548 linear feet of stream, associated with the proposed project, shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated November 24, 2008 from William D. Gilmore, EEP Director. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide 998 linear feet of warm-water restoration equivalent stream mitigation in the Haw River basin (Hydrologic Cataloging Unit 03030002) by one year of the date of this permit. The 998 linear feet of warm water restoration equivalent stream mitigation results from 450 linear feet of stream impacts mitigated at a ratio of 2:1 and 98 linear feet of stream impacts mitigated at a ratio of 1:1. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: North Carolina Department of Transportation		File Number: SAW 2009-00032	Date: June 2, 2009
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
X	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
	APPROVED JURISDICTIONAL DETERMINATION		D
	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://usace.army.mil/inet/functions/cw/cccw/reg> or Corps regulations at 33 CFR Part 331.

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 division 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:
Mr. Andrew Williams, Project Manager
Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587

If you only have questions regarding the appeal process you may also contact:
Ms. Jean B. Manuele
Chief, Raleigh Regulatory Field Office
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587

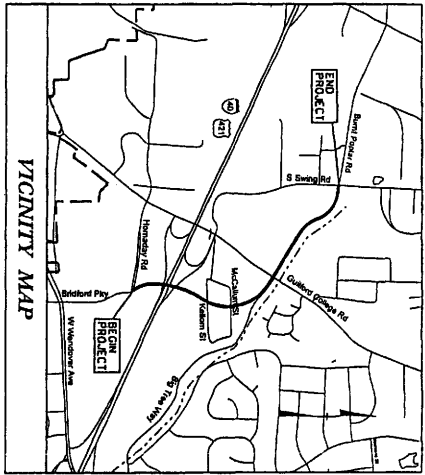
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity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

_____ Signature of appellant or agent.	Date:	Telephone number:
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DIVISION ENGINEER:
Commander
U.S. Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490

PROJECT:

TIP PROJECT: U-4006



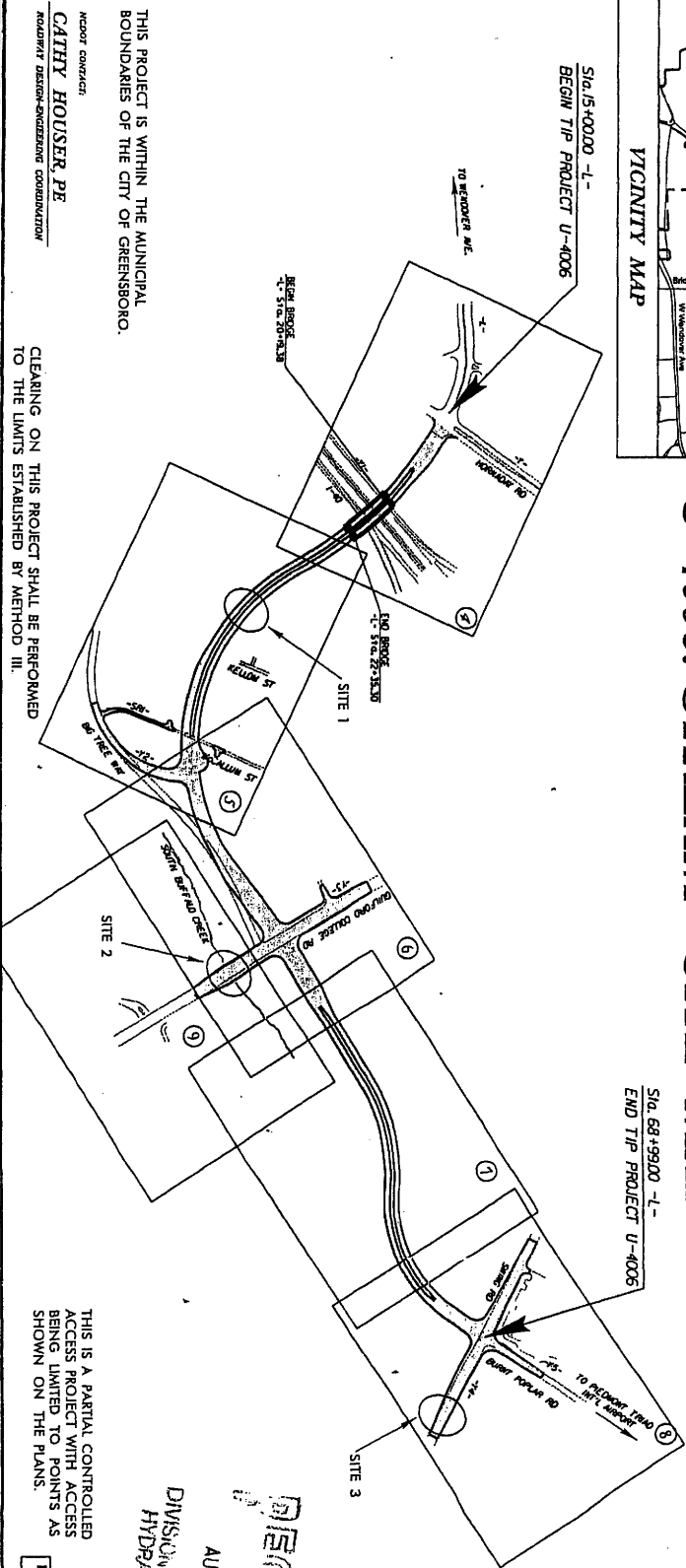
See Sheet 1-A for Index of Sheets

STATE OF NORTH CAROLINA
 DIVISION OF HIGHWAYS

GUILFORD COUNTY

LOCATION: GREENSBORO SR 4126 (BRIDFORD PARKWAY, NEW ROUTE)
 FROM SR 1541 (WENDOVER AVE.) AT HORNDAY RD. TO
 SR 1607 (BURNT POPLAR ROAD) AT SWING ROAD
 TYPE OF WORK: GRADING, PAVING, DRAINAGE, STRUCTURES,
 AND SIGNALS

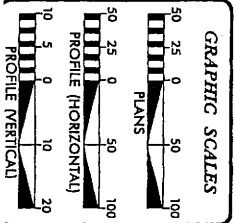
U-4006: STREAM SITE MAP



THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF GREENSBORO.

ASPECT CONTACT:
CATHY HOUSER PE
 ROADWAY DESIGN/ENGINEERING CONSULTATION

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



DESIGN DATA

ADT 2008 =	23,162
ADT 2028 =	31,469
DHV =	11 %
D =	60 %
T =	6 %
V =	40 MPH
TTST =	5%
DUAL =	5%

PROJECT LENGTH

LENGTH OF ROADWAY TIP PROJECT U-4006 =	0.982 miles
LENGTH OF STRUCTURE TIP PROJECT U-4006 =	0.041 miles
TOTAL LENGTH TIP PROJECT U-4006 =	1.023 miles

ARCADIS

1415 EAST 17TH AVENUE
 SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.8000
 FAX: 303.733.8001
 WWW.ARCADIS.COM

FOR THE STATE OF NORTH CAROLINA
 DIVISION OF HIGHWAYS
 PROJECT ENGINEER

PROJECT ENGINEER
STEVE SMALLWOOD, P.E.

LETTING DATE:
 AUGUST 19, 2008

HYDRAULICS ENGINEER

ROADWAY DESIGN ENGINEER

THIS IS A PARTIAL CONTROLLED ACCESS PROJECT WITH ACCESS BEING LIMITED TO POINTS AS SHOWN ON THE PLANS.

PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION

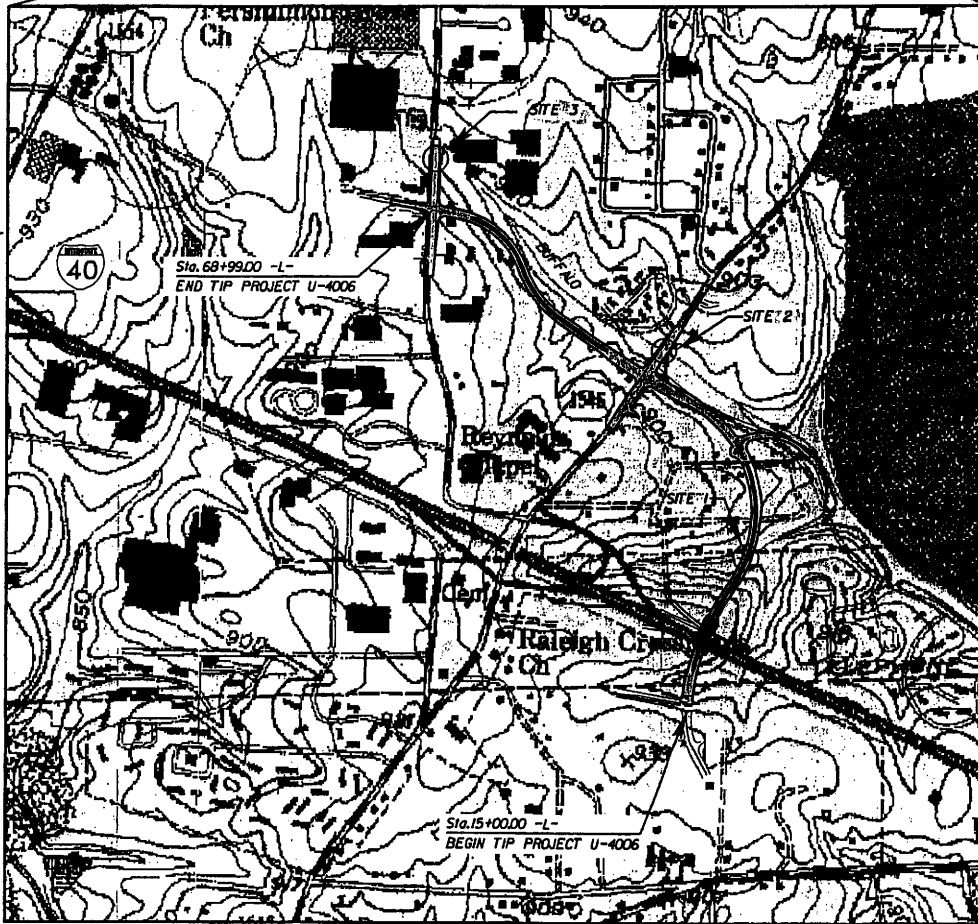
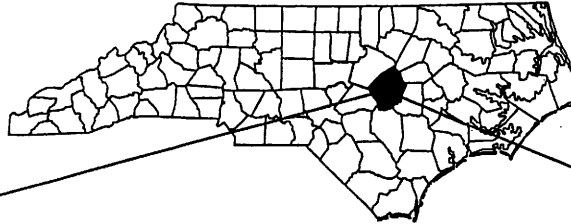
PREPARED
 DIVISION OF HIGHWAYS
 HYDRAULICS UNIT
 AUG 05 2008

NO.	DATE	BY	REVISION
1	8/4/08	STR-4126(1)	P.E.

DIVISION OF HIGHWAYS
 STATE OF NORTH CAROLINA

Permit Drawing of Sheet 1 of 15

VICINITY MAP



SCALE: 1" = 1000'

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
GUILFORD COUNTY

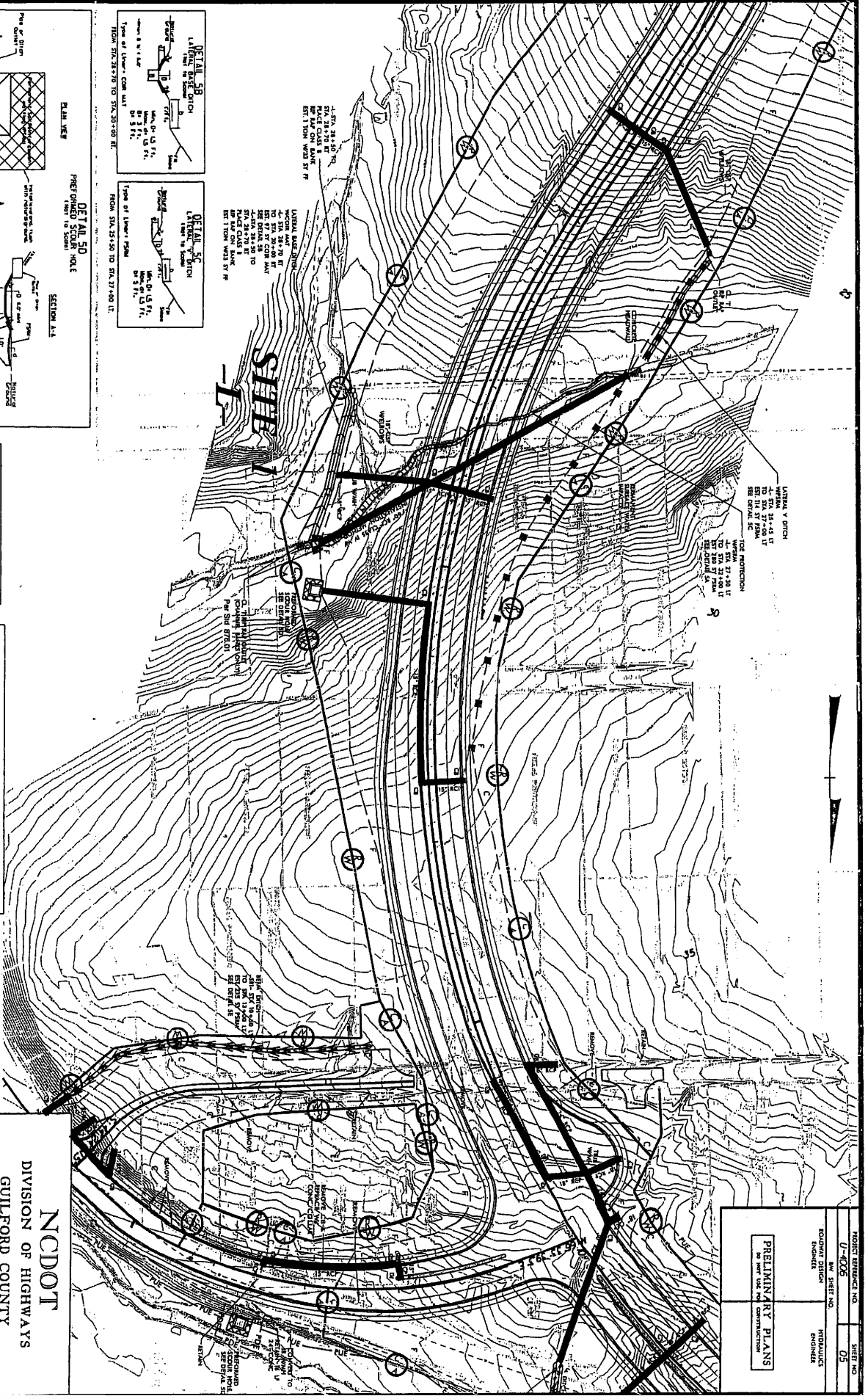
PROJECT: 35007.1.1 (U-4006)

SR 4126 (BRIDFORD PKWY., NEW ROUTE)
FROM SR 1541 (WENDOVER AVE) AT HORNADAY RD
TO SR 1607 (BURNT POPLAR RD) AT SWING RD

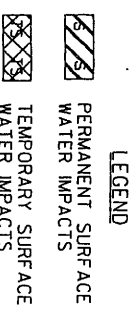
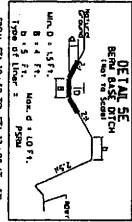
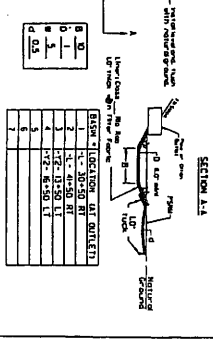
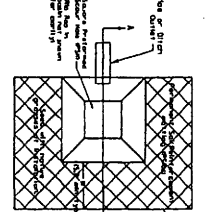
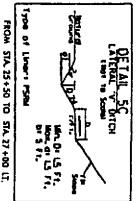
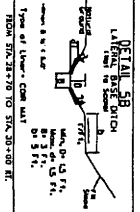
SHEET 2 OF 14 11/20/07

Permit Drawing
Sheet 2 of 14

PROJECT REFERENCE NO.	U-4006	SHEET NO.	05
ECOLOGICAL DESIGN	PROPOSED	PROPOSED	PROPOSED
PRELIMINARY PLANS			
DO NOT USE FOR CONSTRUCTION			

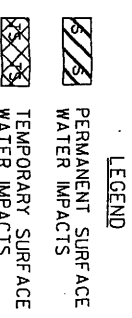
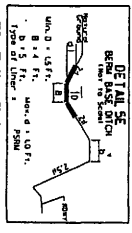
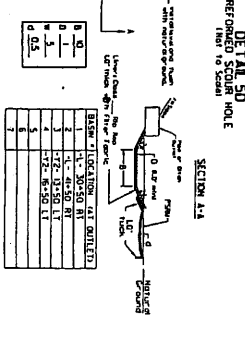
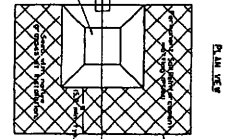
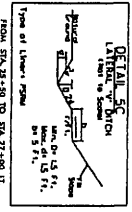
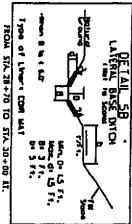
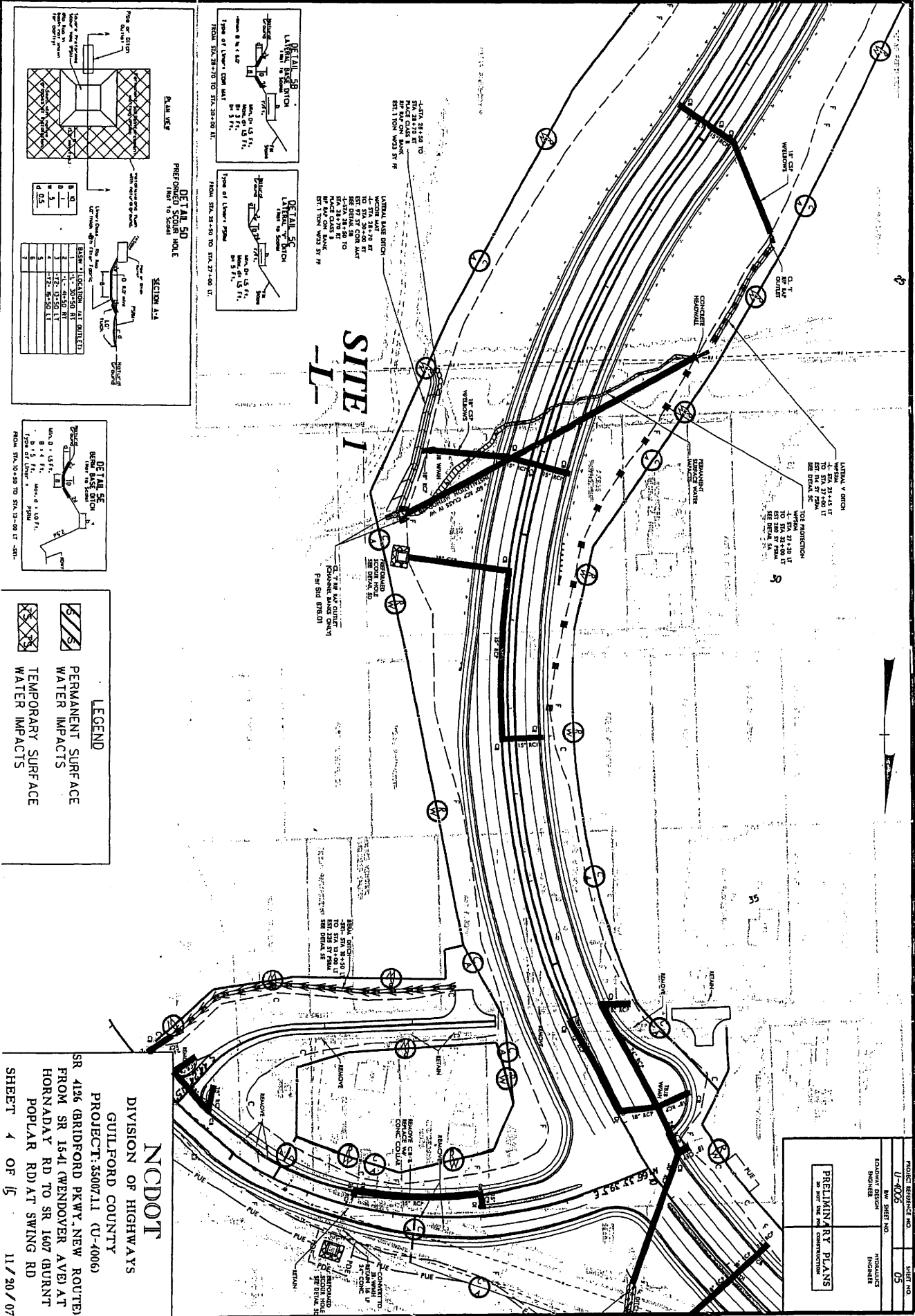


REVISIONS



NCDOT
 DIVISION OF HIGHWAYS
 GULFORD COUNTY
 PROJECT: 3500711 (U-4006)
 SR 4126 (BRIDFORD PKWY, NEW ROUTE)
 FROM SR 1541 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD

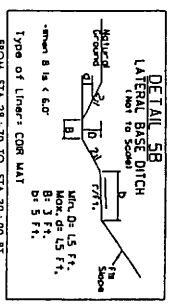
SHEET 2 OF 13



Action Id: 2009-00032
 Sheet 4 of 13

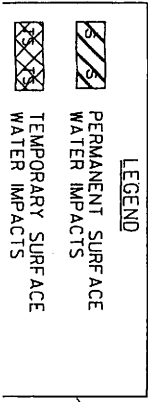
PROJECT NUMBER	U-4006	SHEET NO.	05
DESIGNER	ROADWAY DESIGN	ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS		BY: [Name] DATE: [Date]	

NC DOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 35007.11 (U-4006)
 SR 4186 (BRIDFORD PKWY, NEW ROUTE)
 FROM SR 1541 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD
 SHEET 4 OF 15 11/20/07



-L STA 28+50 TO STA 28+70 RT
 PLACE CLASS B RIP RAP ON BANK
 EST. 1 TON W/33 SY FF

LATERAL BASE DITCH
 W/CORR MAT
 -L STA 28+70 RT TO STA 30+00 RT



LEGEND

PERMANENT SURFACE WATER IMPACTS

TEMPORARY SURFACE WATER IMPACTS

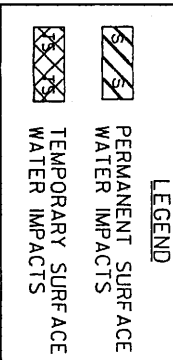
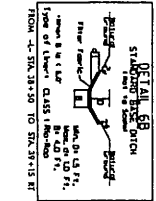
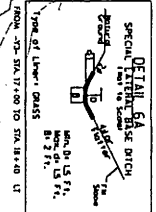
PREFOUNDED SCOUR HOLES SEE DETAIL 17
 Per Sid. 876.01

NCDOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 3500711 (U-4006)
 SR 426 BRIDFORD PKWY, NEW ROUTE FROM SR 1541 (WENDOVER AVE) AT HORNADAY RD TO SR 1607 (BURNT POPLAR RD) AT SWING RD

PROJECT RESERVE NO.	5005	SHEET NO.	05
DATE	8/12/99	DATE	
DESIGNED BY	ENGINEER	INTEGRITY ENGINEER	
PRELIMINARY PLANS NO USE FOR CONSTRUCTION			

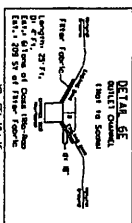
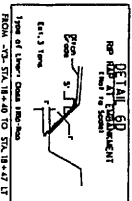
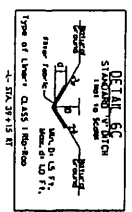
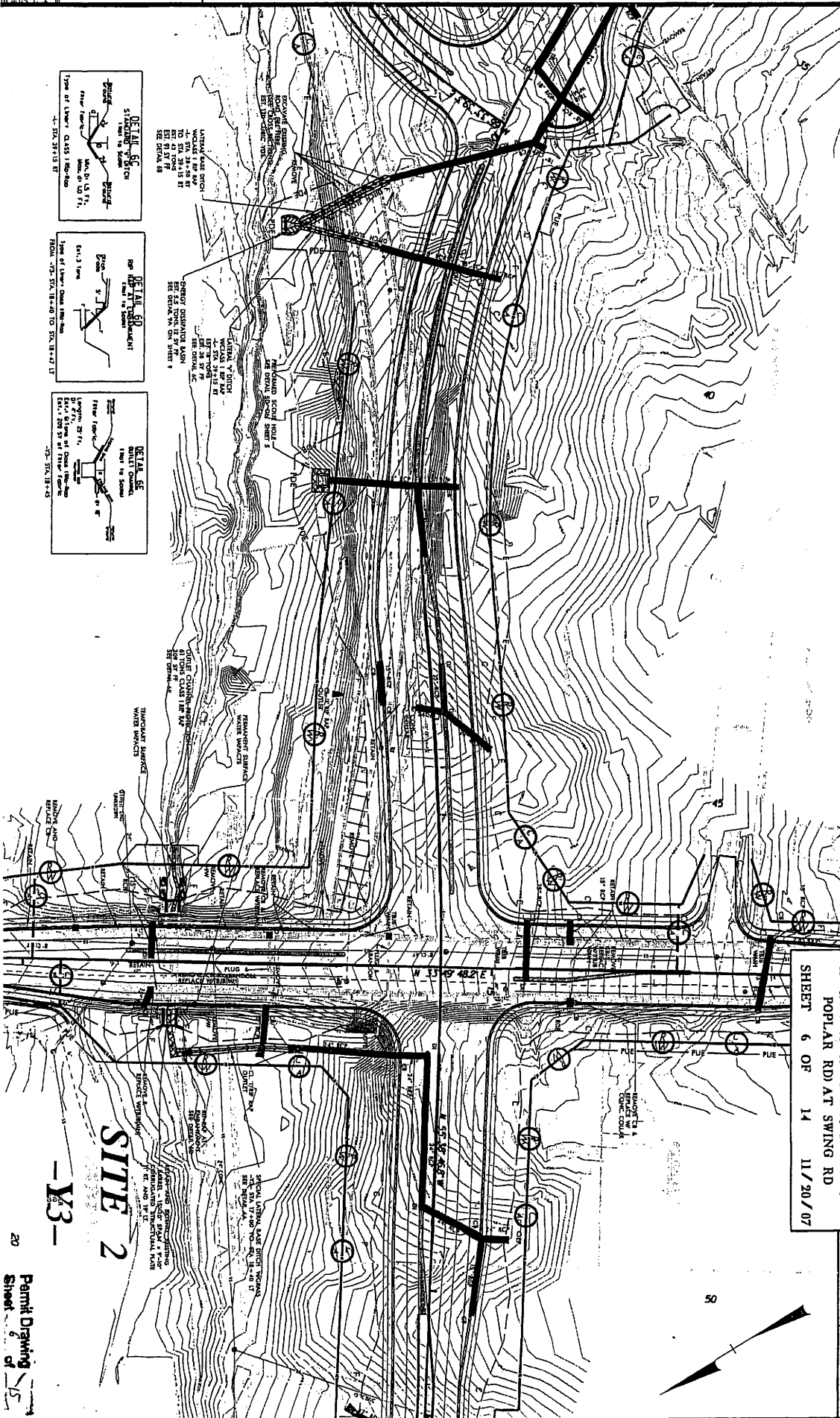
Action Id: 2009-00032
 Sheet 5 of 13

REVISIONS



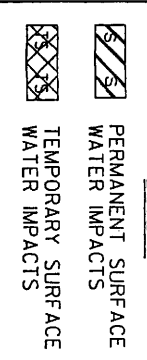
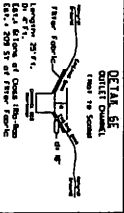
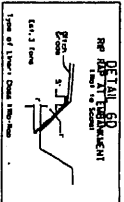
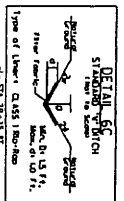
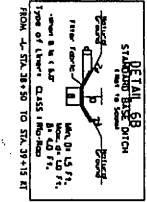
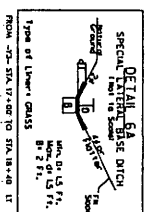
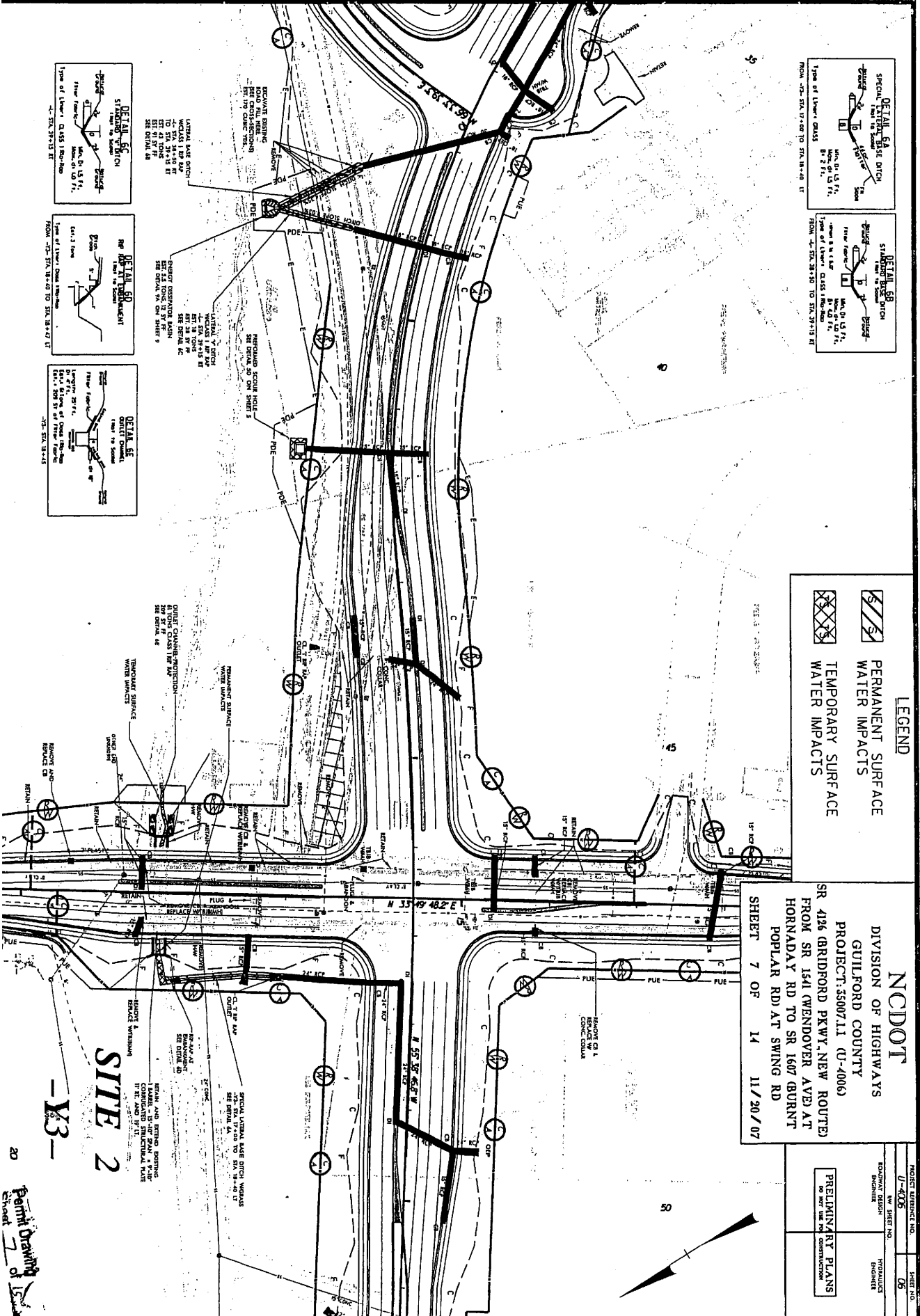
NCDOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 3500711 (U-4006)
 SR 4136 (BRIDFORD PKWY, NEW ROUTE)
 FROM SR 1341 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD
 SHEET 6 OF 14 11/20/07

PROJECT REFERENCE NO.	U-4006
SHEET NO.	06
DESIGNER	HYDRAULICS ENGINEER
CHECKER	HYDRAULICS ENGINEER
DATE	11/20/07
PRELIMINARY PLANS	NO CONTRACT



SITE 2

-Y3-



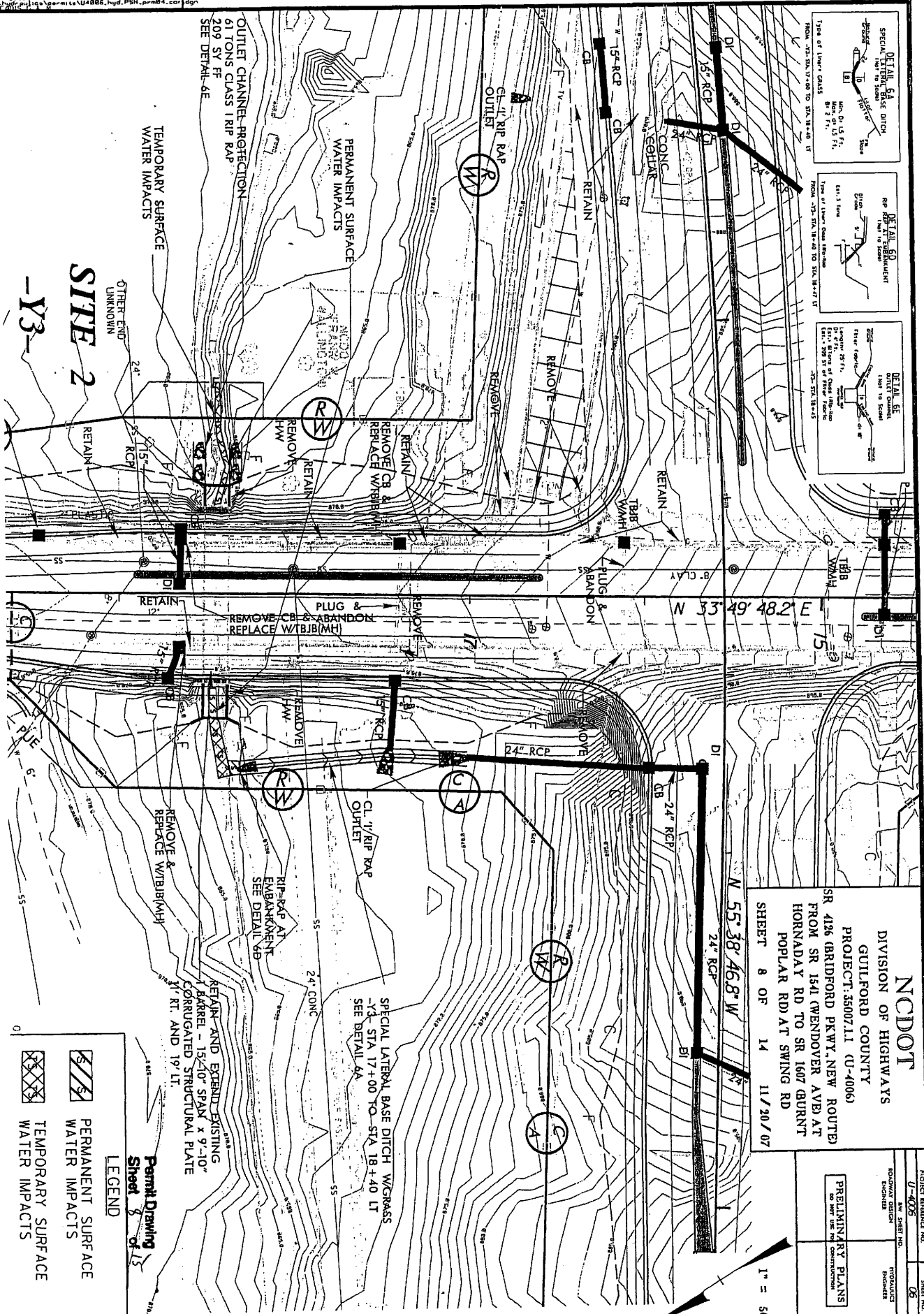
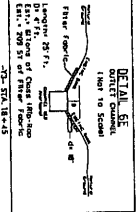
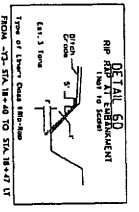
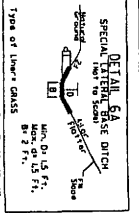
NCDOT
 DIVISION OF HIGHWAYS
 GULFORD COUNTY
 PROJECT: 5500711 (U-4006)
 SR 4156 (BRIDFORD PKWY, NEW ROUTE)
 FROM SR 1541 (WENDOVER AVENUE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD

SHEET 7 OF 14 11/20/07

PROJECT NUMBER	U-4006	SHEET NO.	06
DESIGNER	WILSON	DRAWN	WILSON
PRELIMINARY PLANS		DO NOT BE CONSTRUCTION	

SITE 2
 -Y3-
 20

Print Drawing
 Sheet 7 of 14



NCDOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 35007.11 (U-4006)
 SR 4156 BRIDFORD PKWY, NEW ROUTE)
 FROM SR 1541 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURN
 POPLAR RD) AT SWING RD
 SHEET 8 OF 14 11/20/07

PROJECT RECORD NO.	SHEET NO.
U-4006	05
DESIGNED BY	PRODUCED BY
REVISIONS	DATE
PRELIMINARY PLANS DO NOT BE USED FOR CONSTRUCTION	

SITE 2
-Y3-

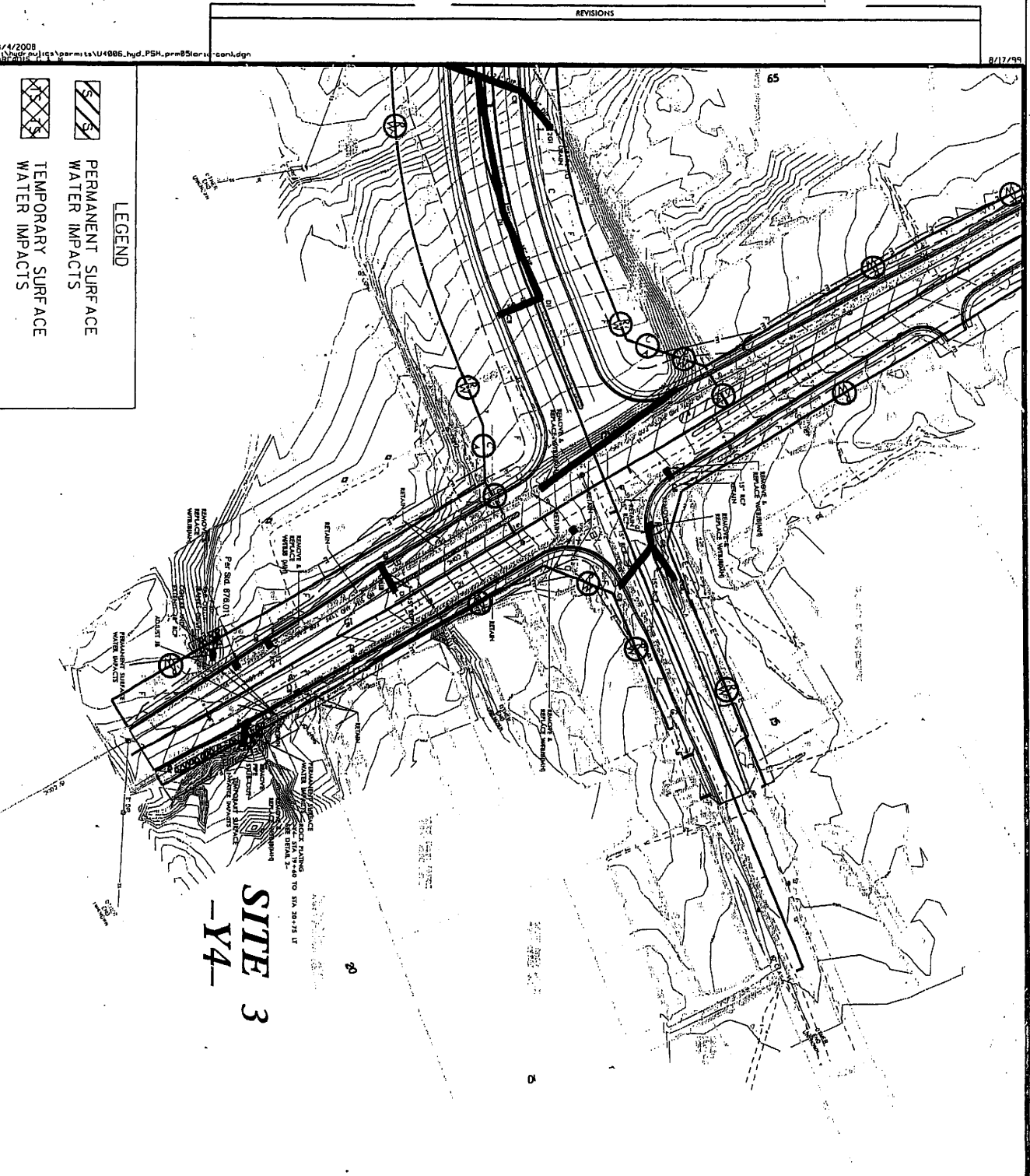
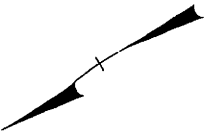
Legend

	PERMANENT SURFACE WATER IMPACTS
	TEMPORARY SURFACE WATER IMPACTS

Permit Drawing
 Sheet 8 of 15

Action Id: 2009-00032
 Sheet 8 of 13



PROJECT REFERENCE NO.	U-4026	SHEET NO.	09
DESIGNER	WSP	PROJANALYST	WSP
DATE	11/20/07	DATE	11/20/07
PRELIMINARY PLANS DO NOT BE USED FOR CONSTRUCTION			

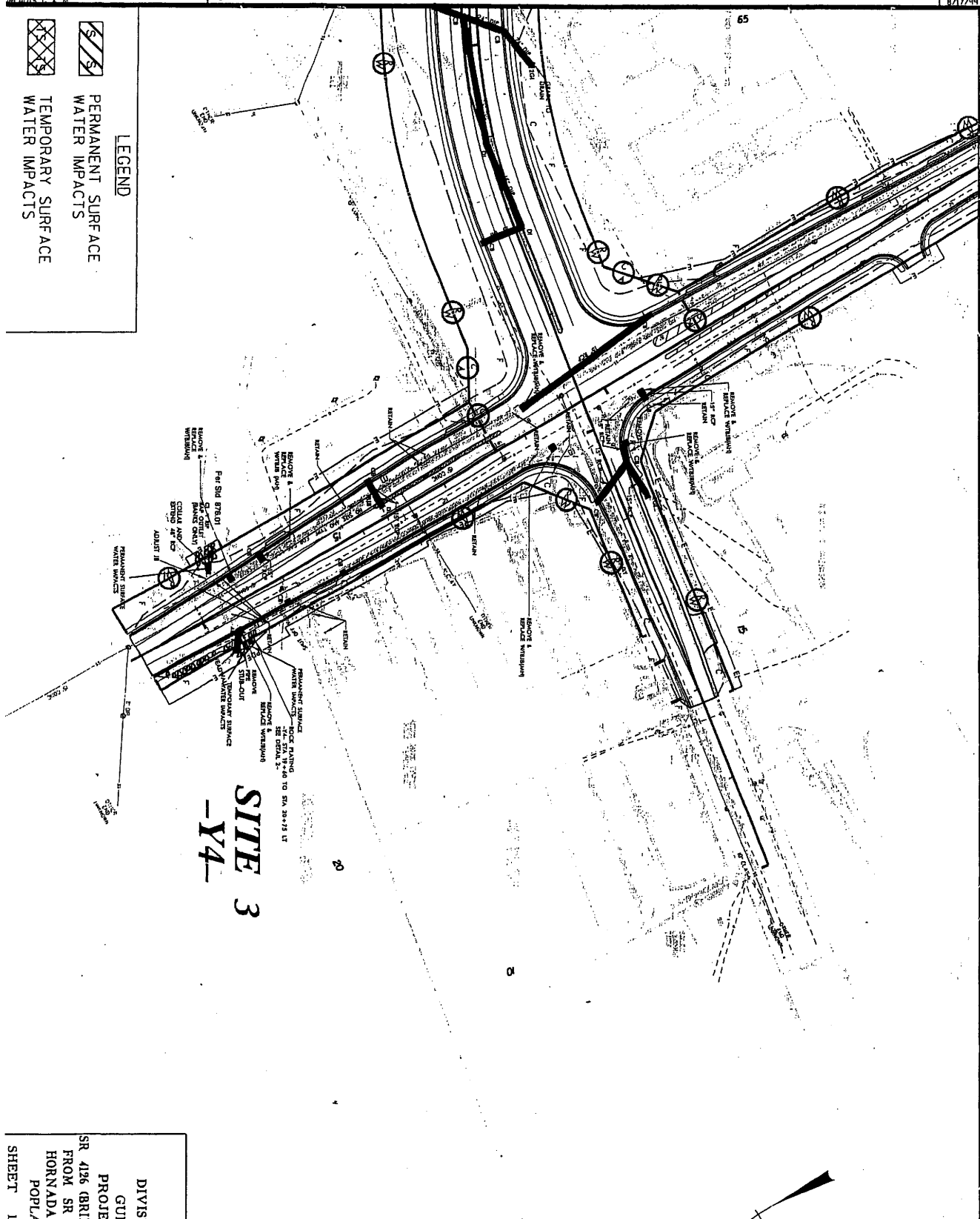


SITE 3
-Y4-

NCDDOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 35007.11 (U-4006)
 SR 4126 BRIDFORD PKWY, NEW ROUTED
 FROM SR 1541 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD
 SHEET 9 OF 15 11/20/07

LEGEND

	PERMANENT SURFACE WATER IMPACTS
	TEMPORARY SURFACE WATER IMPACTS



SITE 3
-Y4-

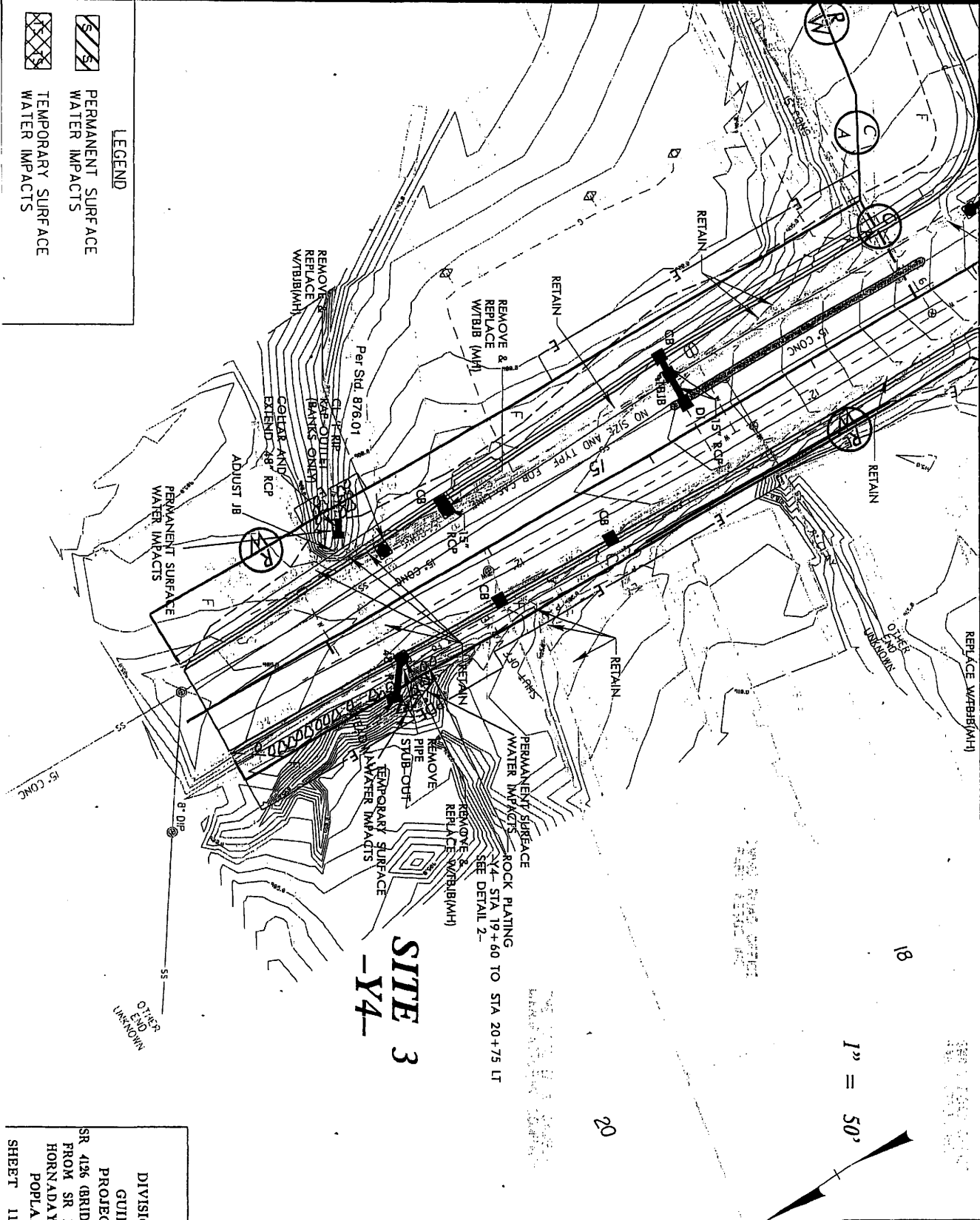
PROJECT REFERENCE NO.	08
DATE	08
DESIGNED BY	
CHECKED BY	
IN CHARGE	
DATE	
PRELIMINARY PLANS	
DO NOT USE FOR CONSTRUCTION	

NC DOT
DIVISION OF HIGHWAYS
GUILFORD COUNTY
PROJECT: 3500711 (U-4006)
SR 4126 (BRIDFORD PKWY, NEW ROUTE)
FROM SR 1541 (WENDOVER AVE) AT
HORNADAY RD TO SR 1607 (BURNT
POPLAR RD) AT SWING RD
SHEET 10 OF 15 11/20/07

Action Id: 2009-00032
Sheet 10 of 13

LEGEND

	PERMANENT SURFACE WATER IMPACTS
	TEMPORARY SURFACE WATER IMPACTS



**SITE 3
-Y4-**

PERMANENT SURFACE WATER IMPACTS
ROCK PLATING
Y4- STA 19+60 TO STA 20+75 LT
SEE DETAIL 2-

1" = 50'

PROJECT REFERENCE NO. U-4025	SHEET NO. 08
CONTRACT NO. 3500711	DATE 11/20/07
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

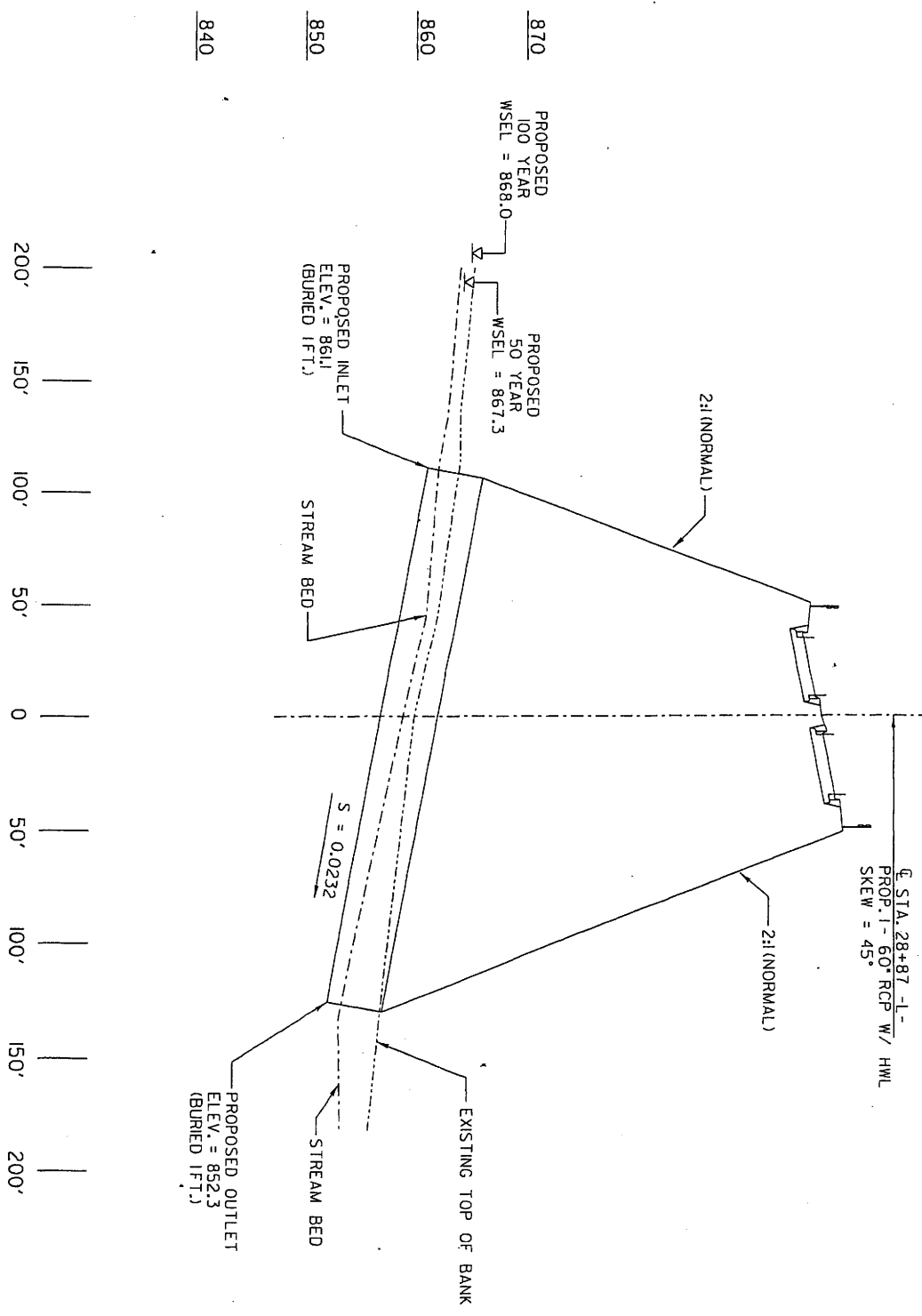
NCDOT
DIVISION OF HIGHWAYS
GUILDFORD COUNTY
PROJECT: 3500711 (U-4006)
SR 426 (BRIDFORD PKWY-NEW ROUTE)
FROM SR 1541 (WENDOVER AVE) AT
HORNADAY RD TO SR 1607 (GURRNT
POPLAR RD) AT SWING RD
SHEET 11 OF 15 11/20/07

8/17/09

REVISIONS

3/4/2008
 C:\projects\12\120001\120001.dgn

SCALE:
 1" = 50' HORIZONTAL
 1" = 10' VERTICAL



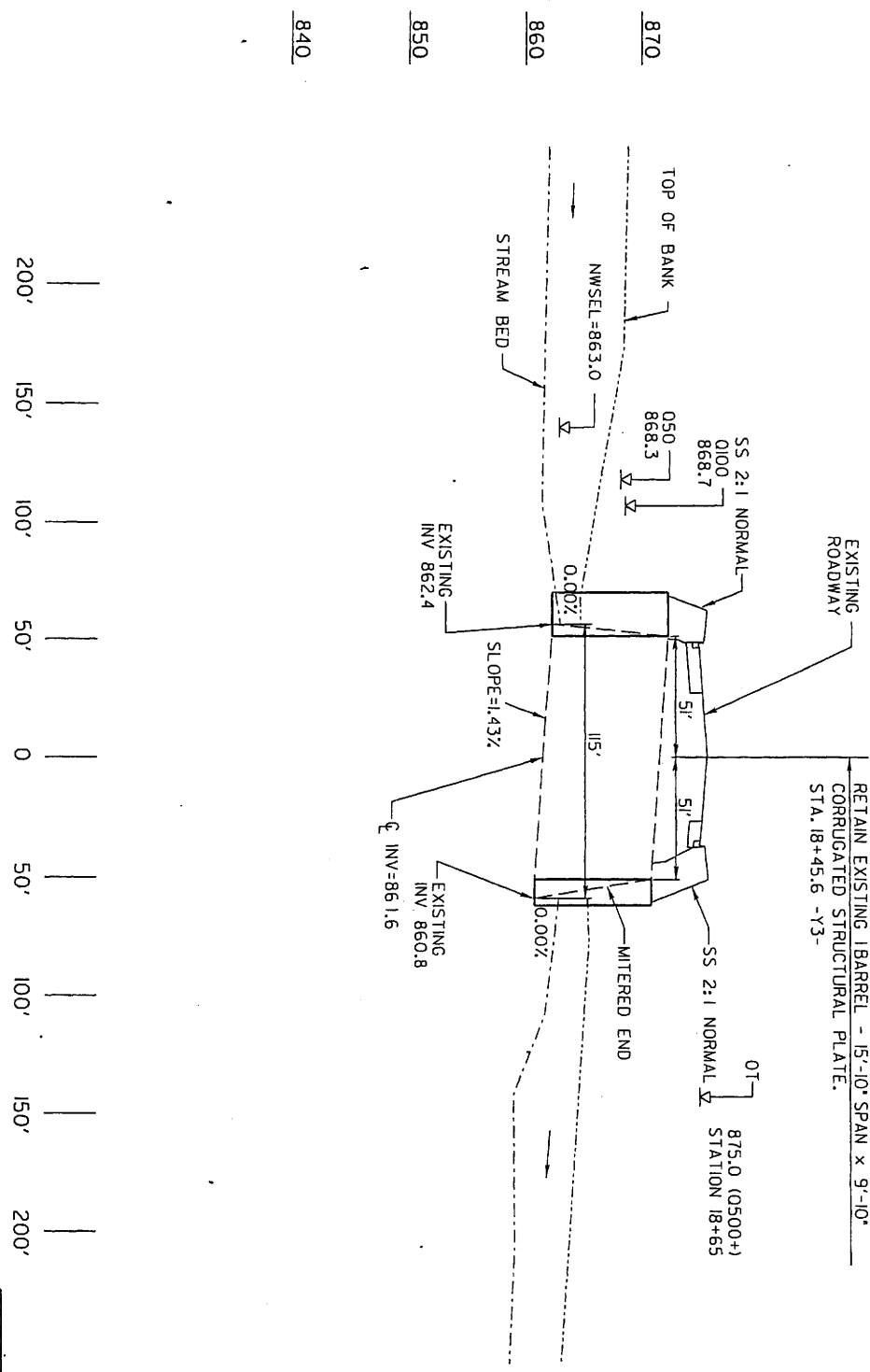
PROFILE ALONG STRUCTURE
 SITE 1

PROJECT REFERENCE NO.	12-006	SHEET NO.	2245
RAW SHEET NO.			
ROADWAY DESIGN	HYDRAULIC	HYDRAULIC	
STRUCTURE			
PRELIMINARY PLANS <small>DO NOT USE FOR CONSTRUCTION</small>			

NC DOT
 DIVISION OF HIGHWAYS
 GUILFORD COUNTY
 PROJECT: 3500711 (U-4006)
 SR 4126 BRIDFORD PKWY, NEW ROUTE
 FROM SR 1541 WENDOVER AVE AT
 HORNADAY RD TO SR 1607 BURNT
 POPLAR RD AT SWING RD

PROJECT REFERENCE NO.	U-4006	SHEET NO.	92AS
ROADWAY DESIGN	92AS	PROPOSED	92AS
CONSTRUCTION	92AS	CONSTRUCTION	92AS

PRELIMINARY PLANS
 DO NOT USE FOR CONSTRUCTION



PROFILE ALONG STRUCTURE
 SITE 2

SCALE:
 H = 50' HORIZONTAL
 V = 10' VERTICAL

NC DOT
 DIVISION OF HIGHWAYS
 GUILDFORD COUNTY
 PROJECT: 3500711 (U-4006)
 SR 416 BRIDFORD PKWY. NEW ROUTE)
 FROM SR 1541 (WENDOVER AVE) AT
 HORNADAY RD TO SR 1607 (BURNT
 POPLAR RD) AT SWING RD

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)	Temporary SW Impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temporary (ft)	Natural Stream Design (ft)		
1	-L-27+30 LT to -L-30+00 RT	60" RCP Bank Stabilization									8	30		
2	-Y3- 18+45	15'-10" x 9'-10" Corrugated Structural Steel Plate Pipe Bank Stabilization								<0.01	0.01	36	59	
3	-Y4- 19+68	48" RCP Bank Stabilization								<0.01	<0.01	38	10	
TOTALS:			0.00	0.00	0.00	0.00	0.00	0.04	0.01	548	99	0		

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
GUILFORD COUNTY
PROJECT 35007.1.1 U-4006



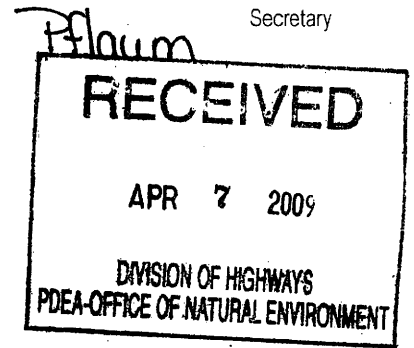
North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

March 27, 2009



Dr. Gregory J. Thorpe, PhD., Manager
Project Development and Environmental Analysis Branch
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Subject: Correction to 401 Water Quality Certification for TIP Project No. U-4006, DWQ Project No. 20081797, Individual Certification No. 3782

Dear Dr. Thorpe:

This letter is in regards to the Individual 401 Water Quality Certification issued on March 4, 2009 for the referenced project authorizing stream impacts for the Proposed extension of SR 4126 (Bridford Parkway, new route) at Hornaday Rd. to Burnt Poplar Rd. at Swing Rd. in Guilford County. Condition 4 of the Water Quality Certification for the referenced project shall be replaced with the following condition:

- 4. For all construction activities occurring in 303(d) watersheds, NC DOT shall use /Design Standards in Sensitive Watersheds / [15A NCAC 4B .0124(a)-(e)]. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres.

Please attach a copy of this letter with any copies of the original Water Quality Certification. All other conditions written into the previous Water Quality Certification for this project dated March 4, 2009 still apply except where superceded by this correction. If you have any questions please contact Amy Euliss at 336-771-4959

Sincerely,

Coleen H. Sullins,
Director

Cc: Andy Williams, US Army Corps of Engineers, Raleigh Field Office
Mike Mills, PE, Division 7 Engineer
Jerry Parker, Division 7 Environmental Officer
Kathy Matthews, US EPA (electronic copy only)
Travis Wilson, NC WRC
Amy Euliss, NC DWQ, Winston Salem Regional Office
File Copy



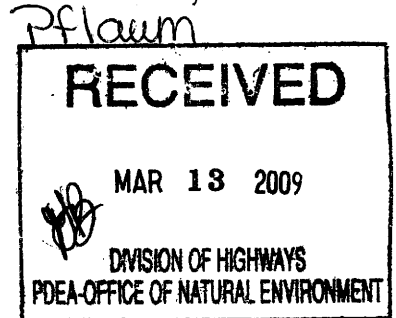
North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

March 4, 2009



Dr. Greg Thorpe, PhD., Manager
Planning and Environmental Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina, 27699-1548


Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with ADDITIONAL CONDITIONS for Proposed extension of SR 4126 (Bridford Parkway, new route) at Hornaday Rd. to Burnt Poplar Rd. at Swing Rd. in Guilford County, Federal Aid Project No. STP-4126(1), State Project 8.2496901, TIP U-4006

Dear Mr. Thorpe:

Attached hereto is a copy of Certification No. 003782 issued to The North Carolina Department of Transportation dated March 4, 2009.

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

Sincerely,



Coleen H. Sullins
Director

Attachments

cc: Andy Williams, US Army Corps of Engineers, Raleigh Field Office
Mike Mills, PE, Division 7 Engineer
Jerry Parker, Division 7 Environmental Officer
Kathy Matthews, Environmental Protection Agency (electronic copy only)
Travis Wilson, NC Wildlife Resources Commission
Amy Euliss, DWQ Winston Salem Regional Office
File Copy

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604
Phone: 919-733-1786 \ FAX: 919-733-6893
Internet: <http://h2o.enr.state.nc.us/ncwetlands/>

One
North Carolina
Naturally



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

**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 Quality (DWQ) Regulations in 15 NCAC 2H .0500. This certification authorizes the NCDOT to impact 647 linear feet of jurisdictional streams in Guilford County. The project shall be constructed pursuant to the application dated received December 2, 2008. The authorized impacts are as described below:

Stream Impacts in the Cape Fear River Basin

Site	Permanent Fill in Intermittent Stream (linear ft)	Temporary Fill in Intermittent Stream (linear ft)	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
1			413	30	443	413
2			69	59	128	0
3			66	10	76	0
Total			548	99	647	413

Total Stream Impact for Project: 647 linear feet

The application provides adequate assurance that the discharge of fill material into the waters of the Cape Fear 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 December 2, 2008 and received by the Division of Water Quality December 10, 2008. Should your project change, you are required to notify the DWQ 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.



North Carolina Department of Environment and Natural Resources

Division of Water Quality

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Director

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

9. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
10. 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.
11. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
12. 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.
13. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.
14. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards.
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
16. 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.
17. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
18. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
19. 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.

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604
Phone: 919-733-1786 \ FAX: 919-733-6893
Internet: <http://h2o.enr.state.nc.us/ncwetlands/>

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Condition(s) of Certification:

1. Compensatory mitigation for 413 linear feet of impact to streams is required. We understand that you have chosen to perform compensatory mitigation for impacts to streams through the North Carolina Ecosystem Enhancement Program (EEP), and that the EEP has agreed to implement the mitigation for the project. EEP has indicated in a letter dated November 24, 2008 that they will assume responsibility for satisfying the federal Clean Water Act compensatory mitigation requirements for the above-referenced project, in accordance with the Tri-Party MOA signed on July 22, 2003 and the Dual-Party MOA signed on April 12, 2004.
2. At permit sites 2 and 3 burial of the pipe extensions are not required, unless the existing pipes are embedded. However, at permit site 1, placement of culverts and other structures in waters, streams, and wetlands 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 DWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NC DWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
3. For the 99 linear feet of streams being impacted due to allow site access for equipment and construction of the new roadway and pipe, the sites shall be graded to its preconstruction contours and revegetated with appropriate native species.
4. All portions of the proposed project draining to 303(d) listed watersheds that are impaired due turbidity shall be designed, constructed, and operated with sediment and erosion control measures that meet Design Standards in Sensitive Watersheds [15A NCAC 4B .0124].
5. 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 DWQ 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, DWQ may reevaluate and modify this certification.
6. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
7. 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.
8. A copy of this Water Quality Certification shall be maintained on site at 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.



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20. 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.
21. 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.
22. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
23. 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.
24. 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.
25. Upon completion of the project (including any impacts at associated borrow or waste site), the NCDOT Division shall complete and return the enclosed "Certification of Completion Form" to notify DWQ when all work included in the 401 Certification has been completed.

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

If this Certification is unacceptable to you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 4th day of March 2009

DIVISION OF WATER QUALITY

Coleen H. Sullins
Director

WQC No. 003782

Transportation and Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604
Phone: 919-733-1786 \ FAX: 919-733-6893
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DWQ 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/Wetlands Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. This form may be returned to DWQ 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: _____

If this project was designed by a Certified Professional

I, _____, as a duly registered Professional _____ (i.e., Engineer, Landscape Architect, Surveyor, etc.) 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 _____

STORM WATER MANAGEMENT PLAN

TIP No. U-4006
Project No. 35007.1.1
Guilford County

ROADWAY DESCRIPTION

The project involves an extension of the existing Bridford Parkway, along a new route, from Hornaday Road, to the intersection of Burnt Poplar Road with S. Swing Road. The project is located entirely within the city of Greensboro. The overall length of the project is approximately 1.02 miles. The proposed roadway is a multi-lane undivided highway. The project drainage system consists of cross pipes, subsurface storm drain systems with outfall protection, and ditches. Major stream crossings are shown below:

Table 1: Major Stream Crossings

Location	Stream Name	Drainage Area	Proposed Structure	Bury Depth
Site 1 L Station 28+70	Tributary to S. Buffalo Creek	51 ac	60 inch RCP	1.0 FT
Site 2 Y3 Station 18+45	S. Buffalo Creek	200 ac	15'-10" x 9'-10" CSP	N/A Extension
Site 3 Y4 Station 19+69	S. Buffalo Creek	12.5 ac	48 inch RCP	N/A Extension

ENVIRONMENTAL DESCRIPTION

The project is located in the Cape Fear River Basin. Stream impacts are anticipated where the project crosses the South Buffalo Creek at the sites listed above. Pipe outlet and channel bank protection measures were implemented at these sites. There are no wetlands that fall within the project boundaries.

BEST MANAGEMENT PRACTICES (BMPs)

The primary goal of BMPs is to prevent degradation of the state's surface waters from construction and operation of the highway system. BMPs are practices and procedures undertaken to prevent or reduce storm water pollution.

The BMPs and measures used at the major stream crossing sites are as follows:

Site 1 - 60 inch Reinforced Concrete Pipe (RCP)

The culvert is to be buried one (1) foot below the natural streambed. As with most cross pipe installations, the pipe was aligned and sloped to closely match that of the existing stream. A short realignment was required for the incoming tributary to the jurisdictional stream. In this case, the channel was lined with temporary coir matting along the banks only. A small amount of rip-rap is specified to be placed along the outer bank in the bend of this tributary. This is to prevent scouring of the stream and cutting into the toe of the adjacent fill embankment. As an added scour protection measure, rip-rap will be placed at the outlet of the pipe and junction with the tributary. The rip-rap will only be placed along the stream banks.

Site 2 – 16' x 11' Corrugated Structural Plate Pipe

In order to accommodate the road widening, an extension of the existing culvert was necessary at this site. The culvert is proposed to be extended 19 ft. on the upstream side and 11 ft. on the downstream side. A construction sequence was provided which will allow the stream to maintain flow during operations. Stilling basins were included as part of the sequencing to allow pumped affluent to settle out any sediment stirred as a result of construction and prior to transferring water back into the stream. In addition, rip-rap will be placed at the outlet to protect the stream banks from erosive velocities.

Site 3 - 48 inch RCP

In order to accommodate the road widening, an extension of the existing culvert was necessary at this site. In an effort to avoid invading the stream, slope stakes were pulled back from a normal 2 H:1V to 1 ½ H:1V and rock plating was used. Rock plating is designed to lessen the effects from potential erosive velocities down and along the toe of steep slopes. In addition, rip-rap will be placed at the outlet to protect the stream banks from erosive velocities.

The BMPs and measures used on this project on behalf of roadside drainage are as follows:

Preformed Scour Holes (PSHs)

PSHs are used at the following locations in an effort to diffuse concentrated, higher velocity flow from the storm drain outlet pipe into sheet flow prior to entering the surface water.

Y2 Station 13+50 LT

Y2 Station 16+50 LT

L Station 30+50 RT

L Station 41+50 RT

Rip-Rapped Energy Dissipator Basin

A dissipator basin is used on L at Station 39+15 RT to provide for rapid energy dissipation of scouring velocities exiting the storm drain outlet pipes in this area.

AVOIDANCE MEASURES

Monitoring wells are present in the HP Triad Properties, Inc. parcel (-L- Station 60+). In an effort to avoid contaminating the nearby stream, the existing drainage system will be plugged and abandoned. New outfalls in this area were placed such that they would not directly enter the stream. Ductile iron was chosen as the pipe material to eliminate the possibility of corrosion, and subsequent contamination of the water.