

# PROJECT COMMITMENTS

T.I.P. Number B-2500 Phase I  
Replacement of the Herbert C. Bonner Bridge (Bridge No. 11) on NC 12 over Oregon Inlet  
Dare County  
Federal-Aid No. BRS-2358(15)  
WBS Element 32635.1.3

*and*

T.I.P. Number B-2500 AB (Phase II)  
Short Term Improvements on NC 12 over New Inlet Breach – Pea Island  
Dare County

*If a commitment only applies to one phase, the appropriate phase precedes the commitment.*

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

The following text lists the Project Commitments for the Bonner Bridge Replacement Project:

Commitments 7, 20, 25, and 26 were revised in association with Phase IIa studies.

Commitments 25 and 26, as the result of the revision of the 2008 BO resulting from a re-initiation of Formal Section 7 Consultation with USFWS.

Commitment 29 was added as a result of agreements made at Concurrence Point 4A.

Commitments 30 and 31 were added to mitigate Pea Island National Wildlife Refuge facility impacts.

All other commitments developed during the project development and design process are the same as presented in the 2010 ROD.

### **Highway Design Branch and Technical Services Division**

1. **(Phase 1)** Navigation Span Location. One navigation zone will be built to serve boats passing through Oregon Inlet. The location of the zone will be determined in coordination with the US Army Corps of Engineers (USACE).
2. Bicycle Accommodations. The Cape Hatteras National Seashore (Seashore) management plan supports the use of bicycles along NC 12. All bridges associated with the detailed study alternatives (including the Selected Alternative[s]) will have 8-foot (2.4-meter) wide shoulders that will be safer for bicycle and pedestrian traffic than Bonner Bridge's 2-foot (0.6-meter) wide shoulders. In addition, a bicycle- safe bridge rail on the bridges also will provide increased safety for bicyclists. New roadway will have 4-foot (1.2-meter) paved shoulders, which will be safer for use by bicycle and pedestrian traffic than the existing NC 12's unpaved shoulders.

### **Highway Design Branch and Division 1**

3. Use of Work Bridges. During construction of the project, steps taken to minimize turbidity (when possible and practicable) will include the use of work bridges (rather than barges, which would require dredging) for movement of construction equipment in shallow areas where submerged aquatic vegetation (SAV) is present. If SAV is in waters deep enough to float a barge without dredging, the use of a work bridge will not be necessary. Work bridges also will be used to carry construction equipment over intertidal marsh areas (black needlerush and smooth cordgrass). Dredging generally will only be used in depths less than 6 feet (1.8 meters) where SAV is not present. Work bridges will be used to cross SAVs. Neither dredging nor haul roads will be used in SAVs.
4. Sedimentation and Erosion Control. All waters in the project area are classified as SA waters (Class A salt waters) with a supplemental classification of High Quality Waters (HQW). The most stringent application of the Best Management Practices (BMPs) is expected where highway projects affect receiving waters of special designation, such as HQW. Also, impacts to adjacent areas of SAV and/or wetlands should be minimized. Therefore, sedimentation and erosion control measures shall adhere to the Design Standards in Sensitive Watersheds [15A NCAC 04B.0124 (b)- (e)]. Prior to construction, the design-build contractor will submit the proposed sediment and erosion control plans for each stage of construction to the North Carolina Department of Transportation (NCDOT) and permitting agencies for review.
5. Pile Placement. Bridge piles in open water will be jetted to the tip elevation (depth of the tip of the pile). Bridge piles over land will be jetted or driven. Potential damage to wetlands, SAV, and Oregon Inlet from jetting spoils will be minimized to the extent practicable.
6. **(Phase I)** Use of Bridge Demolition Debris for an Artificial Reef. NCDOT will work with the North Carolina Department of Environment and Natural Resources, Division of Marine Fisheries (NCDENR-DMF) to accommodate this desire during demolition planning. Coordination also will be conducted with the National Marine Fisheries Service (NMFS) in association with their regulation of several protected species.
7. **(Phase I)** Oregon Inlet Fishing Access (revised). This commitment was revised as a result of ongoing Section 7 coordination with NMFS. NCDOT will install “no fishing” signs to not allow fishing on the catwalks during construction to satisfy NMFS concerns, and for safety reasons. If and when a decision is made to allow fishing on the remnant of the existing Bonner Bridge, FHWA will initiate Section 7 consultation with NMFS prior to the “no fishing” signs being removed.

### **Highway Design Branch, Project Development and Environmental Analysis Unit, and Division 1**

8. Design Coordination. NCDOT will invite NPS and USFWS, as well as the other agencies represented on the project’s National Environmental Policy Act/Section 404 of the Clean Water Act (NEPA/Section 404) Merger Team (a full list of agencies on the Merger Team is shown on page 8-6 of the 2008 FEIS), to participate in the development of project design and mitigation strategies as a part of the permit application process for each phase of the project.

9. **(Phase I) Dredging.** To avoid construction impacts to protected turtles, NCDOT's contractor will use pipeline or clamshell dredging. A hopper dredge will not be used for bridge construction or Bonner Bridge demolition.
10. **(Phase I) Disposal of Dredged Material.** Prior to construction, during the permit preparation process, FHWA and NCDOT will work with appropriate environmental resource and regulatory agencies to identify the characteristics of dredged material from bridge construction in open water and develop a disposal plan that will minimize harm to natural resources. The appropriate location for dredged material disposal will be determined based on the character of the materials dredged, the availability of disposal sites, and coastal conditions near the time of construction. In addition, as noted in Commitment 25c, the terms and conditions outlined in the Biological and Conference Opinions (USFWS, 2008) related to piping plovers specify that "all dredge spoil excavated for construction barge access must be used to augment either existing dredge-material islands or to create new dredge-material islands for use by foraging plovers. This must be accomplished as per the specifications of the North Carolina Wildlife Resources Commission."
11. **Night-time Construction.** Because construction activities could occur 24-hours-a-day, construction areas could be lit to daylight conditions at night. NCDOT will work with NCDENR-DMF, NMFS, NPS, and USFWS to determine other areas near project construction where night lighting will need to be avoided or limited. Night lighting also will not be used close to areas where people sleep, including the campground at the northern end of the project area and the Rodanthe area at the southern end. Night lighting also will meet the requirements specified to protect sea turtles contained within Commitment 26.a.
12. **Manatee Protection.** Construction contracts will require compliance with USFWS's Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters (June 2003).
13. **Sea Turtle and Smalltooth Sawfish Protection.** NCDOT will comply with NMFS's March 23, 2006, Sea Turtle and Smalltooth Sawfish Construction Conditions (NMFS, 2006) that restrict in-water construction-related activities when these protected species are observed in the project area. However, NMFS and NCDOT agree that bridge construction or demolition activities do not need to stop when a protected species is sighted in the proximity of construction if the construction activities are not in the water. The in-water moratorium prohibits pile installation and removal and activities associated with bridge construction and demolition when listed species are present in the water, but does not restrict terrestrial activity.
14. **(Phase I) Terminal Groin Removal.** NCDOT will apply for a permit to retain the groin to protect the south end of the Oregon Inlet bridge. Construction will not be authorized by FHWA prior to issuance of the terminal groin permit.

*The permit to retain the terminal groin was received from USFWS on August 9, 2012.*

15. **Archaeological Resources Discovered During Construction.** If any historic archaeological resources (e.g., historic watercraft) are encountered in the area west of Bodie Island during construction, construction work affecting the resource will cease immediately until the resource can be identified and assessed for National Register of Historic Places eligibility.

16. Construction of Future Phases. In phasing the construction of the Parallel Bridge Corridor alternatives (including the Selected Alternative[s]), it is NCDOT's intent to place a high priority on the monitoring and need for implementation of improvements in the three potential hot spot areas. This intent recognizes the need to build in the Rodanthe 'S' Curves, Sandbag Area, and Canal Zone hot spots. Final phasing decisions will be developed through interagency collaboration and under the requirements of NEPA as project area conditions warrant.
17. Monitoring Program. NCDOT considers the 2060 high erosion shoreline a reasonable assumption for current planning purposes, but also recognizes that decisions related to implementation of future phases and the specific location of future phases will likely need to evolve with actual geomorphological change relative to the NC 12 easement. With this in mind, NCDOT will implement a monitoring and vulnerability forecasting program on Hatteras Island in the project area, as described in Section 3.3.2 of the 2010 ROD.
18. Breach Response-Related Data Gathering Program. Recognizing the possibility that a breach could occur at the southern part of the Refuge prior to completion of Phase II and that four other locations exist in the project area that are geologically susceptible to a breach, NCDOT will conduct a breach response-related data gathering program focusing on the southern end of the Refuge.
19. Reduce the Potential Impacts from NC 12 Maintenance Prior to the Completion of Each Phase. Recognizing that storm-related NC 12 maintenance will occur before completion of future phases, particularly before the implementation of improvements in the three hot spot areas, NCDOT will continue to work with the Refuge to reduce potential impacts to the Refuge and NC 12 resulting from NC 12 storm-related maintenance.
20. Atlantic and Shortnose Sturgeon (revised). Conservation measures to protect shortnose sturgeon will include no hopper dredging and measures to minimize habitat degradation. Such measures will include Best Management Practices (BMPs) involving use, storage, and disposal of construction/demolition materials to minimize short-term turbidity or water quality degradation during over-water construction in Oregon Inlet and during periodic maintenance. Construction and demolition activities associated with Phase I of the project will be completed as quickly as possible in order to minimize deterring spawning sturgeon from entering Oregon Inlet. In addition, the project will incorporate BMPs to reduce habitat degradation from stormwater runoff pollution. The same conservation measures will be applied to the Atlantic sturgeon.

**Highway Design Branch, Project Development and Environmental Analysis Unit, Division 1, Right-of-Way Branch, and Technical Services Division**

21. Utilities. Project development and construction activities will be coordinated with utility providers in the project area in order to prevent interruption of local utility services. The following utility providers currently serve the project area: Dare County (water service); Sprint Communications (telephone service); Charter Communications (cable television service); and Cape Hatteras Electric Membership Association (electric power service).

**Highway Design Branch, Project Development and Environmental Analysis Unit, Division 1, and Geotechnical Unit**

22. Use of Explosives During Construction. The use of explosives during construction is not anticipated. If explosives were needed to remove Bonner Bridge's piles, NCDOT will coordinate with the appropriate environmental resource and regulatory agencies to develop a blasting program that will minimize adverse effects to the natural environment.

**Project Development and Environmental Analysis Unit**

23. Programmatic Agreement. As per the requirements of Section 106 of the National Historic Preservation Act of 1966, FHWA, the North Carolina State Historic Preservation Officer (SHPO), the Advisory Council on Historic Preservation (ACHP), and NCDOT, along with the consulting parties (Dare County, the North Carolina Aquarium Society, USFWS, NPS, and the Chicamacomico Historical Association), developed a Programmatic Agreement (PA) stipulating measures that FHWA will ensure are carried out during the design and construction of the Selected Alternative to mitigate adverse impacts to the historic cultural resources. The final PA (see Appendix D of the Phase IIa EA) was signed by the signatory agencies on November 15, 2010 and amended in August 2013 (see Appendix E of the B-2500 A ROD). NCDOT will carry out the stipulations in this agreement.
24. Seabeach Amaranth. Since the favored habitat of the seabeach amaranth is highly ephemeral, a survey of the project area will be conducted for the habitat of this species at least one year prior to initiating bridge construction activities. It will occur as needed for each construction phase.

**Highway Design Branch, Project Development and Environmental Analysis Unit, Division 1, and Bridge Management Unit**

25. Piping Plover (revised). NCDOT will implement the following nondiscretionary measures that include the terms and conditions outlined in the Biological and Conference Opinions (USFWS, 2008):
- a. All construction equipment and personnel must avoid all bird closure areas within the Seashore and Refuge.
- All future routine maintenance activities of bridge structures that will occur within or adjacent to current or future plover nesting areas must occur outside the nesting season (April 1 to July 15).
- All future repair work on bridge structures that will occur within or adjacent to current or future plover nesting areas must occur outside the nesting season (April 1 to July 15) unless emergency or human safety considerations require otherwise. In this event, the area must be surveyed for nesting plovers and avoided to the extent possible.
- b. During the construction of Phases II, III and IV of the Phased Approach/Rodanthe Bridge Alternative (if it is implemented under the NC 12 Transportation Management Plan [Selected Alternative]), keep all construction equipment and activity within the existing right-of-way unless granted approval by the US Fish and Wildlife Service through a

revised protected species Biological Opinion. Do not moor any construction barges within 300 feet (91.4 meters) of the following islands: Green Island, Wells Island, Parnell Island, Island MN, Island C, the small unnamed island immediately east of Island C, Island D, and Island G (see Figure 1 in the Biological and Conference Opinions in Appendix E of the 2008 FEIS).

- c. All dredge spoil excavated for construction barge access must be used to augment either existing dredge-material islands or to create new dredge-material islands for use by foraging plovers. This must be accomplished as per the specifications of the North Carolina Wildlife Resources Commission. If the dredge material is used outside the current defined action area, the action area is assumed to be expanded to cover the beneficial placement of the material.
  - d. To the maximum extent practical, while ensuring the safety of the traveling public, limit or avoid the use of road signs or other potential predator perches adjacent to plover nesting or foraging areas. Where signs or other structures are necessary, determine if alternative designs would be less conducive for perching on by avian predators (gulls, crows, grackles, hawks, etc.). For example, minimize or avoid the use of large cantilever signs in favor of smaller and shorter designs.
26. Sea Turtles (green sea turtle, leatherback sea turtle, and loggerhead sea turtle) (revised). NCDOT will implement the following nondiscretionary measures that include the terms and conditions outlined in the Biological and Conference Opinions (USFWS, 2008):
- a. All construction equipment and personnel must avoid all marked sea turtle nests. Construction material and equipment staging areas must not be located seaward of the artificial dune. All future routine maintenance activities of bridge structures that will occur within or adjacent to current or future sea turtle nesting habitat, and which will require vehicles or equipment on the beach or the use of night lighting (excluding navigation lights required by the US Coast Guard), must occur outside the nesting season (May 1 to November 15).  
  
All future repair work of bridge structures that will occur within or adjacent to current or future sea turtle nesting habitat, and which will require vehicles or equipment on the beach or the use of night lighting (excluding navigation lights required by the US Coast Guard) must occur outside the nesting season (May 1 to November 15) unless emergency or human safety considerations require otherwise. In this event, the area must be surveyed for sea turtle nests and avoided to the extent possible.
  - b. Provide an opportunity for USFWS or a USFWS designee to educate construction contractor managers, supervisors, foremen and other key personnel and resident NCDOT personnel with oversight duties (division engineer, resident engineer, division environmental officer, etc.) as to adverse effects of artificial lighting on nesting sea turtles and hatchlings, and to the importance of minimizing those effects.
  - c. During turtle nesting season (May 1 to November 15), use the minimum number and the lowest wattage lights that are necessary for construction. During turtle nesting season, portable construction lighting must be amber- colored LED lights with a predominant

- wavelength of approximately 650 nanometers (preferred) or low pressure sodium-vapor type (with USFWS approval). During turtle nesting season, utilize directional shields on all portable construction lights, and avoid directly illuminating the turtle nesting beach at night. During turtle nesting season, all portable construction lights must be mounted as low to the ground as possible. During turtle nesting season, turn off all lights when not needed.
- d. For Phases II, III, and IV if developed as defined by the Phased Approach/ Rodanthe Bridge Alternative (if it is implemented under the NC 12 Transportation Management Plan [Selected]), on the ocean side, design the bridge structure in a manner which will shield the beach on the east side from direct light emanating from passenger vehicle headlights. For the small portion of Phase I over land on Hatteras Island, retrofit the bridge structure at the time that Phase II connects with Phase I. The specific design of the bridge will be developed in consultation with USFWS prior to re-evaluation of the environmental document for Phase II.
  - e. Avoid retrofitting the bridges and approach roads with permanent light fixtures in the future (excluding navigation lights required by the US Coast Guard). In addition, NCDOT does not anticipate the use of explosives during construction or demolition of the existing bridge. NCDOT's contractor will use pipeline or clamshell dredging, rather than a hopper dredge to minimize effects to sea turtles. No permanent light fixtures will be installed on the bridge or the approaches (with the exception of navigation lights as required by the US Coast Guard).

#### **Photogrammetry Unit and Project Development and Environmental Analysis Unit**

- 27. Submerged Aquatic Vegetation (SAV) Survey. The dynamic nature of the area around Oregon Inlet and the new Pea Island inlet (closed as of May 2013) results in ephemeral habitats, particularly in shallow water and shoreline areas. Consequently, NCDOT will obtain new SAV information for use by the contractor in construction access planning. All surveys for SAV in the vicinity of Oregon Inlet will follow protocols endorsed by the National Oceanic and Atmospheric Administration (NOAA) Fisheries.

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

- 28. Section 4(f). If a later phase of the Parallel Bridge Corridor with NC 12 Transportation Management Plan Alternative (Selected) requires the use of a Section 4(f) property, then FHWA will complete an additional Section 4(f) analysis prior to FHWA's approval of the later phase. The 2009 Revised Final Section 4(f) Evaluation will be reviewed to verify the status of Section 4(f) resources, the effects(s) from the proposed response strategies on the Section 4(f) resource, "use" determinations, and, if necessary, a revised least overall harm analysis.

#### **Project Development and Environmental Analysis Unit and Division 1**

- 29. Storage Shed Use During Construction (new). As agreed at Concurrence Point 4A, NCDOT commits to maintaining the ability of Refuge staff to access and use all Refuge facilities during construction of Phase IIa, including the small storage shed located near the planned intake for the third jetting water source.

30. Replacement of Public Parking Lot near Pea Island Inlet (new). Upon completion of construction, the parking lot on the east side of NC 12 will be removed by NCDOT, along with all construction materials, including concrete, asphalt, contaminated soils, and any other material not naturally belonging on the site. NCDOT will construct a replacement parking lot at a new site near the northern terminus of the Phase IIb project per the direction of the USFWS. The site will be selected by the Refuge manager with input from NCDOT upon completion of the Phase IIb project. Upon project completion, the maintenance of the parking lot will be the responsibility of the Refuge.
31. Boat Ramp, Associated Parking, and Access to Them (new). The existing parking lot (New Inlet Parking Lot) and primitive boat access point on the west side of NC 12 will be fully restored upon completion of construction and an access road similar to the one for the parking lot at the Bonner Bridge will be constructed from the southern terminus of the Phase IIb a bridge to the New Inlet Parking Lot within the existing easement to the greatest extent possible. In order to minimize wetland impacts while providing safe ingress and egress from the boat access drive, NCDOT will construct a turnaround on the east side of the existing easement, as well as a small area outside the easement on the west side of the existing easement. Upon project completion, the maintenance of the driveway and turnaround will be the responsibility of USFWS.

## **COMMITMENTS FROM PERMITTING**

### **B-2500 Phase I**

*Condition no 11 from NPS Special Use Permit issued September 14, 2015:*

#### **NCDOT Design Build Unit**

The Permittee and the Park have agreed that, in lieu of cost accounting the recoverable cost incurred by the Park under law, the Permittee will pay the annual cost (paid annually in advance to the Park) to provide a GS-11 employee solely representing the Park and such other permitting agencies requesting representation and approved by the Park whose main responsibilities will include: being the point of contact (POC) for the Park under this permit; and providing the daily monitoring of the Permittee's compliance with the terms and conditions of this Permit in its daily construction activities, operations, maintenance, protection and rehabilitation of the lands and resources involved through the completion and cessation of the construction of TIP B-2500 and decommissioning of the original Bonner Bridge. Such costs shall include the burdened salary rates (benefit included) for the POC, including wages and overtime, other benefits such as vacation, retirement, health care, and authorized operational costs necessary to support the POC such as office space, office supplies, service equipment, travel, vehicle costs, training and computer costs.

*Condition no 12 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The person named on page one of the permit as in charge of the permitted activity shall be the Permittee's point of contact (POC) for the Park. All Project issues, concerns and proposals that arise at the construction, demolition or restoration sites shall be communicated to the Park's POC by the Permittee's POC or his/her designees as identified in writing to the Park. All of the Permittee's contractors, subcontractors, and agents will direct their inquiries and communications for the Park to the Permittee POC. Park communication for the Permittee's contractors, subcontractors, and agents shall likewise be through the Permittee's POC.

*Condition no 17 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Park's Cultural Resource Program Manager will be notified during construction of the presence of culturally significant objects or structures. Operations shall not injure, alter, destroy, or collect any object, structure, or site of historical, archeological, or cultural value. Should construction unearth previously undiscovered archeological resources, work will be stopped in the area of any discovery. The Permittee shall immediately contact the Park's POC. The Park will consult with the State Historic Preservation Officer and the Advisory Council on Historic Preservation (ACHP), as necessary, according to 36 CFR 800.13, Post Review Discoveries. In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (1990) will be followed as appropriate

*Condition no 18 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Permittee will exercise particular care not to disturb or destroy wildlife and vegetation while inside boundaries of the Park. Any activity, not otherwise addressed in this Permit that adversely impacts visitors, wildlife, or vegetation can only be done with the consent of the Superintendent after consultation with the Park and implementation of mitigations measures by the Permittee. For consultations, contact the Park's POC.

*Condition no 19 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Permittee's vehicles and equipment must not interfere with or impede routine visitor traffic or use of park resources in any manner other than permitted hereunder. Equipment utilized during the Project shall be strategically placed and operated as to avoid damage to ocean side dunes and/or marsh habitat unless otherwise permitted. Equipment will not be permitted to operate from or on the ocean beach for any nonemergency activities.

*Condition no 20 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

All construction shall occur within: (1) the proposed B-2500 (Phase I) right-of-way easement of 100 feet; (2) the Temporary Construction Easement (TCE) shown on plans already provided to the Park; (3) the existing 100-foot right-of-way for NC Highway 12 and the Bonner Bridge; and (4) the gore area between the old and new right-of-ways as delineated on Exhibit "G" to the HED, until completing the demolition and removal of the existing Bonner Bridge and all necessary restoration work. Forty-five days before the commencement of any on-the-ground work for the Project, the Permittee will cause the rights-of-way and easements to be "staked" with five-foot high markers bearing red ribbon 75 feet apart beginning at the northern edge of Oregon Inlet (on land reasonably accessible by foot or vehicle) to 1,000 feet north of the entrance to the Park's campground for said rights-of-way which will identify the authorized work corridor (also known as the construction limits or site) within which the Permittee may operate. Lost or missing stakes shall be continually replaced until the Project is completed. The only items that will be allowed within the rights-of-way and easements will be equipment and materials necessary for ongoing work at that time. No unused equipment or material will be left in the area for extended durations. All material and equipment not in use at the site will be staged only in designated staging areas approved by the Park.

*Condition no 21 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

Within the construction limits described above, appropriate measures will be taken to minimize damage or disturbance of vegetation and soil. The disturbed areas will not be re-seeded unless required by the Superintendent with the exception of the road shoulder. A meeting between the Permittee and Park representatives must occur on-site to review and approve materials and acceptable plant species prior to planting vegetative cover on the road shoulder.

*Condition no 25 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Park's POC shall be notified in writing no less than thirty (30) days prior to the start of initial construction on Park lands. An on-site meeting will be conducted immediately prior to the start of construction between representatives of the Park, the Permittee's construction/maintenance supervisor, and contractor representatives to determine and clarify the scope of the Project and any requirements of the Park. The Permittee's construction/maintenance supervisor will contact the District Ranger on the morning of the first and last day of work, advising the location and extent of work crews and equipment in the Park.

*Condition no 26 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Permittee and its contractors/subcontractors will coordinate with Park staff to reduce disruption of normal park activities. At least 48-hours prior to the arrival of heavy construction equipment to the construction limits, contractors will notify the Park's POC and District Ranger to minimize traffic delays that may occur as trailers carrying equipment turn off Highway 12 or access other areas of the Park.

*Condition no 28 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The erosion control devices as depicted in the approved NCDOT Erosion Control Plans shall be installed before any construction activity occurs and then removed upon completion of the Project. The Park will be provided copies of the initial Release for Construction (RFC) Clearing & Grubbing Plans and Final Grade Erosion Control Plans, and be given access for review of the red-lined "living" versions that are maintained on-site by the Permittee's contractor.

*Condition no 30 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Permittee shall provide not less than ten days advance notice to the Park's POC of the proposed transportation of hazardous materials, as defined by the US Environmental Protection Agency, into the Park. Such notice will be provided in writing and electronically by email, identifying the product or substance, the shipper, the estimated date of arrival, the vehicle or vessel, and the point of arrival. Also to be included will be the location of the proposed site for storage and use and the estimated duration of storage and use within the Park.

*Condition no 31 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

The Permittee will provide all traffic control at the site during the term of this permit. All traffic control measures are subject to coordination with the Park's POC and District Ranger. The Park approves the current schedule of closures as outlined in Special Provisions, page 191 and 192 of the B-2500 (Phase I) contract executed August 5, 2011, Traffic Management Scope of Work. The Intermediate Contract Time #2 for road closures will also be allowed for occasional material deliveries by the Design Build Team as approved in their Alternative Technical Concept #10. From time to time, the approved schedules of closure may require revision(s) which must be mutually acceptable to the Park and the Permittee. The Permittee will provide adequate advanced notice to the Park's POC and District Ranger of all scheduled closures.

*Condition no 33 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

Work crews will be courteous to visitors and refer visitor inquiries to the appropriate Park or Permittee (or contractor/subcontractor) supervisory personnel so that the inquiry is answered promptly. Flaggers and traffic control personnel shall be instructed as to the proper interaction with visitors.

*Condition no 34 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

All injuries to Park employees, construction workers or visitors and property damage must be reported to the Park's POC. The Permittee must assist in any investigations pertaining to injuries, property loss, or activities occurring at the site and associated with the Project.

*Condition no 35 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

All construction vehicles will be pressure cleaned with water prior to arriving at and departing from the construction site to minimize the potential for introducing exotic plant species. North Carolina Highway 12 will be kept clean and free from debris associated with Project activities.

*Condition no 36 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

Safety fences and signs will exclude Park visitors from construction and access areas, and other appropriate signage will provide general information to the public about the Project. The Permittee will maintain fences and signs in good repair during the Project and will promptly remove them following completion of the Project.

*Condition no 42 from NPS Special Use Permit issued September 14, 2015:*

**NCDOT Division 1 Construction Unit**

For the duration of the Project, the Permittee will provide a boat and operator to allow the Park's staff to monitor breeding and overwintering protected species on federal lands adjacent to the B-2500 (Phase I) bridge replacement project. The Permittee will provide this service when requested, but no more than once per week at pre-agreed times for up to two hours per trip. Park staff will be transported as close to the subject areas as possible but due to shallow conditions some wading may be necessary.

## **B-2500AB**

*Conditions from 404 Permit issued July 2, 2015:*

### **Division 1 Construction**

Upon project completion, all temporary fills must be removed and impact areas returned to preconstruction elevations.

*Conditions from CAMA Permit issued July 28, 2015:*

### **Division 1 Construction**

In accordance with T15A:07H.0306(k), the authorized structures shall be relocated or dismantled when they become imminently threatened by changes in shoreline configuration. The structures shall be relocated or dismantled within two years of the time when they become imminently threatened, and in any case upon their collapse or subsidence. However, if natural shoreline recovery or beach renourishment takes place within two years of the time the structures become imminently threatened, so that the structures are no longer imminently threatened, then they need not be relocated or dismantled at that time. This condition shall not affect the permit holder's right to seek authorization of temporary protective measures allowed under Rule T15A:07H.0308(a)(2).

In accordance with G.S. 113A-115.l(b)(i) and 15A NCAC 07H .0308(a)(1)(H), this major modification authorizes scour protection stones and sheet pile retaining walls that are expressly depicted on the attached workplan drawings. These scour protection stones and sheet pile retaining walls shall be removed in their entirety once they are no longer necessary.

The placement of scour protection stone around the bridge abutments, and the placement of rock rip rap at the base of the concrete sheet pile walls, shall be limited to the areas indicated on the attached workplan drawings. The scour protection stone and rock riprap shall be free from loose dirt or any pollutant except in trace quantities.

In accordance with the permittee 's e-mail dated 6/29/15, the permittee may retain the existing steel sheeting at both existing temporary bridge abutment8 as well as the existing rock/slope-stabilization sandbags at the south abutment for protective engineering purposes. The existing steel sheeting, rock, and slope-stabilization sandbags shall be removed if and when the new temporary bridge authorized by this Major Modification is removed in the future. However, if the permittee or DCM determine that the existing steel sheeting, rock, and/or slope-stabilization sandbags have become an obstruction before the new temporary bridge authorized by this Major Modification is removed, then the permittee shall coordinate with DCM to examine removal options under a quicker timeframe.

With the exception of the structures specifically stated in Conditions No. 4 and 5 of this Major 1 .. Modification, upon completion of the work authorized by this Major Modification, all temporary structures and all remnant existing structures shall be removed in their entirety and disposed of at an I approved high ground location as soon as practicable.

In accordance with commitments made by the permittee, the development that was previously but no i longer authorized for B-2500 Phase IIA by DCM in modifications of CAMA Permit No 106-12 on f

4/26/13, 10/17/13, and 4/22/14, will be removed and restored to natural elevations prior to the completion of TIP No. B-2500AB.

If the Pea Island Breach Site is closed and surface water is not present, timber mats may be used within the same footprint as the area that is approved on the attached workplan drawings for temporary work bridges.

All equipment and associated materials, including any timber mats, located within the Pea Island Breach Site shall be removed within 12 hours of receiving a weather forecast that suggests the Pea Island Breach Site may become inundated with water from the ocean or sound.

Storage of equipment and materials within the Pea Island Breach Site shall be limited to only those items that will be used readily and only for the current tasks at hand.

The permittee shall coordinate with the United States Fish and Wildlife Service (USFWS) staff to determine the specific location of the Site 17 jetting water intake pump and associated piping. DCM shall be notified in writing upon selection of the final location of the Site 17 jetting water intake site.

The permittee shall exercise all available precautions to ensure that the authorized jetting water intake structures and associated equipment do not pose a hazard to navigation.

The jetting water intake piping shall be attached to temporary wooden stakes with guy lines to limit pipe swing in order to ensure the authorized piping does not pose a hazard to navigation. The piping shall also be marked with floating buoys at every 100 ft to clearly identify it in the water.

Jetting intake screens shall be installed to minimize impacts to fish species. The intake screens shall be inspected and serviced daily during periods when jetting operations are taking place.

The jetting water intake pumps shall not be operated if adjacent water levels fall 2.0 feet below the normal water level elevation.

The permittee shall continue to coordinate with appropriate resource agencies to identify and implement additional practicable methods to minimize impacts to fish species from the water intakes during jetting.

In accordance with commitments made by the permittee, all jetting that occurs within the Pea Island Breach Site will occur at ebb tide.

In accordance with commitments made by the permittee, all jetting spoils shall be disposed of within the 100-foot transportation easement within the Pea Island National Wildlife Refuge (PINWR) unless the PINWR accepts the material for Refuge use. Jetting spoils may also be disposed of at an approved upland disposal site.

All reasonable efforts shall be made to contain jetting spoils and keep them from entering wetlands or areas containing submerged aquatic vegetation.

Pilings from the existing temporary bridge and any temporary work bridges shall be removed in their entirety, except that in the event that a bridge piling breaks during removal and cannot be removed in its entirety, DCM shall be notified to determine an appropriate course of action.

According to the permittee, three existing test piles were previously installed during geotechnical investigations, and were designed to remain as permanent features of TIP No. B-2500 Phase IIA. Due to the depth and size of these three existing test piles, as well as safety concerns to the traveling public and practicability, the permittee has stated that these three existing test piles cannot be removed in their entirety at this time. Therefore, in accordance with commitments made by the permittee, the permittee shall cut the piles 1-foot below ground or deeper if groundwater allows. At some point in the future, if the permittee or DCM determines that the remaining portions of the piles have become an obstruction, the permittee shall coordinate with DCM to examine removal options of the exposed portions.

The permittee shall include the N.C. Wildlife Resources Commission (WRC) when it works with other appropriate resource agencies to determine other areas near project construction where night lighting will need to be avoided or limited, as committed to by the permittee in Project Commitment #11 of the Environmental Assessment dated 2/12/13.

This Major Modification shall be attached to the original of Permit No. 106-12, which was issued on 9/19/12, and copies of all documents shall be readily available on site when a Division representative inspects the project for compliance.

The permittee shall provide the public with adequate notice that access to the existing public boat ramp and public parking lot approximately 3,100 feet south of the Pea Island Breach Site will be closed during construction. The notice shall include an estimate of the amount of time that access to the public boat ramp will be closed.

The new temporary bridge shall maintain the present height of the existing temporary bridge, approximately 15 feet above the mean high water elevation.

### **PDEA Natural Environment Section**

Due to the possibility that compaction due to temporary roadway fill, jetting intake pumps and pipes, hand clearing, and/or other site alterations might prevent the temporary Coastal Wetland impact areas from re-attaining pre-project functions, the permittee shall provide an annual update on the Coastal Wetland areas temporarily impacted by the TIP No. B-2500 Phase IIA and TIP No. B-2500AB projects. This annual update shall consist of photographs and a brief written report on the progress of these temporarily impacted areas in re-attaining their pre-project functions. Within three years after completion of TIP No. B-2500AB, the permittee shall hold an agency field meeting with DCM to determine if the Coastal Wetland areas temporarily impacted by this project have re-attained pre-project functions. If at the end of three years DCM determines that the Coastal Wetland areas temporarily impacted by the project have not re-attained pre-project functions, DCM will determine whether compensatory mitigation shall be required.

### **Division 1 Construction Unit and PDEA Natural Environment Section**

In accordance with commitments made by the permittee, the discretionary measures for the piping plover and three species of sea turtles that include the terms and conditions outlined in the July 10, 2008 USFWS Biological and Conference Opinions shall be implemented. Those conditions are listed below:

Avoid disturbing nesting piping plovers.

To the extent possible, avoid disturbing foraging and roosting plovers.

To minimize the effect of harassment on foraging plovers, provide alternative foraging areas.

Avoid or minimize opportunities for avian predator perches.

Avoid disturbing nesting sea turtles, nests and hatchlings.

Educate construction contractors and pertinent NCDOT staff as to the adverse effects of artificial lighting on sea turtles.

Minimize the effects of construction lighting on nesting sea turtles and hatchlings.

Minimize the effects of vehicle headlights from the completed bridge.

Avoid permanent light fixtures.

All construction equipment and personnel must avoid all marked sea turtle nests.

### **PDEA Natural Environment Section**

This Major Modification shall be attached to the original of Permit No. 106-12, which was issued on 9/19/12, and copies of all documents shall be readily available on site when a Division representative inspects the project for compliance.

*Conditions from Pea Island National Wildlife Refuge Special Use Permit accepted September 27, 2013 and modified on July 16, 2015:*

### **Division 1 Construction Unit**

The Refuge Manager should be contacted immediately at (252) 473-1131 upon discovery of any wildfire, or any leak, spill, or break in a pipeline, power line, canal, or dike, or any other accident or incident that has the potential to have an adverse impact on the soil, wildlife, or plants in the area. Any unusual wildlife sightings or suspected illegal activities should be reported to the Refuge Manager.

The effective dates of this permit include the period from September 16, 2013 through December 31, 2017. If it should become necessary to extend the effective period, a request for extension should be submitted no less than 5 days in advance. The Refuge Manager or designee shall be notified no less than 3 days prior to commencement of activities on the Refuge.

Activities authorized through this permit include reasonable and prudent work within the existing North Carolina Department of Transportation (NCDOT) ROW for the existing NC Highway 12 and those areas identified in pre-construction drawings as temporary easement areas for the purpose of maintaining safe traffic flow while preparing for and construction of a concrete replacement bridge to replace the temporary steel bridge.

Care shall be taken so as to avoid harm to wildlife and fisheries resources, including their habitats.

Temporary work outside of the existing NC 12 ROW as described in project plans reviewed by the Refuge Manager is authorized to the extent necessary to complete construction of the replacement bridge and restoration of NC 12 in a safe and effective manner. This authorization is conditional upon full restoration of affected areas is completed to the satisfaction of the Refuge Manager or designee. Prior consultation with the Refuge Manager or designee is required for any additional temporary work outside of the existing ROW and not shown on the pre-construction drawings.

Special Use Permit 2013-003 is limited to the specific request for sufficient temporary easement for bridge construction at the "Pea Island Inlet" site

The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and

There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Special Use Permit 2013-003 shall be invalidated in the event of failure by NCDOT or FHWA to satisfactorily complete the environmental administrative record for compliance with full disclosure and permitting requirements.

In the event of bird or turtle nesting activity within or adjacent to the project area as determined by the Refuge Manager NCDOT shall work with the contractor and incorporate remedial measures as recommended by USFWS to minimize or eliminate lighting, noise, or construction and associated activities. NCDOT shall be responsible for monitoring nesting activity as determined necessary by the Refuge Manager. Any and all temporary easement, staging, or other work areas on the Refuge shall be sloped, contoured, and re-vegetated to pre-work conditions or to the satisfaction of the Refuge Manager.

Upon completion of construction, NCDOT shall address the issue of public access in the vicinity of New Inlet through the following measures:

The existing parking lot on the east side of the NC Highway 12 and closest to Pea Island (New) Inlet shall be fully removed along with all construction materials, including concrete, asphalt, contaminated soils, and any other material not naturally belonging on the site. A replacement parking lot shall be constructed and the kiosk shall be relocated/ reconstructed at a new site near the northern terminus of the Phase IIb bridge. The site will be selected by the Refuge Manager with input from NCDOT upon completion of the Phase IIb bridge.

The existing parking lot (New Inlet Parking Lot) and primitive boat access point on the west side of NC Highway 12 shall be fully restored upon completion of construction and an access drive similar to the one for the parking lot at the Bonner Bridge shall be constructed from the southern terminus of the new bridge to the New Inlet Parking Lot within the existing easement to the greatest extent possible. In order to minimize wetland impacts while providing safe ingress and egress from the boat access drive, NCDOT will be allowed to construct a turnaround on the east side of the existing easement, as well as a small area outside the easement on the west side of the existing easement, as depicted on Exhibit 1. Upon project completion, the maintenance of the driveway and turnaround will be the responsibility of USFWS.

Permittee is responsible for removing any and all construction debris, materials, and equipment from the Refuge to the satisfaction of the Refuge Manager.

The only allowable use in the additional TCE is solely for the purpose of constructing the Phase IIAB Bridge.

DRAFT



REPLY TO  
ATTENTION OF

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



August 14, 2013

Regulatory Division

Action ID: SAW-1993-03077  
NC DOT TIP No. B-2500

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

Dear Mr. Harris:

In accordance with your written request of June 26, 2012 and the ensuing administrative record, enclosed is a copy of a Department of the Army (DA) permit to directly discharge fill material into 0.49 acre of wetlands adjacent to NC Highway 12, on the north and south side of Oregon Inlet, in order to make improvements to NC 12 associated with the construction of a new bridge to replace the existing Herbert C Bonner Bridge and to retain 1,050 lf of the existing bridge to serve as a fishing pier in Dare County, North Carolina.

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

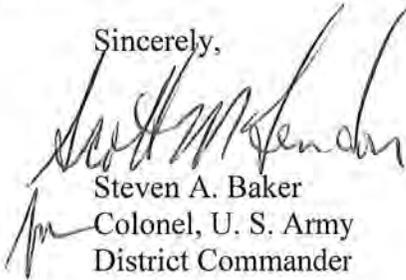
Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

- a. You must complete construction before December 31, 2023.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

You should address all questions regarding this authorization to Mr. Bill Biddlecome in the Washington Regulatory Field Office, telephone number (910) 251-4558.

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

Sincerely,



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

Enclosures

Copies Furnished (with enclosures):

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

Copies Furnished with special conditions  
and plans:

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

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

Ms. Jennifer Derby, Chief  
Wetlands Protection Section – Region IV  
Water Management Division  
U. S. Environmental Protection Agency  
61 Forsyth Street  
Atlanta, Georgia 30303

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

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

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

Mr. Mark LaRue  
Wetlands and Marine Regulatory Section  
Water Management Division - Region IV6  
U. S. Environmental Protection Agency  
61 Forsyth Street  
Atlanta, Georgia 30303

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

AUG 13 2013

REG. WILM. FLD. OFC.

Permittee: NCDOT NC12 IMPROVEMENTS TIP No. B 2500  
ATTN: DR. GREGORY J. THORPE, PH.D.

Permit No.: SAW-1993-03077

Issuing Office: USAED, WILMINGTON – CESA-W-RG-W

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

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

**Project Description:** The North Carolina Department of Transportation (NCDOT) has identified this project as TIP No. B 2500, which involves discharging fill material directly into 0.49 acre of wetlands adjacent to NC Highway 12, on the north and south side of Oregon Inlet, on Bodie Island and the Pea Island National Wildlife Refuge, in order to make improvements to NC 12 associated with the construction of a new bridge to replace the existing Herbert C Bonner Bridge, and to retain 1,050 linear feet of the existing bridge to serve as a fishing pier, in Dare County, North Carolina.

**Project Location:** The project, known as TIP No. B 2500, is a 3.55 mile project that will replace the existing structurally deficient and functionally obsolete Herbert C. Bonner Bridge across the Oregon Inlet from Bodie Island to Hatteras Island as well as minor road work on both ends of the project. The project area contains jurisdictional wetlands connected to the Pamlico Sound, Oregon Inlet, and Motts Creek. The project starts at approximate Latitude 35.763398N, Longitude 75.518585W and ends at approximate Latitude 35.802321N, Longitude 75.546214W. The project is located in the Pasquotank River Basin, Hydrologic Unit 03010205.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2023. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal

and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

SEE ATTACHED SPECIAL CONDITIONS

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:
  - ( X ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - ( X ) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.

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

E. L. Lusk for 8.12.13  
(PERMITTEE) NCDOT (DATE)  
ATTN: DR. GREGORY J. THORPE, PH.D

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

Steven A. Baker 20 August 2013  
(DISTRICT ENGINEER) STEVEN A. BAKER, COLONEL (DATE)

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

\_\_\_\_\_  
(TRANSFEEE) (DATE)

- 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.

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

Failure to institute and carry out the details of the following special conditions below (listed as a-aa) will result in a directive to cease all ongoing and permitted work within waters of the United States, including wetlands, associated with the permitted project, or such other remedies and/or fines as the U.S. Army Corps of Engineers District Commander or his authorized representatives may seek.

a) All work authorized by this permit must be performed in strict compliance with the attached plans dated/submitted June 5, 2012, which is a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.

b) 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.

c) 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 to ensure that all such areas comply with the preceding condition (b) of this permit. 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.

d) 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.

e) The Permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives and the appropriate Corps of Engineers Project Manager prior to undertaking any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all terms and conditions contained within the Department of the Army permit.

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

The Permittee shall notify the Corps of Engineers Project Manager a minimum of thirty (30) days in advance of the scheduled meeting in order to provide that individual with ample opportunity to schedule and participate in the required meeting.

f) This permit only authorizes work on Phase I of TIP B-2500. Construction on subsequent phases of TIP B-2500 shall not commence until approval has been obtained by the US Army Corps of Engineers (the Corps) in accordance with this permit authorization through an approved modification or a separate permit authorization.

g) 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.

**Related Laws**

h) The North Carolina Division of Water Quality has issued a conditioned Water Quality Certification for your project. The conditions of that certification are hereby incorporated as special conditions of this permit. For your convenience, a copy of the certification is attached as Exhibit A. These referenced conditions are hereby incorporated as special conditions of this permit.

i) 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.

j) The Permittee shall fully abide by all conditions of the CAMA Major Development Permit No. 106-12, dated September 19, 2012, issued by the North Carolina Division of Coastal Management, which are incorporated herein by reference.

k) The Permittee shall fully implement the Programmatic Agreement between the Permittee, the North Carolina State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the Federal Highway Administration, signed in November 2010, which is incorporated herein by reference.

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

**Project Maintenance**

l) 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.

m) 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.

n) 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).

o) The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades on those areas, prior to project completion.

p) 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.

q) No fill or excavation for the purpose of sedimentation and erosion control shall occur within jurisdictional waters, including wetlands, unless it is included on the plan drawing and specifically authorized by this permit.

r) 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.

s) All measures will be taken to avoid any temporary fill from entering into Oregon Inlet and the Pamlico Sound from bridge demolition. Bridge demolition shall follow NCDOT best

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

management practices for construction and maintenance activities dated August 2003 and incorporate NCDOT policy entitled "Bridge Demolition and Removal in Waters of the United States" dated September 20, 1999.

**Enforcement**

t) 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.

u) The permittee shall take measures to prevent live or fresh concrete from coming into contact with any surface waters until the concrete has hardened.

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

**Mitigation**

w) Compensatory mitigation for impacts to 0.49 acres of wetlands associated with the proposed project shall be provided in accordance with the document titled "Final Wetland Mitigation Plan NC 12 Replacement of Herbert C. Bonner Bridge (Bridge No. 11) over Oregon Inlet prepared by the United States National Park Service and the North Carolina Department of Transportation dated January 30, 2013. Activities prescribed by this plan shall be initiated prior to, or concurrently with, commencement of any construction activities within jurisdictional areas authorized by this permit.

Section 10 (Related Only to the Retention of 1,050 Linear Feet of the Original Bonner Bridge Which is Being Retained as a Navigation Training Structure/ Public Fishing Pier

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

y) The authorized structure and associated activity must not interfere with the public's right to free navigation on all navigable waters of the United States. No attempt will be made by the

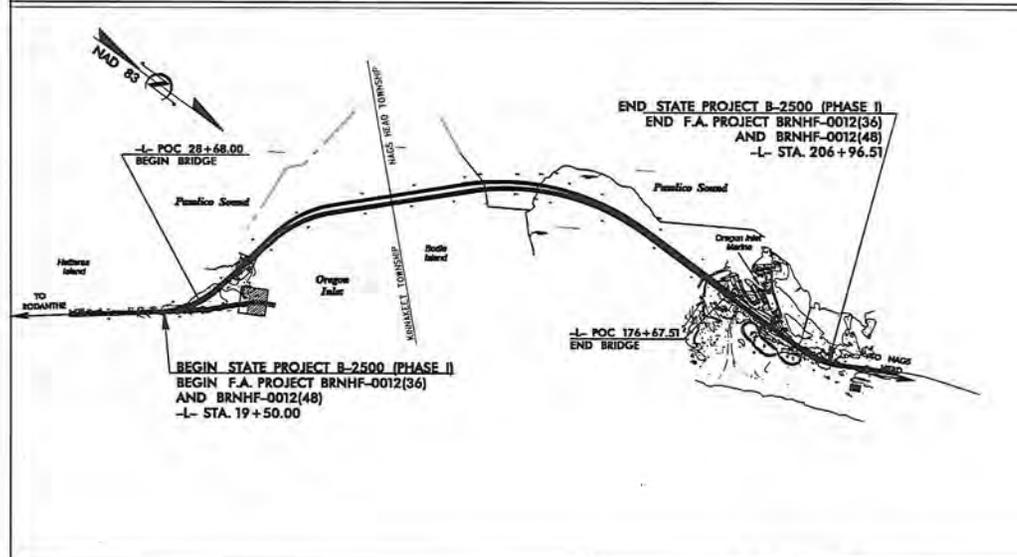
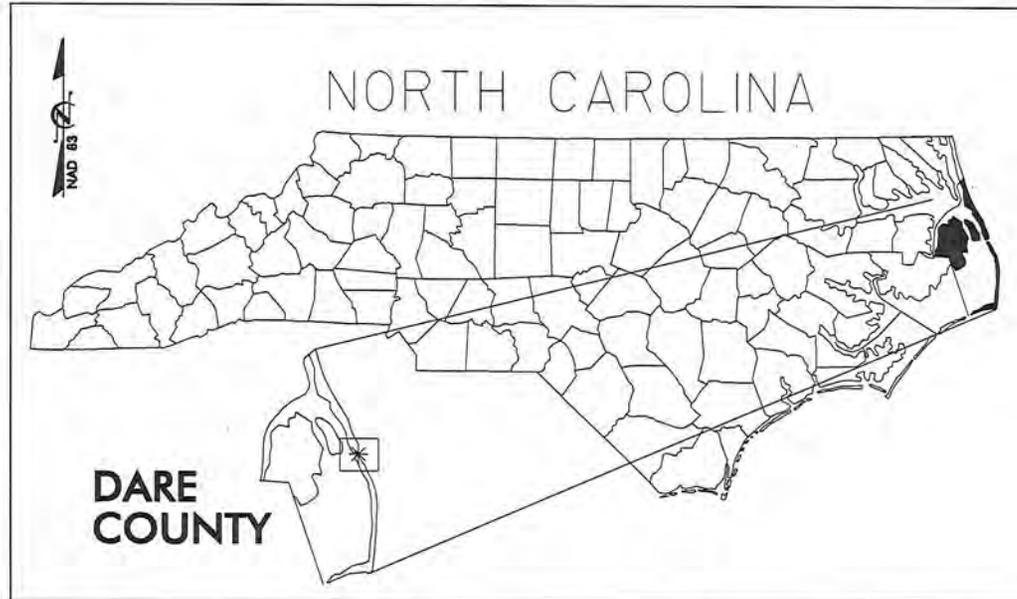
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**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the authorized work for reason other than safety.

z) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation, or alteration. The permittee shall notify NOAA/NATIONAL OCEAN SERVICE Chief Source Data Unit N CS261, 1315 E West HWY- RM 7316, Silver Spring, MD 20910-3282 at least two weeks prior to beginning work and upon completion of work.

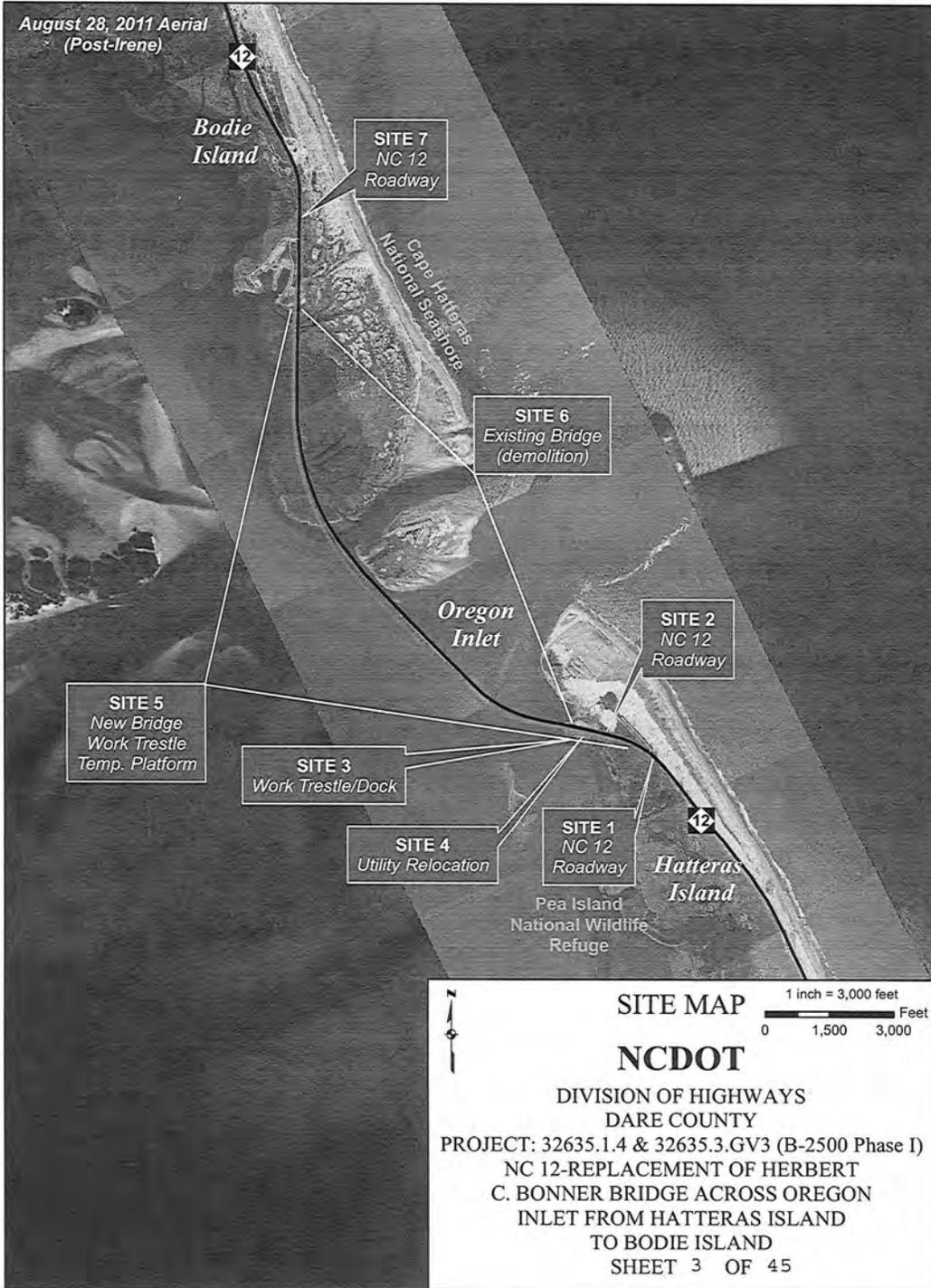
aa) The permittee must install and maintain, at his expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on authorized facilities. For further information, the permittee should contact the U.S. Coast Guard Marine Safety Office at (910) 772-2191.





VICINITY  
MAPS

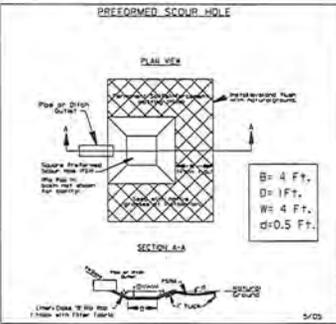
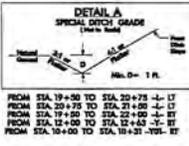
NCDOT  
DIVISION OF HIGHWAYS  
DARE COUNTY  
PROJECT: 32635.14 AND 32635.3.GV3  
B-2500 (PHASE D)  
NC 12-REPLACEMENT OF HERBERT  
C. BONNER BRIDGE ACROSS OREGON  
INLET FROM HATTERAS ISLAND  
TO BODIE ISLAND  
SHEET 2 OF 45 05/24/12



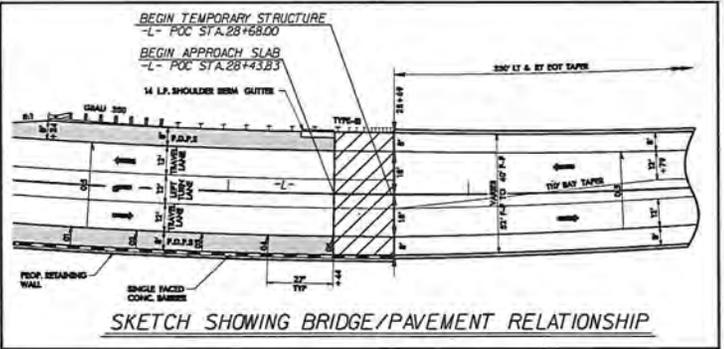
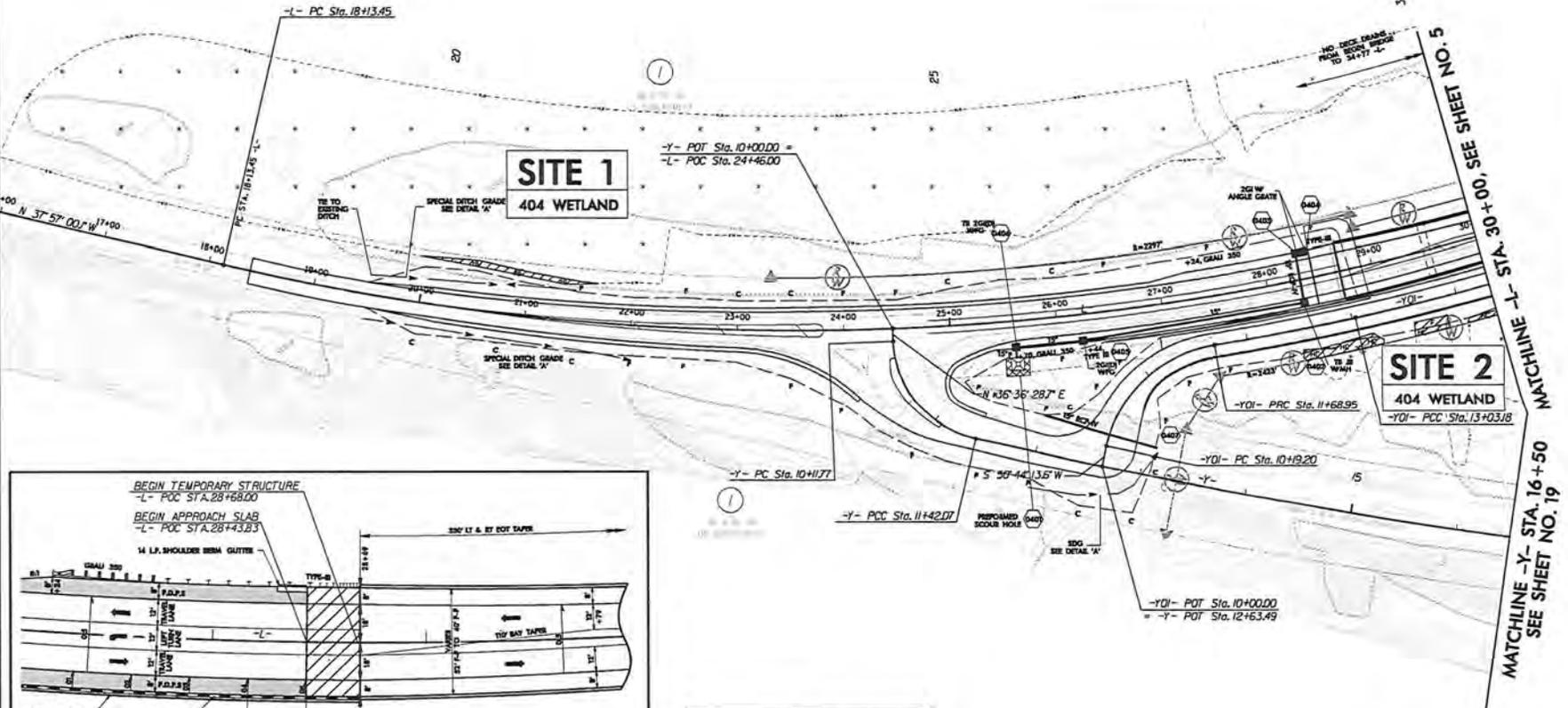


**DATUM DESCRIPTION**  
 THE LOCALIZED COORDINATE SYSTEM DEVELOPED FOR THIS PROJECT IS BASED ON THE STATE PLANE COORDINATES ESTABLISHED BY NCOTI FOR MONUMENT "25500-2".  
 WITH NAD 83 (GRS96) STATE PLANE GRID COORDINATES OF NORTING: 751499.6221(Ft) EASTING: 3031964.117(Ft) THE AVERAGE COMBINED GRID FACTOR USED ON THIS PROJECT (GROUND TO GRID) IS: 0.99991846  
 THE N.C. LAMBERT GRID BEARING AND LOCALIZED HORIZONTAL GROUND DISTANCE FROM "25500-2" TO -L- STATION 19+00.00 IS 5 47' 51" 59.63" E 686.91'  
 ALL LINEAR DIMENSIONS ARE LOCALIZED HORIZONTAL DISTANCES VERTICAL DATUM USED IS NAVD 88

DENOTES FILL IN WETLAND  
 DENOTES HAND CLEARING



|   |                       |
|---|-----------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE II)</b>   | SHEET NO.<br><b>4</b> |
| RDW SHEET NO.   | HYDRAULICS ENGINEER   |
| ROADWAY DESIGN ENGINEER   |                       |
| PCL Construction, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607<br>HDR Engineering, Inc. of the Corbin<br>375 Industrial Blvd. SE Raleigh, NC 27602<br>N.C.A.E.L.S. License Number: P-0216 |                       |

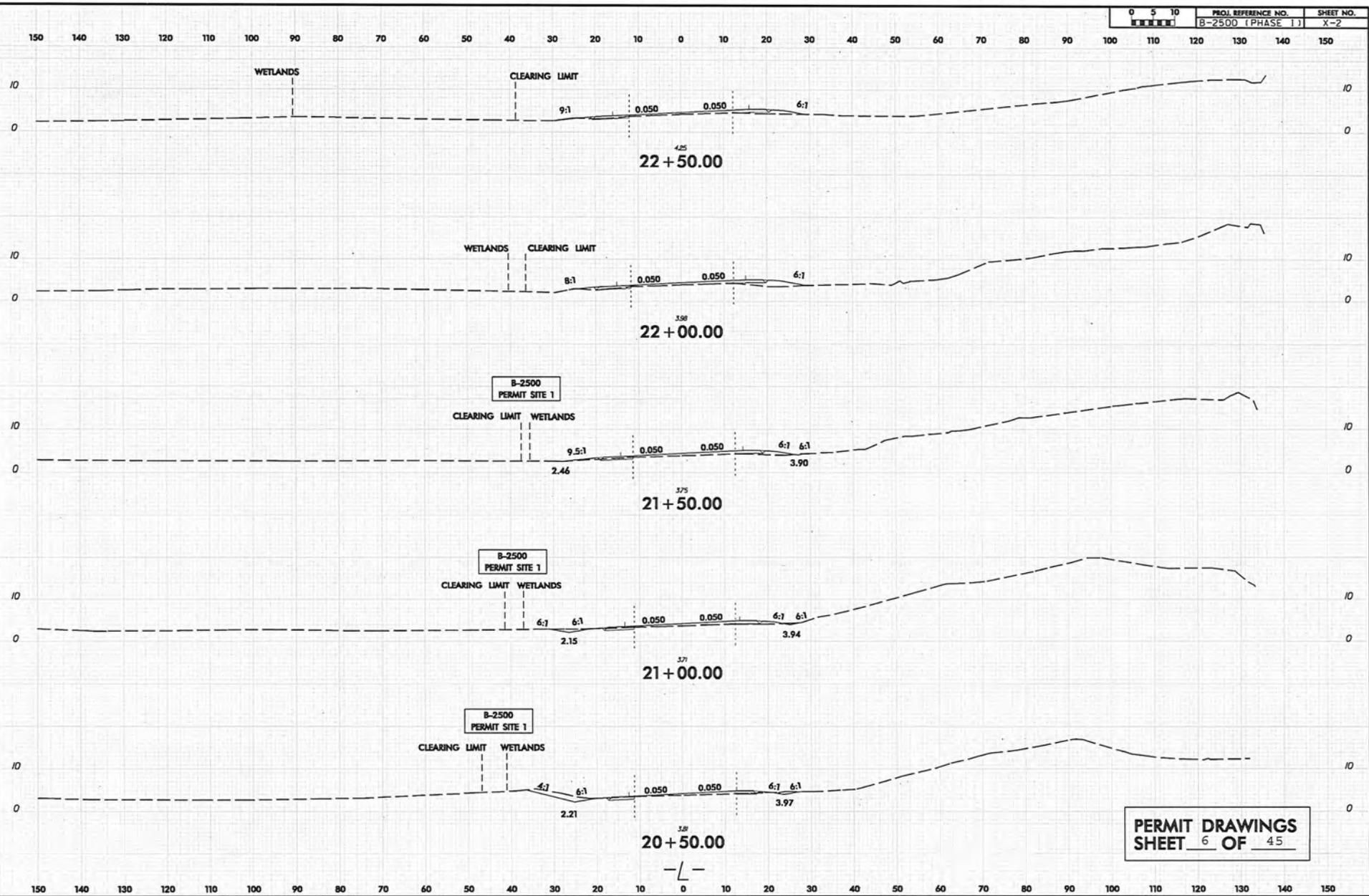


**PERMIT DRAWINGS**  
 SHEET 5 OF 45

SEE SHEET NO. 20 FOR -L- PROFILE  
 SEE SHEET NO. 30 FOR -Y- PROFILE  
 SEE SHEET NO. 31 FOR -Y01- PROFILE

FILED: 08/15/2012 10:00 AM  
 DATE: 6/15/2012  
 TIME: 3:56:33 PM  
 PROJECT: B-2500 (PHASE II) - R/W IMPROVEMENTS  
 DRAWING: B-2500-0404-01-01  
 TITLE: PAVEMENT IMPROVEMENTS  
 DESIGNED BY: J. J. BROWN  
 CHECKED BY: J. J. BROWN  
 IN CHARGE: J. J. BROWN  
 PLOT: 08/15/2012 10:00 AM  
 PLOTTER: HP DesignJet T1100e

5/23/2009  
 C:\Neworking\Apea\8274811\82588\_JTD\_PRR\_XPL.L...YBL.dgn  
 0:00:00

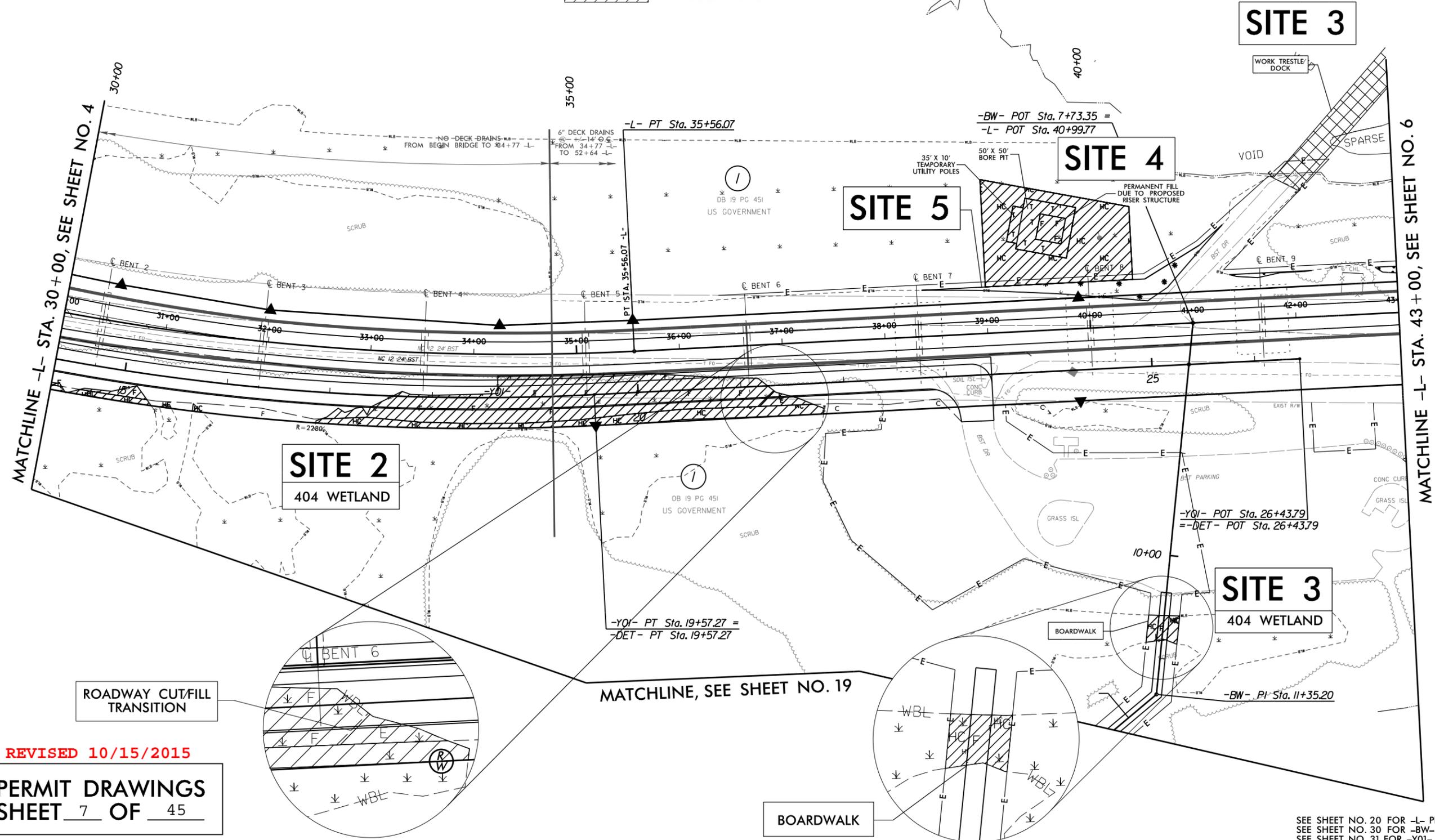


**PERMIT DRAWINGS**  
SHEET 6 OF 45

| SAV LEGEND |   |
|------------|---|
|            | HOMOGENOUS<br>Uniform in coverage, some anomalies.                                  |
|            | PATCHY<br>Diverse coverage running from almost homogenous to almost sparse.         |
|            | SPARSE<br>Limited growth with more void area than growth area.                      |
|            | VOID<br>Open with little or no growth. Boundary defined by edges of other polygons. |
|            | F DENOTES FILL IN WETLAND   |
|            | E DENOTES EXCAVATION IN WETLAND   |
|            | DENOTES MECHANIZED CLEARING   |
|            | T DENOTES TEMPORARY FILL IN WETLAND   |
|            | HC DENOTES HAND CLEARING  |

|   |                       |
|---|-----------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE I)</b>  | SHEET NO.<br><b>5</b> |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER   |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607  |                       |
| HDR Engineering, Inc. of the Carolinas<br>555 Fayetteville St, Suite 900 Raleigh, N.C. 27601<br>N.C.B.E.L.S. License Number: F-0116 |                       |

NAD 83/NSRS 2007



**REVISED 10/15/2015**

**PERMIT DRAWINGS**  
SHEET 7 OF 45

ROADWAY CUT/FILL TRANSITION

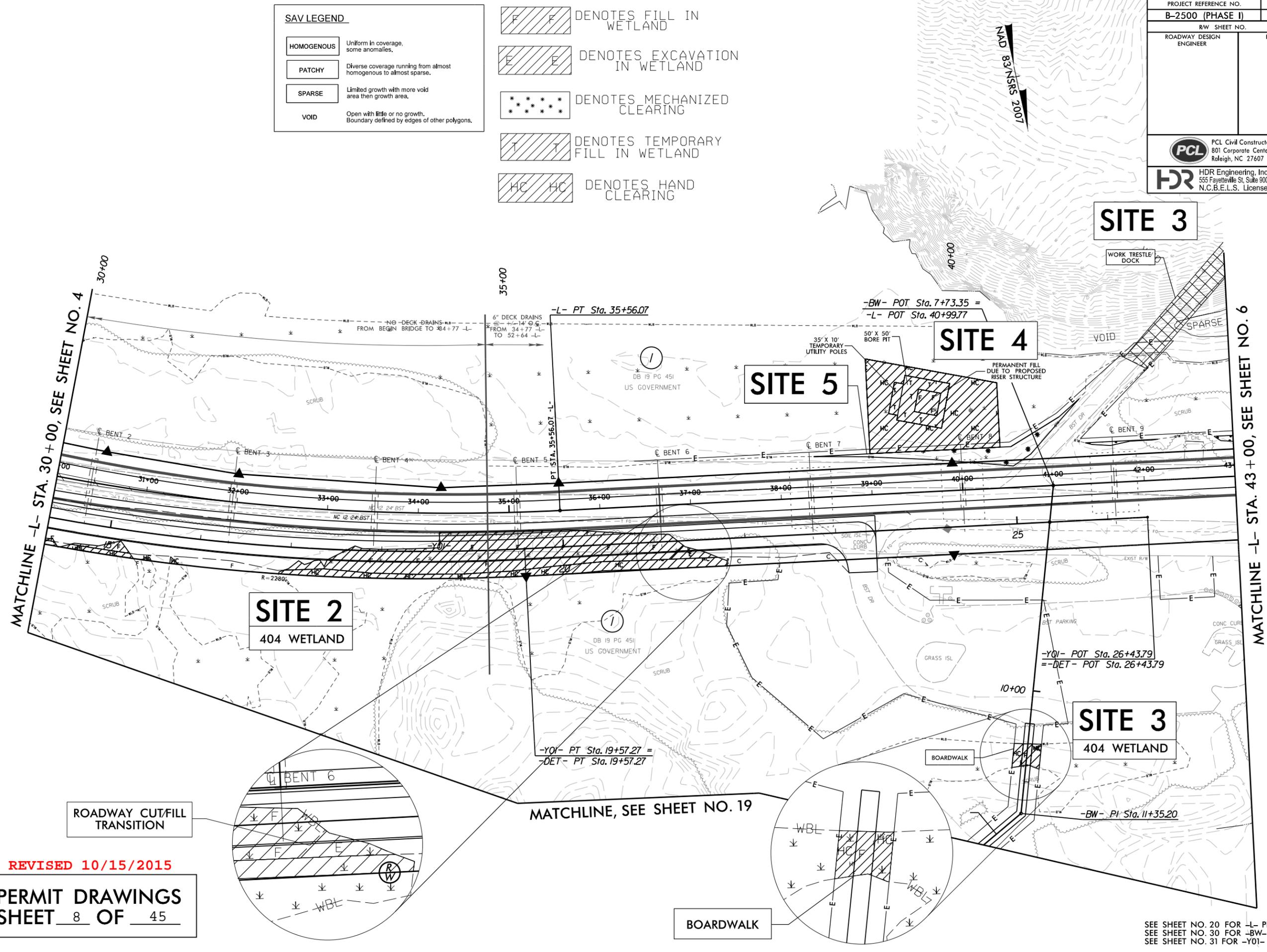
BOARDWALK

SEE SHEET NO. 20 FOR -L- PROFILE.  
SEE SHEET NO. 30 FOR -BW- PROFILE.  
SEE SHEET NO. 31 FOR -Y01- PROFILE.

PLOT DRIVER: NCDOT\_color\_eng\_100.plt  
 USER: jmassroc  
 FILE: PCL\Civil\Const\B.2500\_Bonner\_Bridge\_Replacement\06.00\_NCDOT\_File\_Structure\B.2500\_Roadway\Proj\B2500\_R0Y\_PSH\_05.dgn  
 PENTABLE: NCDOT\_permits.CON.tbl  
 DATE: 10/15/2015  
 TIME: 8:40:01 AM  
 REVISIONS

|   |                       |
|---|-----------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE I)</b>  | SHEET NO.<br><b>5</b> |
| RW SHEET NO.  |                       |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER   |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607  |                       |
| HDR Engineering, Inc. of the Carolinas<br>555 Fayetteville St, Suite 900 Raleigh, N.C. 27601<br>N.C.B.E.L.S. License Number: F-0116 |                       |

| SAV LEGEND |   |
|------------|---|
|            | HOMOGENOUS<br>Uniform in coverage, some anomalies.                                  |
|            | PATCHY<br>Diverse coverage running from almost homogenous to almost sparse.         |
|            | SPARSE<br>Limited growth with more void area than growth area.                      |
|            | VOID<br>Open with little or no growth. Boundary defined by edges of other polygons. |
|            | F DENOTES FILL IN WETLAND   |
|            | E DENOTES EXCAVATION IN WETLAND   |
|            | DENOTES MECHANIZED CLEARING   |
|            | T DENOTES TEMPORARY FILL IN WETLAND   |
|            | HC DENOTES HAND CLEARING  |



**REVISED 10/15/2015**

**PERMIT DRAWINGS**  
SHEET 8 OF 45

ROADWAY CUT/FILL TRANSITION

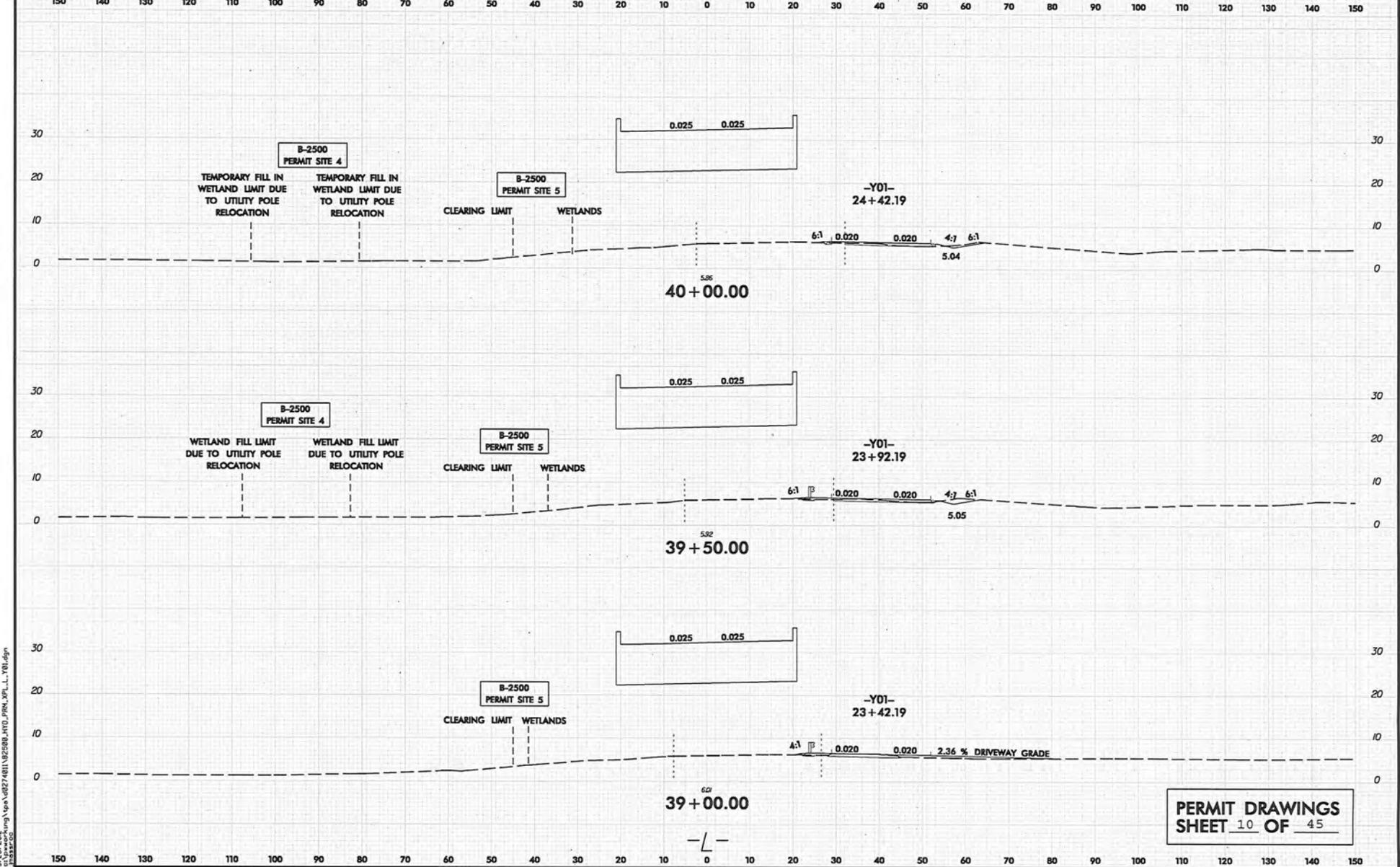
BOARDWALK

SEE SHEET NO. 20 FOR -L- PROFILE.  
SEE SHEET NO. 30 FOR -BW- PROFILE.  
SEE SHEET NO. 31 FOR -Y01- PROFILE.

PLOT DRIVER: NCDOT\_color\_eng\_100.plt  
 USER: jmassroc  
 FILE: PCL\Civil\Const\B.2500\_Bonner\_Bridge\_Replacement\06.00\_NCDOT\_File\_Structure\B-2500\_Roadway\Proj\B2500\_R0Y\_PSH\_05.dgn  
 PENTABLE: NCDOT\_permits.CON.tbl  
 DATE: 10/15/2015  
 TIME: 8:39:24 AM  
 REVISIONS



8/23/93

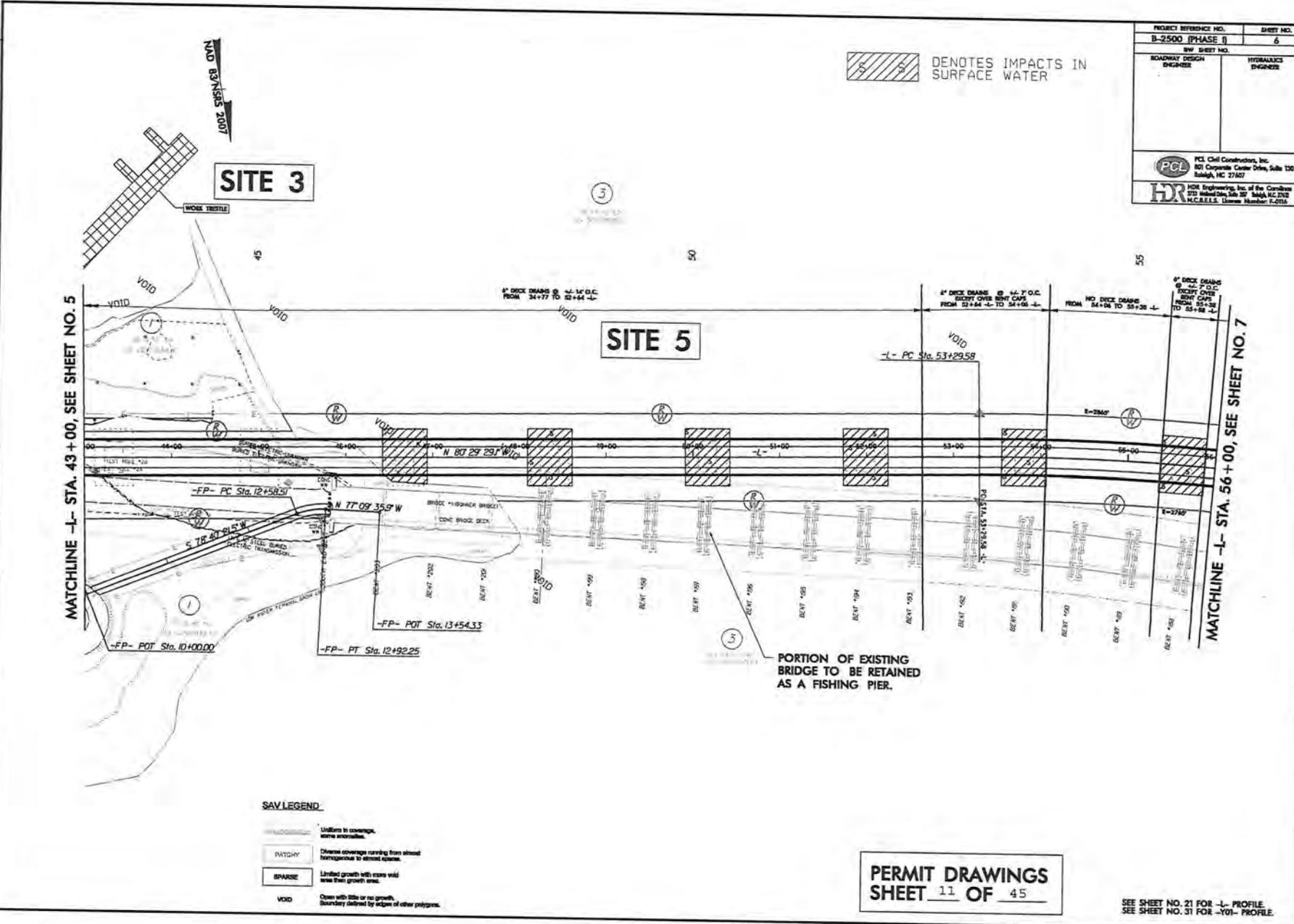


PERMIT DRAWINGS  
SHEET 10 OF 45

S:\23\202  
01\working\pape\8274811\82588.LHYD.DWG\_XPL.L.YB1.dgn

PLOT: 04/26/16, kcd01.dwg, c:\pwr-ang\l\04041  
 USER: jhasspac DATE: 5/31/2012 TIME: 10:17:35 PM  
 FILE: PCL\_Civil\_Constr\16\_2500\Banner\_Br\_Trap\_Replacement\16\_2500\KCD01\_File\_Structure\16\_2500\Roadway\16\_2500\_RDT\_P01.dwg

REVISIONS



DENOTES IMPACTS IN SURFACE WATER

|  |                     |
|--|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)  | SHEET NO.<br>6      |
| ROADWAY DESIGN ENGINEER  | HYDRAULICS ENGINEER |
| PCL Civil Construction, Inc.<br>80 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607                                |                     |
| HDR Engineering, Inc. of the Carolinas<br>270 Waterline, Suite 207, Raleigh, NC 27608<br>N.C. REG. LICENSE NUMBER F-2714 |                     |

**SAV LEGEND**

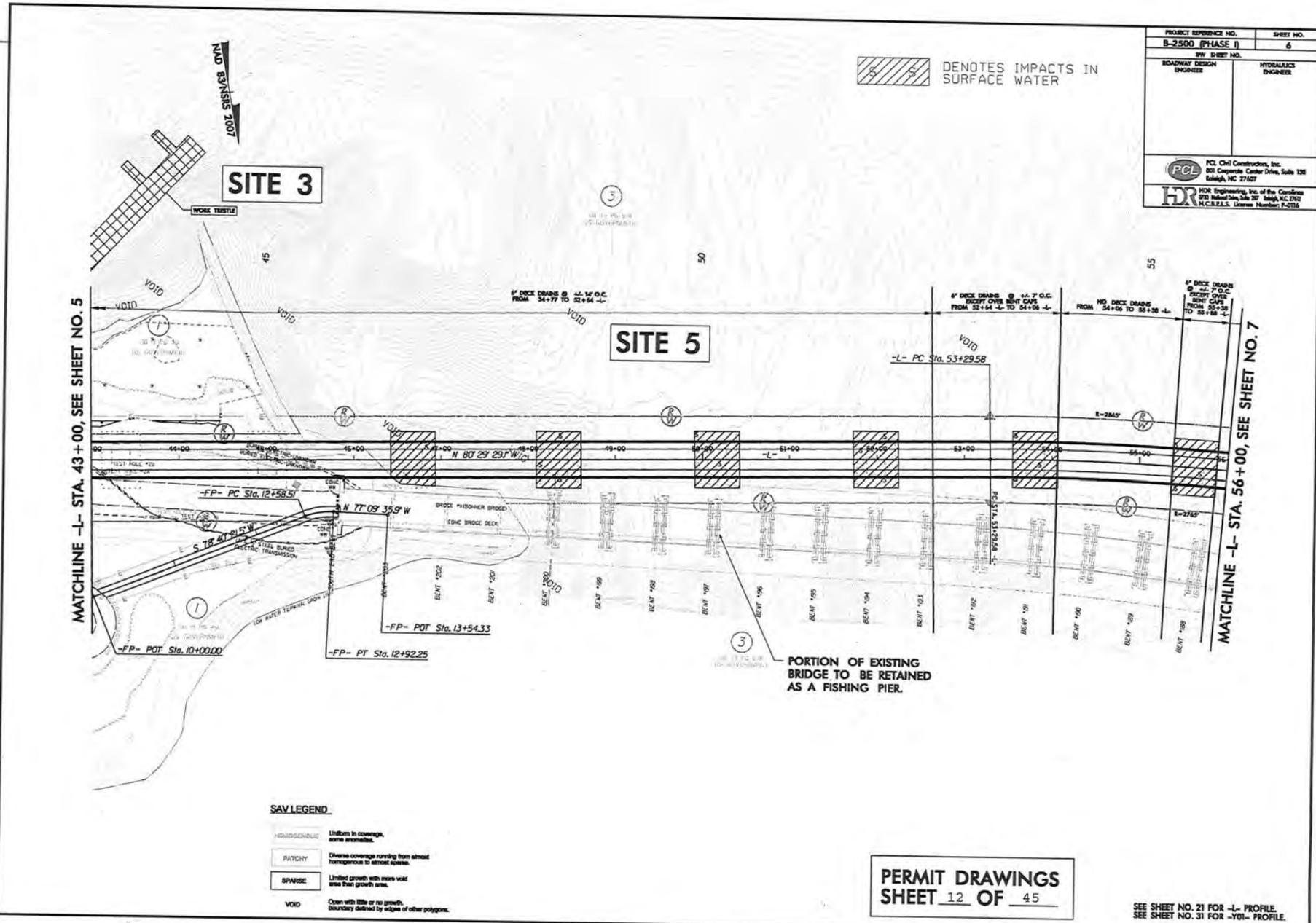
- Uniform in coverage, some irregularities
- Dense coverage resulting from stream heterogeneous to stream square
- Limited growth with some void area than growth area
- Open with little or no growth. Boundary defined by edges of other polygons.

**PERMIT DRAWINGS**  
 SHEET 11 OF 45

SEE SHEET NO. 21 FOR -L- PROFILE.  
 SEE SHEET NO. 31 FOR -01- PROFILE.

PLOT: D:\DRAWING\NCDD1\REF\COVER.dwg, 08/08/04  
 USER: jmassace  
 DATE: 5/31/2012  
 FILE: PCL\_Civil\_Constr\B-2500\_Banner\_B.dwg, 08/08/04, NCDD1\_Plot\_Structure\B-2500\Roadway\B-2500\_Roadway.dwg, PCL\_Plot\_Structure

REVISIONS



 DENOTES IMPACTS IN SURFACE WATER

|  |                       |
|--|-----------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE II)</b>  | SHEET NO.<br><b>6</b> |
| REV. SHEET NO.   |                       |
| ROADWAY DESIGN ENGINEER  | HYDRAULICS ENGINEER   |
|  PCL Civil Construction, Inc.<br>351 Corporate Center Drive, Suite 120<br>Raleigh, NC 27607<br> HDR Engineering, Inc. of the Carolina<br>3701 Industrial Drive, Suite 207<br>Raleigh, NC 27612<br>N.C.E.P.E.S. License Number 7-0719 |                       |

**SAV LEGEND**

-  Uniform in coverage, some irregular.
-  Diverse coverage varying from almost homogeneous to almost sparse.
-  Limited growth with more void area than growth area.
-  Open with little or no growth. Boundary defined by edges of other polygons.

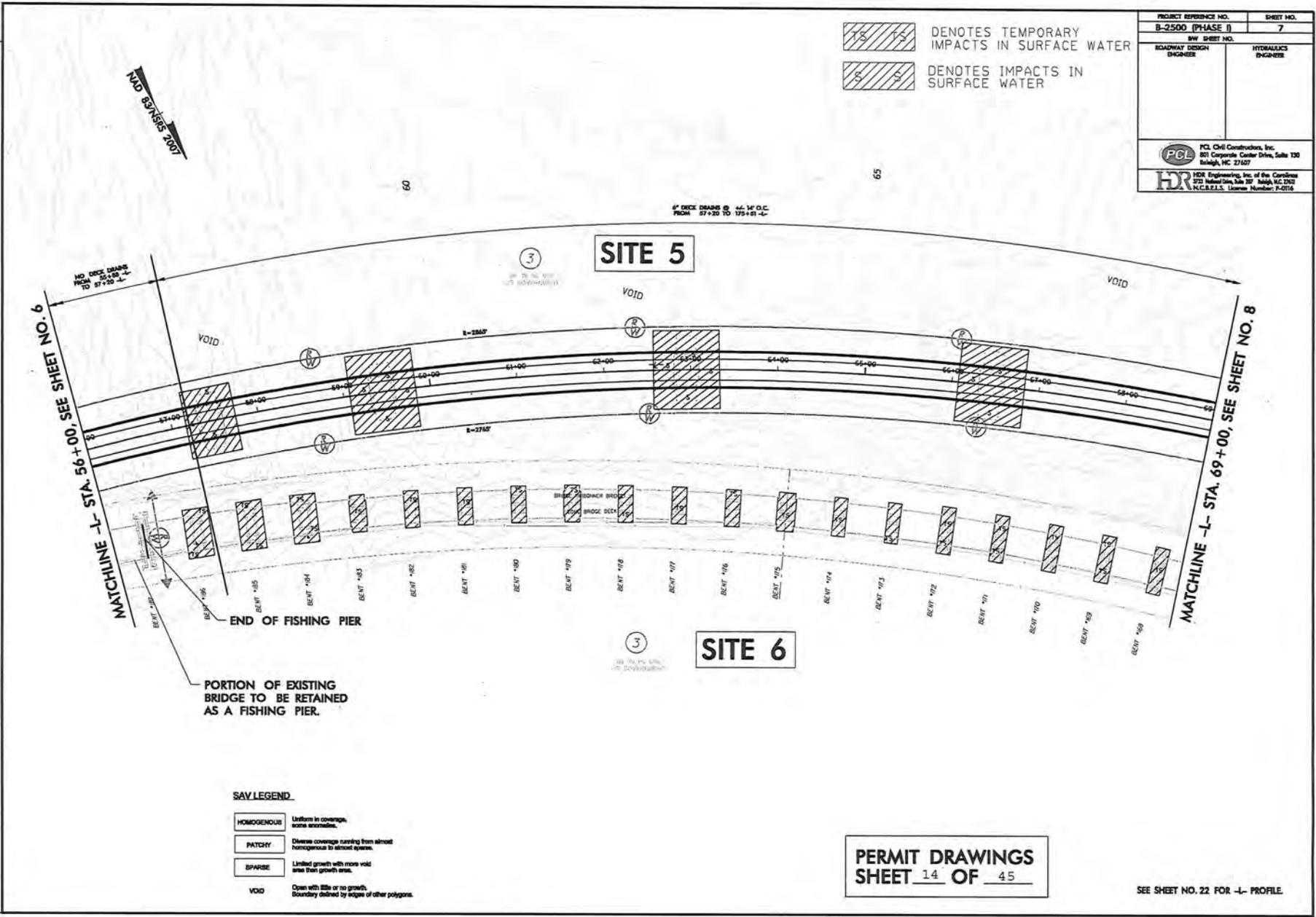
**PERMIT DRAWINGS**  
**SHEET 12 OF 45**

SEE SHEET NO. 21 FOR -L- PROFILE.  
 SEE SHEET NO. 31 FOR -Y01- PROFILE.



PLOT DRIVE: B:\NCDOT\proj\cor\_ung\100.dwg  
 USER: jfinespoc DATE: 12/22/2012  
 FILE: PCL\_Civil\_Constr\B-2500\_Borner\_Bridge\_Replacement\106.00\_NCDOT\_File\_Structure\18-2500\Roadway\Prj\1062500\_RBT\_PSH.dwg

REVISIONS



|  |                     |
|--|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)  | SHEET NO.<br>7      |
| ROADWAY DESIGN ENGINEER  | HYDRAULICS ENGINEER |
| PCL PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607<br>PCL PER Engineering, Inc. of the Carolina<br>372 Innerline, Suite 207, Raleigh, NC 27612<br>N.C. P.E. License Number: F-0016 |                     |

PERMIT DRAWINGS  
 SHEET 14 OF 45

SEE SHEET NO. 22 FOR -L- PROFILE

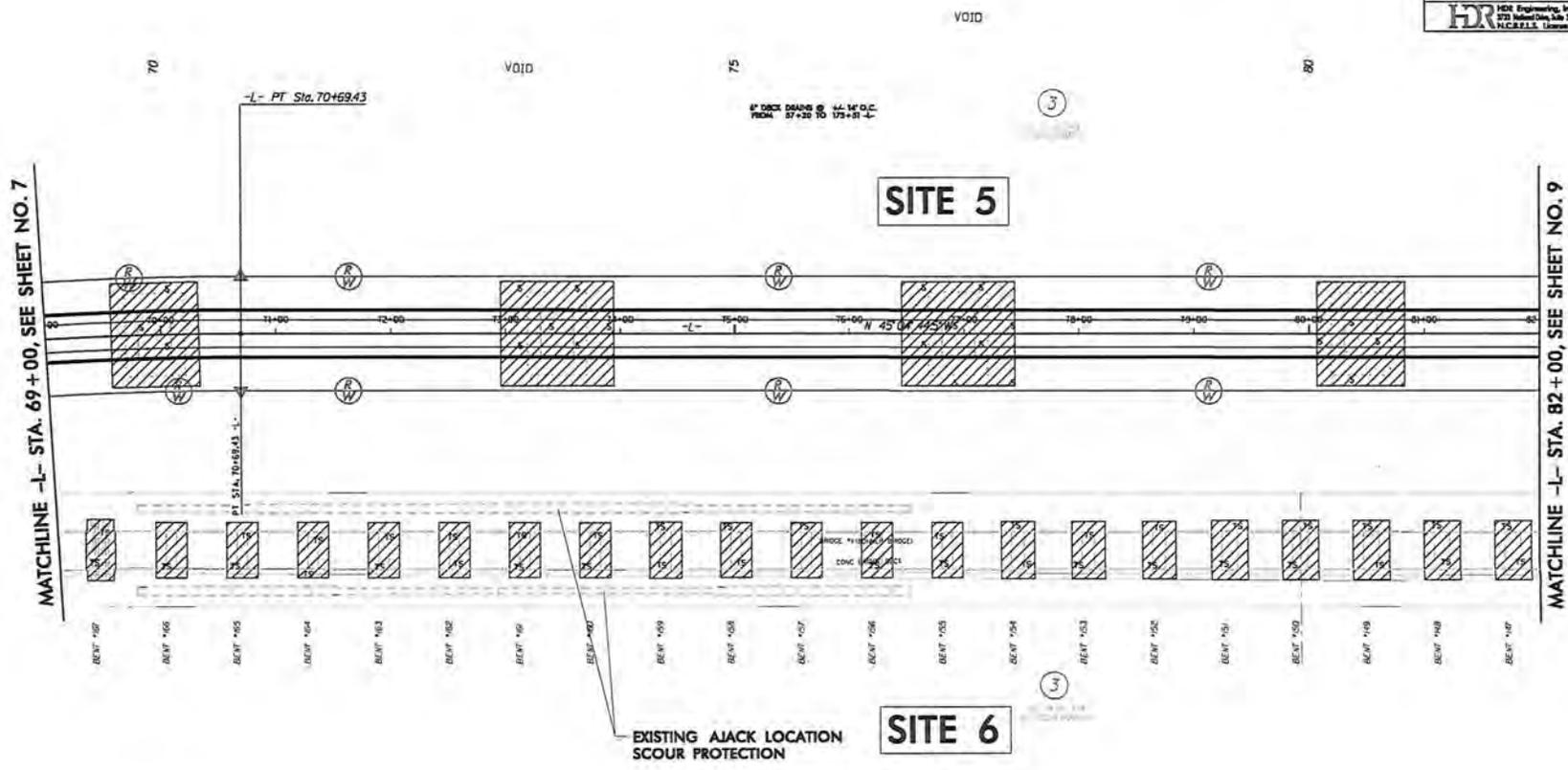
PLOT: D:\17561\NC201\soft\_cow\_wing\_100.dwg  
 PENTABLE: NC201\_permit.dwg  
 USDR: jmc@pcc  
 DATE: 5/24/2017  
 TIME: 10:41:08 AM  
 FILE: PCL-Chil\_Constr\18\_2000\Banner\_B-1009\_Registration\06\_09\_NC201\_Fin\_Structure\AB-2000\Roadway\Proc\182500\_107\_P3.dwg

REVISIONS

 DENOTES TEMPORARY IMPACTS IN SURFACE WATER  
 DENOTES IMPACTS IN SURFACE WATER

  
 NAD 83/ARS 2007

|   |  |   |  |
|---|--|---|--|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)   |  | SHEET NO.<br>B  |  |
| ROADWAY DESIGN ENGINEER   |  | HYDRAULICS ENGINEER   |  |
|  PCL Civil Constructors, Inc.<br>85 Corporate Center Drive, Suite 125<br>Raleigh, NC 27607 |  |  HDR Engineering, Inc. of the Carolinas<br>2720 International Blvd SE<br>Raleigh, NC 27612<br>License Number: P-2016 |  |



**SAV LEGEND**

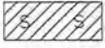
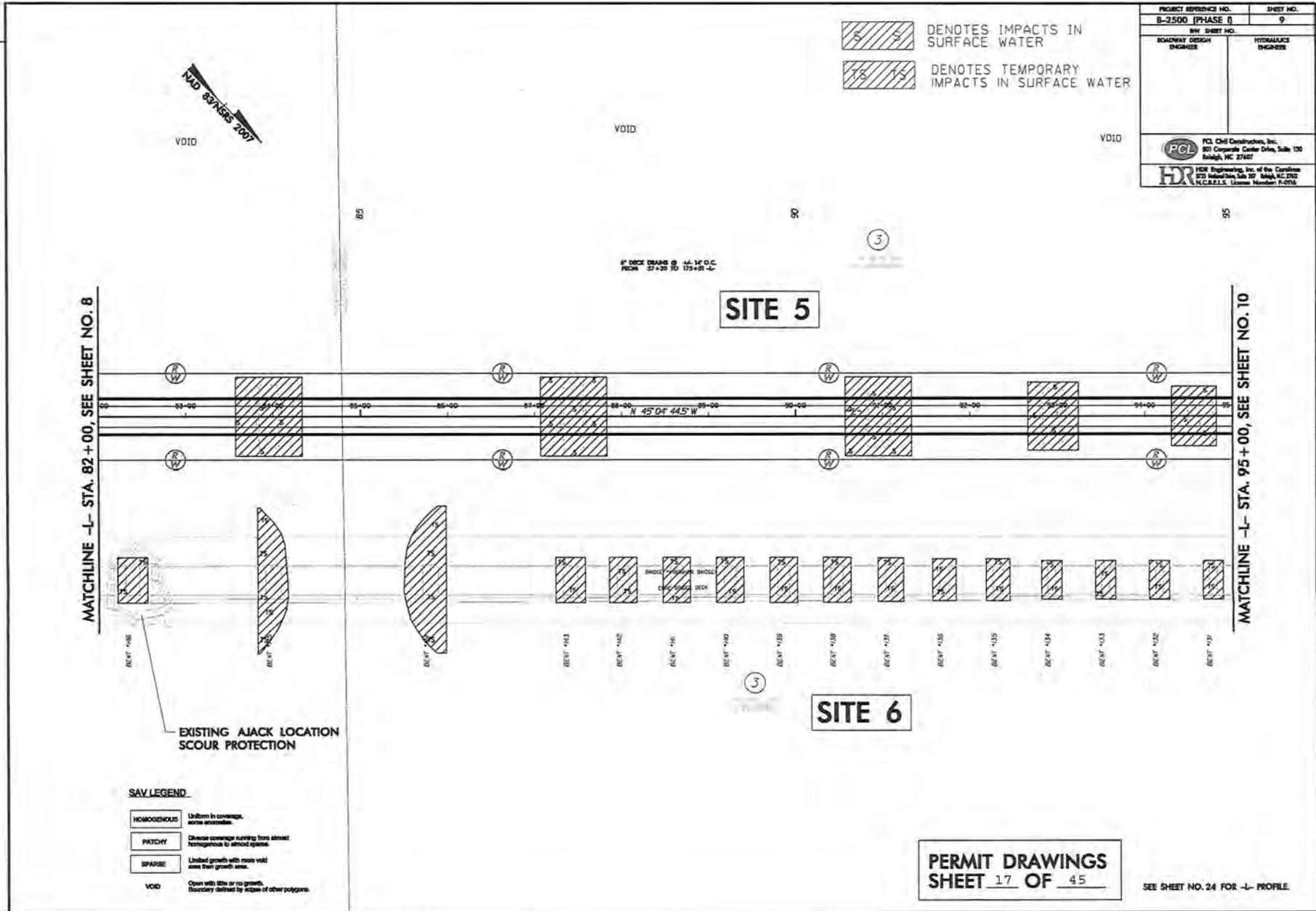
|   |   |
|---|---|
|  | Uniform in coverage, some irregularities.                                   |
|  | Discrete coverage curving from adjacent homogeneous to aerial spaces.       |
|  | Limited growth with more void area than growth area.                        |
|  | Open with little or no growth. Boundary defined by edges of other polygons. |

**PERMIT DRAWINGS**  
 SHEET 15 OF 45

SEE SHEET NO. 23 FOR -L- PROFILE.



PLOT: D:\17676\17676.dwg, color, dmp, 100dpi  
 USER: jca@pcc  
 FILE: PCL.Chili County 18-2500-Banner-Bridge-Redesign\1805.00-AC201-Fin-Structure\18-2500\Roadway\Eng\180500-RDV-PDF-DWG.dgn  
 DATE: 5/27/2015 11:15:10 AM  
 PLOTTABLE: NC001\_jca@pcc.tbl



DENOTES IMPACTS IN SURFACE WATER



DENOTES TEMPORARY IMPACTS IN SURFACE WATER

|   |  |                     |
|---|--|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE II)  |  | SHEET NO.<br>9      |
| RDW SHEET NO.<br>ROADWAY DESIGN ENGINEER  |  | HYDRAULICS ENGINEER |
| PCL CH2I Construction, Inc.<br>301 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607<br>HDR Engineering, Inc. of the Carolinas<br>2720 Industrial Blvd, Suite 207<br>Raleigh, NC 27612<br>N.C.C.E.S.T.S. License Number 1-0216 |  |                     |

**SITE 5**

**SITE 6**

MATCHLINE -L- STA. 82 + 00, SEE SHEET NO. 8

MATCHLINE -L- STA. 95 + 00, SEE SHEET NO. 10

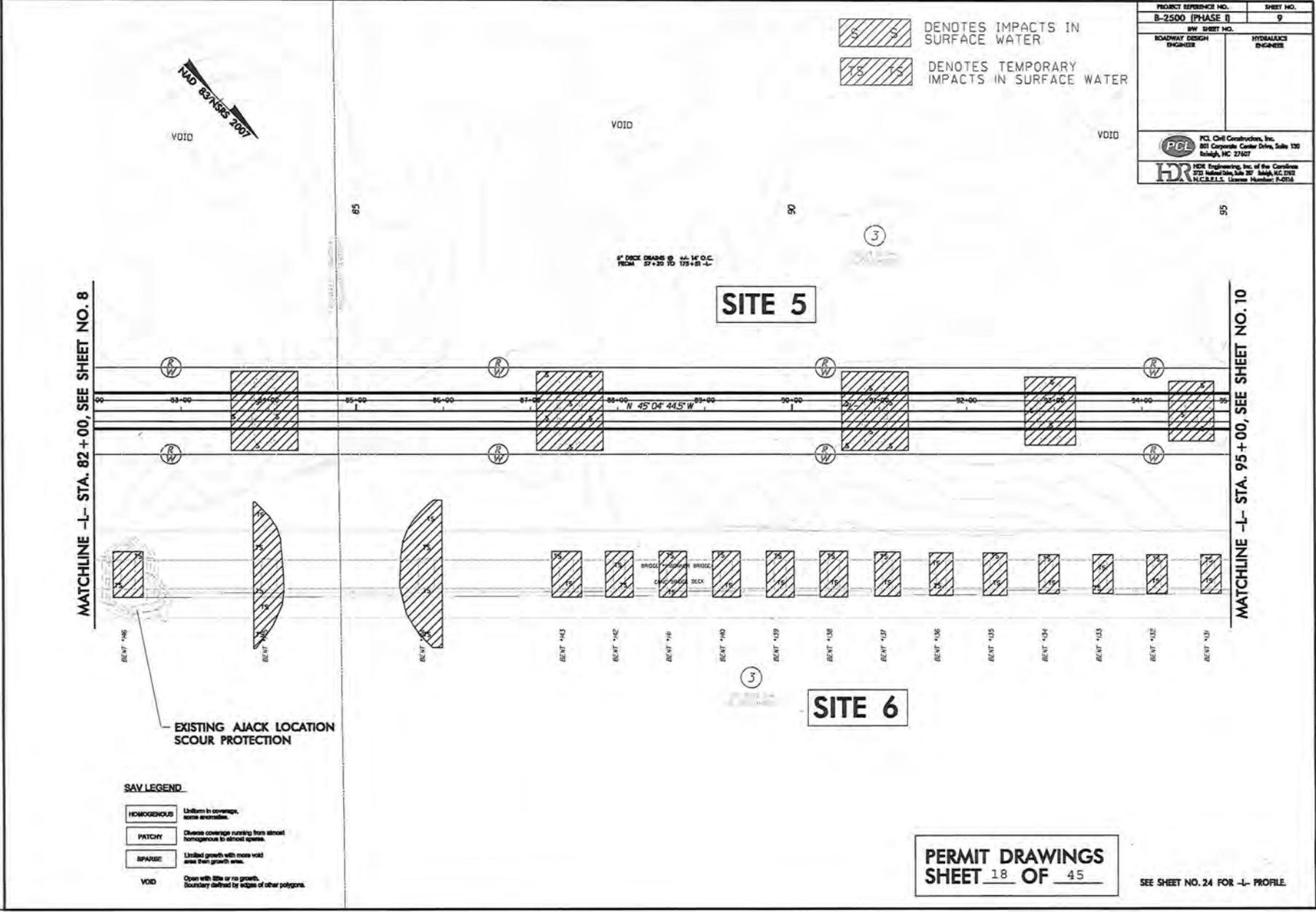
**SAV LEGEND**

|  |  |
|--|--|
|  | Uniform in coverage, some anomalies.   |
|  | Diverse coverage ranging from almost homogeneous to almost sparse.           |
|  | Limited growth with more void area than growth area.                         |
|  | Open with little or no growth, boundary defined by slopes of other polygons. |

**PERMIT DRAWINGS**  
SHEET 17 OF 45

SEE SHEET NO. 24 FOR -L- PROFILE.

PLOT DRIVER: K:\01\_001\_001\_001\_001.dwg  
 USER: jms@pcc  
 FILE: PCL-Chil\_Coverage\_2500\_Banner\_Bridge\_Replacement\06.00\_K001\_1\_Fin\_Structure\A-B-2500\_Roadway\Prj\NE3500\_001\_PSA\_001.dwg  
 PENTABLE: K:\01\_001\_001\_001\_001.dwg  
 DATE: 5/24/2012  
 TIME: 10:41:24 AM  
 REVISIONS

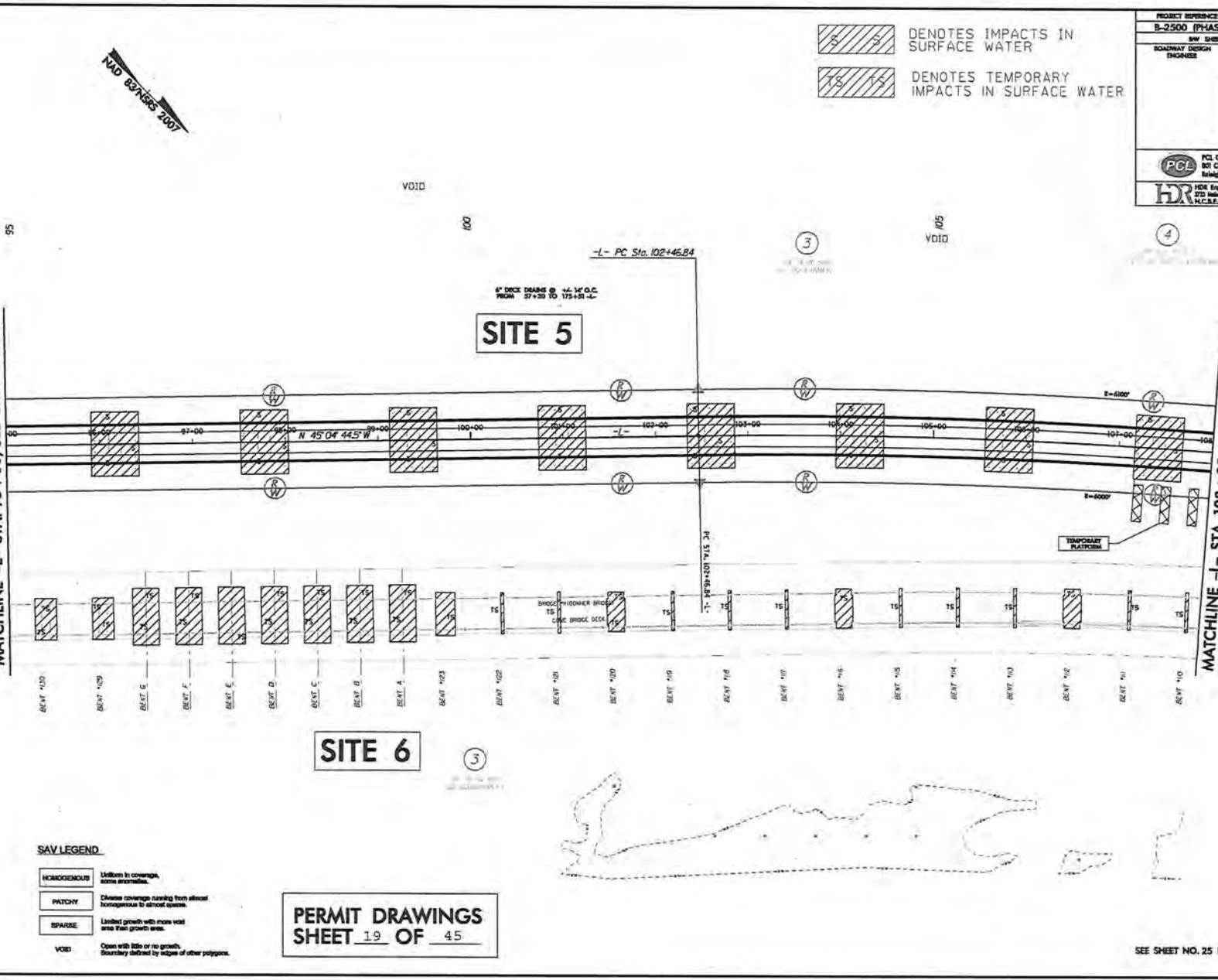


|  |                     |
|--|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)  | SHEET NO.<br>9      |
| ROW SHEET NO.<br>ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 120<br>Raleigh, NC 27607                                 |                     |
| HDR Engineering, Inc. of the Carolina<br>373 Industrial Site 307, Raleigh, NC 27617<br>N.C.E.P.L.S. License Number: F-2016 |                     |

PLOT DRIVE: NCDOT\_permit.dwg, 10/01/17  
 USER: jinsaroc  
 FILE: PCL\_Civil\_Constr\_1B\_2500\_Spinner\_Br-High\_Rehabilitation\_VIS-00\_NCDOT\_L1a\_51.mxd  
 PENABLE: NCDOT\_permit.dwg, 10/01/17  
 TIME: 2:51:05 PM  
 DATE: 9/21/2017

REVISIONS

MATCHLINE -L- STA. 95+00, SEE SHEET NO. 9



**SAV LEGEND**

- HOMOGENEOUS** Uniform in coverage, some anomalies.
- PATCHY** Chise coverage resulting from almost homogeneous to almost sparse.
- SPARSE** Limited growth with more void area than growth area.
- VOID** Open with little or no growth. Boundary defined by edges of other polygons.

**PERMIT DRAWINGS**  
SHEET 19 OF 45

 DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

|   |                        |
|---|------------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE II)</b>   | SHEET NO.<br><b>10</b> |
| RDW SHEET NO.   |                        |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER    |
|  PCL Civil Construction, Inc.<br>101 Corporate Center Drive, Suite 100<br>Raleigh, NC 27607                                  |                        |
|  HDR Engineering, Inc. of the Carolina<br>270 Industrial Blvd, Suite 207<br>Raleigh, NC 27606<br>NCDOT License Number P-0116 |                        |

SEE SHEET NO. 25 FOR -L- PROFILE

PLOT DRIVE: NC001\_sdf\_cover\_eng\_100.dwg  
 USER: jmasar@pc  
 FILE: PCL.ctb, Consta.LS, 2500.Bonus, Bp.dgn, Reconnect\VB00.NC001.L1File.Structure\VB-2500\cover\VP\0\VB00\_100.dgn

PCN: B.C. NC001.dwg\Hts.tbl

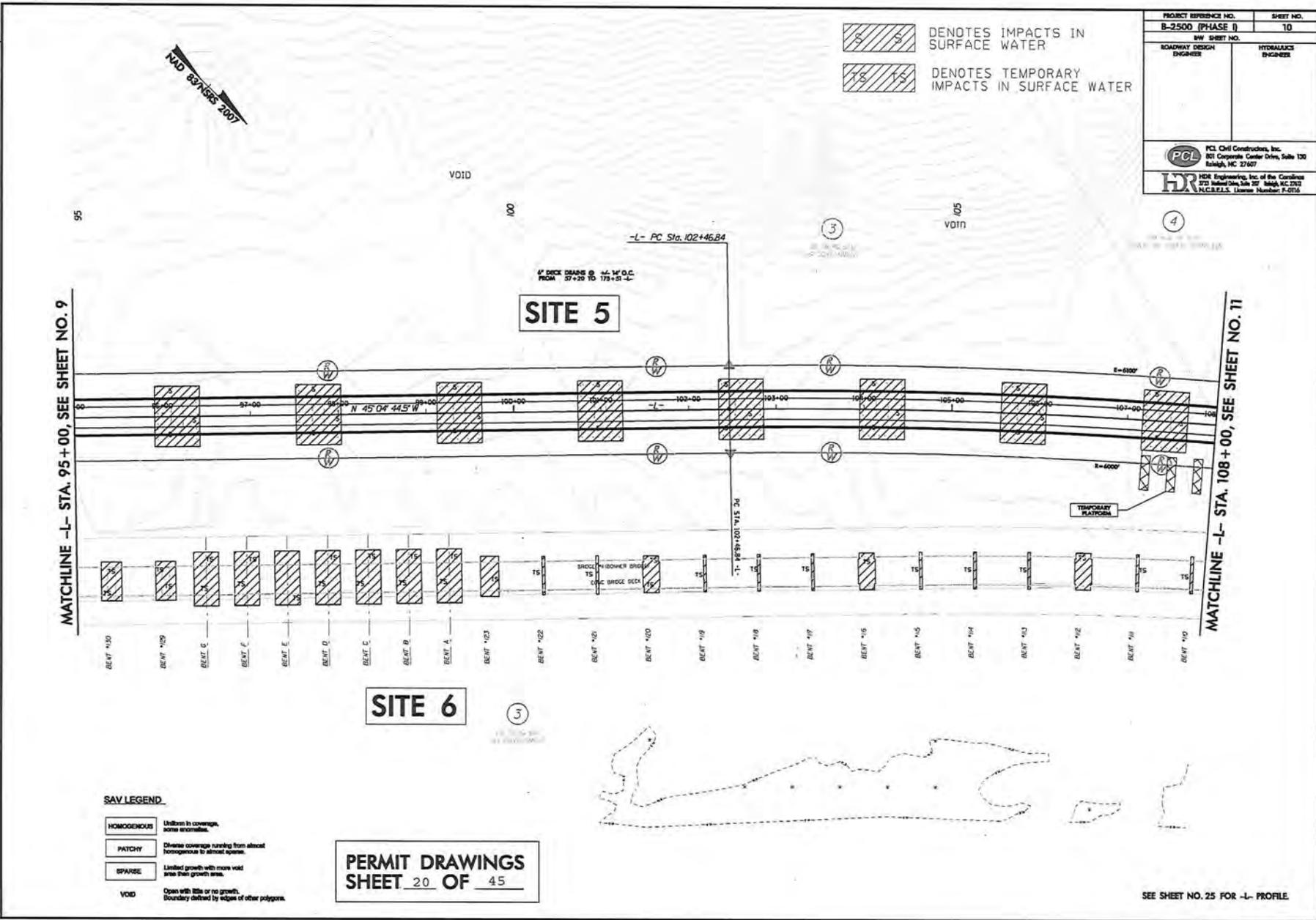
DATE: 3/23/2012

TIME: 2:51:47 PM

DATE: 3/23/2012

TIME: 2:51:47 PM

REVISIONS



DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

|   |                        |
|---|------------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE I)</b>  | SHEET NO.<br><b>10</b> |
| RDW SHEET NO.   |                        |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER    |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 100<br>Raleigh, NC 27607                                      |                        |
| HDR Engineering, Inc. of the Carolina<br>3723 Medical Plaza, Suite 207 Raleigh, NC 27612<br>N.C.C.E.T.S. License Number: F-2716 |                        |

MATCHLINE -L- STA. 95+00, SEE SHEET NO. 9

MATCHLINE -L- STA. 108+00, SEE SHEET NO. 11

- BEAT \*100
- BEAT \*109
- BEAT C
- BEAT E
- BEAT E
- BEAT D
- BEAT C
- BEAT B
- BEAT A
- BEAT \*123
- BEAT \*122
- BEAT \*121
- BEAT \*120
- BEAT \*119
- BEAT \*118
- BEAT \*117
- BEAT \*116
- BEAT \*115
- BEAT \*114
- BEAT \*113
- BEAT \*112
- BEAT \*111
- BEAT \*110

**SAV LEGEND**

**HOMOGENEOUS** Uniform in coverage, some irregularities.

**PATCHY** Diverse coverage resulting from almost homogeneity to almost coarse.

**SPARSE** Limited growth with more void area than growth area.

**VOID** Open with little or no growth. Boundary defined by edges of other polygons.

**SITE 6**

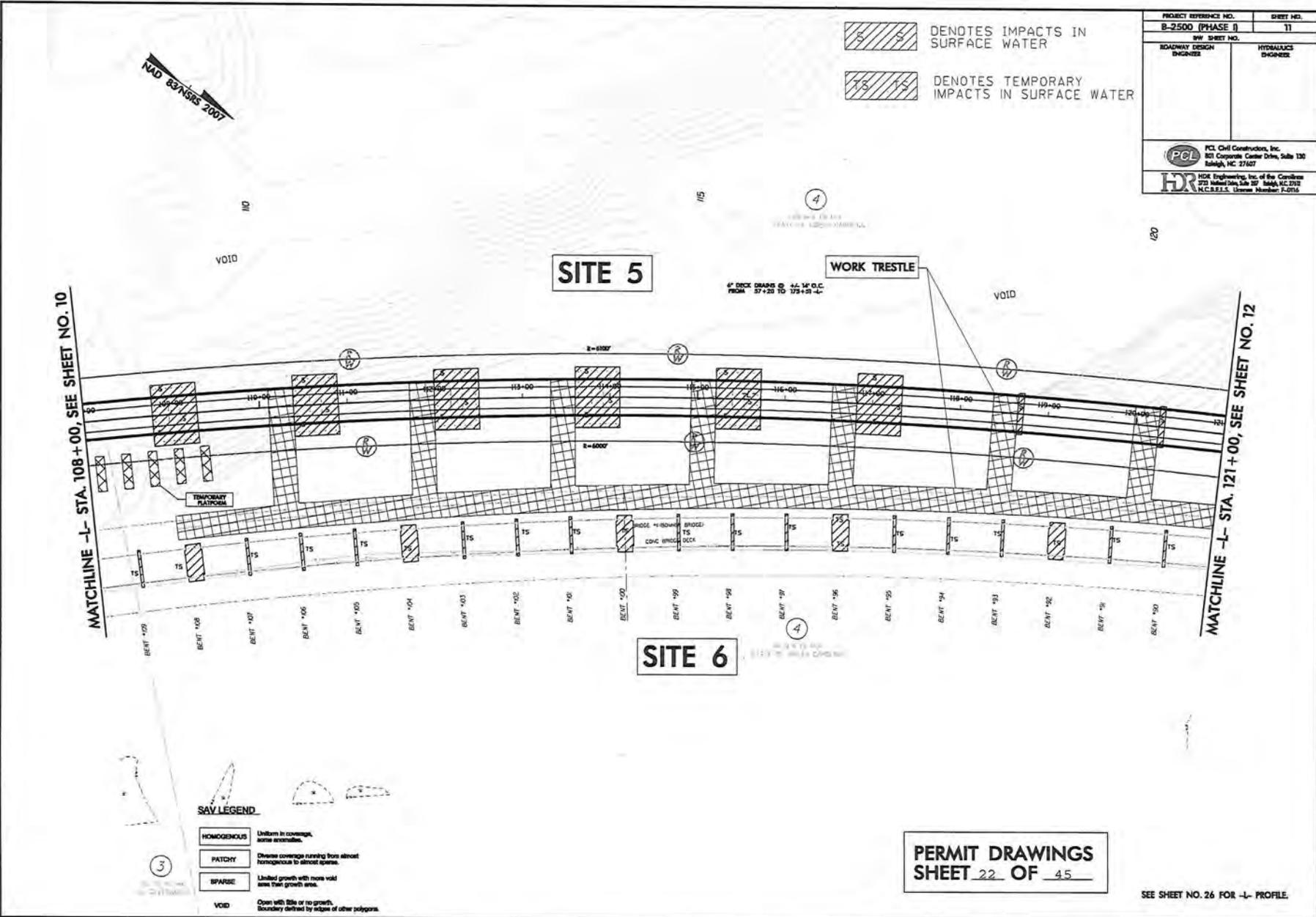
**PERMIT DRAWINGS**  
 SHEET 20 OF 45

SEE SHEET NO. 25 FOR -L- PROFILE



PLOT: D:\1104\NCDOT\ref\color\eng\100.dwt      PLOTTABLES: NCDOT.dwg\m16.tbl  
 USER: jprose@pc      Date: 5/23/2017      11:46:23 AM  
 FILE: PCL\Civil\Cons\13\_2500\_Banner\_Bridge\_Replacement\1600.NCDOT\17a\_S\structure\16\_2500\Recovery\17a\16000.dwg\_Pdu.L1.dgn

REVISIONS



DENOTES IMPACTS IN SURFACE WATER  
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

|   |                        |
|---|------------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE I)</b>  | SHEET NO.<br><b>11</b> |
| BY SHEET NO.  |                        |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER    |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607<br>HDR Engineering, Inc. of the Carolinas<br>275 Industrial Park Way, Suite 200<br>Raleigh, NC 27607<br>N.C. REG. LICENSE NUMBER: F-0716 |                        |

**SVF LEGEND**

|  |   |
|--|---|
|  | Uniform in coverage, some anomalies.  |
|  | Diverse coverage running from almost homogeneous to almost sparse.          |
|  | Limited growth with more void area than growth area.                        |
|  | Open with little or no growth. Boundary defined by edges of other polygons. |

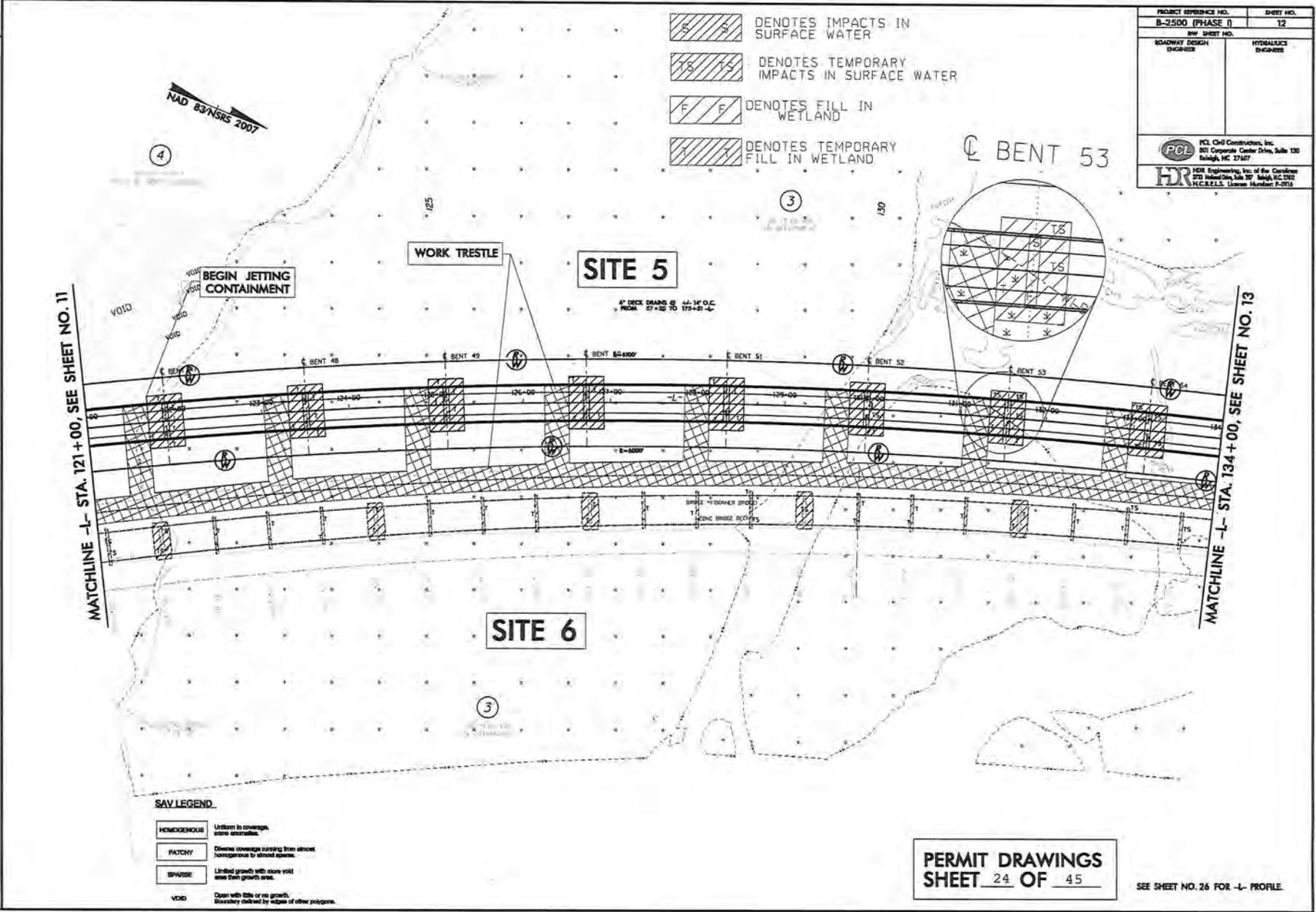
**PERMIT DRAWINGS**  
SHEET 22 OF 45

SEE SHEET NO. 26 FOR -L- PROFILE.



4.01 DE/NER/IC001.dwg\_jedw\_ajm.dwg  
 05/08 jms/see/c  
 FILE: PCL\Civil\Comp\18\_2060.Banner\_Bridge\_Replacement\06.09.IC001.dwg\_Structural\18\_2060\Bridgework\Proc\182500.dwg\_PSA\_12.dgn

REVISIONS



- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES FILL IN WETLAND
- DENOTES TEMPORARY FILL IN WETLAND

|   |                     |
|---|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)   | SHEET NO.<br>12     |
| ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607<br>HR Engineering, Inc. of the Carolinas<br>370 Laurel Drive, Suite 507, Raleigh, NC 27603<br>N.C.E.C.E.L. License Number P-0014 |                     |

**SAV LEGEND**

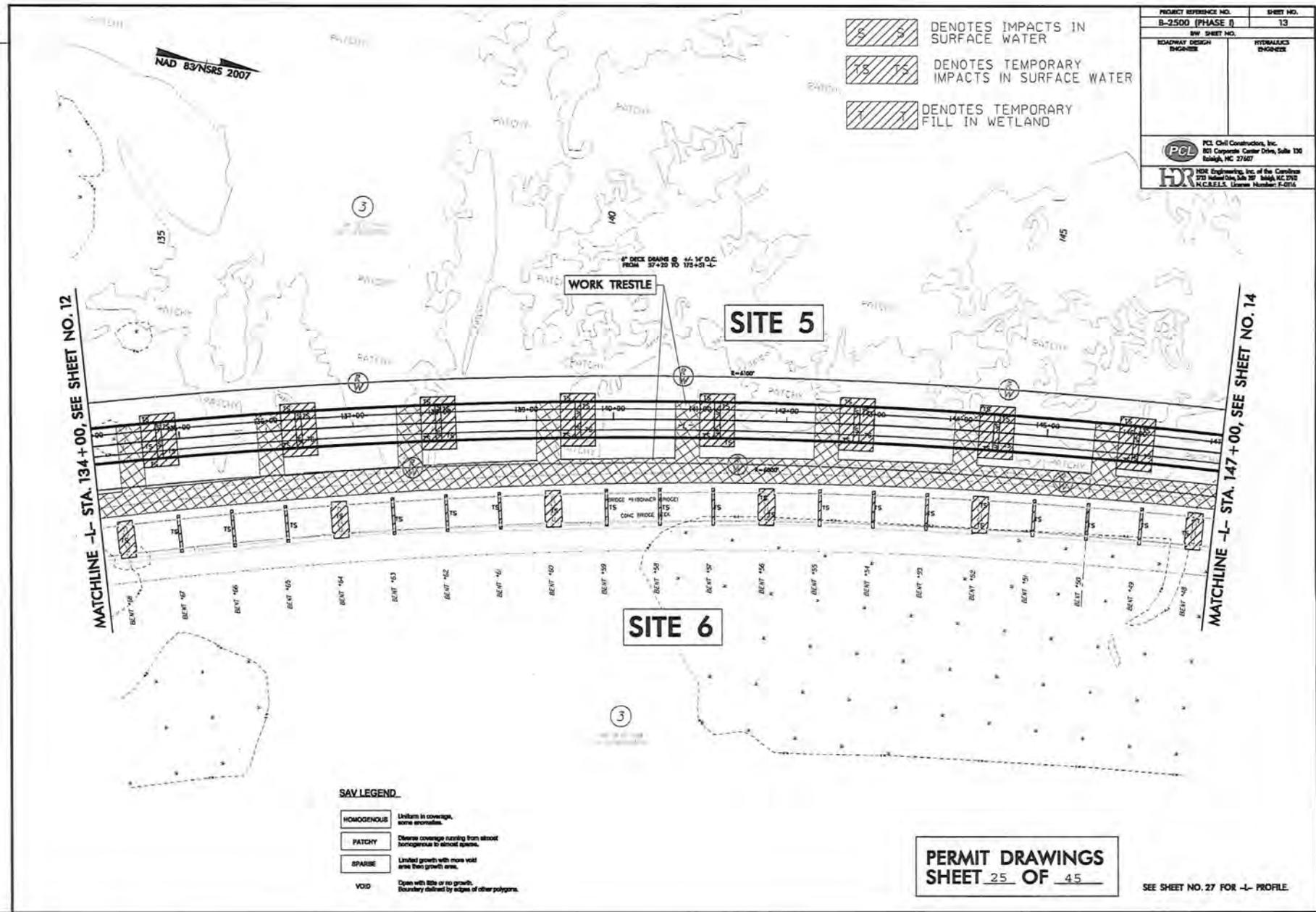
|             |   |
|-------------|---|
| HOMOGENEOUS | Uniform in coverage with some irregularities.                               |
| PATCHY      | Diverse coverage ranging from almost homogeneous to almost sparse.          |
| SPARSE      | Limited growth with more void area than growth area.                        |
| VOID        | Open with little or no growth. Boundary defined by edges of other polygons. |

**PERMIT DRAWINGS**  
 SHEET 24 OF 45

SEE SHEET NO. 26 FOR -L- PROFILE

PLOT BR116R, NC001\_dcf\_coor\_wg\_100.dwg  
 USER: jmasarc  
 FILE: PCL\_Civil\_Coors116\_2500\_Banner\_Bridge\_Replacement116.00.nc001\_116\_116.ctb  
 PENTABLEG, NC001\_dcf\_coor\_wg\_100.dwg  
 DATE: 5/23/2012  
 TIME: 3:01:52 PM

REVISIONS



- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY FILL IN WETLAND

|   |                        |
|---|------------------------|
| PROJECT REFERENCE NO.<br><b>B-2500 (PHASE II)</b>   | SHEET NO.<br><b>13</b> |
| BY SHEET NO.<br>ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER    |
| PCL Civil Constructors, Inc.<br>801 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607                                  |                        |
| HDR Engineering, Inc. of the Carolinas<br>212 Market One, Suite 207<br>Raleigh, NC 27601<br>N.C. REG. LICENSE NUMBER 1-2010 |                        |

**SAV LEGEND**

|                   |  |
|-------------------|--|
| <b>HOMOGENOUS</b> | Uniform in coverage, some anomalies.   |
| <b>PATCHY</b>     | Diverse coverage ranging from almost homogeneous to almost sparse.             |
| <b>SPARSE</b>     | Limited growth with more void area than growth area.                           |
| <b>VOID</b>       | Open with little or no growth.<br>Boundary defined by edges of other polygons. |

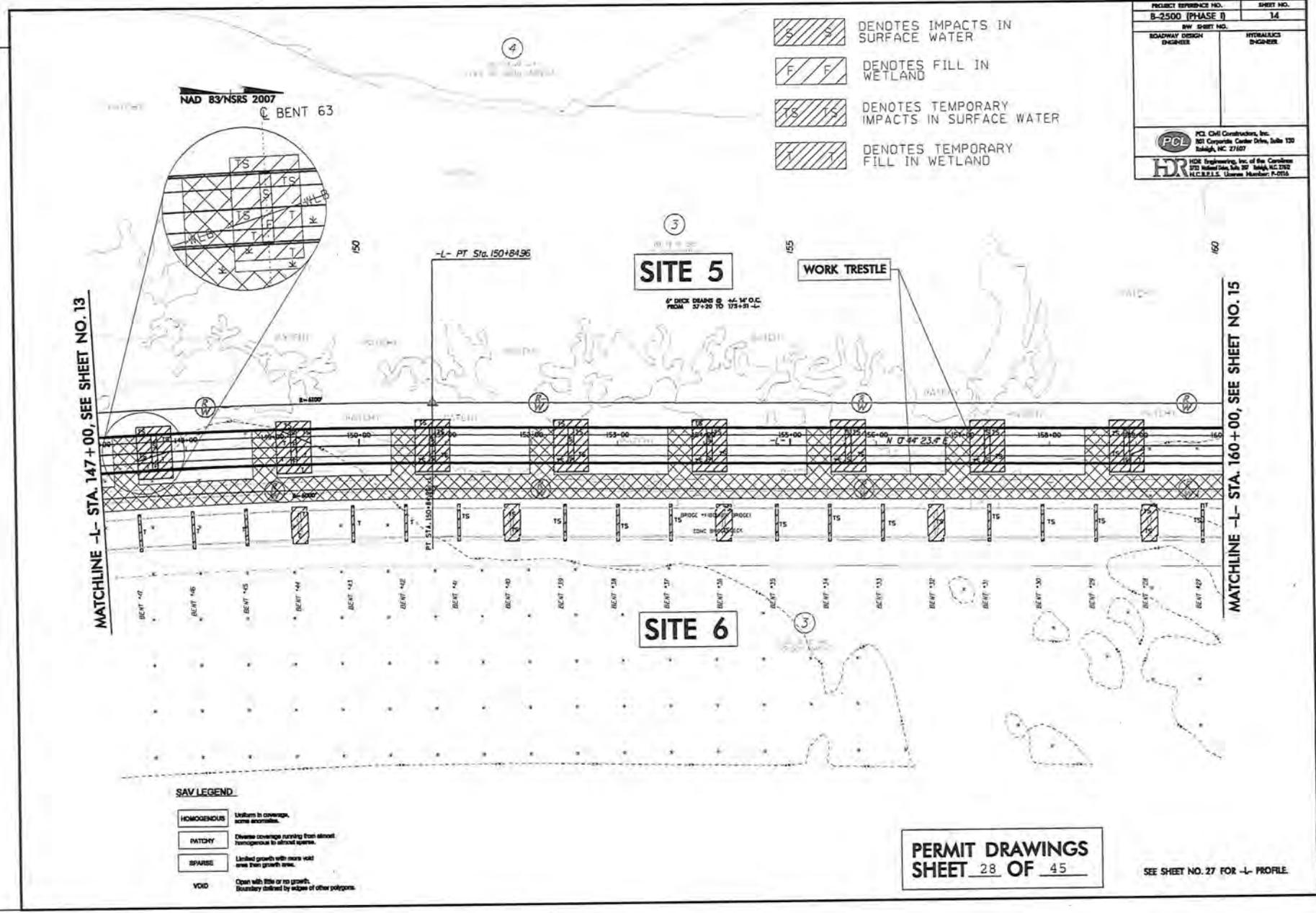
**PERMIT DRAWINGS**  
 SHEET 25 OF 45

SEE SHEET NO. 27 FOR -I- PROFILE.





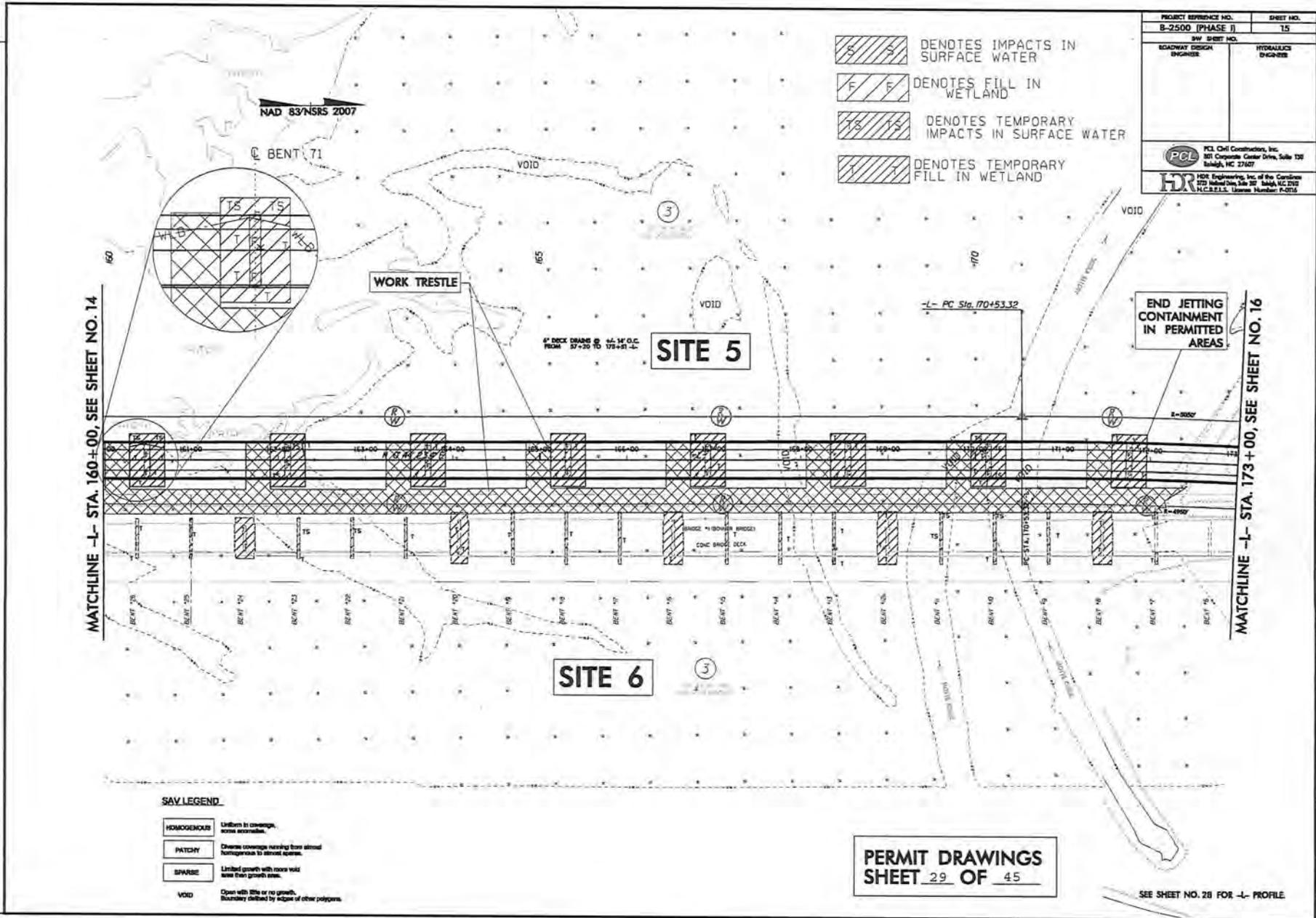
PLOT: DRAWING: NC001.dwg, color, ewg, 100dpi  
 USER: jmasarsic DATE: 5/23/2012  
 FILE: PCL\_Civil\_Cover\_VB\_2500\_Banner\_B-Logo\_Replacement\306.00\NC001.dwg, Structure\48-2500\Banner\_VB-Logo\_Replacement\306.00\NC001.dwg, pch, lcolor  
 REVISIONS



|  |                     |
|--|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE II)   | SHEET NO.<br>14     |
| ROADWAY DESIGN ENGINEER  | HYDRAULICS ENGINEER |
| PCL<br>PCL Civil Construction, Inc.<br>303 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607  |                     |
| HDR<br>HDR Engineering, Inc. of the Carolinas<br>175 Hargett Street, Suite 200<br>Raleigh, NC 27601<br>N.C.E.C.E. License Number: P-2754 |                     |

PLOT DRIVE/E6/ACD07-est/cover/imp/100.dwg  
 USDb/Project/e  
 FILE: PCL/Civil/Center/B-2500/Banner/B-10/Imp/Replacement/106.00/ACD07\_L1m\_5/Structure/16-2500/Imp/100.dwg  
 DATE: 3/27/2012  
 TIME: 10:07 PM  
 PLOTTABLE/ACD07-est/imp/100.dwg  
 TMO: 10:07 PM

REVISIONS



**PERMIT DRAWINGS**  
 SHEET 29 OF 45

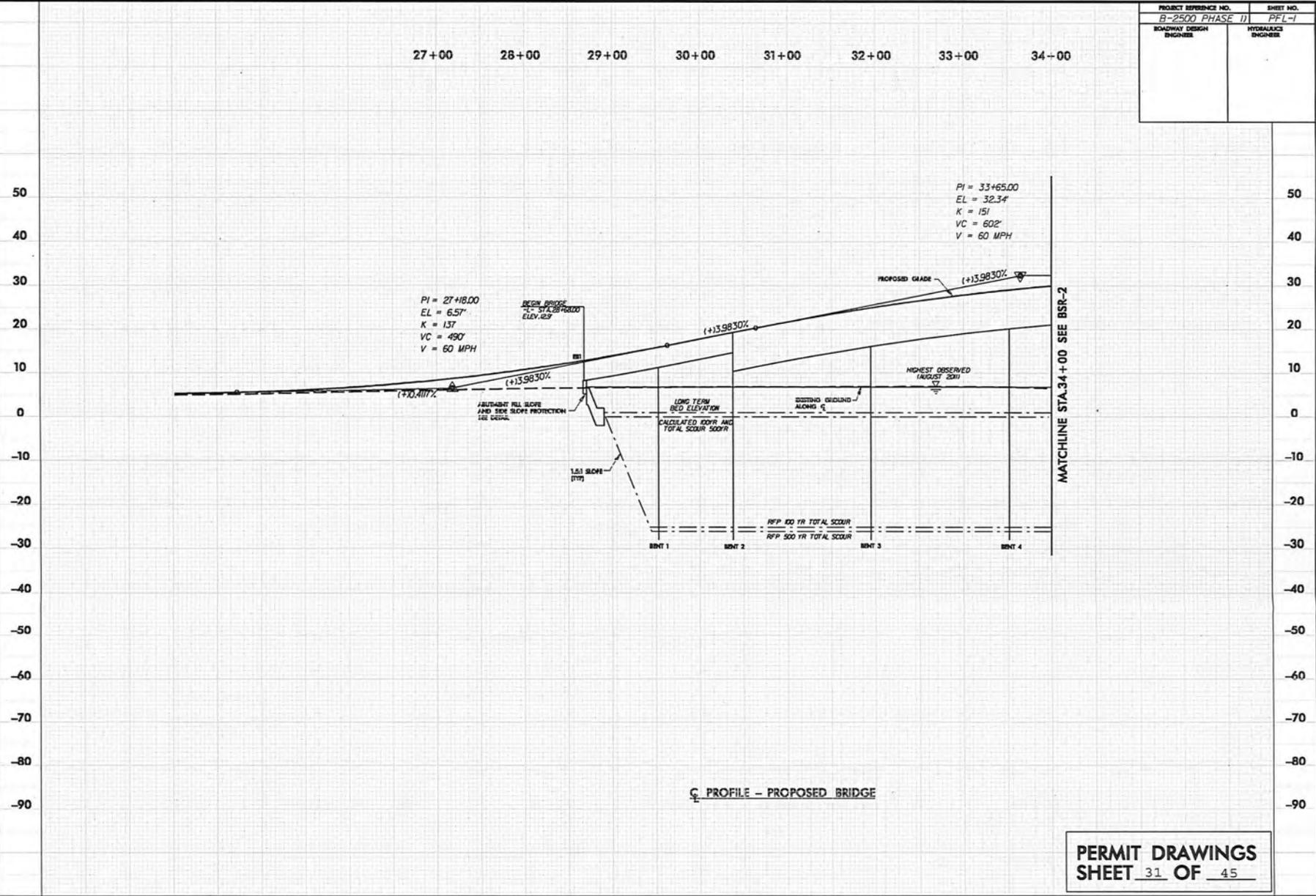
SEE SHEET NO. 28 FOR -L- PROFILE



5/14/19

S:\2019\1905\1905001\1905001.dwg

|  |                    |
|--|--------------------|
| PROJECT REFERENCE NO.<br>B-2500 PHASE II | SHEET NO.<br>PFL-1 |
| ROADWAY DESIGN ENGINEER                  | HYDRAULIC ENGINEER |

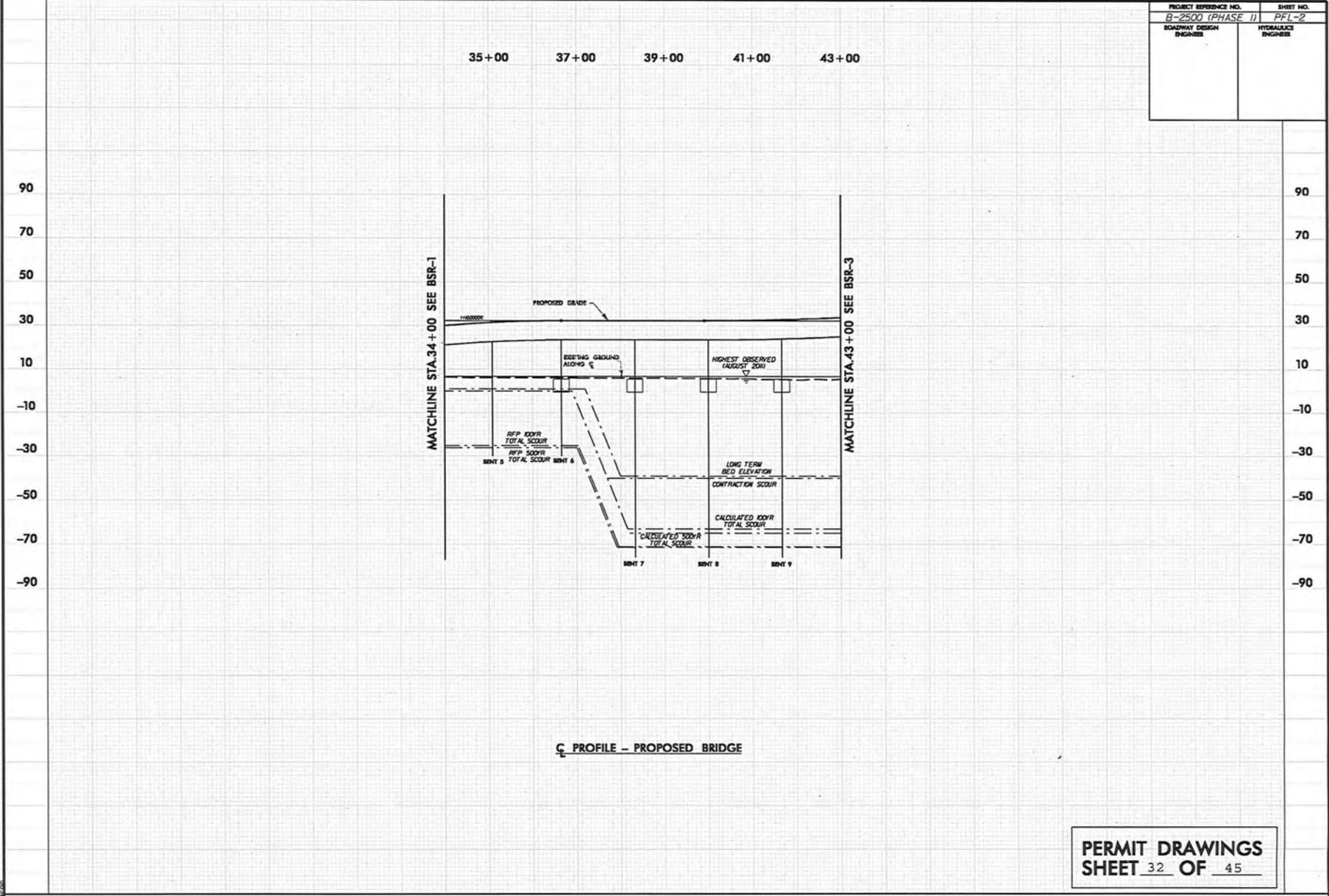


PERMIT DRAWINGS  
SHEET 31 OF 45

5/14/09

5/23/2009  
C:\pwork\eng\user\user\827481\B25268.MXD, PRR, PFL.dwg  
12:54:00 PM

|   |                       |
|---|-----------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE 1) | SHEET NO.<br>PFL-2    |
| ROADWAY DESIGN<br>ENGINEER                | HYDRAULIC<br>ENGINEER |

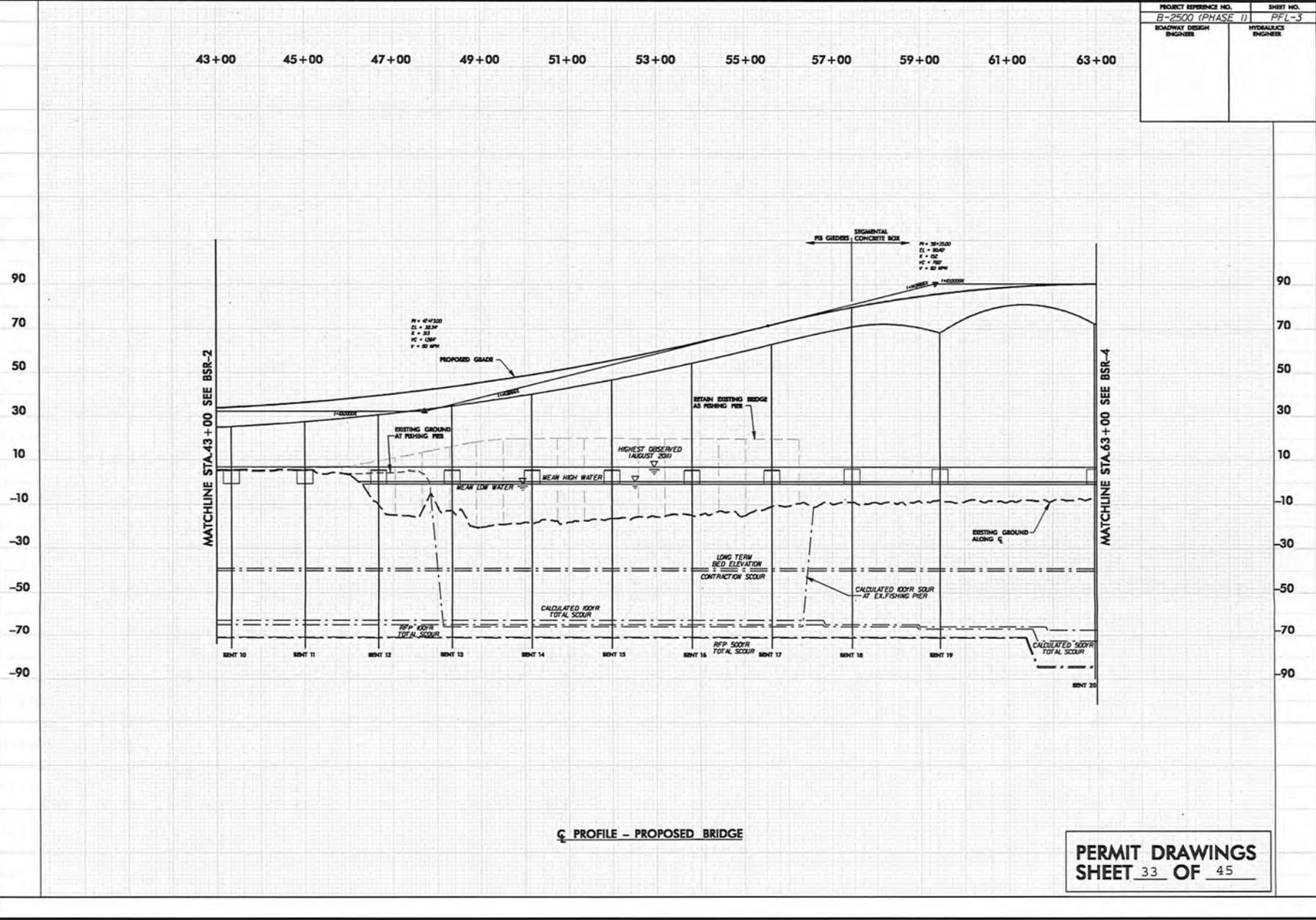


**PERMIT DRAWINGS**  
SHEET 32 OF 45

5/14/02

5/23/02  
in:\pwork\kung\veg\veg\8274811\B2500.PFD\_PFL.dgn

|  |                           |
|--|---------------------------|
| PROJECT REFERENCE NO.<br><i>B-2500 (PHASE 1)</i> | SHEET NO.<br><i>PFL-3</i> |
| ROADWAY DESIGN<br>ENGINEER                       | HYDRAULICS<br>ENGINEER    |



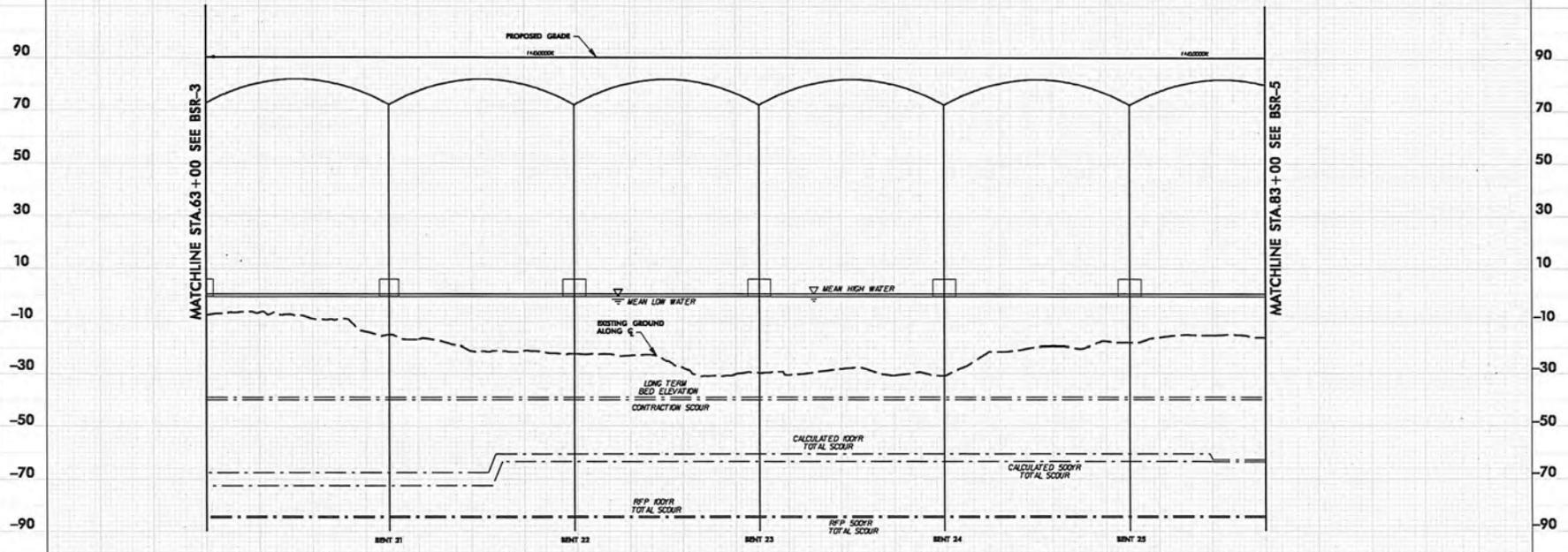
**PERMIT DRAWINGS**  
SHEET 33 OF 45

5/14/20

5/23/20E  
25:34:00  
\\sra\user\274811\B2888\_HYD\_PRL\_PFL.dgn

|   |                        |
|---|------------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE 1) | SHEET NO.<br>PFL-4     |
| ROADWAY DESIGN<br>ENGINEER                | HYDRAULICS<br>ENGINEER |

63+00      65+00      67+00      69+00      71+00      73+00      75+00      77+00      79+00      81+00      83+00



**C PROFILE - PROPOSED BRIDGE**

**PERMIT DRAWINGS**  
SHEET 34 OF 45

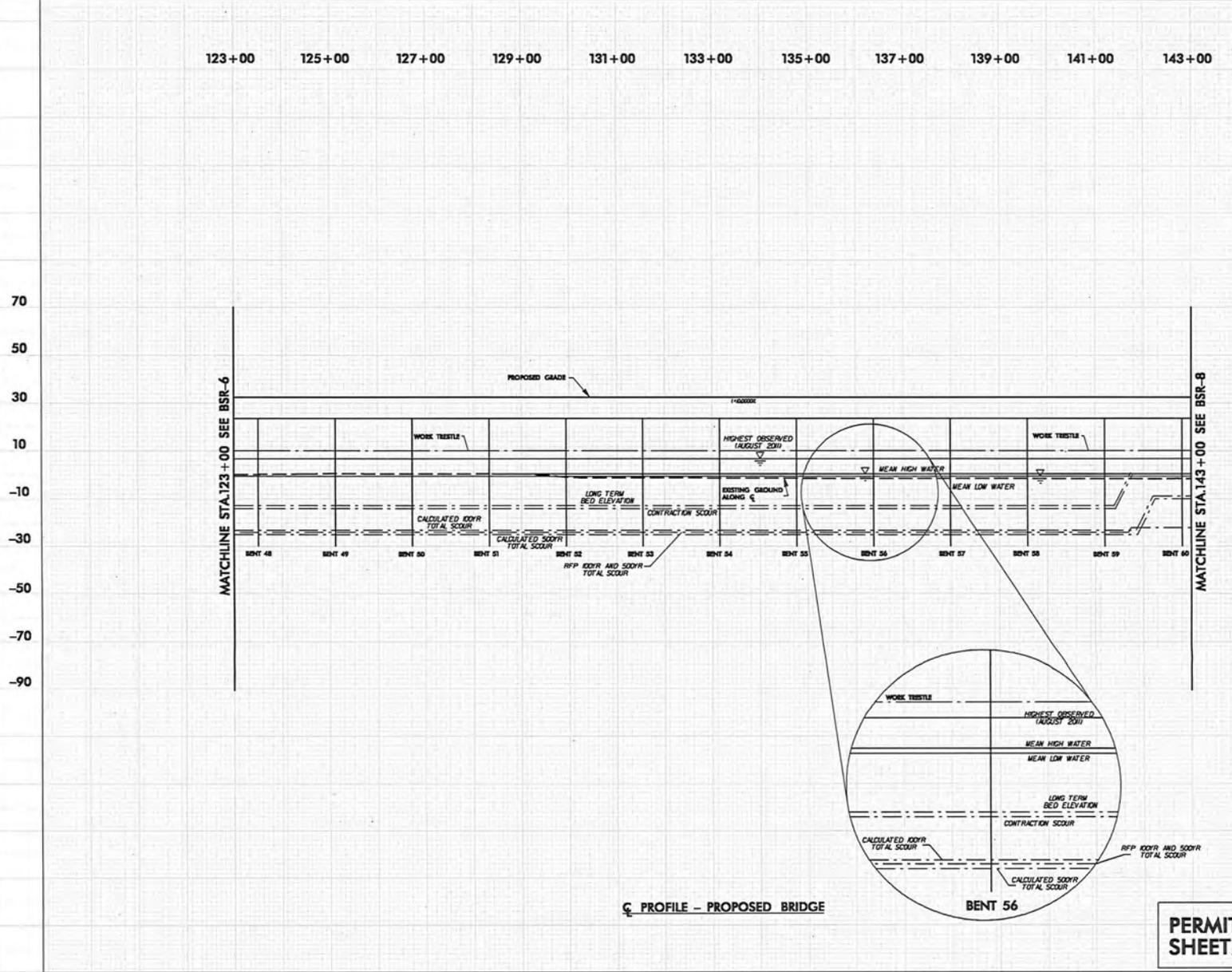




9/16/09

9/23/09  
S:\working\mg\New\98274611\82508\_HYD\_PDF\_PFL.dgn

|   |                       |
|---|-----------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE 1) | SHEET NO.<br>PFL-7    |
| ROADWAY DESIGN<br>ENGINEER                | HYDRAULIC<br>ENGINEER |



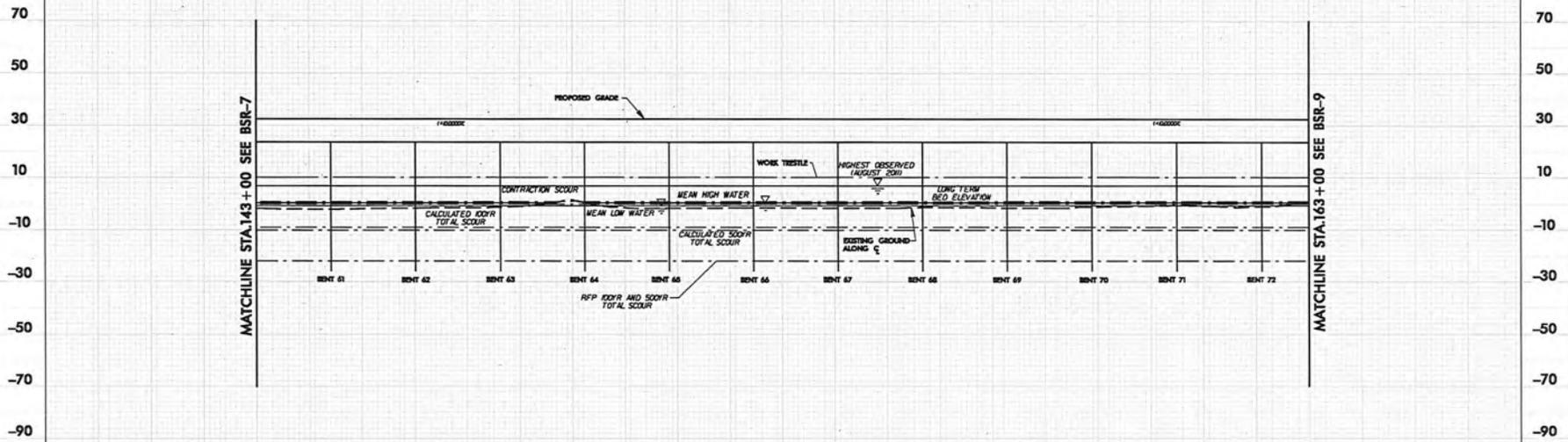
C PROFILE - PROPOSED BRIDGE

5/14/05

6/1/2005 10:53:40 AM \\S:\proj\052748\1\B2508\_HYD\_PFM\_PFL.dgn

|  |                        |
|--|------------------------|
| PROJECT REFERENCE NO.<br>B-2500 PHASE II | SHEET NO.<br>PFI-8     |
| ROADWAY DESIGN<br>ENGINEER               | HYDRAULICS<br>ENGINEER |

143+00      145+00      147+00      149+00      151+00      153+00      155+00      157+00      159+00      161+00      163+00



C PROFILE - PROPOSED BRIDGE

PERMIT DRAWINGS  
SHEET 38 OF 45

5/17/09

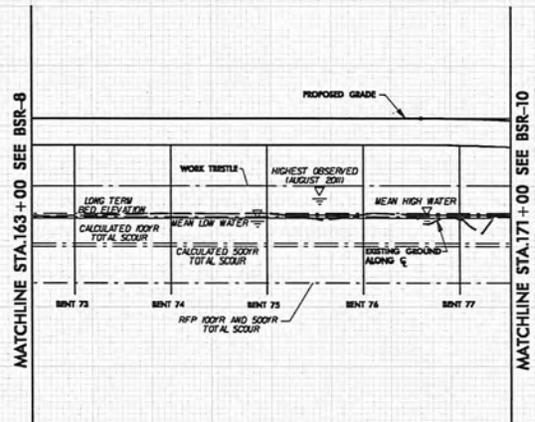
5/23/2002  
c:\pwork\king\spn\0227481\022688.dwg\_PDR\_PFL.dgn

|  |                        |
|--|------------------------|
| PROJECT REFERENCE NO.<br>B-2500 PHASE II | SHEET NO.<br>PFL-9     |
| ROADWAY DESIGN<br>ENGINEER               | HYDRAULICS<br>ENGINEER |

163+00      165+00      167+00      169+00      171+00

70  
50  
30  
10  
-10  
-30  
-50  
-70  
-90

70  
50  
30  
10  
-10  
-30  
-50  
-70  
-90



C PROFILE - PROPOSED BRIDGE

PERMIT DRAWINGS  
SHEET 39 OF 45



PLOT: 0817EN, NC201, pdf, coper, ang, 100.dwt  
 USER: jmaspoc  
 FILE: PCL\_Civil\_Consulting\B-2500\Banner\_B-Logo\_Replacement\0620\_NC201\_Fig\_5\Structure\A\B-2500\_Roadway\Proposed\182500\_RDY\_Plan\_11.dgn

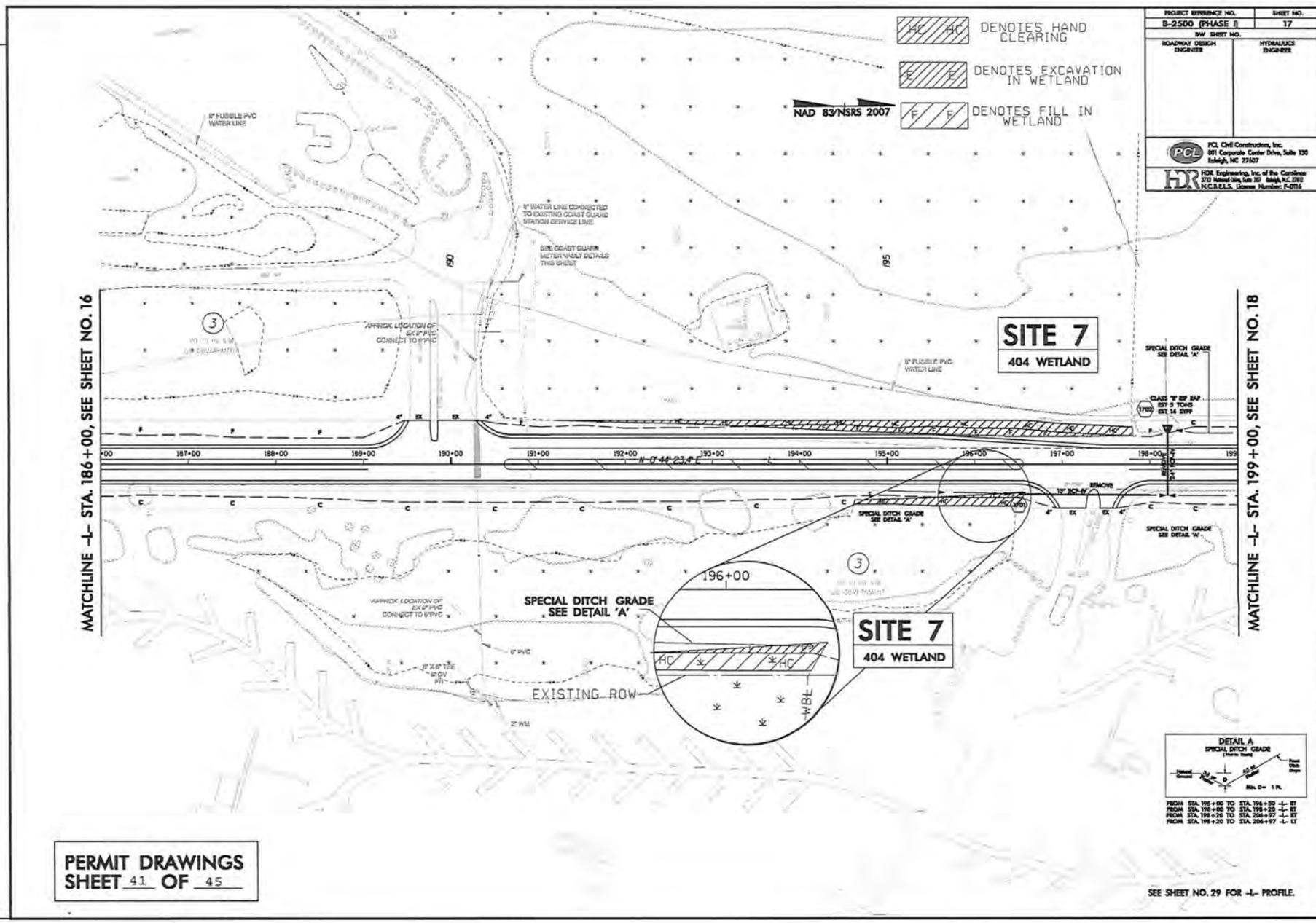
PENTABLE: NC201\_permit.dwg  
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 TIME: 11:41:46 AM

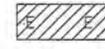
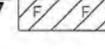
REVISIONS

**PERMIT DRAWINGS**  
 SHEET 41 OF 45

MATCHLINE -L- STA. 186+00, SEE SHEET NO. 16

MATCHLINE -L- STA. 199+00, SEE SHEET NO. 18



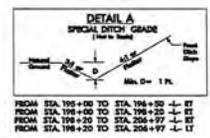
-  DENOTES HAND CLEARING
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES FILL IN WETLAND

NAD 83/NSRS 2007

**SITE 7**  
 404 WETLAND

**SITE 7**  
 404 WETLAND

|   |                     |
|---|---------------------|
| PROJECT REFERENCE NO.<br>B-2500 (PHASE I)   | SHEET NO.<br>17     |
| DWG. SHEET NO.<br>ROADWAY DESIGN ENGINEER   | HYDRAULICS ENGINEER |
|  PCL Civil Construction, Inc.<br>301 Corporate Center Drive, Suite 130<br>Raleigh, NC 27607                                    |                     |
|  HDR Engineering, Inc. of the Carolina<br>275 Walnut Street, Suite 307<br>Raleigh, NC 27602<br>N.C. C.E. License Number: 40794 |                     |



SEE SHEET NO. 29 FOR -L- PROFILE





# PROPERTY OWNERS

NAMES AND ADDRESSES

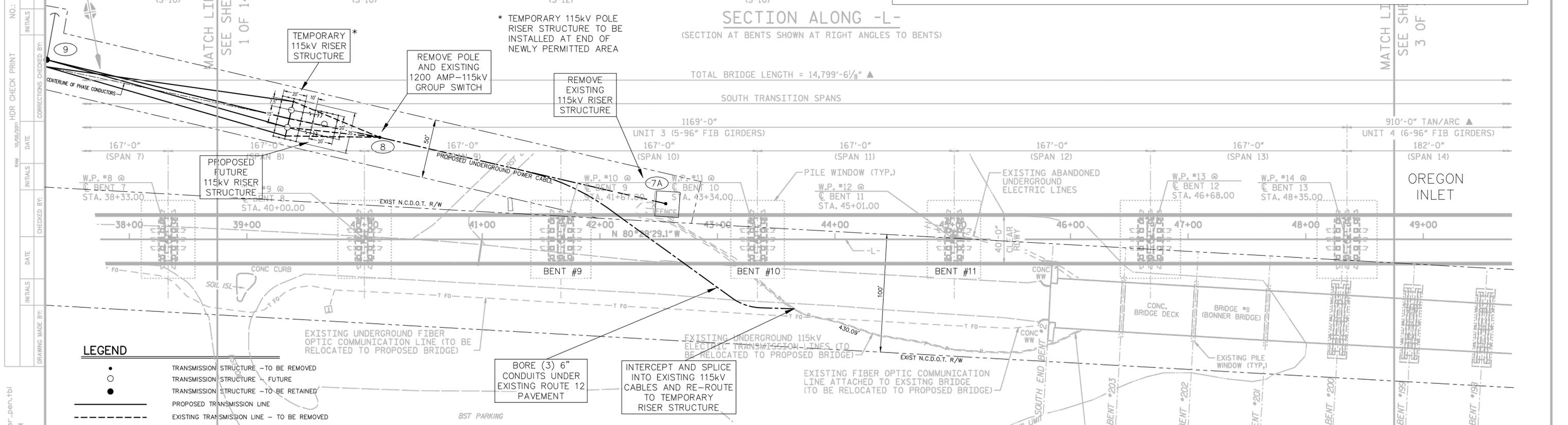
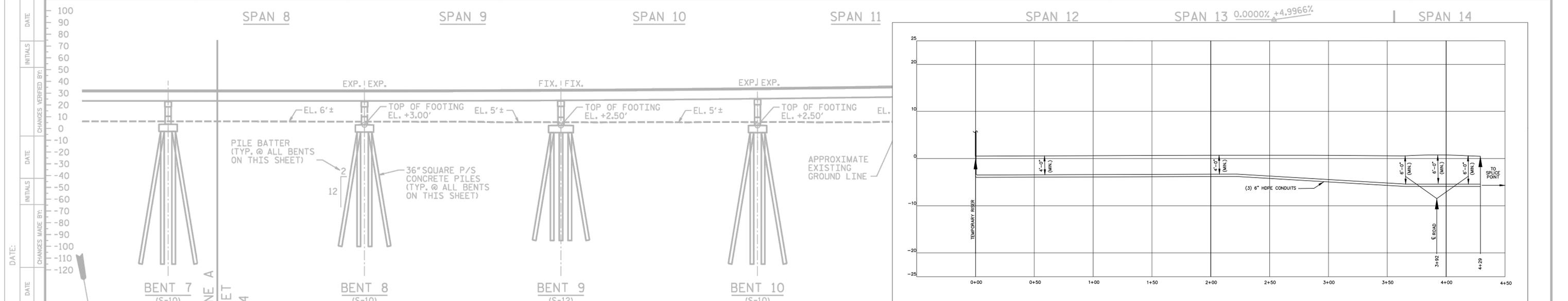
| PARCEL NO. | NAMES                      | ADDRESSES  | SITE NO. |
|------------|----------------------------|--|----------|
| 1          | US GOVERNMENT              | PEA ISLAND NATIONAL<br>WILDLIFE REFUGE<br>P.O. BOX 1969<br>MANTEO, NC 27954      | 1,2,3,4  |
| 3          | US GOVERNMENT              | CAPE HATTERAS<br>NATIONAL SEASHORE<br>1401 NATIONAL PARK DR.<br>MANTEO, NC 27954 | 5,6,7    |
| 4          | STATE OF<br>NORTH CAROLINA | NA   | 5,6      |
|            |                            |  |          |
|            |                            |  |          |
|            |                            |  |          |
|            |                            |  |          |
|            |                            |  |          |
|            |                            |  |          |

## NORTH CAROLINA

DIVISION OF HIGHWAYS  
DARE COUNTY

PROJECT: 32635.1.4 AND 32635.3.GV3  
B-2500 (PHASE D)  
NC 12-REPLACEMENT OF HERBERT C.  
BONNER BRIDGE ACROSS OREGON  
INLET FROM HATTERAS ISLAND  
TO BODIE ISLAND





**LEGEND**

- TRANSMISSION STRUCTURE - TO BE REMOVED
- TRANSMISSION STRUCTURE - FUTURE
- TRANSMISSION STRUCTURE - TO BE RETAINED
- PROPOSED TRANSMISSION LINE
- - - - EXISTING TRANSMISSION LINE - TO BE REMOVED
- - - - PROPOSED UNDERGROUND POWER CABLE
- - - - EXISTING TRANSMISSION EASEMENT
- ← ANCHOR LOCATION - TO BE INSTALLED
- ← ANCHOR LOCATION - TO BE REMOVED
- # TRANSMISSION STRUCTURE NUMBER

**NOTES**

- STRUCTURES 7A-10 LOCATED BY SURVEY; STR 11 LOCATION DERIVED FROM PREVIOUS PLAN & PROFILE.

**REFERENCES**

- NCDOT TIP B2500
- BURNS & MCDONELL PROJECT 93-430-1-200; DRAWING ET-201

**SUPERELEVATION/CROSS SLOPE DATA**

| STATION -L- | CROSS SLOPE | STATION -L- | CROSS SLOPE |
|-------------|-------------|-------------|-------------|
| 28+00.00    | .050        | 102+59.84   | .030        |
| 35+11.07    |             | 150+71.46   |             |
| 35+11.07    | VARIES      | 150+71.46   | VARIES      |
| 35+78.57    |             | 150+84.96   |             |
| 35+78.57    |             | 150+84.96   | .025        |
| 51+99.00    | .025        | 170+53.32   |             |
| 51+99.00    | VARIES      | 170+53.32   | VARIES      |
| 53+81.00    |             | 170+66.82   |             |
| 53+81.00    |             | 170+66.82   |             |
| 70+28.93    | .045        | 176+39.90   | .030        |
| 70+28.93    |             | 176+39.90   |             |
| 70+28.93    | VARIES      | 177+20.90   | VARIES      |
| 70+82.93    |             | 177+20.90   | 0.000       |
| 102+46.34   | .025        |             |             |
| 102+46.34   |             |             |             |
| 102+59.84   | VARIES      |             |             |
| 102+59.84   | .030        |             |             |

SEE ROADWAY PLANS FOR SUPERELEVATION DATA NOT SHOWN HERE

**Preliminary**

**ADDED TO B-2500 PACKAGE 10/15/2015**

**NOTES**

- ▲ = ALONG -L-
- ALL STATIONS ARE ALONG -L-
- ALL ELEVATIONS ARE IN FEET, NAVD88
- ALL BENTS ARE RADIAL
- SEE SHEET 1 OF 14 FOR SUPERSTRUCTURE TABLE AND FOUNDATION TABLE

**Booth & Associates LLC**  
801 Corporate Center Drive, Suite 130 Raleigh, NC 27607

**PCL** PCL Civil Constructors, Inc.  
535 Fayetteville Street, Suite 900, Raleigh, NC 27601 N.C. E.L.L. License Number: F-0116

**HDR** HDR Engineering, Inc. of the Carolinas  
535 Fayetteville Street, Suite 900, Raleigh, NC 27601 N.C. E.L.L. License Number: F-0116

PROJECT NO. B-2500 (PHASE I)  
 DARE COUNTY  
 STATION: 102+67.76 -L-  
 SHEET 2 OF 14

STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH

**GENERAL DRAWING FOR BRIDGE ON NC 12 OVER OREGON INLET**

| REVISIONS |     |       |     |
|-----------|-----|-------|-----|
| NO.       | BY: | DATE: | NO. |
| 1         |     |       | 3   |
| 2         |     |       | 4   |

SHEET NO. 50-03  
 TOTAL SHEETS 56

DRAWN BY: R. McKENNA DATE: 10/11  
 CHECKED BY: D. COLETTI DATE: 10/11

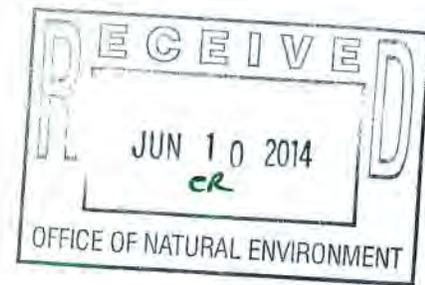
PLOT DRIVER: NCDOT...  
 USER: ppeterson DATE: 7/21/2015  
 FILE: ...CAD\RO - Common\0300



REPLY TO  
ATTENTION OF

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

June 4, 2014



Regulatory Division

Action ID: SAW-1993-03077  
NC DOT TIP No. B-2500

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

Dear Mr. Hancock:

This letter is in reference to your request of December 9, 2013, to modify the Department of the Army permit issued to you on August 14, 2013. In accordance with your written request of June 26, 2012 and the ensuing administrative record, enclosed is a copy of a Department of the Army (DA) permit to directly discharge fill material into 0.49 acre of wetlands adjacent to NC Highway 12, on the north and south side of Oregon Inlet, in order to make improvements to NC 12 associated with the construction of a new bridge to replace the existing Herbert C Bonner Bridge and to retain 1,050 lf of the existing bridge to serve as a training structure in Dare County, North Carolina.

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

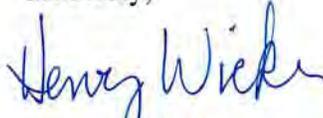
Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

- a. You must complete construction before December 31, 2019.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

You should address all questions regarding this authorization to Mr. Bill Biddlecome in the Washington Regulatory Field Office, telephone number (910) 251-4558.

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

Sincerely,



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

Enclosures

Copies Furnished (with enclosures):

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

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

Copies Furnished with special conditions  
and plans:

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

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

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

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

**DEPARTMENT OF THE ARMY PERMIT**

RECEIVED

JUN 02 2014

REG. WILM. FLD. OFC.

**Permittee:** NCDOT NC12 IMPROVEMENTS TIP No. B 2500  
ATTN: DR. GREGORY J. THORPE, PH.D.

**Permit No.:** SAW-1993-03077

**Issuing Office:** USAED, WILMINGTON – CESAW-RG-W

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

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

**Project Description:** The North Carolina Department of Transportation (NCDOT) has identified this project as TIP B2500, which involves discharging fill material directly into 0.49 acre of wetlands and temporarily impacting 0.38 acre of wetlands adjacent to NC Highway 12, on the north and south side of Oregon Inlet, in the Pea Island National Wildlife Refuge, in order to make improvements to NC 12 associated with the construction of a new bridge to replace the existing Herbert C Bonner Bridge and to retain 1,050 lf of the existing bridge to serve as a training structure, in Dare County, North Carolina.

**Project Location:** The project, known as TIP No. B 2500, is a 3.55 mile project that will replace the currently existing structurally defiantly obsolete Herbert C. Bonner Bridge across the Oregon Inlet from Bodie Island to Hatteras Island as well as minor road work on both ends of the project. The project area contains jurisdictional wetlands connected to the Pamlico Sound, Oregon Inlet, and Motts Creek. The project starts at approximate Latitude 35.763398N, Longitude 75.518585W and ends at approximate Latitude 35.802321N, Longitude 75.546214W. The project is located in the Pasquotank River Basin, Hydrologic Unit 03010205.

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2019. 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).

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.

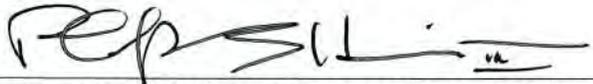
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

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

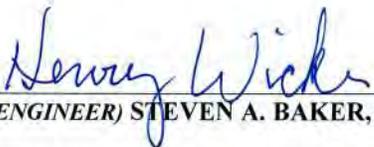
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance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

*for*  05/30/2014  
(PERMITTEE) NCDOT, ATTN: RICHARD W. HANCOCK, P.E. (DATE)

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

*for*  6-4-14  
(DISTRICT ENGINEER) STEVEN A. BAKER, COLONEL (DATE)

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

\_\_\_\_\_  
(TRANSFeree) (DATE)

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

Failure to institute and carry out the details of the following special conditions below (listed as a-aa) will result in a directive to cease all ongoing and permitted work within waters of the United States, including wetlands, associated with the permitted project, or such other remedies and/or fines as the U.S. Army Corps of Engineers District Commander or his authorized representatives may seek.

- a) All work authorized by this permit must be performed in strict compliance with the attached plans dated/submitted June 5, 2012, which is a part of this permit. Any modification to these plans must be approved by the US Army Corps of Engineers (USACE) prior to implementation.
- b) 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.
- c) 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 to ensure that all such areas comply with the preceding condition (b) of this permit. 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.
- d) 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.
- e) The Permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives and the appropriate Corps of Engineers Project Manager prior to undertaking any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all terms and conditions contained within the Department of the Army permit.

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

The Permittee shall notify the Corps of Engineers Project Manager a minimum of thirty (30) days in advance of the scheduled meeting in order to provide that individual with ample opportunity to schedule and participate in the required meeting.

f) This permit only authorizes work on Phase I of TIP B-2500. Construction on subsequent phases of TIP B-2500 shall not commence until approval has been obtained by the US Army Corps of Engineers (the Corps) in accordance with this permit authorization through an approved modification or a separate permit authorization.

g) 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.

**Related Laws**

h) The North Carolina Division of Water Quality has issued a conditioned Water Quality Certification for your project. The conditions of that certification are hereby incorporated as special conditions of this permit. For your convenience, a copy of the certification is attached as Exhibit A. These referenced conditions are hereby incorporated as special conditions of this permit.

i) 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.

j) The Permittee shall fully abide by all conditions of the CAMA Major Development Permit No. 106-12, dated September 19, 2012, issued by the North Carolina Division of Coastal Management, which are incorporated herein by reference.

k) The Permittee shall fully implement the Programmatic Agreement between the Permittee, the North Carolina State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the Federal Highway Administration, signed in November 2010, or as required by any subsequent amendments. The terms and conditions of the Programmatic Agreement, and subsequent amendments are incorporated herein by reference.

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
**NC 12, HERBERT C. BONNER BRIDGE REPLACEMENT**

**Project Maintenance**

- l) 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.
- m) 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.
- n) 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).
- o) The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades on those areas, prior to project completion.
- p) 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.
- q) No fill or excavation for the purpose of sedimentation and erosion control shall occur within jurisdictional waters, including wetlands, unless it is included on the plan drawing and specifically authorized by this permit.
- r) 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.
- s) All measures will be taken to avoid any temporary fill from entering into Oregon Inlet and the Pamlico Sound from bridge demolition. Bridge demolition shall follow NCDOT "Best Management Practices for Construction and Maintenance Activities" dated August 2003. Due to the dynamics of Oregon Inlet, potential entanglement of aquatic species and issues concerning

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
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worker safety, turbidity curtains are not required during bridge demolition. Pilings associated with the existing bridge and the temporary work trestles that are located in open water shall be removed in their entirety. If a piling breaks and cannot be removed, Notify USACE to determine an appropriate course of action. Existing bridge pilings in SAV areas and wetlands shall be cut off at the mudline. Additionally, the permittee shall remove any scour protection devices including sand bags, A-Jacks and gabion baskets that extend above the natural bottom of Oregon Inlet at the time of bridge demolition, with the exception of those protecting the substructure of the existing bridge that will remain in place as a training structure. If any scour protection devices become exposed in the future, the permittee shall coordinate with USACE to determine if removal is necessary.

**Enforcement**

t) 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.

u) The permittee shall take measures to prevent live or fresh concrete from coming into contact with any surface waters until the concrete has hardened.

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

**Mitigation**

w) Compensatory mitigation for impacts to 0.49 acres of wetlands associated with the proposed project shall be provided in accordance with the document titled "Final Wetland Mitigation Plan NC 12 Replacement of Herbert C. Bonner Bridge (Bridge No. 11) over Oregon Inlet prepared by the United States National Park Service and the North Carolina Department of Transportation dated January 30, 2013. Activities prescribed by this plan shall be initiated prior to, or concurrently with, commencement of any construction activities within jurisdictional areas authorized by this permit.

**Section 10 (Related Only to the Retention of 1,050 Linear Feet of the Original Bonner Bridge Which is Being Retained as a Navigation Training Structure)**

x) 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

**SPECIAL CONDITIONS**  
**ACTION ID SAW-1993-03077 (TIP PROJECT NO. B 2500)**  
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, IMPROVEMENTS TO**  
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manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with this direction, the Secretary or his representative may restore the waterway, by contract or otherwise, and recover the cost from the permittee.

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

z) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation, or alteration. The permittee shall notify NOAA/NATIONAL OCEAN SERVICE Chief Source Data Unit N CS261, 1315 E West HWY- RM 7316, Silver Spring, MD 20910-3282 at least two weeks prior to beginning work and upon completion of work.

aa) The permittee must install and maintain, at his expense, any signal lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on authorized facilities. For further information, the permittee should contact the U.S. Coast Guard Marine Safety Office at (910) 772-2191.

## Turchy, Michael A

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**From:** Wheeler, Tracey L SAW <Tracey.L.Wheeler@usace.army.mil>  
**Sent:** Friday, October 30, 2015 10:43 AM  
**To:** Rivenbark, Chris; Ward, Garcy; Brittingham, Cathy; Daisey, Greg  
**Cc:** clarence.coleman@fhwa.dot.gov; Cynthia VanDerWiele; Joyner, Drew; Militscher, Chris (militscher.chris@epa.gov); Matthews, Monte K SAW; Able, Tony EPA@SAD; Al-Ghandour, Majed N; Chapman, Amy; Fritz Rohde - NOAA Federal; gary\_jordan@fws.gov; Jennings, Jerry D; Keith Hanson; Koch, Thomas K; Carpenter, Kristi; Mellor, Colin; Staley, Mark K; Staples, Shane; Thomas, Roger D; Wilson, Travis W.; Twisdale, John W; Ward, Garcy; Wilkins, Ronald B; Willis, Thomas C; McCann, Nora A; Turchy, Michael A; Hering, David T; Blake, Shelley R; Jamison, John R. (John.Jamison@hdrinc.com)  
**Subject:** RE: Permit Modification Request for B-2500 Phase I, Dare County (UNCLASSIFIED)  
**Categories:** B-2500 Mod for Riser Pole

Classification: UNCLASSIFIED  
Caveats: NONE

Chris,

The USACE has reviewed your request to modify the existing permit SAW-1993-03077 issued to NC Department of Transportation on August 20, 2013 authorizing impacts associated with the replacement of Bridge 11 over Oregon Inlet on NC Highway 12 in Dare County, North Carolina. This permit also authorizes impacts associated with utility line relocations in the project area. On October 21, 2015, this office received your request to revise the utility plans to include directional bore of utility lines rather than installing them using an open trench. This revision would decrease the temporary impacts in the area by 0.06 acres but will increase the amount of temporary hand clearing by 0.22 acres.

We have determined that this modification is consistent with the terms and conditions of the existing permit. Therefore, your request has been granted and the permit has been modified to reflect the requested change. All existing conditions, including the permit expiration date remain in effect. Please call me if you have any questions. Tracey

Tracey L. Wheeler  
Regulatory Project Manager  
U.S. Army Corps of Engineers  
Washington Regulatory Field Office  
2407 West 5th Street  
Washington, North Carolina 27889  
(910) 251-4627

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete the Customer Satisfaction Survey located at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=136:4:0](http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0).

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

From: Rivenbark, Chris [<mailto:crivenbark@ncdot.gov>]  
Sent: Thursday, October 15, 2015 2:02 PM  
To: Wheeler, Tracey L SAW; Ward, Garcy; Brittingham, Cathy; Daisey, Greg  
Cc: [clarence.coleman@fhwa.dot.gov](mailto:clarence.coleman@fhwa.dot.gov); Cynthia VanDerWiele; Joyner, Drew; Militscher, Chris ([militscher.chris@epa.gov](mailto:militscher.chris@epa.gov)); Matthews, Monte K SAW; Able, Tony EPA@SAD; Al-Ghandour, Majed N; Chapman, Amy; Fritz Rohde - NOAA Federal;

[gary\\_jordan@fws.gov](mailto:gary_jordan@fws.gov); Jennings, Jerry D; Keith Hanson; Koch, Thomas K; Carpenter, Kristi; Mellor, Colin; Staley, Mark K; Staples, Shane; Thomas, Roger D; Wilson, Travis W.; Twisdale, John W; Ward, Garcy; Wilkins, Ronald B; Willis, Thomas C; McCann, Nora A; Turchy, Michael A; Hering, David T; Blake, Shelley R; Jamison, John R. ([John.Jamison@hdrinc.com](mailto:John.Jamison@hdrinc.com))  
Subject: [EXTERNAL] Permit Modification Request for B-2500 Phase I, Dare County

A permit modification request for B-2500 Phase I has been prepared. The electronic copy can be viewed/downloaded at [Blockedhttps://connect.ncdot.gov/resources/Environmental/](https://connect.ncdot.gov/resources/Environmental/)

This email serves as our permit modification request to the N.C. Division of Water Resources. Hard copies will be submitted to the U.S. Army Corps of Engineers and the N.C. Division of Coastal Management.

Chris Rivenbark | Eastern Regional Manager | Environmental Coordination & Permitting Group

Natural Environment Section | PDEA | N.C. Department of Transportation  
(919) 707-6152 office | (919) 212-5785 fax | [crivenbark@ncdot.gov](mailto:crivenbark@ncdot.gov) <<mailto:crivenbark@ncdot.gov>>

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Classification: UNCLASSIFIED  
Caveats: NONE



North Carolina Department of Environment and Natural Resources

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

Beverly Eaves Perdue  
Governor

Dea Freeman  
Secretary

September 7, 2012

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

Subject: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with  
ADDITIONAL CONDITIONS for the Proposed Replacement of the Herbert C. Bonner Bridge over Oregon  
Inlet in Dare County, Federal Aid Project No. BRNHF-0012(48), TIP B-2500 (Phase I).  
NCDWQ Project No. 20120629

Dear Dr. Thorpe:

Attached hereto is a copy of Certification No. 003939 issued to The North Carolina Department of Transportation  
(NCDOT) dated September 7, 2012.

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

Sincerely,

Charles Wakild  
Director

Attachments

cc: Bill Biddlecome, US Army Corps of Engineers, Washington Field Office (electronic copy only)  
Jerry Jennings, PE, Division 1 Engineer  
Clay Willis, Division 2 Environmental Officer  
Chris Militscher, Environmental Protection Agency (electronic copy only)  
Gary Jordan, US Fish and Wildlife Service (electronic copy only)  
Travis Wilson, NC Wildlife Resources Commission (electronic copy only)  
Jason Elliott, NCDOT, Roadside Environmental Unit (electronic copy only)  
Cathy Brittingham, Division of Coastal Management (electronic copy only)  
Garcy Ward, NCDWQ Washington Regional Office (electronic copy only)  
File Copy

Transportation and Permitting Unit  
1650 Mail Service Center, Raleigh, North Carolina 27699-1612  
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604  
Phone: 919-807-6300 | FAX: 919-807-0492  
Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

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One  
North Carolina  
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**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 (NCDWQ) Regulations in 15 NCAC 2H. This certification authorizes the NCDOT to impact 1.87 acres of jurisdictional wetlands, 4.44 acres of open waters, and 2.66 acres of SAV habitat in Dare County for the purposes of constructing the project. The project shall be constructed pursuant to the application dated received June 22, 2012. The authorized impacts are as described below:

**Wetland Impacts in the Pasquotank River Basin**

| Site                           | Station/Location       | Permanent Fill (acre) | Temporary Fill (acre) | Permanent Excavation (acre) | Temporary Excavation (acres) | Mechanized Clearing (acre) | Hand Clearing (acre) | Total Wetland Impacts (acre) | Mitigable Wetland Impacts |
|--------------------------------|------------------------|-----------------------|-----------------------|-----------------------------|------------------------------|----------------------------|----------------------|------------------------------|---------------------------|
| <b>404 WETLAND IMPACTS</b>     |                        |                       |                       |                             |                              |                            |                      |                              |                           |
| 1                              | -L-19-96 / 21-66 LT    | ---                   | ---                   | ---                         | ---                          | ---                        | 0.01                 | 0.01                         | 0                         |
| 2                              | -Y01- 12-49 / 21+80 RT | 0.32                  | ---                   | 0.01                        | ---                          | ---                        | 0.12                 | 0.45                         | 0.33                      |
| 3                              | -L- 41+88 / 44+32 LT   | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -BW- 10+58 / 10+85     | ---                   | ---                   | ---                         | ---                          | ---                        | 0.01                 | 0.01                         | 0                         |
| 4                              | -L- 39+61 / 40+57 LT   | ---                   | 0.05                  | ---                         | ---                          | ---                        | ---                  | 0.05                         | 0                         |
| 5                              | -L- 38+36 / 176+68     | ---                   | ---                   | ---                         | ---                          | 0.08                       | ---                  | 0.08                         | 0.08                      |
| 6                              | -L- 56+40 / 172+10 RT  | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 7                              | -L- 191+20 / 197+80    | 0.06                  | ---                   | 0.01                        | ---                          | ---                        | 0.13                 | 0.2                          | 0.07                      |
| N/A                            | Casting Yard           | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| <b>TOTAL 404 IMPACTS:</b>      |                        | <b>0.38</b>           | <b>0.05</b>           | <b>0.02</b>                 | <b>0.00</b>                  | <b>0.08</b>                | <b>0.27</b>          | <b>0.80</b>                  | <b>0.48</b>               |
| <b>COASTAL WETLAND IMPACTS</b> |                        |                       |                       |                             |                              |                            |                      |                              |                           |
| 1                              | -L-19-96 / 21-66 LT    | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 2                              | -Y01- 12-49 / 21+80 RT | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -L- 41+88 / 44+32 LT   | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -BW- 10+58 / 10+85     | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 4                              | -L- 39+61 / 40+57 LT   | 0.01                  | 0.06                  | ---                         | ---                          | ---                        | ---                  | 0.07                         | 0.01                      |
| 5                              | -L- 38+36 / 176+68     | 0.01                  | 0.67                  | ---                         | ---                          | 0.01                       | ---                  | 0.69                         | 0.02                      |
| 6                              | -L- 56+40 / 172+10 RT  | ---                   | ---                   | ---                         | 0.31                         | ---                        | ---                  | 0.31                         | 0                         |
| 7                              | -L- 191+20 / 197+80    | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| N/A                            | Casting Yard           | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| <b>TOTAL COASTAL IMPACTS:</b>  |                        | <b>0.02</b>           | <b>0.73</b>           | <b>0.00</b>                 | <b>0.31</b>                  | <b>0.01</b>                | <b>0.00</b>          | <b>1.07</b>                  | <b>0.03</b>               |
| <b>TOTAL PROJECT IMPACTS:</b>  |                        | <b>0.40</b>           | <b>0.78</b>           | <b>0.02</b>                 | <b>0.31</b>                  | <b>0.09</b>                | <b>0.27</b>          | <b>1.87</b>                  | <b>0.51</b>               |

Total Wetland Impact for Project: 1.87 acres.

**Open Water Impacts in the Pasquotank River Basin**

| Site          | Permanent Fill in Open Waters (acres) | Temporary Fill in Open Waters (acres) | Total Fill in Open Waters (acres) |
|---------------|---------------------------------------|---------------------------------------|-----------------------------------|
| 3             | ---                                   | 0.01                                  | 0.01                              |
| 5             | 1.00                                  | 0.97                                  | 1.97                              |
| 6             | 0.00                                  | 2.45                                  | 2.45                              |
| Casting Yard  | 0.00                                  | 0.01                                  | 0.01                              |
| <b>TOTAL:</b> | <b>1.00</b>                           | <b>3.44</b>                           | <b>4.44</b>                       |

Total Open Water Impact for Project: 4.44 acres.

**Submerged Aquatic Vegetation (SAV) Habitat Impacts in the Pasquotank River basin**

| Total Impact to Habitat (acres) | Habitat Exposed by Existing Bridge Removal (acres) | Impacts Requiring Mitigation (acres) |
|---------------------------------|--|--------------------------------------|
| 2.66                            | 1.38   | 1.28                                 |

Total SAV Impact for Project: 2.66 acres

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

This approval is only valid for the purpose and design that you submitted in your application dated received June 22, 2012. Should your project change, you are required to notify the NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If any additional wetland impacts, or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire on the same day as the expiration date of the corresponding Corps of Engineers Permit.

**Conditions of Certification:**

**Project Specific Conditions:**

1. The NCDOT Division Environmental Officer or Environmental Assistant will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues with stream and pipe alignment at the permitted site. NCDWQ staff shall be invited to the pre-construction meeting.
2. In accordance with commitments made in your application, all clearing of vegetation for purpose of relocating overhead power lines within jurisdictional wetlands shall be performed without the use of mechanized equipment.
3. This certification does not authorize any dredging activities. Should dredging be found necessary, a modification request shall be submitted to the NCDWQ for approval.
4. In the event of impending severe weather, the NDOT and its contractors shall make every reasonable attempt to secure equipment and supplies such that oil, greases, hydraulic fluids, supplies, etc. will not become potential contaminants to surface waters, wetlands, or other natural resource.
5. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species.
6. Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of the 401 Water Quality Certification.
7. Bridge deck drains shall not discharge directly into the stream or open water except as noted in the plans submitted with the application.
8. Jetting of piles will be allowed for construction of the bridge. As described in the application, a primary and secondary containment system shall be used from bents 47-78 and all in other jurisdictional areas. Every reasonable effort shall be made to contain jetting spoils in jurisdictional area. Should the containment system not operate as expected the NCDOT or its contractor shall contact the NCDWQ for further guidance.
9. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly.
10. The permittee shall use /Design Standards in Sensitive Watersheds [15A NCAC 4B.0124(a)-(e)] in areas draining to HQW areas. However, due to the size of the project, NC DOT shall not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres. Temporary cover (wheat, millet, or similar annual grain) or permanent herbaceous cover shall be planted on all bare soil within 15 business days of ground disturbing activities to provide erosion control.

11. All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. Barges shall not rest on the bottom where SAV are present. Under no circumstances should barges be dragged along the bottom of the surface water.
12. The NCDOT and its contractor(s) will continue to coordinate with the North Carolina Division of Marine Fisheries as necessary regarding bridge disposal.
13. Tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with an appropriate native seed mix on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters is prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.
14. Mitigation

Compensatory mitigation for impacts to 0.51 acres (0.48 acres 404 wetlands and 0.03 acres of coastal wetlands) wetlands is required. The NCDOT shall provide the NCDWQ with a final copy of the wetland mitigation plan prior to commencement of construction. Any changes between the draft and final plans shall be noted. The permittee shall comply with the on-site wetland mitigation plan. Non-traditional mitigation is proposed as explained below.

- a. Per the proposed mitigation plan, the NCDOT, in cooperation with the National Park Service, proposes to bring under control approximately 50 acres of *Phragmites australis* within an area around a waterfowl pond located on National Park Service property within the Cape Hatteras National Seashore near the Bodie Island Lighthouse. The proposed area was once dominated by *Spartina* and other beneficial species but is currently dominated by *Phragmites*. The goal is to reduce the extent *Phragmites* such that it can be managed more consistently and allow *Spartina* and other more beneficial species to dominate the acreage once again, essentially restoring the wetland.

The NCDWQ has agreed to a 5:1 ratio of restoration. Therefore, no less than 2.55 acres will have to be considered successful to meet the required mitigation for impacts to 0.51 acres of impacted wetlands. Should less than 2.55 acres of restoration be considered unsuccessful, the NCDOT may be required to propose other mitigation possibilities to address the deficit. Any excess mitigation considered successful by the NCDWQ and other resource agencies may be used to offset impacts of future projects pending NCDWQ approval.

Full restoration of the area will be considered successful if all success criteria stated in the approved mitigation plan are met, unless the NCDWQ decides otherwise. Primary success criteria include a reduction in the overall *Phragmites* coverage from year to year; final aerial coverage of dense *Phragmites* shall be less than 10 acres with stems less than three (3) feet tall. The NCDOT will provide an annual monitoring report to the NCDWQ for review and comment during each monitoring year. The NCDWQ reserves the right to an onsite inspection at any time prior to official closeout.

- b. Compensatory mitigation for impacts to 2.66 acres of suitable submerged aquatic vegetation (SAV) is required. Removal of the existing bridge will unshade 1.38 acres of suitable habitat. The remaining 1.28 acres will be mitigated near the project area as outlined in the mitigation plan.

Methodologies for SAV restoration stated in the CSA International, Incorporated, plan dated July 23, 2012 shall be followed. The NCDWQ realizes and recognizes that the methodology contained in the proposal is experimentally based, and may not yield the anticipated success. This is a risk that the NCDOT is willing to pursue and the NCDWQ is willing to accept. The NCDWQ is willing to accept the results of the effort as mitigation for SAV impacts; however, the NCDOT and its contractors shall make every effort to create a successful mitigation site. A monitoring report shall be submitted

to the NCDWQ during every year of monitoring for review and comment. Monitoring will last no less than five (5) years, unless the NCDWQ agrees that the restoration is considered successful prior to that time. The NCDWQ reserves the right to an onsite inspection at any time prior to official closeout.

A suitable site, of no less than five acres (as specified in the proposal) shall be identified prior to beginning any construction activity, and the NCDWQ shall be notified of the location.

**General Conditions:**

15. 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.
16. 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.
17. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
18. 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.
19. No rock, sand or other materials shall be dredged from the stream channel or open water except where authorized by this certification.
20. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
21. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If NCDWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, NCDWQ may reevaluate and modify this certification.
22. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.
23. 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.
24. 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.
25. 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.
26. Native riparian vegetation must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction.
27. 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.
28. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

29. 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.
30. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
31. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.

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

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

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

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

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

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

This the 7th day of September 2012

DIVISION OF WATER QUALITY

  
Charles Wakild  
Director



North Carolina Department of Environment and Natural Resources

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

Hevilly Favis Perdue  
Governor

Das Freeman  
Secretary

NCDWQ Project No.: \_\_\_\_\_ County: \_\_\_\_\_  
Applicant: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Date of Issuance of 401 Water Quality Certification: \_\_\_\_\_

**Certificate of Completion**

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

**Applicant's Certification**

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

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

**Agent's Certification**

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

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

**Engineer's Certification**

\_\_\_\_\_ Partial \_\_\_\_\_ Final

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

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

Date \_\_\_\_\_

Transportation and Permitting Unit  
1650 Mail Service Center, Raleigh, North Carolina 27699-1650  
Location: 517 N. Salisbury St. Raleigh, North Carolina 27601  
Phone: 919.807.4300 FAX: 919.807.6497  
Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

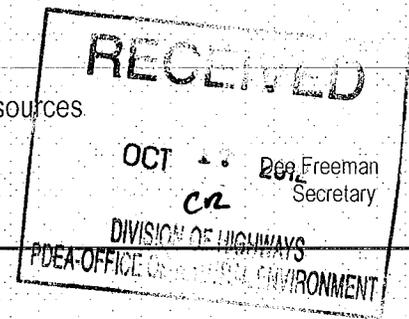




North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue  
Governor

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



October 15, 2012

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

Subject: Correction to the 401 Water Quality Certification for the proposed replacement of the Herbert C. Bonner Bridge over Oregon Inlet in Dare County.  
NCDWQ Project No. 20120629

Dear Dr. Thorpe:

This letter is in regards to the 401 Water Quality Certification (WQC) issued on September 7, 2012 for the Herbert C. Bonner Bridge in Dare County (DWQ Project No. 20120629). It has come to our attention that an impact of 0.01 acres associated with pile installation at Site 5 was erroneously considered a mitigable impact. While total wetland impacts for the project still equal 1.86 acres, only 0.50 acres are considered mitigable. Therefore, mitigable permanent impacts associated with the project should be 0.50 acres; not 0.51 acres as was stated in the original 401 WQC issued September 7, 2012. The wetlands impact table should read:

| Site                           | Station/Location       | Permanent Fill (acre) | Temporary Fill (acre) | Permanent Excavation (acre) | Temporary Excavation (acres) | Mechanized Clearing (acre) | Hand Clearing (acre) | Total Wetland Impacts (acre) | Mitigable Wetland Impacts |
|--------------------------------|------------------------|-----------------------|-----------------------|-----------------------------|------------------------------|----------------------------|----------------------|------------------------------|---------------------------|
| <b>404 WETLAND IMPACTS</b>     |                        |                       |                       |                             |                              |                            |                      |                              |                           |
| 1                              | -L-19-96 / 21-66 LT    | ---                   | ---                   | ---                         | ---                          | ---                        | 0.01                 | 0.01                         | 0                         |
| 2                              | -Y01- 12-49 / 21+80 RT | 0.32                  | ---                   | 0.01                        | ---                          | ---                        | 0.12                 | 0.45                         | 0.33                      |
| 3                              | -L- 41+88 / 44+32 LT   | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -BW- 10+58 / 10+85     | ---                   | ---                   | ---                         | ---                          | ---                        | 0.01                 | 0.01                         | 0                         |
| 4                              | -L- 39+61 / 40+57 LT   | ---                   | 0.05                  | ---                         | ---                          | ---                        | ---                  | 0.05                         | 0                         |
| 5                              | -L- 38+36 / 176+68     | ---                   | ---                   | ---                         | ---                          | 0.08                       | ---                  | 0.08                         | 0.08                      |
| 6                              | -L- 56+40 / 172+10 RT  | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 7                              | -L- 191+20 / 197+80    | 0.06                  | ---                   | 0.01                        | ---                          | ---                        | 0.13                 | 0.2                          | 0.07                      |
| N/A                            | Casting Yard           | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| <b>TOTAL 404 IMPACTS:</b>      |                        | <b>0.38</b>           | <b>0.05</b>           | <b>0.02</b>                 | <b>0.00</b>                  | <b>0.08</b>                | <b>0.27</b>          | <b>0.80</b>                  | <b>0.48</b>               |
| <b>COASTAL WETLAND IMPACTS</b> |                        |                       |                       |                             |                              |                            |                      |                              |                           |
| 1                              | -L-19-96 / 21-66 LT    | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 2                              | -Y01- 12-49 / 21+80 RT | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -L- 41+88 / 44+32 LT   | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 3                              | -BW- 10+58 / 10+85     | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| 4                              | -L- 39+61 / 40+57 LT   | 0.01                  | 0.06                  | ---                         | ---                          | ---                        | ---                  | 0.07                         | 0.01                      |
| 5                              | -L- 38+36 / 176+68     | <b>0.01*</b>          | 0.67                  | ---                         | ---                          | 0.01                       | ---                  | 0.68                         | 0.01                      |
| 6                              | -L- 56+40 / 172+10 RT  | ---                   | ---                   | ---                         | 0.31                         | ---                        | ---                  | 0.31                         | 0                         |
| 7                              | -L- 191+20 / 197+80    | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| N/A                            | Casting Yard           | ---                   | ---                   | ---                         | ---                          | ---                        | ---                  | 0                            | 0                         |
| <b>TOTAL COASTAL IMPACTS:</b>  |                        | <b>0.02</b>           | <b>0.73</b>           | <b>0.00</b>                 | <b>0.31</b>                  | <b>0.01</b>                | <b>0.00</b>          | <b>1.06</b>                  | <b>0.02</b>               |
| <b>TOTAL PROJECT IMPACTS:</b>  |                        | <b>0.40</b>           | <b>0.78</b>           | <b>0.02</b>                 | <b>0.31</b>                  | <b>0.09</b>                | <b>0.27</b>          | <b>1.86</b>                  | <b>0.50</b>               |

\*This impact is not a mitigable impact

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



This difference needs to be reflected in Condition 14 of the 401 WQC issued September 7, 2012, which contains the following language:

- a. Per the proposed mitigation plan, the NCDOT, in cooperation with the National Park Service, proposes to bring under control approximately 50 acres of *Phragmites australis* within an area around a waterfowl pond located on National Park Service property within the Cape Hatteras National Seashore near the Bodie Island Lighthouse. The proposed area was once dominated by *Spartina* and other beneficial species but is currently dominated by *Phragmites*. The goal is to reduce the extent *Phragmites* such that it can be managed more consistently and allow *Spartina* and other more beneficial species to dominate the acreage once again, essentially restoring the wetland.

The NCDWQ has agreed to a 5:1 ratio of restoration. Therefore, no less than 2.55 acres will have to be considered successful to meet the required mitigation for impacts to 0.51 acres of impacted wetlands. Should less than 2.55 acres of restoration be considered unsuccessful, the NCDOT may be required to propose other mitigation possibilities to address the deficit. Any excess mitigation considered successful by the NCDWQ and other resource agencies may be used to offset impacts of future projects pending NCDWQ approval.

Full restoration of the area will be considered successful if all success criteria stated in the approved mitigation plan are met, unless the NCDWQ decides otherwise. Primary success criteria include a reduction in the overall *Phragmites* coverage from year to year; final aerial coverage of dense *Phragmites* shall be less than 10 acres with stems less than three (3) feet tall. The NCDOT will provide an annual monitoring report to the NCDWQ for review and comment during each monitoring year. The NCDWQ reserves the right to an onsite inspection at any time prior to official closeout.

This language is hereby corrected to read as follows:

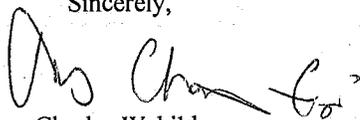
- a. Per the proposed mitigation plan, the NCDOT, in cooperation with the National Park Service, proposes to bring under control approximately 50 acres of *Phragmites australis* within an area around a waterfowl pond located on National Park Service property within the Cape Hatteras National Seashore near the Bodie Island Lighthouse. The proposed area was once dominated by *Spartina* and other beneficial species but is currently dominated by *Phragmites*. The goal is to reduce the extent *Phragmites* such that it can be managed more consistently and allow *Spartina* and other more beneficial species to dominate the acreage once again, essentially restoring the wetland.

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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 September 7, 2012 still apply except where superceded by this correction. We are sorry for any inconvenience this may have caused. If you have any questions please contact David Wainwright at (919) 807-6405 or David.wainwright@ncdenr.gov.

Sincerely,



Charles Wakild,  
Director

cc: Bill Biddlecome, US Army Corps of Engineers, Washington Field Office (electronic copy)  
Jerry Jennings, PE, Division 1 Engineer  
Clay Willis, Division 1 Environmental Officer  
Chris Militscher, Environmental Protection Agency (electronic copy only)  
Travis Wilson, NC Wildlife Resources Commission (electronic copy only)  
Cathy Brittingham, Division of Coastal Management (electronic copy)  
Stephen Lane, Division of Coastal Management (electronic copy)  
Garcy Ward, NCDWQ Washington Regional Office (electronic copy)  
File Copy

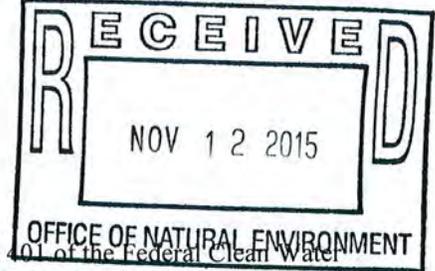
# North Carolina Department of Environmental Quality

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

November 6, 2015

Mr. Colin Mellor, Group Leader  
Project Development and Environmental Analysis  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, North Carolina, 27699-1598



Subject: Modification to the 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act with ADDITIONAL CONDITIONS for Proposed Replacement of the Herbert C. Bonner Bridge over Oregon Inlet in Dare County, Federal Aid Project No. No. BRNHF-0012(48), TIP B-2500 (Phase I).  
NCDWR Project No.20120629 v.2

Dear Mr. Mellor:

Attached hereto is a modification of Certification No. 003939 issued to The North Carolina Department of Transportation (NCDOT) dated September 7, 2012.

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

Sincerely,

A handwritten signature in blue ink that reads "S. Jay Zimmerman for.".

S. Jay Zimmerman, Director  
Division of Water Resources

Attachments

Electronic copy only distribution:

Tracey Wheeler, US Army Corps of Engineers, Washington Field Office  
Clay Willis, Division 1 Environmental Officer  
Colin Mellor, NC Department of Transportation  
Chris Rivenbark, NC Department of Transportation  
Michael Turchy, NC Department of Transportation  
Dr. Cynthia Van Der Wiele, US Environmental Protection Agency  
Cathy Brittingham, NC Division of Coastal Management  
Greg Daisey, NC Division of Coastal Management  
Garcy Ward, NC Division of Water Resources, Washington Regional Office  
File Copy

1617 Mail Service Center, Raleigh, North Carolina 27699-1617  
Phone: 919-807-6300 \ Internet: [www.ncdenr.gov](http://www.ncdenr.gov)

An Equal Opportunity \ Affirmative Action Employer

**Modification to the 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 and 15A NCAC 2B. This certification authorizes the NCDOT to impact an additional 0.22 acres of jurisdictional wetlands, in Dare County. The project shall be constructed pursuant to the modification dated received October 15, 2015. The authorized impacts are as described below:

**Wetland Impacts in the Pasquotank River Basin**

| Site  | Fill<br>(Permanent)<br>(ac) | Fill<br>(temporary)<br>(ac) | Excavation<br>(ac) | Mechanized<br>Clearing<br>(ac) | Hand<br>Clearing<br>(ac) |
|---|-----------------------------|-----------------------------|--------------------|--------------------------------|--------------------------|
| <b>404 Wetland Impacts</b>                        |                             |                             |                    |                                |                          |
| Original approved impacts at Site 4               | --                          | 0.05                        | --                 | --                             | 0.0                      |
| Impacts approved with this modification at Site 4 | --                          | <b>0.01</b>                 | --                 | --                             | <b>0.11</b>              |
| Difference  | 0.0                         | -0.04                       | 0.0                | 0.0                            | +0.11                    |
| <b>Coastal Wetland Impacts</b>                    |                             |                             |                    |                                |                          |
| Original approved impacts at Site 4               | 0.01                        | 0.06                        | --                 | --                             | 0.0                      |
| Impacts approved with this modification at Site 4 | 0.01                        | <b>0.04</b>                 | --                 | --                             | <b>0.11</b>              |
| Difference  | 0.0                         | -0.02                       | 0.0                | 0.0                            | +0.11                    |
| <b>Total</b>                                      | <b>0.01</b>                 | <b>0.05</b>                 | <b>0.0</b>         | <b>0.0</b>                     | <b>0.22</b>              |

**Total Wetland Impacts for Site 4: 0.28acres.**

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

This approval is only valid for the purpose and design that you submitted in your modified application dated received October 15, 2015. All the authorized activities and conditions of certification associated with the original Water Quality Certification dated September 7, 2102 and correction letter dated October 15, 2012 still apply except where superseded by this certification. 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:**

1. This modification is applicable only to the additional proposed activities. All of the authorized activities and conditions of certification associated with the original Water Quality Certification dated September 7, 2012 and correction letter dated October 15, 2012 still apply except where superseded by this certification.
2. This modification only authorizes an additional 0.22 acres of temporary wetland impacts at Site 4 as needed for the installation of utilities. No additional permanent impacts are authorized with this modification. The amount of wetland impacts requiring mitigation remains at 0.50 acres.
3. 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.

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:

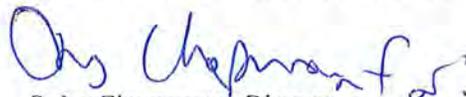
Office of Administrative Hearings  
6714 Mail Service Center  
Raleigh, NC 27699-6714  
Telephone: (919) 431-3000, Facsimile: (919) 431-3100

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 6th day of November, 2015

DIVISION OF WATER RESOURCES

  
S. Jay Zimmerman, Director

# North Carolina Department of Environmental Quality

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

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 \_\_\_\_\_

Permit Class

NEW

Permit Number

106-12

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

# Permit

for

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

X Excavation and/or filling pursuant to NCGS 113-229

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

Authorizing development in Dare County at Oregon Inlet, Herbert C. Bonner Bridge on NC Highway 12, as requested in the permittee's application dated 6/21/12, including the attached AEC Hazard Notice dated received on 7/17/12, and the attached workplan drawings (81) as described in Condition No. 1 below.

This permit, issued on September 19, 2012, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

**TIP No. B-2500, Phase I, Bridge Replacement**

1) All work authorized by this permit shall be carried out in accordance with the following attached workplan drawings, except as modified herein:

Wetlands and Streams Impacts Drawings (41): 25 dated 5/23/12; 8 dated 5/24/12; 2 dated 6/13/12; 2 dated 6/5/12; 2 dated 5/31/12; 1 dated 7/11/12; and 1 dated 6/4/12.

Roadway Design Drawings (40): 29 dated 6/1/12; 4 dated 6/5/12; 4 dated 6/13/12; 2 dated 11/5/09; and 1 dated 9/27/06.

**(See attached sheets for Additional Conditions)**

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

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

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

All work must cease when the permit expires on

**No expiration date, pursuant to GS 136-44.7B**

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

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



Braxton C. Davis, Director  
Division of Coastal Management

This permit and its conditions are hereby accepted.



Signature of Permittee

## ADDITIONAL CONDITIONS

**NOTE:** The North Carolina Department of Transportation (NCDOT) project TIP No. B-2500 authorized by this permit extends for approximately 15 miles from the southern end of Bodie Island to the community of Rodanthe. This permit only authorizes construction of Phase I of the TIP No. B-2500 project. Prior to initiating any construction on the remaining phases of this project, the permittee must receive additional authorization from the N.C. Division of Coastal Management (DCM).

- 2) In accordance with T15A:07H.0306(k), the authorized structures shall be relocated or dismantled when they become imminently threatened by changes in shoreline configuration. The structures shall be relocated or dismantled within two years of the time when they become imminently threatened, and in any case upon their collapse or subsidence. However, if natural shoreline recovery or beach re-nourishment takes place within two years of the time the structures become imminently threatened, so that the structures are no longer imminently threatened, then they need not be relocated or dismantled at that time. This condition shall not affect the permit holder's right to seek authorization of temporary protective measures allowed under Rule T15A:07H.0308(a)(2).
- 3) Unless specifically altered herein, any mitigative measures or environmental commitments specifically made by the permittee in the CAMA permit application, the NEPA/404 Merger Process, and/or the Record of Decision document dated December 20, 2010 shall be implemented, regardless of whether or not such commitments are addressed by individual conditions of this permit.
- 4) The temporary placement and double handling of any excavated or fill material within waters or vegetated wetlands is not authorized, with the exception of that fill necessary for the jetting operation and the construction of the temporary work trestle. This condition also applies to the materials stored on work platforms and removal of the existing bridge, culvert, roadway asphalt, and associated materials.
- 5) No excavation or filling shall take place at any time in any vegetated wetlands or surrounding waters outside of the alignment of the areas indicated on the attached workplan drawings, without permit modification.
- 6) Material excavated from the project site may be used in fill areas associated with the project once properly dewatered. Otherwise, the material shall be removed from the site and taken to a high ground location.
- 7) All excavated materials shall be confined above normal high water and landward of regularly or irregularly flooded wetlands behind adequate dikes or other retaining structures to prevent spillover of solids into any wetlands or surrounding waters.
- 8) All fill material shall be clean and free of any pollutants except in trace quantities.
- 9) Live concrete shall not be allowed to contact waters of the State or water that will enter waters of the State.
- 10) Construction staging areas shall be located only in upland areas, and not in wetlands or waters of the State.

**ADDITIONAL CONDITIONS**

- 11) All construction access shall be through the use of the existing bridge, authorized temporary work trestles and platforms, the partially constructed new bridge, existing high ground areas, and/or barges.
- 12) Barges used for construction and demolition access shall be removed immediately when they are no longer needed for construction and demolition.
- 13) Dredging in any manner, including “kicking” with boat propellers is not authorized, without permit modification.
- 14) All reasonable efforts shall be made to contain all debris and excess materials associated with the removal of the existing and construction of the new bridge, temporary work trestle, and other existing structures, with the intent that materials/debris do not enter wetlands or Waters of the State, even temporarily, with the exception of any materials that may be utilized by the N.C. Division of Marine Fisheries (DMF) for artificial reef construction.
- 15) The temporary work trestle and the temporary extension and reconstruction of the existing roadway that leads to the emergency ferry landing on the south side of Oregon Inlet for barge access, including the work trestle/dock, shall be removed in their entirety and disposed of at an approved high ground location within 90 days after the structure(s) is no longer needed.
- 16) The placement of riprap shall be limited to the areas indicated on the attached workplan drawings. The riprap material shall be free from loose dirt or any pollutant except in trace quantities.

**Installation and Removal of Piles**

- 17) The installation and removal of the piles for the new bridge, existing bridge, temporary work trestles and platforms, and pipe piles at the casting yard, shall be accomplished by jetting, pile driving and/or the use of a vibratory hammer, as specified in the permit application. Should the permittee and/or its contractor desire to utilize another type of pile installation, such as drilled shaft construction, additional authorization from DCM shall be required.
- 18) In accordance with commitments made by the permittee in the permit application, a primary and secondary containment system shall be used to capture as much of the jetting water as possible and allow for re-use of the water within the jetting operation for bridge bents 47 through 78. Excess spoil shall be disposed of according to the NCDOT borrow/waste procedures at an approved off-site location.
- 19) All reasonable efforts shall be made to contain jetting spoils and keep them from entering wetlands or areas containing submerged aquatic vegetation.
- 20) Pilings in open water from the existing bridge and the temporary work trestles shall be removed in their entirety, except that in the event that a bridge piling breaks during removal and cannot be removed in its entirety, DCM shall be notified to determine an appropriate course of action. Existing bridge pilings in SAV areas and wetlands shall be cut off at the mudline.

**ADDITIONAL CONDITIONS**

**Demolition of Existing Bridge and Associated Structures**

- 21) As proposed in the permit application package for the proposed project, the permittee shall coordinate with and provide the N.C. Division of Marine Fisheries with suitable bridge demolition material that will be placed at four existing artificial reef sites in the Atlantic Ocean.
- 22) The permittee shall remove any scour protection devices (gabion mats, sand bags, A-jacks, etc.) that are exposed on the bed of Oregon Inlet at the time of construction, with the exception of those protecting the substructure of the existing bridge that will remain in place as a fishing pier. If the permittee desires to leave any exposed scour protection devices in place other than those associated with the approved fishing pier, then additional coordination with DCM shall be required. In addition, if any scour protection devices or other remnant structures become exposed in the future, the permittee shall coordinate with DCM and other appropriate resource agencies to determine if removal is necessary.

**Retaining Walls for Abutment Fill Slope and Side Slope Protection**

- 23) The retaining walls for abutment fill slope and side slope protection shall be structurally tight so as to prevent seepage of fill materials through the structure.
- 24) The retaining walls for abutment fill slope and side slope protection shall be in place prior to any backfilling activities.
- 25) All backfill material shall be obtained from a high ground source. No unconfined backfill shall be discharged into Waters of the State.

**Utility Impacts**

**NOTE:** The construction of the new bridge will also require the relocation of electric, telephone, and water utility lines with associated hand and mechanized clearing, including the relocation of an electric riser pole. Wetland and stream impacts resulting from the utility relocations have been included in the total wetland and stream impacts for this project.

- 26) Any relocation of utility lines that is not already depicted on the attached work plan drawings shall require approval by DCM, either under the authority of this permit, or by the utility company obtaining separate authorization.

**NOTE:** Plans and specifications for the relocation and/or replacement of potable water supply lines must be submitted to the Division of Environmental Health, Public Water Supply Plan Review Section for approval prior to construction.

**ADDITIONAL CONDITIONS****Historical and Cultural Resource Protection**

**NOTE:** A Programmatic Agreement dated 11/15/10 exists between the Federal Highway Administration, the Advisory Council on Historic Preservation, NCDOT, and the N.C. State Historic Preservation Office (SHPO) for the project and is included as Appendix D in the Record of Decision dated December 20, 2010.

**Compensatory Mitigation for Impacts to Wetlands, Submerged Aquatic Vegetation and Waters of the State**

**NOTE:** This project will permanently impact approximately 0.48 acres of 404 wetlands (0.38 acres due to fill, 0.02 acres due to excavation, and 0.08 acres due to mechanized clearing) and approximately 0.03 acres of CAMA Coastal Wetlands (0.02 acres due to fill and 0.01 acres due to mechanized clearing). This project will temporarily impact approximately 0.31 acres of 404 wetlands (0.05 acres due to fill and 0.26 acres due to hand clearing) and approximately 1.04 acres of CAMA Coastal Wetlands due to fill. This project will permanently impact approximately 1 acre of surface waters and will temporarily impact approximately 3.43 acres of surface waters. This project will permanently impact approximately 2.66 acres of SAV areas due to shading and will temporarily impact approximately 2.42 acres of SAV areas due to shading. The casting yard for this project will temporarily impact approximately 0.01 acres of surface waters.

- 27) Except as specified by conditions of this permit, wetland mitigation shall be carried out as described in the document titled "Revised Draft Wetland Mitigation Plan NC 12 Replacement of Herbert C. Bonner Bridge (Bridge No. 11) over Oregon Inlet" dated May 17, 2012.

**NOTE:** The permittee is strongly encouraged to coordinate with the N.C. Natural Heritage Program and the National Park Service (NPS) throughout implementation of the compensatory wetland mitigation within the Bodie Island Lighthouse Pond Significant Natural Heritage Area. The permittee should adhere to any recommendations regarding protection of state and federally listed species within the Bodie Island Lighthouse Pond Significant Natural Heritage Area.

- 28) DCM does not consider the SAV mitigation plan submitted with the permit application to be a final mitigation plan. Therefore, prior to initiating construction within any area containing SAV's, the permittee shall submit a final SAV mitigation plan to DCM, as well as other appropriate resource agencies. Approval of this plan shall be obtained from DCM prior to initiating construction activities in these SAV areas. The plan shall identify the location for the SAV mitigation site and the location of any SAV donor beds.

**ADDITIONAL CONDITIONS**

- NOTE:** The permittee is encouraged to incorporate the following considerations into the final SAV mitigation plan: a) utilize multiple locations to allow more chance for success; b) include openings of at least 5 feet for every 100 feet of structure length if breakwaters are utilized to allow fish to continue to use these areas; c) determine if any breakwaters or other structures will need to be removed after success criteria are met; d) develop a monitoring plan for the SAV mitigation site after any breakwaters or other structures are removed to determine long-term success; and e) define success criteria to include a higher percentage of SAV coverage 5 years after any breakwaters or other structures are removed
- 29) Any subsequent changes to the wetland and submerged aquatic vegetation mitigation plans authorized by this permit may require additional authorization from DCM.
- 30) An as-built report for the SAV mitigation site shall be submitted to DCM within 90 days after the mitigation site has been constructed.
- 31) Annual monitoring reports for the submerged aquatic vegetation mitigation site shall be provided to DCM for a minimum of five years after mitigation site construction, and for 5 years after the removal of any breakwaters or other structures. Annual monitoring reports shall include an evaluation of data, and an assessment of whether success criteria are being met. Progress reports shall also be provided upon request.
- NOTE:** This permit does not convey or imply approval of the suitability of any excess submerged aquatic vegetation mitigation credits generated by this project as compensatory mitigation for any particular future projects. The use of any portion of excess submerged aquatic vegetation mitigation credits generated by this project as compensatory mitigation for future projects shall be approved on a case-by-case basis during the permit review and/or consistency process.
- 32) Due to the possibility that compaction from jetting containment structures, shading under the work trestle, trenching of electric lines, mechanized clearing, and/or other site alterations might prevent the temporary Coastal Wetland and SAV impact areas from re-attaining pre-project functions, the permittee shall provide an annual update on the Coastal Wetland and SAV areas temporarily impacted by this project. This annual update shall consist of photographs and a brief written report on the progress of these temporarily impacted areas in re-attaining their pre-project functions. Within three years after project completion, the permittee shall hold an agency field meeting with DCM to determine if the Coastal Wetland and SAV areas temporarily impacted by this project have re-attained pre-project functions. If at the end of three years DCM determines that the Coastal Wetland and SAV areas temporarily impacted by the project have not re-attained pre-project functions, DCM will determine whether compensatory mitigation shall be required.
- 33) There shall be no clearing or grubbing of wetlands outside of the areas indicated on the attached workplan drawings without prior approval from DCM.
- 34) Construction mats shall be utilized to support equipment within wetland areas to minimize temporary wetland impacts during utility relocations as specified on the attached workplan drawings. These mats shall be removed immediately following project completion.

**ADDITIONAL CONDITIONS**

**Threatened and Endangered Species Protection**

- 35) In accordance with commitments made by the permittee, the discretionary measures for the piping plover and three species of sea turtles that are described in the permit application that include the terms and conditions outlined in the July 10, 2008 United States Fish and Wildlife Service (USFWS) Biological and Conference Opinions shall be implemented.
- 36) In accordance with commitments made by the permittee, all conditions outlined in the USFWS Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters shall be implemented.

**Sedimentation and Erosion Control**

- 37) Appropriate sedimentation and erosion control devices, measures, or structures shall be implemented to ensure that eroded materials do not enter adjacent wetlands, watercourses, and property (e.g. silt fence, diversion swales or berms, etc.).
- 38) This project shall conform to all requirements of the N.C. Sedimentation Pollution Control Act and NCDOT's Memorandum of Agreement with the Division of Land Resources.

**Stormwater Management**

**NOTE:** The N.C. Division of Water Quality (DWQ) confirmed in a letter dated 7/19/12 (SW7120514) that the subject project is excluded from State Stormwater permitting requirements as set forth in Section 2(d)(1) of Session Law 2008-211, effective October 1, 2008, and the stormwater rules under Title 15A NCAC 2H .1000, as amended.

**General**

- 39) The permittee shall exercise all available precautions in the day-to-day operations of the facility to prevent waste from entering the adjacent waters and wetlands.
- 40) If it is determined that additional permanent and/or temporary impacts are necessary that are not shown on the attached workplan drawings or described in the authorized permit application, a permit modification and/or additional authorization from DCM shall be required. In addition, any changes in the approved plan may also require a permit modification and/or additional authorization from DCM. The permittee shall contact a representative of DCM prior to commencement of any such activity for this determination and any permit modification.

**ADDITIONAL CONDITIONS**

- 41) In accordance with the commitments made by the permittee, no permanent lighting shall be installed on the portion of the existing bridge to be retained as a fishing pier.
- 42) The permittee and/or his contractor shall meet on site with a DCM representative prior to project initiation.
- 43) Development authorized by this permit shall only be conducted on lands owned by the NCDOT and/or its Right-of-Ways and/or easements.
- 44) Nothing in this permit authorizes any activity that has not received approval from NPS and USFWS for work within the Cape Hatteras National Seashore and Pea Island National Wildlife Refuge. The proposed work shall not commence until the permittee has been issued Special Use Permits from the NPS and the USFWS, and a copy of the Special Use Permits are received by DCM.
- 45) The N.C. Division of Water Quality (DWQ) authorized the proposed project on 9/7/12 (DWQ Project No. 20120629) under Individual Water Quality Certification No. 003939. Any violation of the Certification approved by DWQ shall be considered a violation of this CAMA permit.

**NOTE:** The U.S. Army Corps of Engineers is reviewing this project as an Individual Permit (Action ID No. SAW-1993-03077).

**NOTE:** This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required, including any necessary for the casting yard, aerial spraying of herbicides at the approved wetland mitigation site, and/or disposal of suitable material on artificial reefs.

Permit Class  
**MODIFICATION/MINOR**

Permit Number  
**106-12**

STATE OF NORTH CAROLINA  
Department of Environmental Quality  
and  
Coastal Resources Commission

# Permit

for

- Major Development in an Area of Environmental Concern  
pursuant to NCGS 113A-118
- Excavation and/or filling pursuant to NCGS 113-229

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

Authorizing development in Dare County at Oregon Inlet, Herbert C. Bonner Bridge on NC Highway 12, as requested in the permittee's application letter dated 10/15/15, and the attached workplan drawings (3) dated 10/15/15.

This permit, issued on October 29, 2015, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

### TIP No. B-2500, Phase I

- 1) Unless specifically altered herein, this Minor Modification authorizes revised utility plans at Wetland Permit Impact Site 4 to directionally bore the underground electric line, as depicted on the attached workplan drawings.

**NOTE:** The specific development being permitted does not preclude the remainder of the B-2500 project being built in the Pamlico Sound provided that future development will be constructed in a way that avoids and minimizes impacts to AECs.

- 2) Development authorized by this Minor Modification shall only be conducted on lands owned by the NCDOT and/or its right-of-ways and/or easements.

### **(See attached sheets for Additional Conditions)**

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date.

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

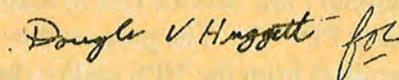
Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

### **No expiration date, pursuant to GS 136-44.7B**

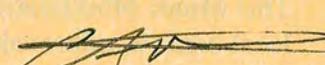
In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

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



Braxton C. Davis, Director  
Division of Coastal Management

This permit and its conditions are hereby accepted.

  
RICHARD W. HANCOCK P.E. Signature of Permittee

**ADDITIONAL CONDITIONS**

**NOTE:** The activities authorized by this Minor Modification at Wetland Permit Impact Site 4 will result in a 0.06 acre decrease in impacts due to temporary excavation, and a 0.22 increase in impacts due to hand clearing. The revised impacts at Wetland Permit Impact Site 4 are 0.01 acres of permanent fill in Coastal Wetlands, 0.04 acres of temporary excavation in Coastal Wetlands, 0.01 acres of temporary excavation in 404 Wetlands, 0.11 acres of hand clearing in Coastal Wetlands, and 0.11 acres of hand clearing in 404 Wetlands.

- 3) There shall be no clearing of wetlands outside of the areas indicated on the attached workplan drawings without prior approval from DCM.
- 4) Wetland areas to be temporarily impacted by hand clearing shall not be grubbed, without additional authorization from the Division.
- 5) Due to the possibility that hand clearing and/or other site alterations might prevent the temporary Coastal Wetland impact areas from re-attaining pre-project functions, the permittee shall provide an annual update on the Coastal Wetland areas temporarily impacted by the activities authorized by this Minor Modification. This annual update shall consist of photographs and a brief written report on the progress of these temporarily impacted areas in re-attaining their pre-project functions. Within three years after completion of TIP No. B-2500 Phase I, the permittee shall hold an agency field meeting with DCM to determine if the Coastal Wetland areas temporarily impacted by this project have re-attained pre-project functions. If at the end of three years DCM determines that the Coastal Wetland areas temporarily impacted by the project have not re-attained pre-project functions, DCM will determine whether compensatory mitigation shall be required.
- 6) If it is determined that additional permanent and/or temporary impacts are necessary that are not shown on the attached workplan drawings or described in the authorized permit application, a permit modification and/or additional authorization from DCM shall be required. In addition, any changes in the approved plan may also require a permit modification and/or additional authorization from DCM. The permittee shall contact a representative of DCM prior to commencement of any such activity for this determination and any permit modification.
- 7) The permittee and/or his contractor shall contact the DCM Transportation Project Field Representative in Elizabeth City at (252) 264-3901 to request a pre-construction conference prior to project initiation.
- 8) Nothing in this Major Modification authorizes any activity that has not received approval from the National Park Service (NPS) and/or the USFWS for work within the Cape Hatteras National Seashore and/or PINWR. The proposed work shall not commence until the permittee has been issued Special Use Permit(s) from the NPS and/or the USFWS, if required, and a copy of the Special Use Permit(s) are received by DCM.
- 9) The permittee shall coordinate with the U.S. Army Corps of Engineers (USACE) and the N.C. Division of Water Resources (DWR) regarding the project. The permittee shall provide any permits issued by USACE and DWR to DCM prior to initiating construction activities.

**NOTE:** This Minor Modification does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.

ADDITIONAL CONDITIONS

- 10) This Minor Modification shall be attached to the original of Permit No. 106-12, which was issued on 9/19/12, as well as all subsequent modifications, and copies of all documents shall be readily available on site when a Division representative inspects the project for compliance.
- 11) All conditions and stipulations of the active permit remain in force under this Minor Modification unless specifically altered herein.

**NOTE:** An application processing fee of \$100 was received by DCM for this project.

## **Brittingham, Cathy**

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**From:** Rivenbark, Chris  
**Sent:** Monday, October 19, 2015 1:41 PM  
**To:** Ward, Garcy; Brittingham, Cathy; Daisey, Greg; Wheeler, Tracey L SAW  
(Tracey.L.Wheeler@usace.army.mil)  
**Cc:** Turchy, Michael A  
**Subject:** Recent modification request for B-2500 utility work

To accompany our submittal from last week, we wanted to provide additional information. The proposed relocation of the "temporary riser pole" will require the disconnection of the high voltage lines that serve the communities south of the Bonner Bridge.

During this disconnection, power for these communities will be supplied by an emergency/ backup generator located in Ocracoke Island. This generator can only create enough electricity when consumption is the lowest – when there is not a high power demand for air conditioning or for heat. So the best time this work is possible is now, and then in the spring.

I know we seem to say this with every permit application, but any assistance you can provide with a fast review/issuance is greatly appreciated as we are trying to make the fall window, to keep actual bridge construction on schedule.

Please let Michael or I know if you need any additional information, or we can do anything to help.

Thank you.

Chris Rivenbark | Eastern Regional Manager | Environmental Coordination & Permitting Group  
Natural Environment Section | PDEA | N.C. Department of Transportation  
(919) 707-6152 office | (919) 212-5785 fax | [crivenbark@ncdot.gov](mailto:crivenbark@ncdot.gov)

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

**From:** Rivenbark, Chris  
**Sent:** Tuesday, October 27, 2015 8:10 AM  
**To:** Brittingham, Cathy; Daisey, Greg  
**Cc:** Turchy, Michael A  
**Subject:** RE: B-2500 Phase I modification, utility work revision

Cathy,

For site 4, the permanent fill impact of 0.01 ac. is still in CAMA wetlands. Also, 0.04 acre of the temporary fill is in CAMA wetlands and 0.11 acre of the hand clearing is in CAMA wetlands.

Let us know if you need anything else.

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

**From:** Rivenbark, Chris  
**Sent:** Monday, October 26, 2015 11:07 AM  
**To:** Brittingham, Cathy  
**Cc:** Daisey, Greg; Turchy, Michael A  
**Subject:** RE: B-2500 Phase I modification, utility work revision

Cathy,

I'm sorry for the delayed response. We contacted Dennis Stewart and he was hoping to send the letter to Greg last Wednesday. I've answered your other questions inline below.

1. I compared the original wetland permit impact summary with the revised wetland permit impact summary. Am I correct that the revised utility work is occurring only at wetland permit impact Site 4? Correct Am I correct that the revisions will result in a 0.06 acre decrease in temporary fill (actually was temp excavation per the note at the bottom of the impact summary sheet) and a 0.22 acre increase in hand clearing? Correct
2. Are any of the revised impacts occurring within Coastal Wetlands? And if so, how much of the change in impacts is within Coastal Wetlands? I'm fairly certain, but we've asked the consultant to confirm.

We'll let you know when we can answer #2.

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

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commander  
United States Coast Guard  
Fifth Coast Guard District

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

16591  
12 AUG 2015

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

Dear Mr. Hancock:

Enclosed is the Coast Guard Bridge Permit 1-15-5 dated July 31, 2015, approving the proposed replacement of the Bonner Bridge across Oregon Inlet in Dare County, NC. The following stipulations shall be adhered to:

a. The Contractor shall submit the plans and schedule of operation for approval at least 45 days prior to commencement of work in the waterway. One copy of such information shall be submitted concurrently to your Resident Engineer, the United States Coast Guard Commander (dpb); Federal Building, 4th Floor, 431 Crawford Street; Portsmouth, VA 23704-5004, and the U. S. Coast Guard Sector North Carolina at 721 Medical Center Drive, Wilmington, NC 28401. The information shall include a sketch of the waterway; the bridge; the location of any restrictions that will be placed in the waterway such as barges, anchors, and anchor lines; the location and height above mean high water and detailed description of any scaffolding, or netting; detailed description indicating the placement, type and dimension of any cofferdams if used. The schedule should also include the hours of operation and whether or not the equipment will be removed at night. The contractor shall comply with all provisions of the Navigation Rules International - Inland, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. The Contractor shall submit to the Resident Engineer a copy of all correspondence with the Coast Guard. No deviation from the approved plans and schedule of operation may be made unless the modification has previously been submitted and approved by the Coast Guard.

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

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

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

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

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

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

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

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

16591  
12 AUG 2015

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

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

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

Sincerely,



HAL R. PITTS  
Bridge Program Manager  
By direction of the Commander  
Fifth Coast Guard District

Encl: (1) Bridge Permit 1-15-5 dated July 31, 2015  
(2) Temporary marking and lighting requirements

Copy: Commander, Fifth Coast Guard District (dpw)  
Commander, Coast Guard Sector North Carolina, Waterways Management

***LIGHTING REQUIREMENTS FOR BARGES AND STRUCTURES  
NOT PART OF A BRIDGE OR APPROACH STRUCTURE  
33 CFR 88.13 Lights on barges.***

- (a) The following barges shall display at night and if practicable in periods of restricted visibility the lights described in paragraph (b) of this section:
  - (1) Every barge projecting into a buoyed or restricted channel.
  - (2) Every barge so moored that it reduces the available navigable width of any channel to less than 80 meters.
  - (3) Barges moored in group's more than two barges wide or to a maximum width of over 25 meters.
  - (4) Every barge not moored parallel to the bank or dock.
- (b) Barges described in paragraph (a) of this section shall carry two unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile and meeting the technical requirements as prescribed in 33 CFR 84.15.
- (c) A barge or group of barges at anchor or made fast to one or more mooring buoys or other similar device, in lieu of the provisions of Inland Navigation Rule 30, may carry unobstructed all-round white lights of an intensity to be visible for at least 1 nautical mile that meet the requirements of 33 CFR 84.15 and shall be arranged as follows:
  - (1) Any barge that projects from a group formation shall be lighted on its outboard corners.
  - (2) On a single barge moored in water where other vessels normally navigate on both sides of the barge, lights shall be placed to mark the corner extremities of the barge.
  - (3) On barges moored in group formation, moored in water where other vessels normally navigate on both sides of the group, lights shall be placed to mark the corner extremities of the group.
- (d) The following are exempt from the requirements of this section:
  - (1) A barge or group of barges moored in a slip or slough used primarily for mooring purposes.
  - (2) A barge or group of barges moored behind a pier head.
  - (3) A barge less than 20 meters in length when moored in a special anchorage area designated in accordance with 33 CFR 109.10.

***33 CFR 118.95 Lights on structures not part of a bridge or approach structure.***

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



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## BRIDGE PERMIT

(1-15-5)

---

3 1 JUL 2015

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

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

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

**AND WHEREAS** the - STATE OF NORTH CAROLINA - has submitted for approval the location and plans of a bridge to be constructed across Oregon Inlet between Rodanthe and Nags Head, North Carolina;

**NOW THEREFORE**, This is to certify that the location and plans dated 4 June 2012 are hereby approved by the Commandant, subject to the following conditions:

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

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

**Bridge across Oregon Inlet between Rodanthe  
and Nags Head, North Carolina**31 JUL 2015  
BRIDGE PERMIT  
(1-15-5)

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

4. The bridge protective system shall be constructed and maintained as shown on the approved plan sheet 22 (of 22) dated 4 June 2012 for the safety of navigation.

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

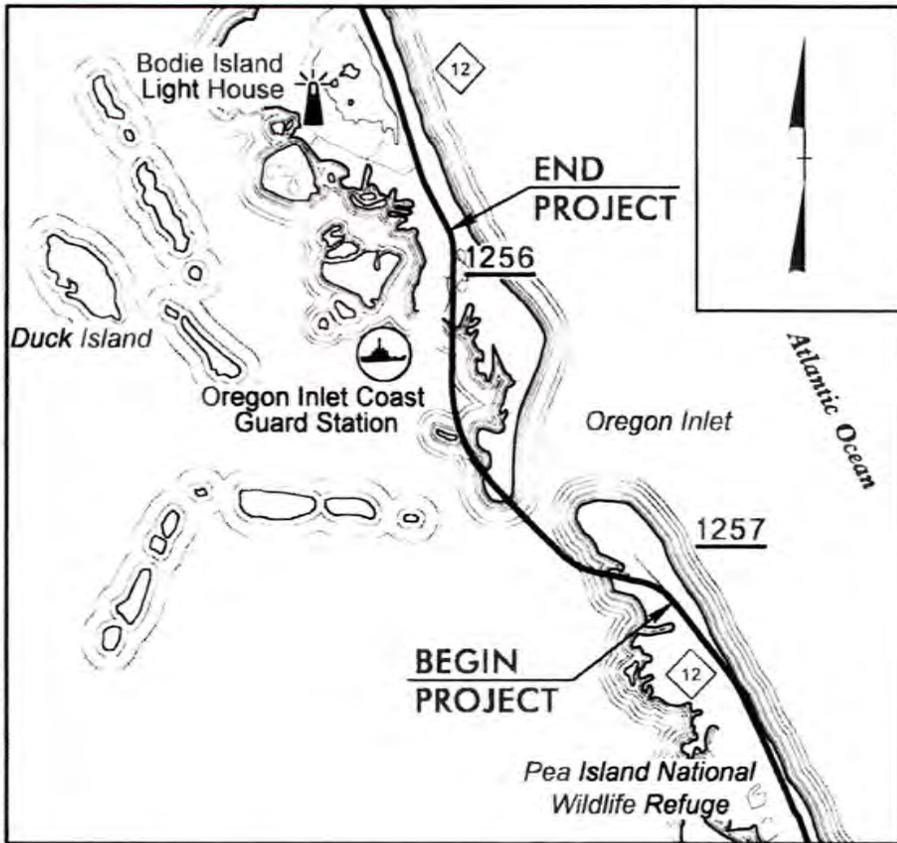
6. A 1,050-foot portion, including bents 187 through 203, of the existing to-be-replaced NC Route 12 Bridge, mile 0.5, has been authorized by U.S. Army Corps of Engineers permit number SAW-1993-03077 to be retained as a fishing pier. All other parts of the existing to-be-replaced NC Route 12 Bridge not utilized in the new bridge, except bents 1 through 87, shall be removed in their entirety. Bents 1 through 87 will be removed down to or below the mudline or natural groundline. The waterway shall be cleared to the satisfaction of the District Commander. A period of 90 days subsequent to the opening to traffic of the new bridge, mile 0.5, will be allowed for such removal and clearance.

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

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



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



**VESSEL COLLISION LOADS**

VESSEL COLLISION FORCES SHALL BE AS SHOWN BELOW FOR THE GIVEN LOAD/SCOUR CASE. LOAD COMBINATION FOR VESSEL COLLISION SHALL BE PER THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS FOR THE EXTREME EVENT II LIMIT STATE.

LOAD/SCOUR CASE (1) = DESIGN VESSEL WITH AMBIENT BED ELEVATION  $1/2$  LONG TERM SCOUR

LOAD/SCOUR CASE (2) = MINIMUM IMPACT VESSEL WITH  $1/2$  OF 100 YEAR SCOUR

DESIGN VESSEL = USACE DREDGE ATCHAFALAYA (1000 TONNE) OWNED BY STERLING EQUIPMENT, INC. OF QUINCY, MA.

MINIMUM IMPACT VESSEL = 35' X 195' EMPTY HOPPER BARGE (181.4 TONNE)



**State of North Carolina**

**OVERALL BRIDGE LENGTH**

OVERALL BRIDGE LENGTH IS 14,799'-6 $\frac{1}{8}$ "\* FILL FACE END BENT 1 TO FILL FACE END BENT 2.

**DATUM**

LOCALIZED PROJECT COORDINATES ARE BASED ON THE NAD83/NSRS 2007 (CORS96) STATE PLANE COORDINATES FOR "B-2500-2" - N: 751499.622 (US FT) E: 3031964.117 (US FT) - USING AN AVERAGE COMBINED GRID FACTOR (LOCALIZED TO GRID) OF 0.99991846. ALL LINEAR DIMENSIONS ARE LOCALIZED HORIZONTAL DISTANCES. UNITS ARE "US SURVEY FOOT." VERTICAL DATUM IS NAVD88.

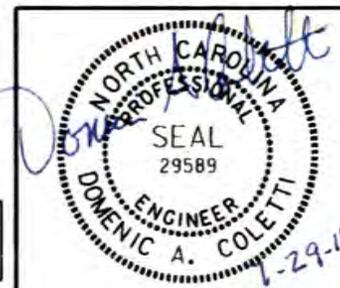
**HORIZONTAL CLEARANCE**

MINIMUM HORIZONTAL CLEARANCE IN EACH SPAN OF THE NAVIGATION ZONE (SPANS 21-27) IS 275'-0"

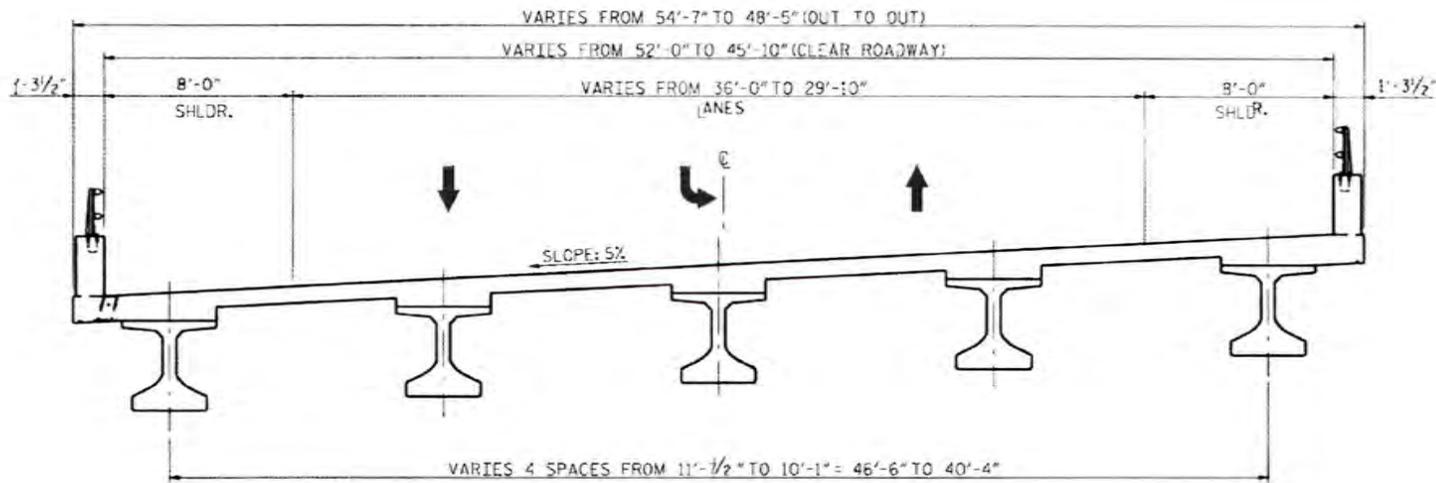


PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

REPLACES BRIDGE NO. 11



|  |  |               |  |
|--|--|---------------|--|
| JUNE 4, 2012   |  | SHEET 1 OF 22 |  |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |  |               |  |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN ROBANTHE AND NACS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |  |               |  |
| STATE PROJECT NO.: B-2500 (PHASE I)  |  |               |  |

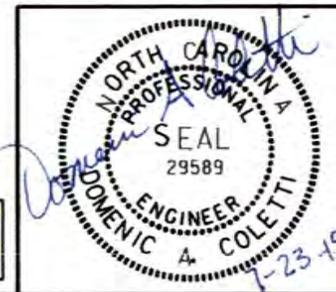


TYPICAL SECTION SPANS 1 & 2



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

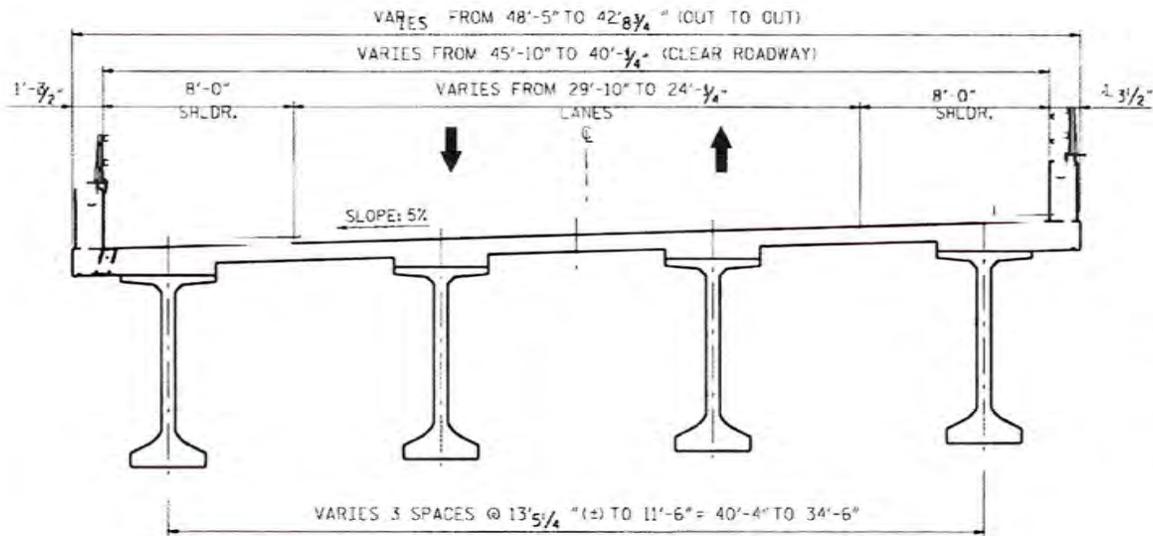


JUNE 4, 2012 SHEET 2 OF 22

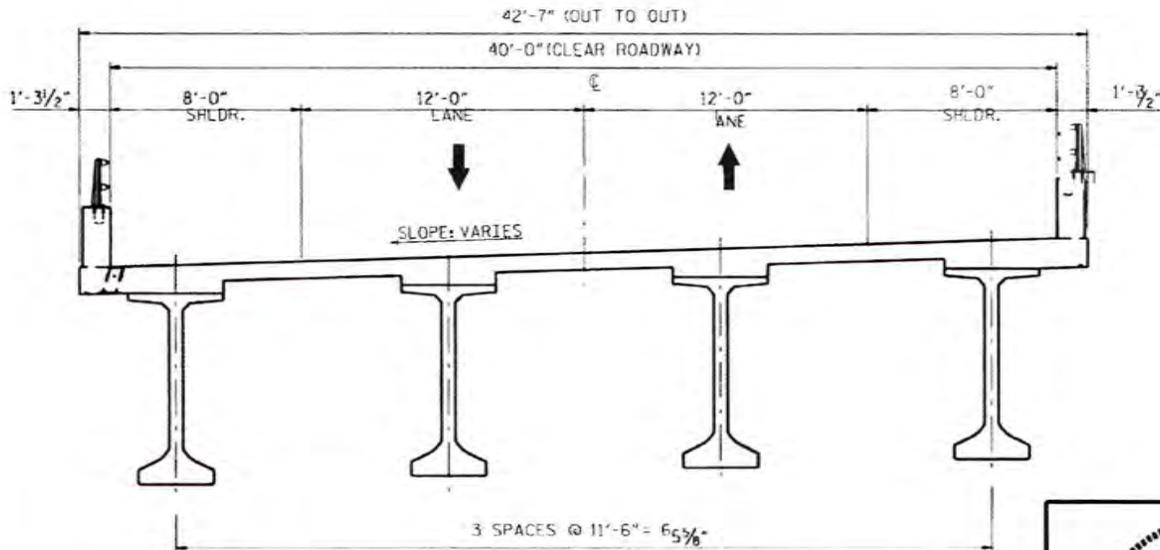
STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NAGS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)



TYPICAL SECTION SPAN 3



TYPICAL SECTION SPAN 4-6



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

PRELIMINARY  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



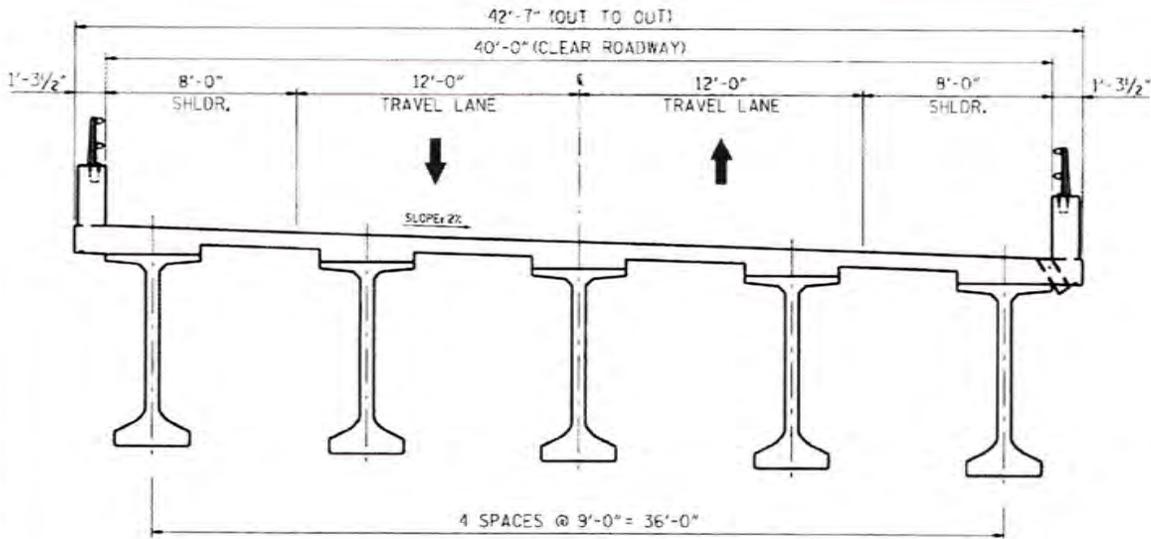
JUNE 4, 2012 SHEET 3 OF 22

STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH

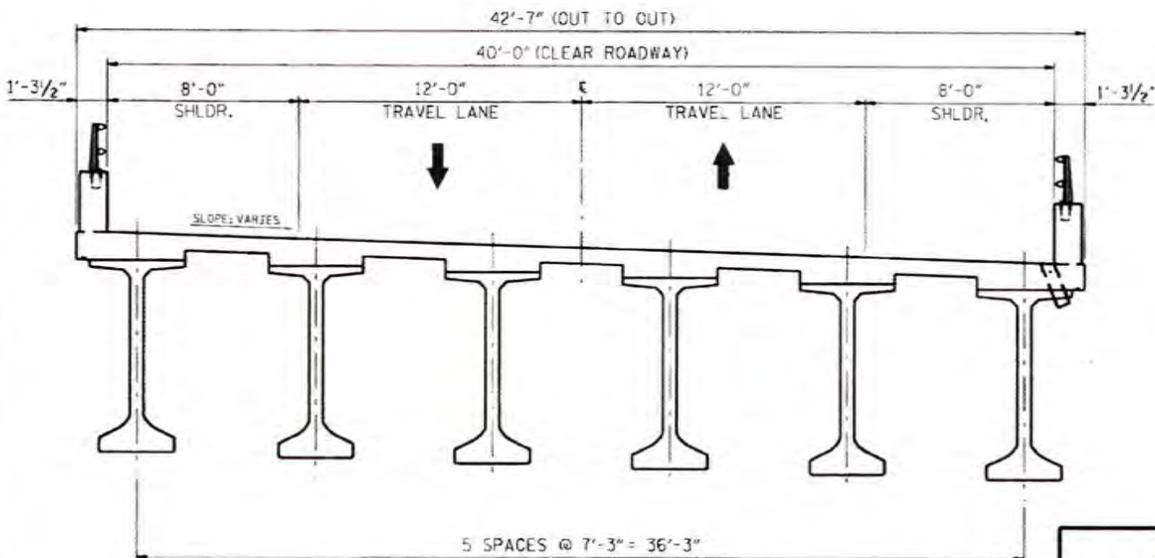
DARE COUNTY

PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
 OVER THE OREGON INLET  
 BETWEEN RODANTHE AND NACS HEAD  
 0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)



TYPICAL SECTION SPANS 7-13

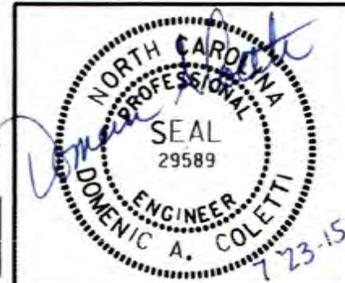


TYPICAL SECTION SPANS 14-18



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

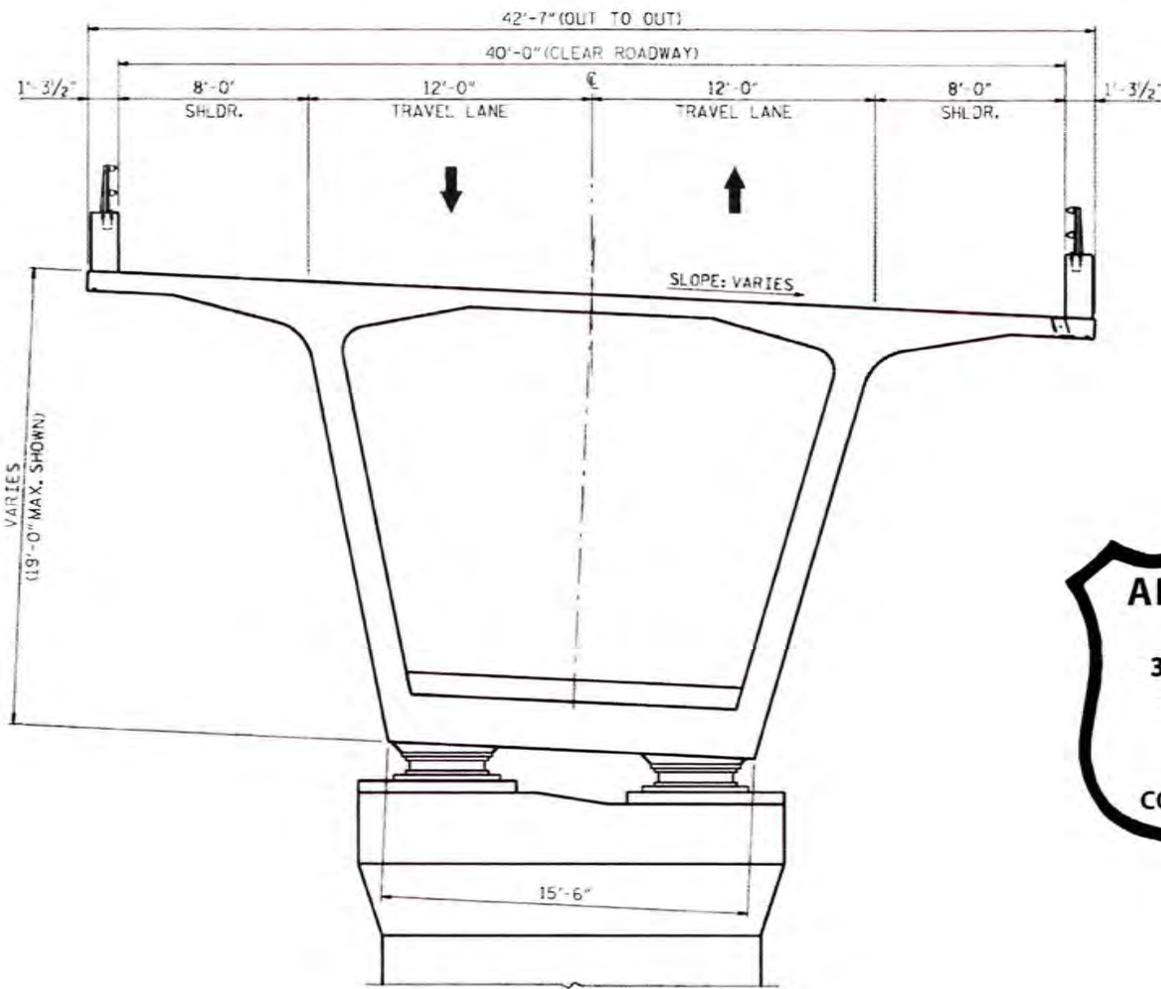


JUNE 4, 2012 SHEET 4 OF 22

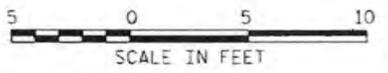
STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NACS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)



TYPICAL SECTION SPANS 19-29  
 (MAXIMUM DEPTH SECTION SHOWN)

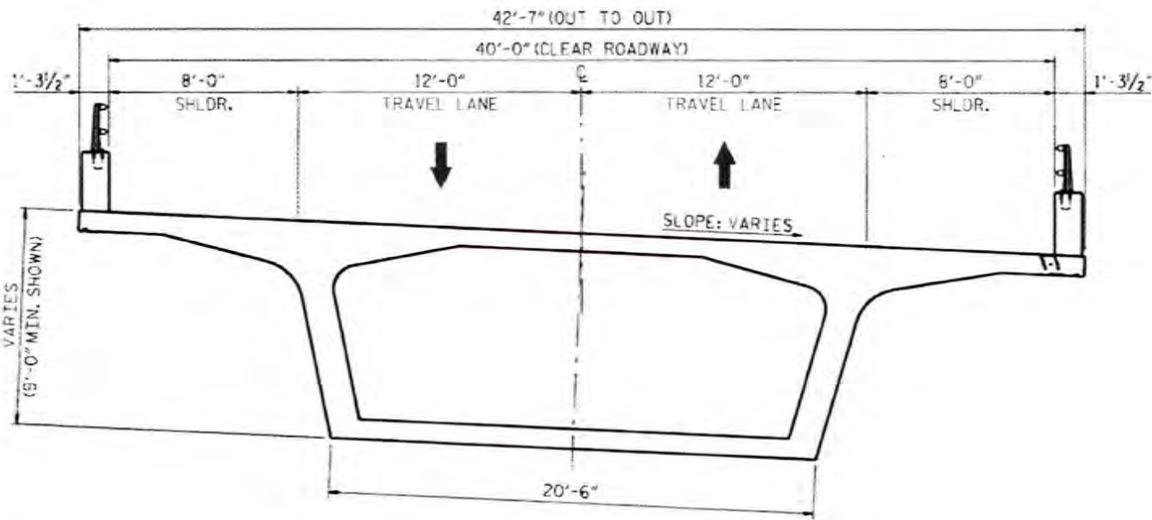


NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

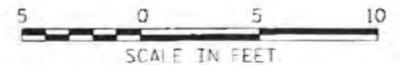
PRELIMINARY  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



|  |               |
|--|---------------|
| JUNE 4, 2012   | SHEET 5 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |               |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |               |
| STATE PROJECT NO.: B-2500 (PHASE I)  |               |

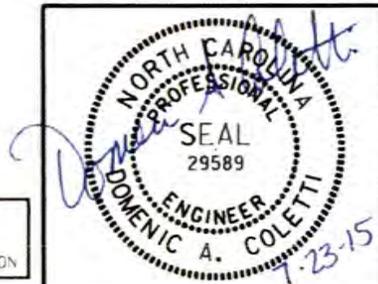


TYPICAL SECTION SPANS 19-29  
 (MINIMUM DEPTH SECTION SHOWN)

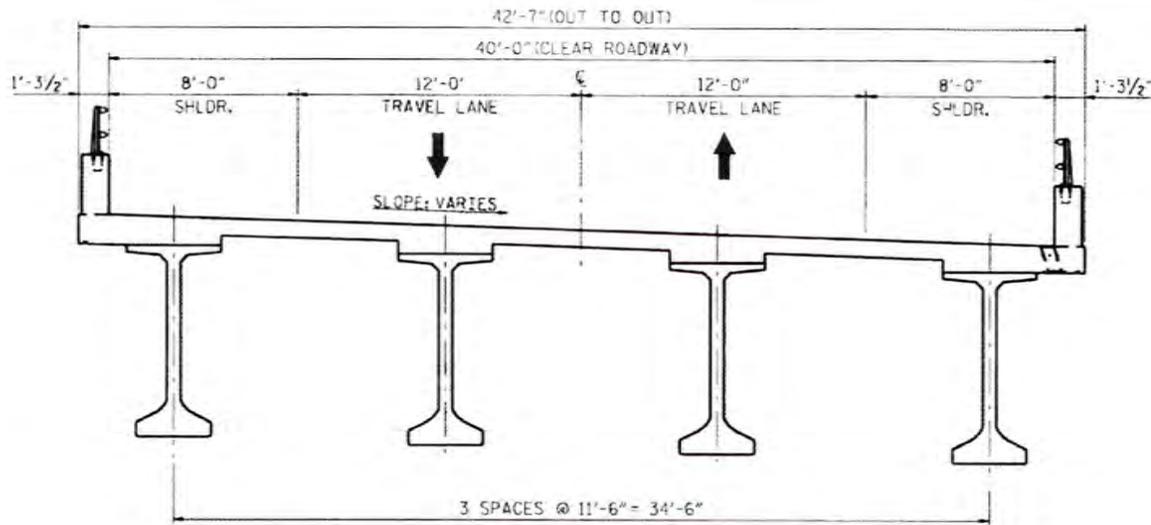


NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

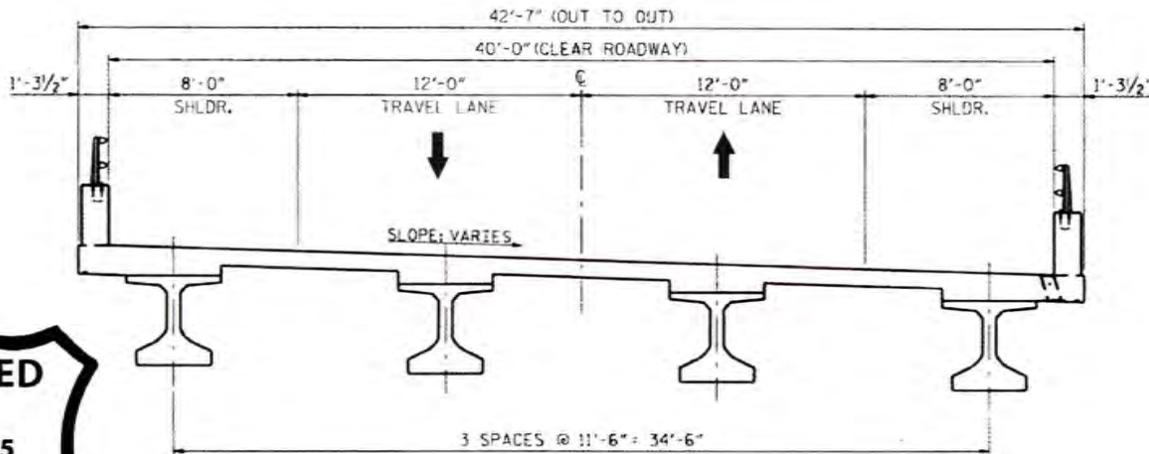
PRELIMINARY  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



|  |               |
|--|---------------|
| JUNE 4, 2012   | SHEET 6 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |               |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NACS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |               |
| STATE PROJECT NO.: B-2500 (PHASE I)  |               |



TYPICAL SECTION SPANS 30-80

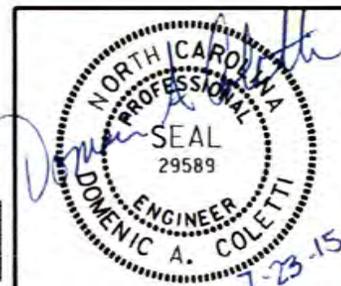


TYPICAL SECTION SPANS 81 & 82

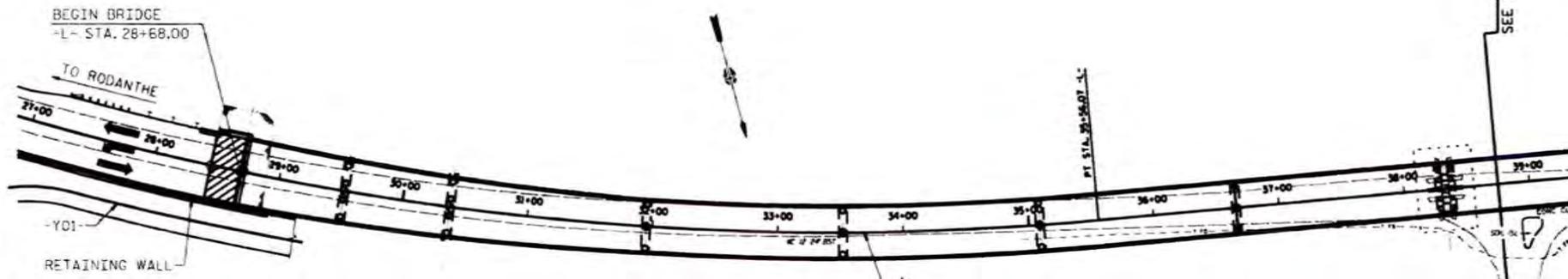
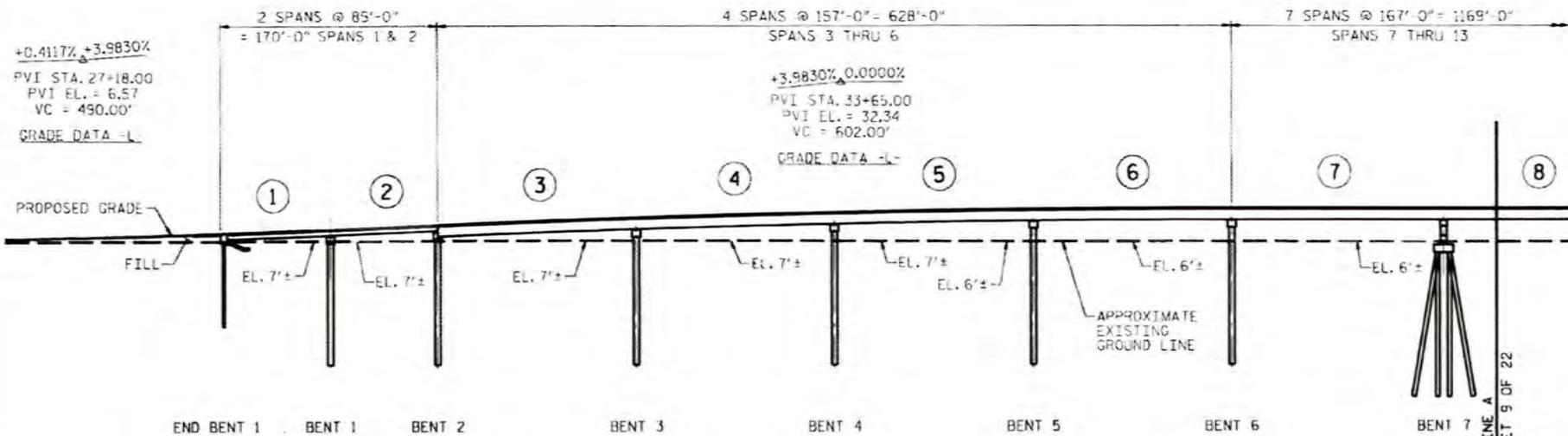


NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION



|  |               |
|--|---------------|
| JUNE 4, 2012   | SHEET 7 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |               |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |               |
| STATE PROJECT NO.: B-2500 (PHASE I)  |               |



**APPROVED**  
**31-JUL-2015**  
**P(1-15-5)**  
**U.S.**  
**COAST GUARD**



REPLACES BRIDGE NO. 11  
 JUNE 4, 2012 SHEET 8 OF 22

STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH

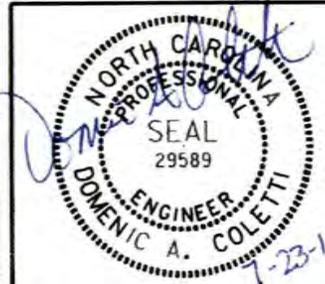
DARE COUNTY  
 PROPOSED BRIDGE ON NEW LOCATION OF NO. 12  
 OVER THE OREGON INLET  
 BETWEEN RODANTHE AND NACS HEAD  
 0.5 MILES WEST OF THE ATLANTIC OCEAN.

STATE PROJECT NO.: B-2500 (PHASE I)

**HORIZONTAL CURVE DATA -L-**

PI STA 27+27.13  
 $\Delta = 42^\circ 32' 29.0''$  (LT)  
 $D = 2^\circ 26' 28.4''$   
 $L = 1,742.62'$   
 $T = 913.67'$   
 $R = 2,347.00'$

**PRELIMINARY**  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

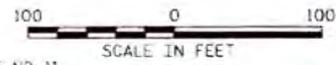
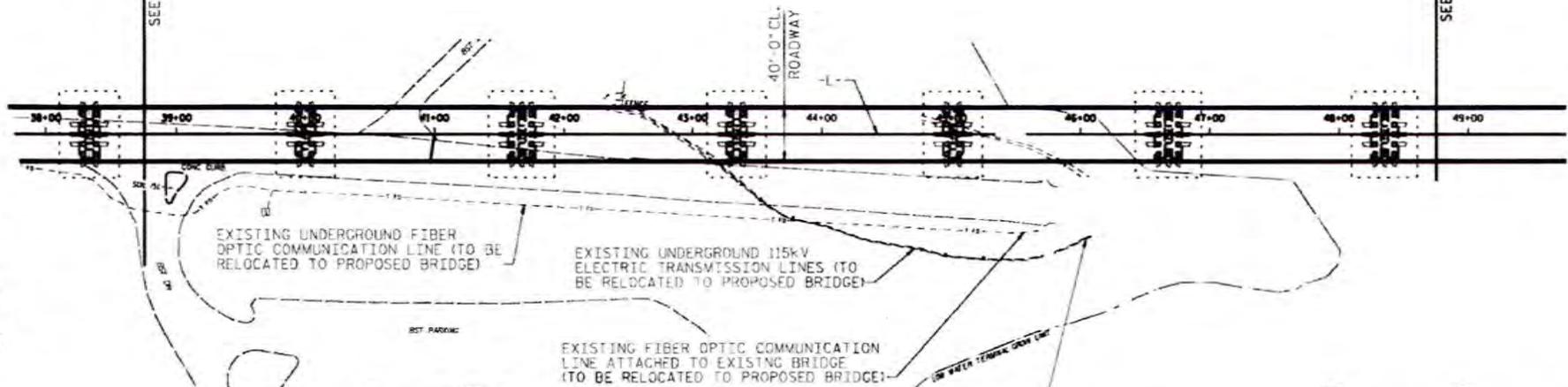
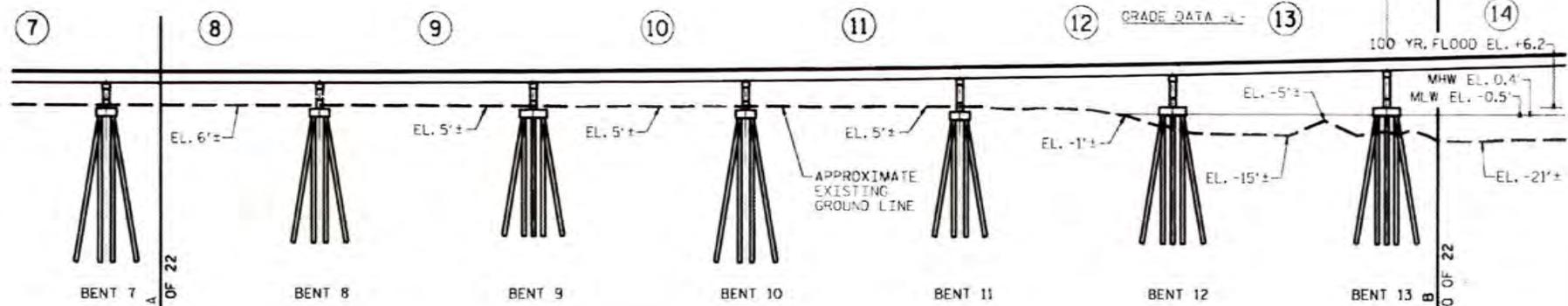
7 SPANS @ 167'-0" = 1169'-0"  
SPANS 7 THRU 13

5 SPANS @ 182'-0" =  
910'-0" SPANS 14 THRU 18

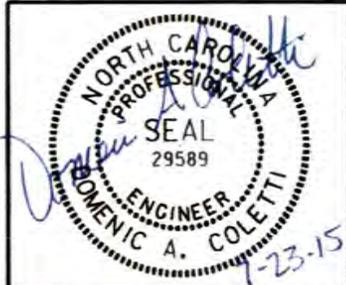
0.0000% +4.9966%  
PVI STA. 47+73.00  
PVI EL. = 32.34  
VC = 1564.00'

GRADE DATA -L-

100 YR. FLOOD EL. +6.2'  
MHW EL. 0.4'  
MLW EL. -0.5'

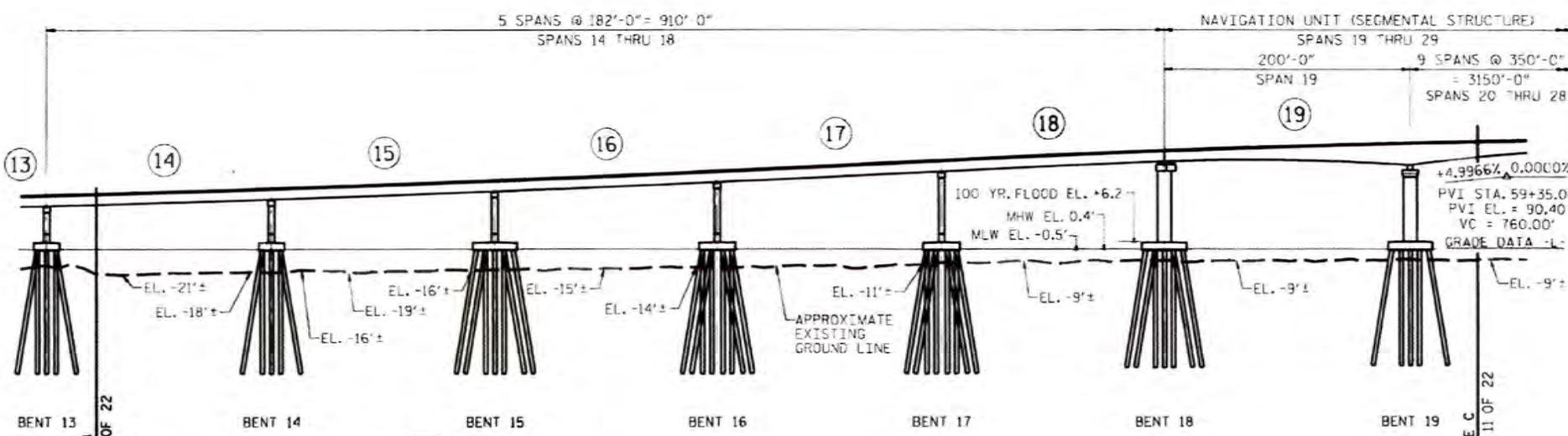


PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION



|  |               |
|--|---------------|
| REPLACES BRIDGE NO. 11   |               |
| JUNE 4, 2012   | SHEET 9 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |               |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |               |
| STATE PROJECT NO.: B-2500 (PHASE I)  |               |

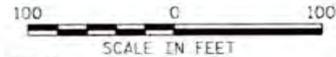
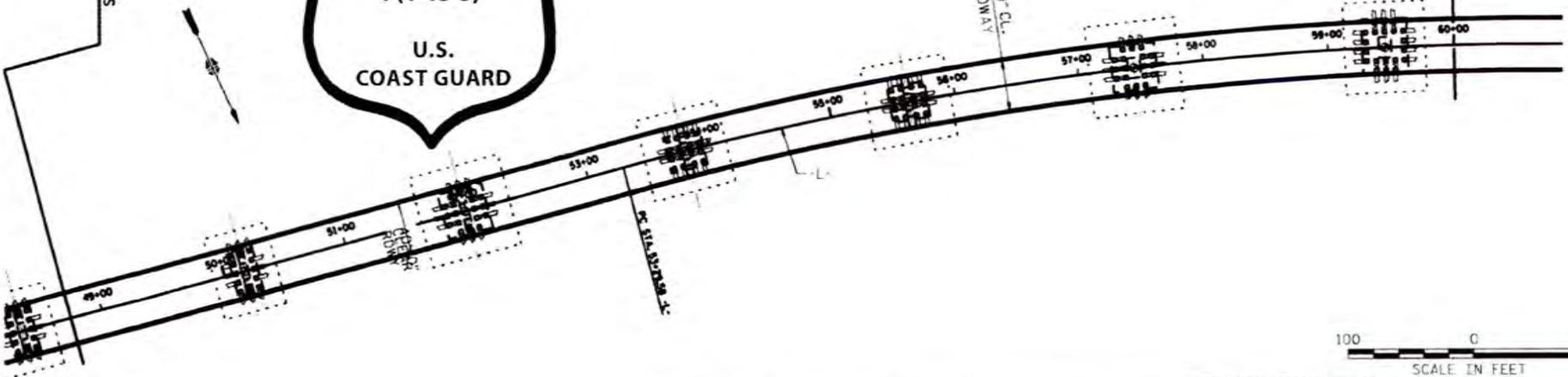
NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 7 FOR DESIGN LOADS



**APPROVED**  
 31-JUL-2015  
 P(1-15-5)  
 U.S.  
 COAST GUARD

MATCH LINE B  
 SEE SHEET 9 OF 22

MATCH LINE C  
 SEE SHEET 11 OF 22



**HORIZONTAL CURVE DATA -L-**

PI STA 62+28.30  
 $\Delta = 35^\circ 24' 44.6''$  (RT)  
 $D = 2^\circ 02' 07.3''$   
 $L = 1,739.85'$   
 $T = 898.72'$   
 $R = 2,615.00'$

**PRELIMINARY**  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



|  |                |
|--|----------------|
| REPLACES BRIDGE NO. 11   |                |
| JUNE 4, 2012   | SHEET 10 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |                |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |                |
| STATE PROJECT NO.: B-2500 (PHASE I)  |                |

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

NAVIGATION UNIT (SEGMENTAL STRUCTURE)

SPANS 19 THRU 29

9 SPANS @ 350'-0" = 3150'-0"

SPANS 20 THRU 28

200'-0"  
SPAN 19

+4.9966% 0.0000%  
PVI STA. 59+35.00  
PVI EL. = 90.40  
VC = 760.00'  
GRADE DATA =

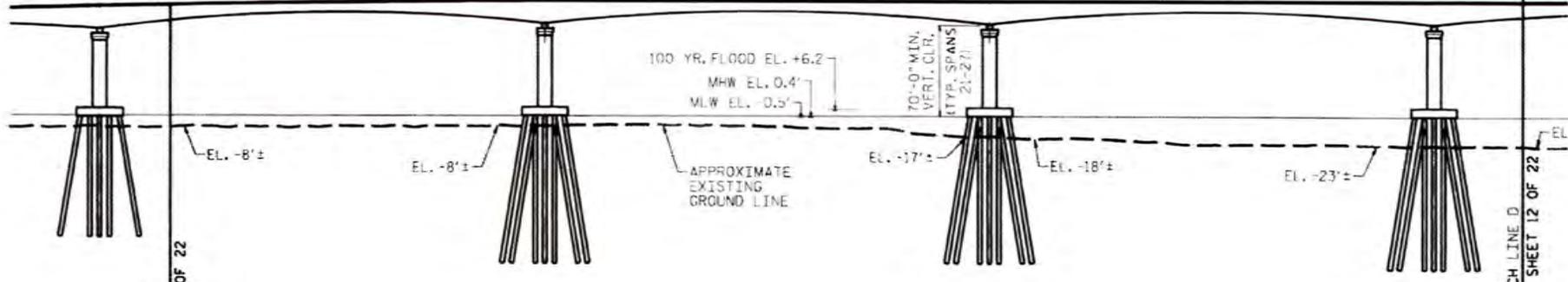
19

20

21

22

23



BENT 19

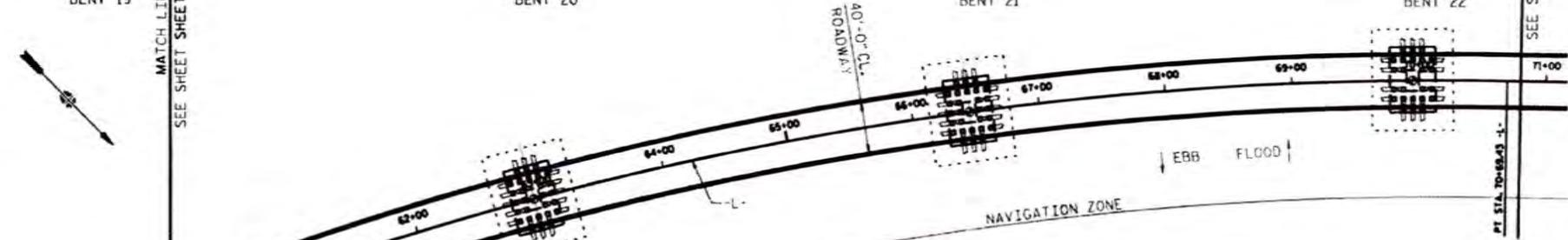
BENT 20

BENT 21

BENT 22

MATCH LINE C  
SEE SHEET 10 OF 22

MATCH LINE D  
SEE SHEET 12 OF 22

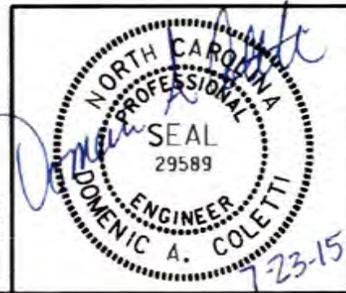


REPLACES BRIDGE NO. 11

HORIZONTAL CURVE DATA -L-

PI STA 52+28.30  
Δ = 35° 24' 44.6" (RT)  
D = 2° 02' 07.3"  
L = 1,739.85'  
T = 898.72'  
R = 2,815.00'

PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION



JUNE 4, 2012 SHEET 11 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NACS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

NAVIGATION UNIT (SEGMENTAL STRUCTURE)

SPANS 19 THRU 29

9 SPANS @ 350'-0" = 3150'-0"

SPANS 20 THRU 28

0.0000%

PVI EL. = 90.40

GRADE DATA -L-

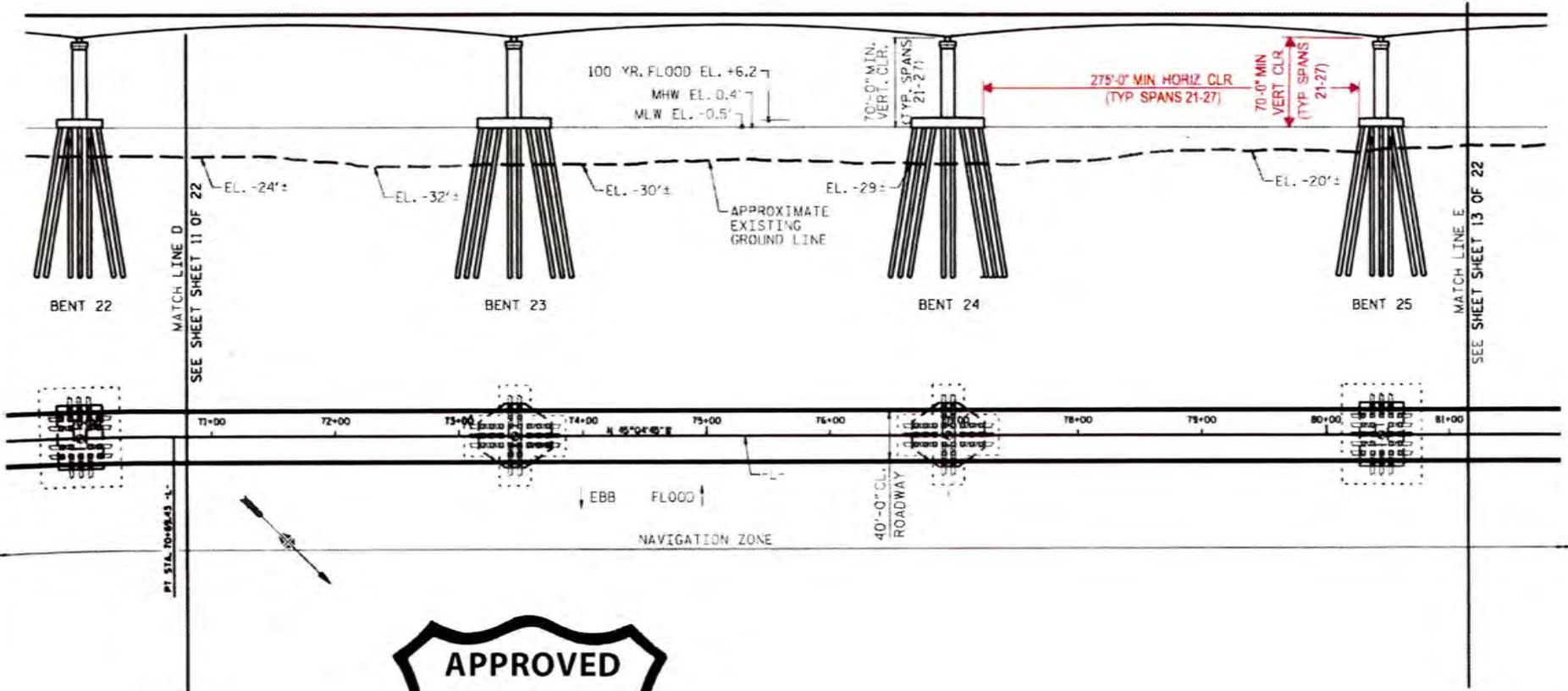
22

23

24

25

26



100 YR. FLOOD EL. +6.2'  
 MHW EL. 0.4'  
 MLW EL. -0.5'

275'-0" MIN. HORIZ. CLR.  
 (TYP. SPANS 21-27)

70'-0" MIN. VERT. CLR.  
 (TYP. SPANS 21-27)

**APPROVED**  
 31-JUL-2015  
 P(1-15-5)  
 U.S. COAST GUARD

100 0 100  
 SCALE IN FEET

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

PRELIMINARY  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION

**NORTH CAROLINA PROFESSIONAL SEAL**  
 29589  
 DOMENIC A. COLETTI  
 7-29-15

REPLACES BRIDGE NO. 11  
 JUNE 4, 2012 SHEET 12 OF 22  
 STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH  
 DARE COUNTY  
 PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
 OVER THE OREGON INLET  
 BETWEEN RODANTHE AND NACS HEAD  
 0.5 MILES WEST OF THE ATLANTIC OCEAN  
 STATE PROJECT NO.: B-2500 (PHASE I)

NAVIGATION UNIT (SEGMENTAL STRUCTURE)

SPANS 19 THRU 29

9 SPANS @ 350'-0" = 3150'-0"

SPANS 20 THRU 28

200'-0"  
SPAN 29

0.0000%  $\Delta$  -4.9991%

PVI STA. 91+45.00

PVI EL. = 90.40

VC = 760.00'

GRADE DATA -L-

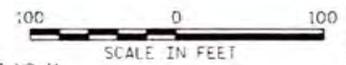
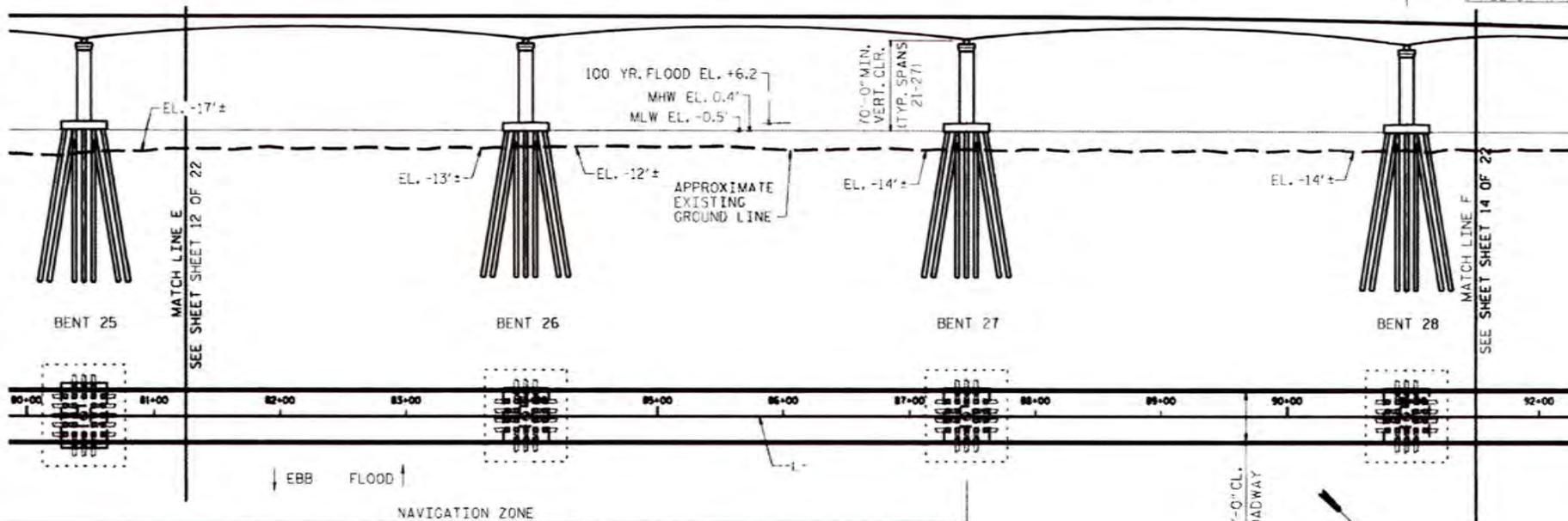
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26

27

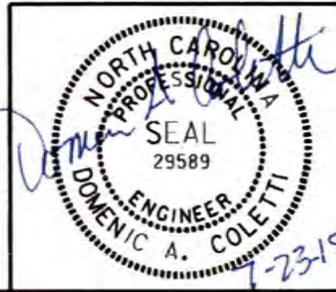
28

29



REPLACES BRIDGE NO. 11

|  |                |
|--|----------------|
| JUNE 4, 2012   | SHEET 13 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |                |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |                |
| STATE PROJECT NO.: B-2500 (PHASE I)  |                |



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

NAVIGATION UNIT (SEGMENTAL STRUCTURE)

6 SPANS @ 160'-10" = 965'-0"

SPANS 30 THRU 35

SPANS 19 THRU 29

9 SPANS @ 350'-0" = 3150'-0"  
SPANS 20 THRU 28

200'-0"

SPAN 29

0.0000% -4.9991%

PVI STA. 91+45.00

PVI EL. = 50.40

VC = 760.00'

GRADE DATA -L-

28

29

30

31

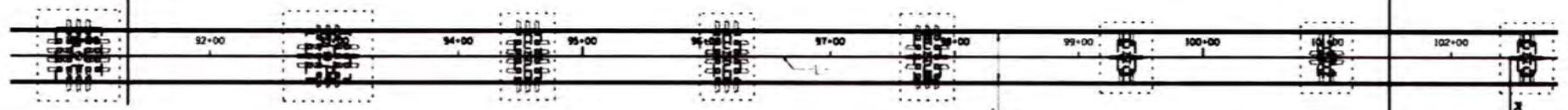
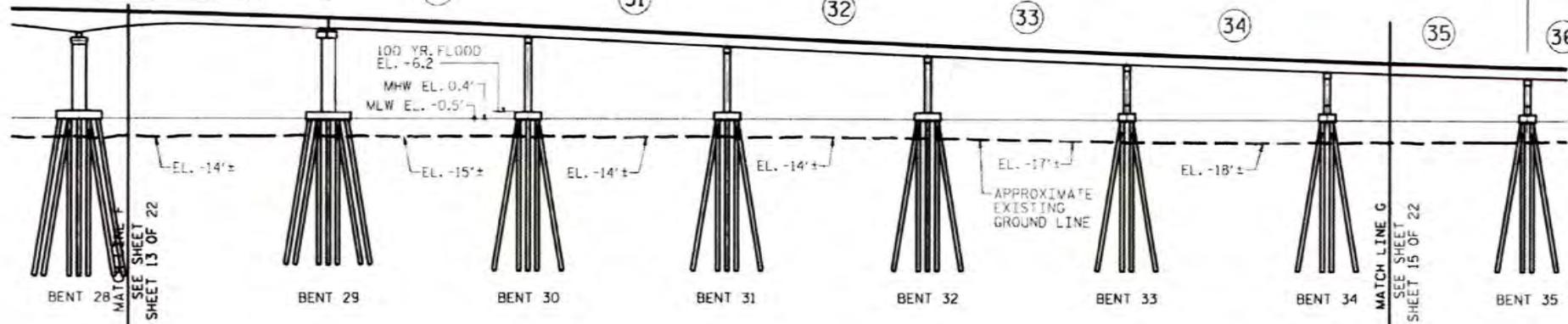
32

33

34

35

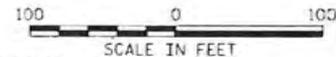
36



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31-JUL-2015  
P(1-15-5)

U.S.  
COAST GUARD



REPLACES BRIDGE NO. 11

JUNE 4, 2012 SHEET 14 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NAGS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

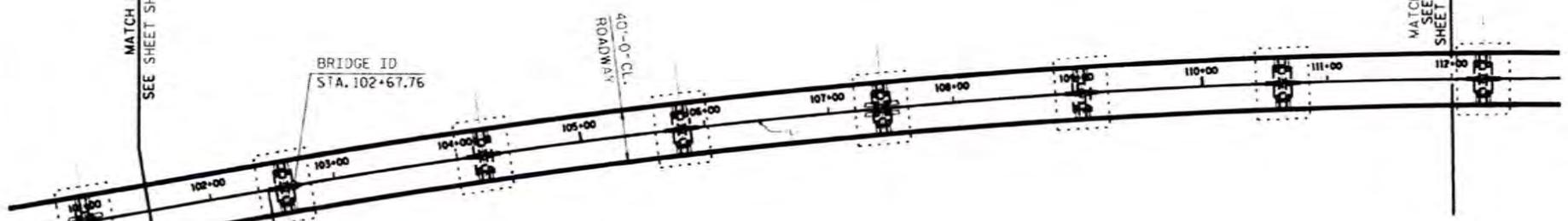
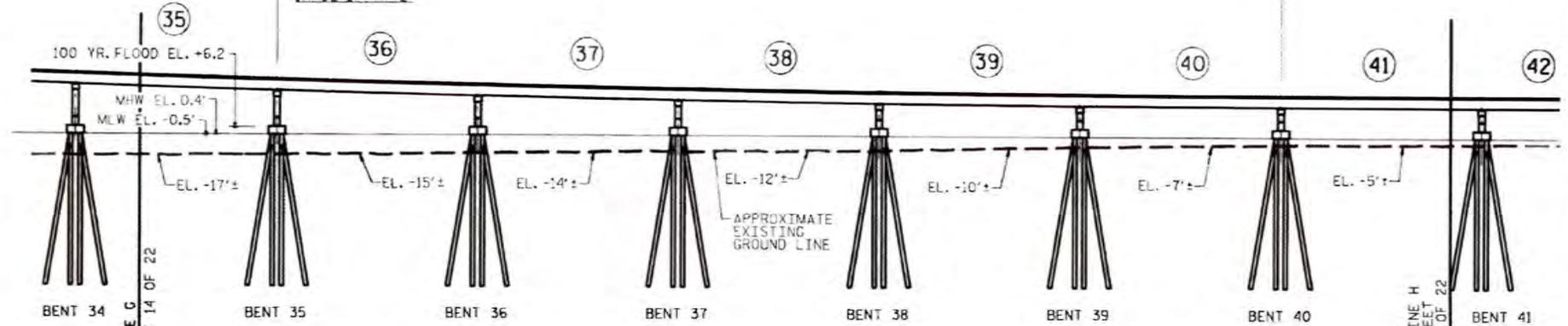
PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

NORTH CAROLINA  
PROFESSIONAL  
SEAL  
29589  
ENGINEER  
DOMENIC A. COLETTI

7.23.15

6 SPANS @ 160'-10" = 965'-0" SPANS 30 TO 35  
 5 SPANS @ 160'-10" = 804'-2" SPANS 36 TO 40  
 5 SPANS @ 160'-10" = 804'-2" SPANS 41 TO 45

-4.9991% 0.0000%  
 PVI STA. 103+02.00  
 PVI EL. = 32.56  
 VC = 1554.00'  
 GRADE DATA -L-



**APPROVED**  
 31-JUL-2015  
 P(1-15-5)  
 U.S.  
 COAST GUARD

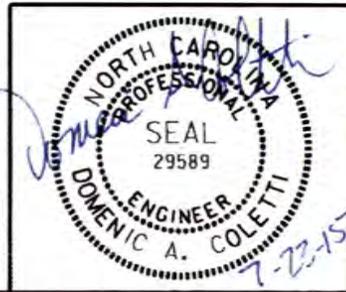


REPLACES BRIDGE NO. 11

HORIZONTAL CURVE DATA -L-

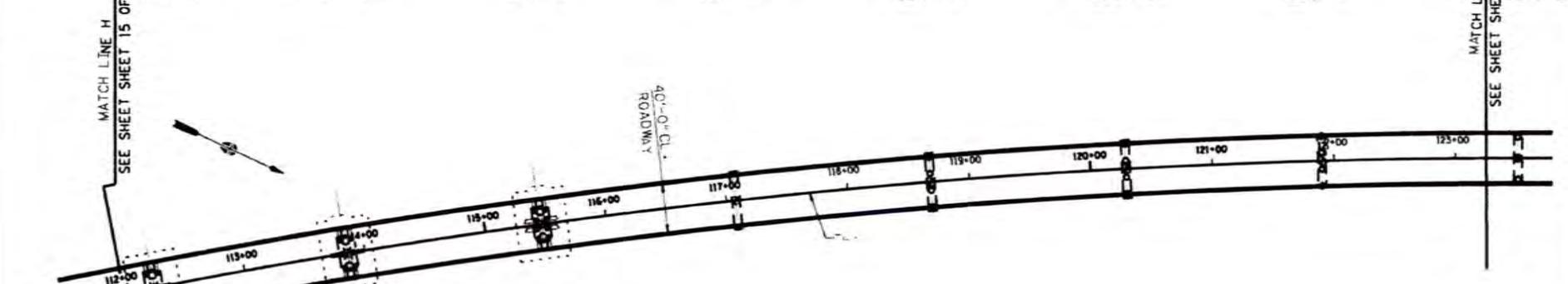
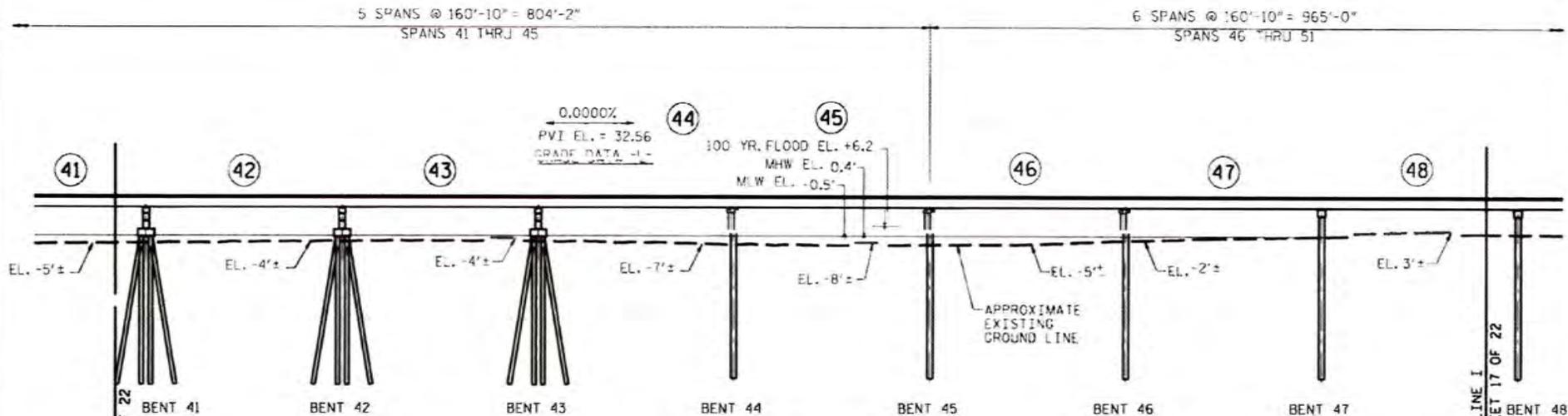
PI STA 128+03.63  
 $\Delta = 45^\circ 49' 07.9''$  (RT)  
 $\theta = 0^\circ 56' 49.3''$   
 $L = 4,838.13'$   
 $T = 2,556.79'$   
 $R = 6,050.00'$

**PRELIMINARY**  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION

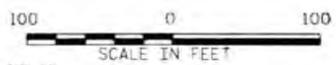


NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

JUNE 4, 2012 SHEET 15 OF 22  
 STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH  
 DARE COUNTY  
 PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
 OVER THE DREGON INLET  
 BETWEEN RODANTHE AND NACS HEAD  
 0.5 MILES WEST OF THE ATLANTIC OCEAN  
 STATE PROJECT NO.: B-2500 (PHASE I)



**APPROVED**  
 31-JUL-2015  
 P(1-15-5)  
 U.S.  
 COAST GUARD



REPLACES BRIDGE NO. 11

|  |                |
|--|----------------|
| JUNE 4, 2012   | SHEET 16 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |                |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |                |
| STATE PROJECT NO.: B-2500 (PHASE I)  |                |

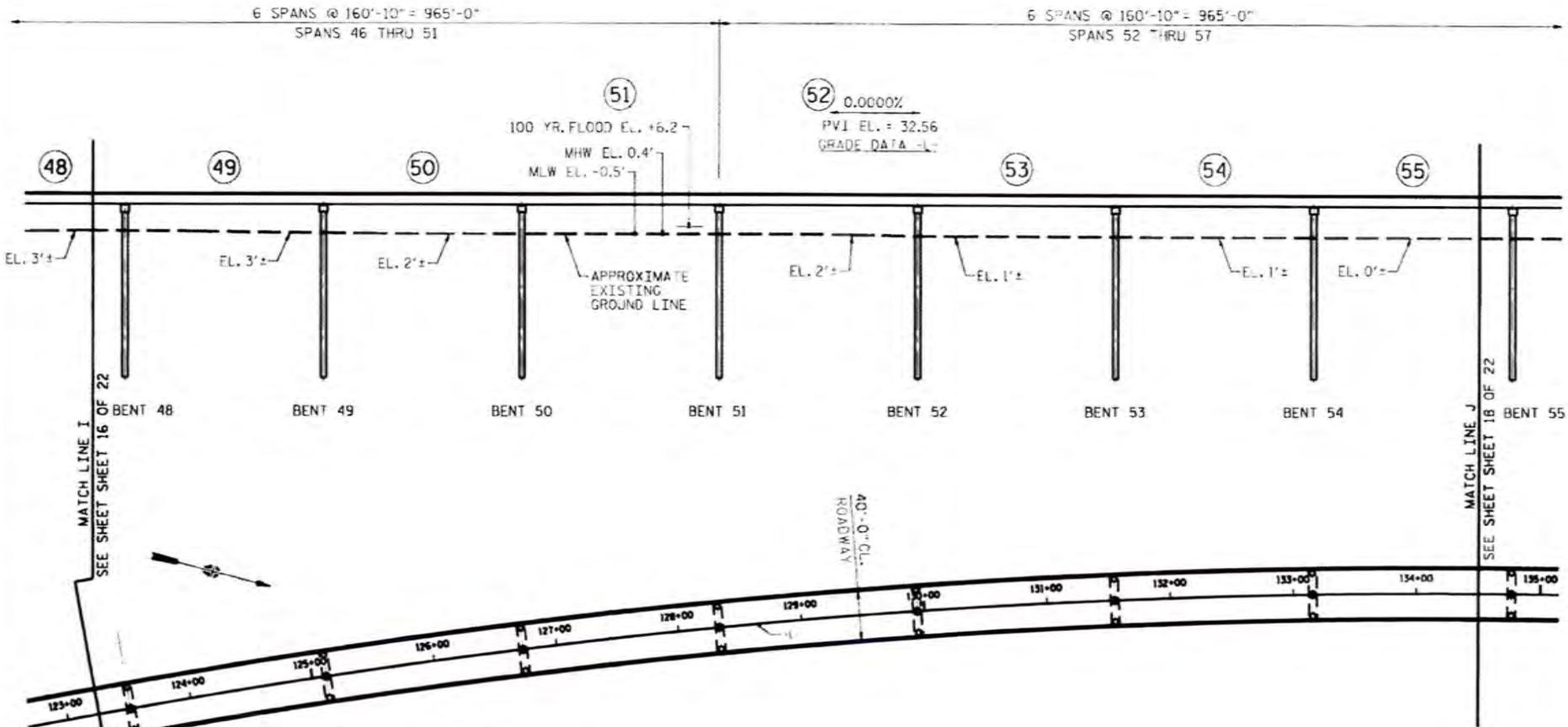
**HORIZONTAL  
CURVE DATA -L-**

PI STA 128+03.63  
 $\Delta = 45^\circ 49' 07.9''$  (RT)  
 $D = 0^\circ 56' 49.3''$   
 $L = 4,838.13'$   
 $T = 2,556.79'$   
 $R = 6,050.00'$

**PRELIMINARY**  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.



**APPROVED**

31-JUL-2015  
P(1-15-5)

U.S.  
COAST GUARD



HORIZONTAL  
CURVE DATA -L-

PI STA 128+03.63  
 $\Delta = 45^\circ 49' 07.9''$  (RT)  
 $D = 0^\circ 56' 49.3''$   
 $L = 4,838.13'$   
 $T = 2,556.79'$   
 $R = 6,050.00'$



**PRELIMINARY**  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

REPLACES BRIDGE NO. 11

JUNE 4, 2012      SHEET 17 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

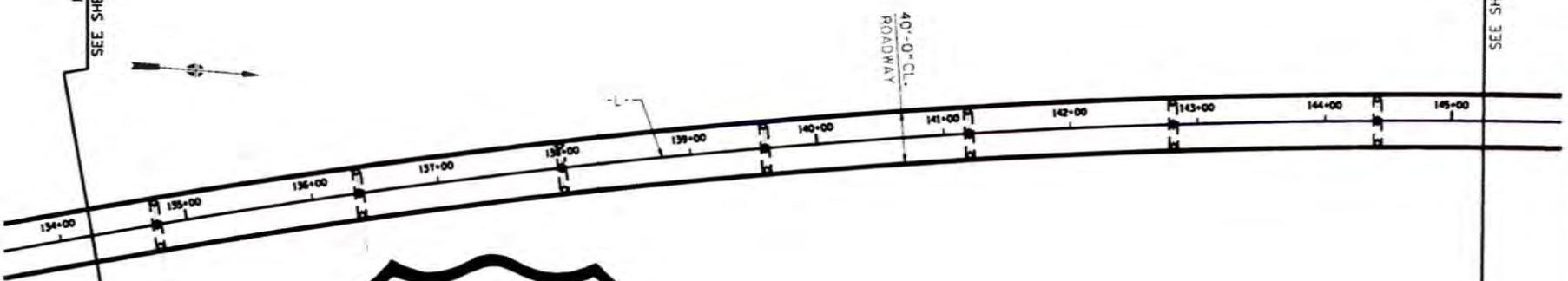
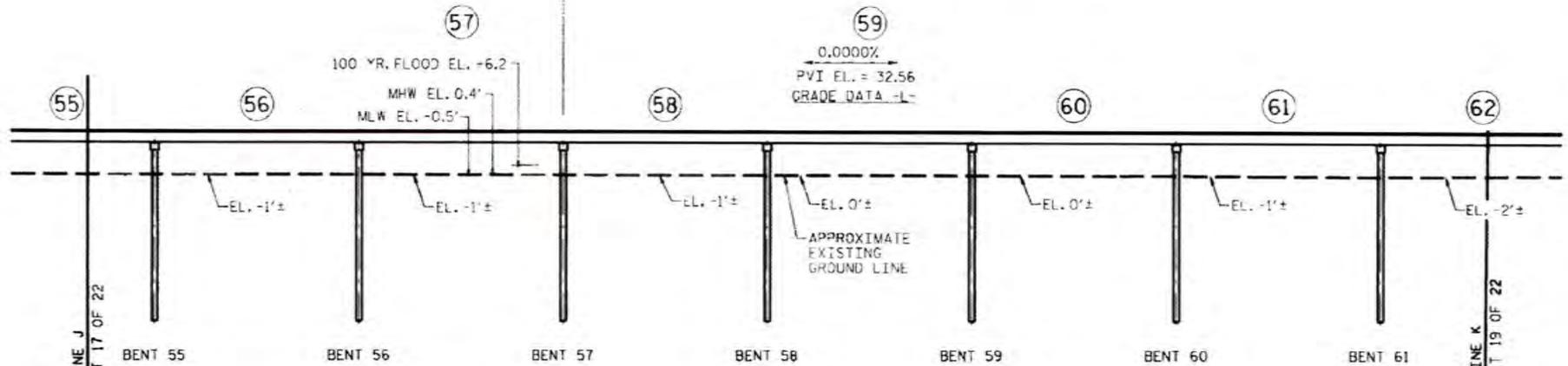
DARE COUNTY

PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NACS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

6 SPANS @ 160'-10" = 965'-0" SPANS 52 THRU 57  
 6 SPANS @ 160'-10" = 965'-0" SPANS 58 THRU 63

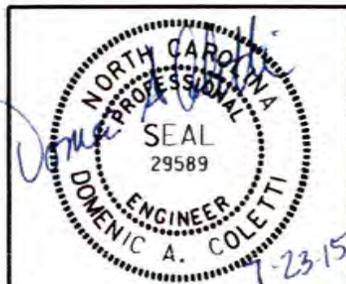


**APPROVED**  
 31-JUL-2015  
 P(1-15-5)  
 U.S.  
 COAST GUARD

HORIZONTAL  
 CURVE DATA -L-

PI STA 128+03.63  
 $\Delta = 45^\circ 49' 07.9''$  (RT)  
 $D = 0^\circ 56' 49.3''$   
 $L = 4,858.13'$   
 $T = 2,556.79'$   
 $R = 6,050.00'$

**PRELIMINARY**  
 FOR USCG PERMITTING  
 NOT FOR DETAILED CONSTRUCTION



100 0 100  
 SCALE IN FEET

REPLACES BRIDGE NO. 11

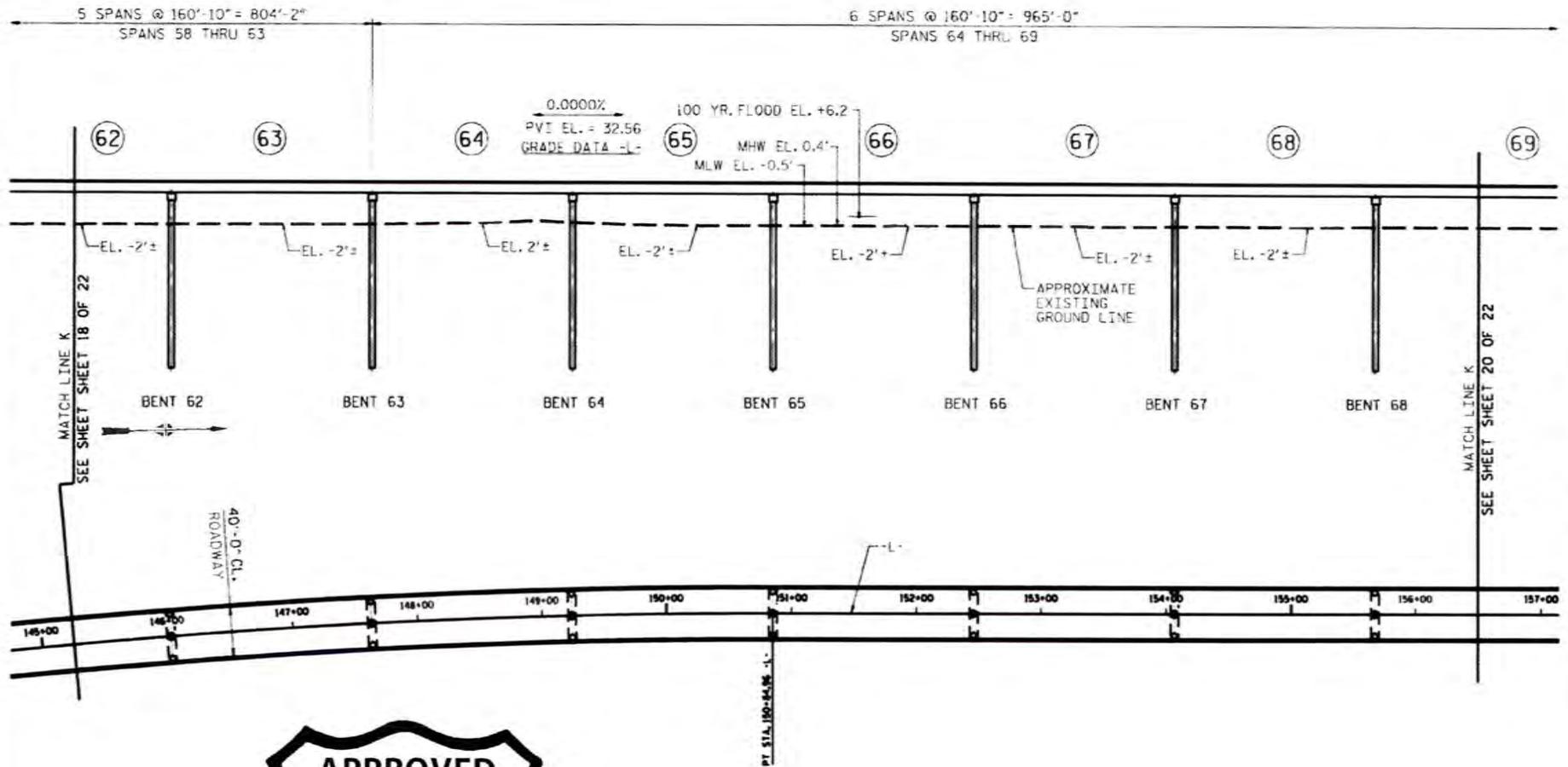
JUNE 4, 2012 SHEET 18 OF 22

STATE OF NORTH CAROLINA  
 DEPARTMENT OF TRANSPORTATION  
 RALEIGH

DARE COUNTY  
 PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
 OVER THE OREGON INLET  
 BETWEEN RODANTHE AND NACS HEAD  
 0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

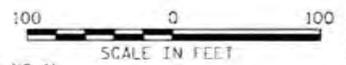
NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS



**APPROVED**

**31-JUL-2015**  
**P(1-15-5)**

**U.S.**  
**COAST GUARD**

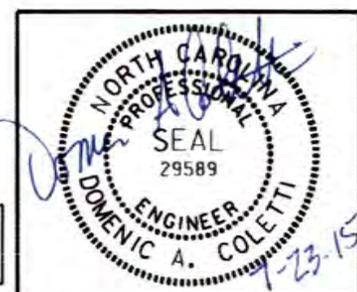


NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.

**HORIZONTAL CURVE DATA -L-**

PI STA 128+03.63  
 $\Delta = 45^\circ 49' 07.9''$  (RT)  
 $D = 0^\circ 56' 49.3''$   
 $L = 4,838.13'$   
 $T = 2,556.79'$   
 $R = 6,050.00'$

**PRELIMINARY**  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

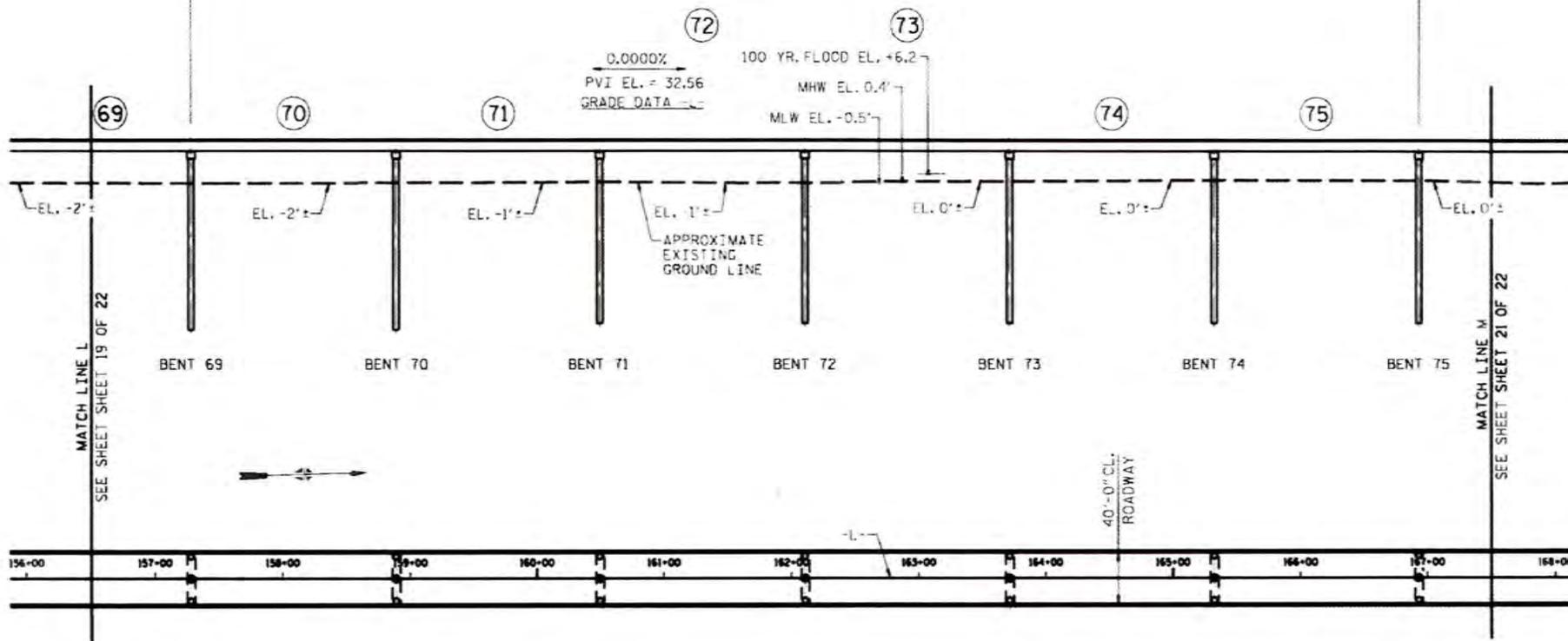


|  |                |
|--|----------------|
| REPLACES BRIDGE NO. 11   |                |
| JUNE 4, 2012   | SHEET 19 OF 22 |
| STATE OF NORTH CAROLINA<br>DEPARTMENT OF TRANSPORTATION<br>RALEIGH   |                |
| DARE COUNTY<br>PROPOSED BRIDGE ON NEW LOCATION OF NC 12<br>OVER THE OREGON INLET<br>BETWEEN RODANTHE AND NAGS HEAD<br>0.5 MILES WEST OF THE ATLANTIC OCEAN |                |
| STATE PROJECT NO.: B-2500 (PHASE I)  |                |

6 SPANS @  
160'-10" = 965'-0"  
SPANS 64 THRU 69

6 SPANS @ 160'-10" = 965'-0"  
SPANS 70 THRU 75

6 SPANS @  
160'-10" = 965'-0"  
SPANS 76 THRU 80



100 0 100  
SCALE IN FEET

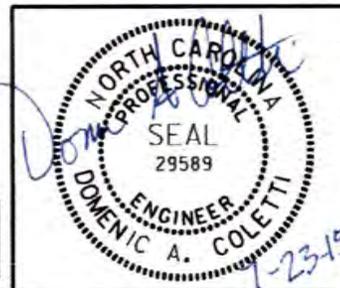
REPLACES BRIDGE NO. 11

JUNE 4, 2012 SHEET 20 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

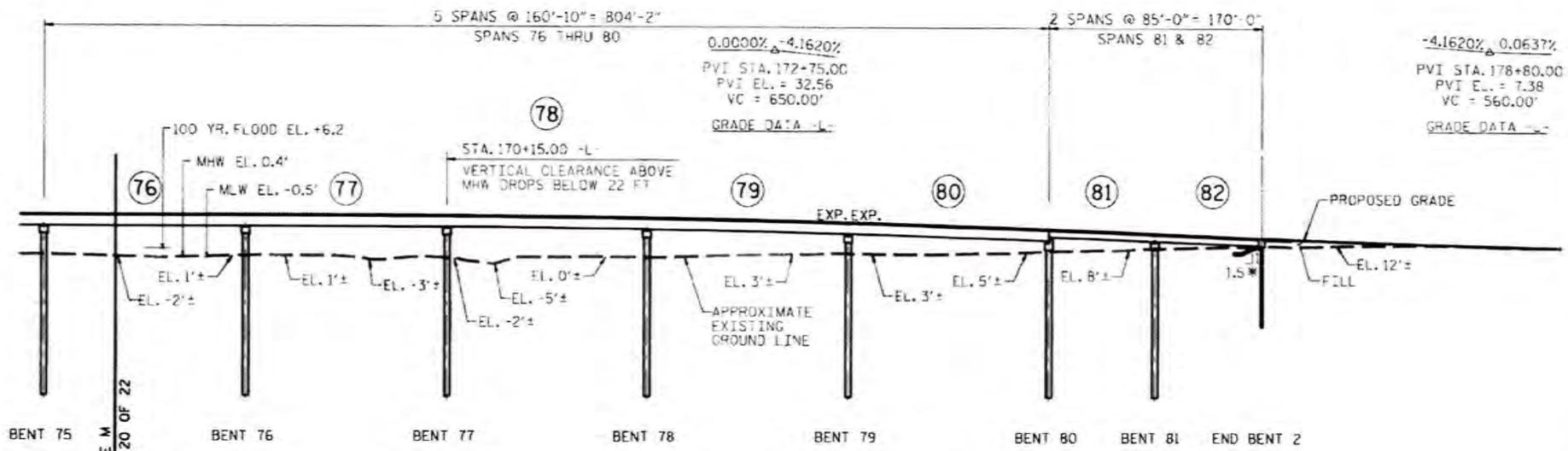
DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODAN THE AND NAGS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

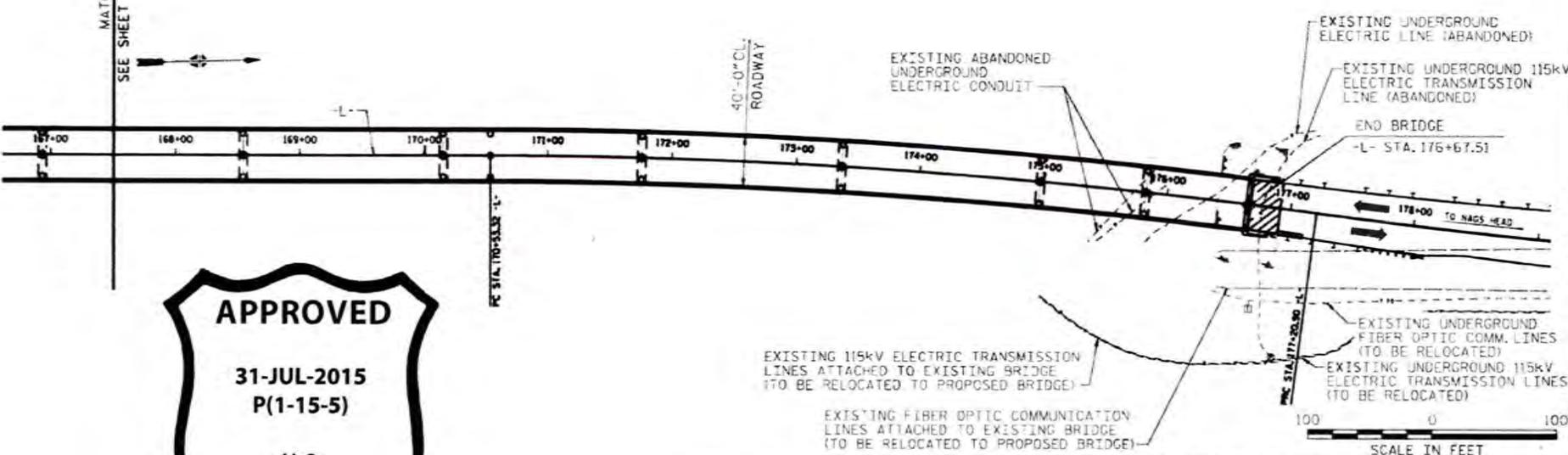


PRELIMINARY  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.



MATCH LINE M  
SEE SHEET 20 OF 22

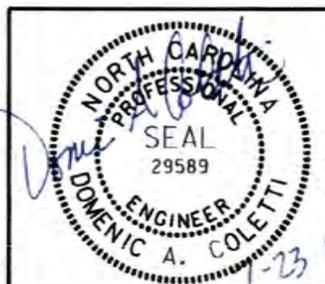


**APPROVED**  
  
31-JUL-2015  
P(1-15-5)  
  
U.S.  
COAST GUARD

HORIZONTAL  
CURVE DATA -L-

PI STA 173+87.60  
 $\Delta = 7^\circ 38' 59.6''$  (RT)  
 $D = 1^\circ 08' 45.3''$   
 $L = 667.58'$   
 $T = 334.29'$   
 $R = 5,000.00'$

**PRELIMINARY**  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION



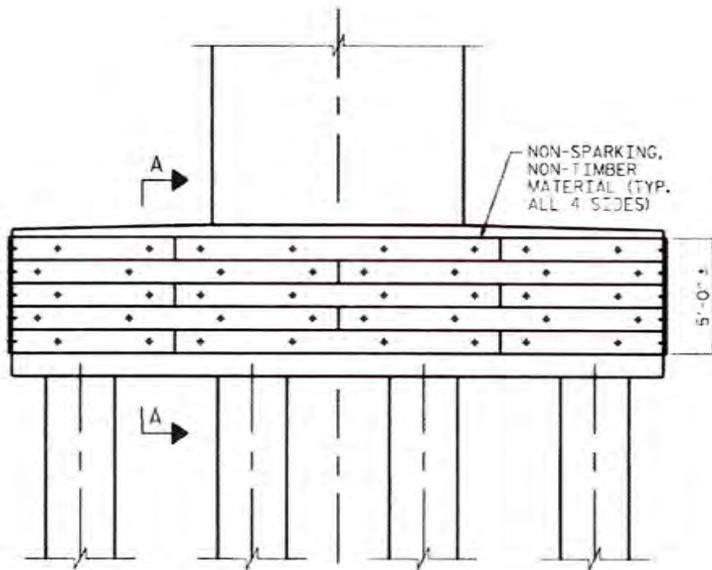
JUNE 4, 2012 SHEET 21 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

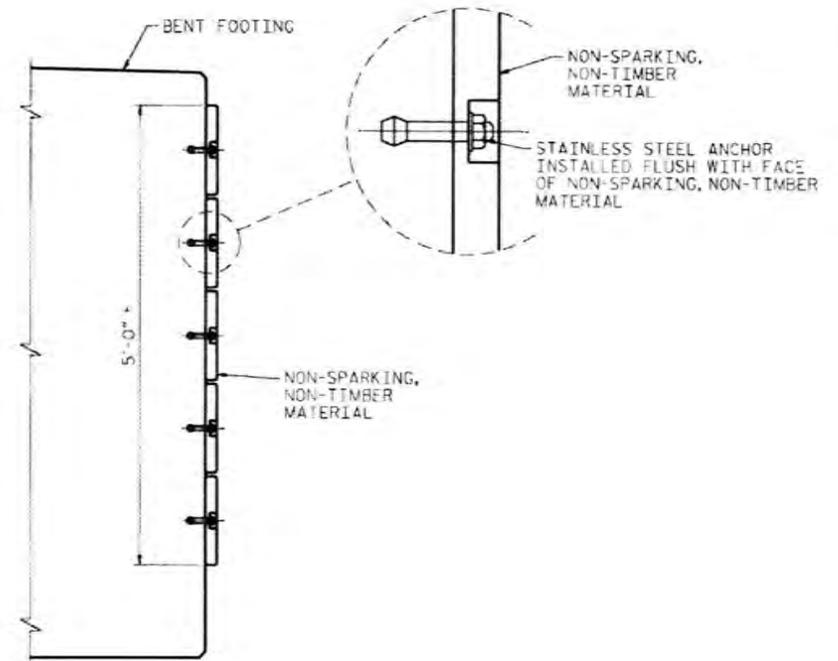
**DARE COUNTY**  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NAGS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS.



**TYP. PIER PROTECTION SYSTEM**  
(TYPICAL AT BENTS 19 THRU 28)

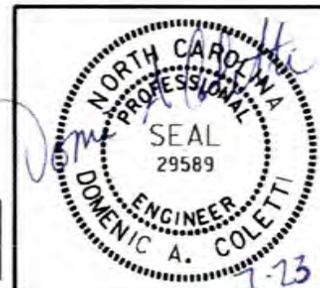


**SECTION A-A**



NOTE: THIS BRIDGE HAS BEEN DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS, INCLUDING REQUIREMENTS FOR VESSEL COLLISION. SEE SHEET 1 FOR DESIGN LOADS

**PRELIMINARY**  
FOR USCG PERMITTING  
NOT FOR DETAILED CONSTRUCTION



REPLACES BRIDGE NO. 11

JUNE 4, 2012 SHEET 22 OF 22

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH

DARE COUNTY  
PROPOSED BRIDGE ON NEW LOCATION OF NC 12  
OVER THE OREGON INLET  
BETWEEN RODANTHE AND NAGS HEAD  
0.5 MILES WEST OF THE ATLANTIC OCEAN

STATE PROJECT NO.: B-2500 (PHASE I)

**UNITED STATES DEPARTMENT OF THE INTERIOR  
National Park Service**

Form 10-114

**Outer Banks Group  
Special Use Permit**

Page 1 of 9

|               |  |              |                              |
|---------------|--|--------------|------------------------------|
| Name          | <b>Richard W. Hancock, P.E.</b>                    | Park Alpha   | <b>CAHA</b>                  |
| Organization  | <b>North Carolina Department of Transportation</b> | Type of Use: | <b>Use of Specified Area</b> |
| Address       | <b>Raleigh, NC</b>                                 | Permit No.:  | <b>USA15 5700 029</b>        |
| Telephone No. |  |              |                              |

is hereby authorized to use the following described land or facilities in the above named area:

**within the Right-of-Way Easement granted by the National Park Service to the North Carolina Department of Transportation by separate instrument entitled Highway Easement Deed for NCDOT Highway Project TIP B-2500 (Phase I) (HED) and within the so called Released Easement area described in the HED, Exhibit D as the current right-of-way for the now existing Bonner Bridge and NC Highway 12 facility at Oregon Inlet, Dare County, North Carolina.**

The permit begins at on 12:00:00 AM Date of issue  
 The permit expires at on 12:00:00 PM Five (5) years from the Date of issue

SUMMARY OF PERMITTED ACTIVITY: (See attached sheets for additional information and conditions)

**The "Project" which consists of constructing the highway and bridge structure known as B-2500 (Phase I) on the NC Highway 12 corridor within the park at and near Oregon Inlet followed by the demolition of the existing Bonner Bridge, and restoration of park area as required by this permit, all according to the plans, letters, drawings and documents ("Plans") furnished by the Permittee to the Park in support of its application for this permit.**

Person on-site responsible for adherence to the terms and conditions of this permit: NCDOT Division 1 Resident Engineer  
 Pablo Hernandez (or successor)

Authorizing legislation or other 36 CFR: Chapter 1, Part 1.6, 2.50 & Part 14

| NEPA Compliance:     | Categorically Excluded | EA/FONSI | FEIS/EA XXXX | PEPC#13720 | Other          |
|----------------------|------------------------|----------|--------------|------------|----------------|
| APPLICATION          | Received               |          | Not Received | Amount     | \$0.00         |
| PERFORMANCE          | Not Required           |          | Not Required | Amount     | \$0.00         |
| LIABILITY INSURANCE: | Required               |          | Not Required | Amount     | \$5,000,000.00 |
| COST RECOVERY:       | Required               |          | Not Required | Amount     | \$700,000.00   |
| FACILITY USE         | Required               |          | Not Required | Amount     | \$0.00         |
| LOCATION             | Required               |          | Not Required | Amount     | \$0.00         |

ISSUANCE of this permit is subject to the attached conditions. The undersigned hereby accepts this permit subject to the terms, covenants, obligations, and reservations, expressed or implied.

PERMITTEE

Signature  Title Unit Head Date 9/19/15

Authorizing NPS Official

Signature  Superintendent Date 9/11/15

**PARK**

Construction of a Replacement for Existing Bonner Bridge  
Demolition of Existing Bonner Bridge  
Design-Build Project TIP B-2500 (Phase I)

Permitting Agency: Cape Hatteras National Seashore, National Park Service (Park)  
Permitted Agency: North Carolina Department of Transportation (Permittee)

CONDITIONS OF THE PERMIT

1. The Permittee (herein defined to include its employees, agents, contractors and subcontractors) is prohibited from giving false information; to do so will be considered a breach of conditions and be grounds for revocation: [36 CFR 2.32(a) (3)].
2. The Permittee shall exercise this privilege subject to the supervision of the Superintendent or designee, and shall comply with all applicable Federal, State, county and municipal laws, ordinances, regulations, codes, and the terms and conditions of this permit. Failure to do so may result in the immediate suspension of the permitted activity or the termination of the permit.
3. If any provision of this permit shall be found to be invalid or unenforceable, the remainder of this permit shall not be affected and the other provisions of this permit shall be valid and be enforced to the fullest extent permitted by law.
4. The Permittee is responsible for contacting all other Federal, State, and local agencies to secure required inspections, permits, licenses, and authorization before proceeding under this permit. The Permittee will provide copies of all such documents upon the request of the Superintendent.
5. Failure to comply with any of the terms and conditions of this permit may result in the immediate suspension or revocation of the permit. All costs associated with clean up or damage repairs in conjunction with a terminated permit will be the responsibility of the Permittee.
6. This permit may be revoked at the discretion of the Superintendent upon 24 hours notice, or without notice if damage to natural or cultural resources or facilities occurs or is threatened, notwithstanding any other term or condition of the permit to the contrary.
7. This permit shall be subject to the express covenant that it may be modified, adapted, or discontinued if found by the Superintendent to be necessary, without liability or expense to the United States, so as not to conflict with the use and occupancy of the land for any authorized works which may be hereafter constructed thereon under the authority of the United States.
8. Subject to paragraph 9 below, this agreement is made upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the permittee, its agents, employees, contractors or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this agreement or occasioned by any occupancy or use of said premises or any activity carried on by the permittee in connection herewith.
9. The parties hereto acknowledge that both are executive branch agencies of their respective sovereigns and each has no authority to indemnify the other. However, the Permittee agrees that it shall be liable for its actions and the actions of its officers, employees, involuntary servant, or agent of the State to the extent allowable under the North Carolina Tort Claims Act and the Park agrees that it shall be liable for its actions, and the actions of its employees, to the extent allowable under the Federal Tort Claims Act. Permittee further agrees to rebuild, repair, or otherwise restore any lands or property of the United States which may be damaged by NCDOT/Permittee in the course of activities permitted.
10. The Permittee shall require that its general contractor, sometimes known as the "Design-Build Team," at its

sole cost and expense, to obtain and furnish to the park an original standard ACORD form certificate of insurance evidencing commercial general liability with a limit for bodily injury and property damage in the amount of Five Million Dollars (\$5,000,000.00) per occurrence and general aggregate, covering the Design-Build Team from claims for damages for bodily injury, personal injury, or for property damages which may arise from operating under the contract by the employees and agents of the Design-Build Team and naming the United States of America and the Park as an additional insured on such commercial general liability insurance. The required limit of insurance may be obtained by a single general liability policy or the combination of a general liability and excess liability or umbrella policy.

11. The Permittee and the Park have agreed that, in lieu of cost accounting the recoverable cost incurred by the Park under law, the Permittee will pay the annual cost (paid annually in advance to the Park) to provide a GS-11 employee solely representing the Park and such other permitting agencies requesting representation and approved by the Park whose main responsibilities will include: being the point of contact (POC) for the Park under this permit; and providing the daily monitoring of the Permittee's compliance with the terms and conditions of this Permit in its daily construction activities, operations, maintenance, protection and rehabilitation of the lands and resources involved through the completion and cessation of the construction of TIP B-2500 and decommissioning of the original Bonner Bridge. Such costs shall include the burdened salary rates (benefit included) for the POC, including wages and overtime, other benefits such as vacation, retirement, health care, and authorized operational costs necessary to support the POC such as office space, office supplies, service equipment, travel, vehicle costs, training and computer costs.
12. The person named on page one of the permit as in charge of the permitted activity shall be the Permittee's point of contact (POC) for the Park. All Project issues, concerns and proposals that arise at the construction, demolition or restoration sites shall be communicated to the Park's POC by the Permittee's POC or his/her designees as identified in writing to the Park. All of the Permittee's contractors, subcontractors, and agents will direct their inquiries and communications for the Park to the Permittee POC. Park communication for the Permittee's contractors, subcontractors, and agents shall likewise be through the Permittee's POC.
13. The Permittee must immediately notify the Park's POC and the Bodie Island District Ranger (District Ranger) 252-475-8319 in the event of any accident or emergency.

#### IN THE EVENT OF AN EMERGENCY CALL 911 FIRST.

14. As a condition of acceptance of this permit by the Permittee and pursuant to 41 U.S.C. § 22, "No Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or accepted by or on behalf of the United States, or to any benefit to arise thereupon."
15. Nothing herein contained shall be construed as binding the Park to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the Park in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.
16. This permit may not be transferred or assigned without the prior written consent of the Superintendent.
17. The Park's Cultural Resource Program Manager will be notified during construction of the presence of culturally significant objects or structures. Operations shall not injure, alter, destroy, or collect any object, structure, or site of historical, archeological, or cultural value. Should construction unearth previously undiscovered archeological resources, work will be stopped in the area of any discovery. The Permittee shall immediately contact the Park's POC. The Park will consult with the State Historic Preservation Officer and the Advisory Council on Historic Preservation (ACHP), as necessary, according to 36 CFR 800.13, Post Review Discoveries. In the unlikely event that human remains are discovered during construction, provisions outlined in the Native American Graves Protection and Repatriation Act (1990) will be followed as appropriate.
18. The Permittee will exercise particular care not to disturb or destroy wildlife and vegetation while inside

boundaries of the Park. Any activity, not otherwise addressed in this Permit that adversely impacts visitors, wildlife, or vegetation can only be done with the consent of the Superintendent after consultation with the Park and implementation of mitigations measures by the Permittee. For consultations, contact the Park's POC.

19. The Permittee's vehicles and equipment must not interfere with or impede routine visitor traffic or use of park resources in any manner other than permitted hereunder. Equipment utilized during the Project shall be strategically placed and operated as to avoid damage to ocean side dunes and/or marsh habitat unless otherwise permitted. Equipment will not be permitted to operate from or on the ocean beach for any non-emergency activities.
20. All construction shall occur within: (1) the proposed B-2500 (Phase I) right-of-way easement of 100 feet; (2) the Temporary Construction Easement (TCE) shown on plans already provided to the Park; (3) the existing 100-foot right-of-way for NC Highway 12 and the Bonner Bridge; and (4) the gore area between the old and new right-of-ways as delineated on Exhibit "G" to the HED, until completing the demolition and removal of the existing Bonner Bridge and all necessary restoration work. Forty-five days before the commencement of any on-the-ground work for the Project, the Permittee will cause the rights-of-way and easements to be "staked" with five-foot high markers bearing red ribbon 75 feet apart beginning at the northern edge of Oregon Inlet (on land reasonably accessible by foot or vehicle) to 1,000 feet north of the entrance to the Park's campground for said rights-of-way which will identify the authorized work corridor (also known as the construction limits or site) within which the Permittee may operate. Lost or missing stakes shall be continually replaced until the Project is completed. The only items that will be allowed within the rights-of-way and easements will be equipment and materials necessary for ongoing work at that time. No unused equipment or material will be left in the area for extended durations. All material and equipment not in use at the site will be staged only in designated staging areas approved by the Park.
21. Within the construction limits described above, appropriate measures will be taken to minimize damage or disturbance of vegetation and soil. The disturbed areas will not be re-seeded unless required by the Superintendent with the exception of the road shoulder. A meeting between the Permittee and Park representatives must occur on-site to review and approve materials and acceptable plant species prior to planting vegetative cover on the road shoulder.
22. During the relocation of any waterline, flushing of chlorine sterilizing solution is permitted on parkland provided that dechlorinators are utilized. Groundwater pumped during the permitted activity must be discharged in compliance with all applicable laws. Any discharge allowed beyond the construction limits must be accomplished by hand. Specifically, discharge pipes will be laid and removed by hand, and motorized equipment may not be used outside of construction limits. The specific location of any water discharge pipe shall be negotiated and approved in advance during an on-site meeting between the Permittee and Park representative.
23. The Permittee must rebuild and repair such roads, fences, bulkheads, boardwalks and trails as may be destroyed or damaged by construction or demolition work and must build, rebuild and maintain necessary and suitable crossings for all roads and trails that intersect with the construction permitted by this Permit.
24. The Permittee must properly dispose of all refuse generated by the permitted activity. Site cleanup will be ongoing on a daily basis. Proper and prompt disposal of trash and rubbish is required. Clean-up to the satisfaction of the Park is the responsibility of the Permittee.
25. The Park's POC shall be notified in writing no less than thirty (30) days prior to the start of initial construction on Park lands. An on-site meeting will be conducted immediately prior to the start of construction between representatives of the Park, the Permittee's construction/maintenance supervisor, and contractor representatives to determine and clarify the scope of the Project and any requirements of the Park. The Permittee's construction/maintenance supervisor will contact the District Ranger on the morning of the first and last day of work, advising the location and extent of work crews and equipment in the Park.
26. The Permittee and its contractors/subcontractors will coordinate with Park staff to reduce disruption of

- normal park activities. At least 48-hours prior to the arrival of heavy construction equipment to the construction limits, contractors will notify the Park's POC and District Ranger to minimize traffic delays that may occur as trailers carrying equipment turn off Highway 12 or access other areas of the Park.
27. No permanent buildings, portable buildings, sheds, or trailers will be permitted at any staging area other than (i) the staging areas authorized by the U.S. Fish & Wildlife and (ii) the proposed bridge deck as it is constructed. No workers or visitors will be housed or allowed to camp in the Park.
  28. The erosion control devices as depicted in the approved NCDOT Erosion Control Plans shall be installed before any construction activity occurs and then removed upon completion of the Project. The Park will be provided copies of the initial Release for Construction (RFC) Clearing & Grubbing Plans and Final Grade Erosion Control Plans, and be given access for review of the red-lined "living" versions that are maintained on-site by the Permittee's contractor.
  29. The Permittee and any of its contractors or sub-contractors shall comply with all State of North Carolina, Department of Environment and Natural Resources, applicable federal and Park rules and regulations during construction, demolition and restoration including, but not limited to, the handling and storage of fuel, oil, and other liquids. All leaks and spills of fuel, oil, chemicals, and hazardous materials shall be reported immediately to the Park's POC, District Ranger and an appropriate response team provided by Permittee or its contractor. The Permittee will have a response plan in place and keep it its personnel trained in the proper response to all spills. A copy of the plan will be provided to the Park's POC.
  30. The Permittee shall provide not less than ten days advance notice to the Park's POC of the proposed transportation of hazardous materials, as defined by the US Environmental Protection Agency, into the Park. Such notice will be provided in writing and electronically by email, identifying the product or substance, the shipper, the estimated date of arrival, the vehicle or vessel, and the point of arrival. Also to be included will be the location of the proposed site for storage and use and the estimated duration of storage and use within the Park.
  31. The Permittee will provide all traffic control at the site during the term of this permit. All traffic control measures are subject to coordination with the Park's POC and District Ranger. The Park approves the current schedule of closures as outlined in Special Provisions, page 191 and 192 of the B-2500 (Phase I) contract executed August 5, 2011, Traffic Management Scope of Work. The Intermediate Contract Time #2 for road closures will also be allowed for occasional material deliveries by the Design Build Team as approved in their Alternative Technical Concept #10. From time to time, the approved schedules of closure may require revision(s) which must be mutually acceptable to the Park and the Permittee. The Permittee will provide adequate advanced notice to the Park's POC and District Ranger of all scheduled closures.
  32. This Permit does not authorize exclusive use of any public lands. The Permittee shall insure to the fullest practicable extent that the rights of the public visiting Cape Hatteras National Seashore will not be infringed upon by this activity. Permittee is required to maintain safe access to visitors to the Park's beaches and waters. Contractors/subcontractors will be informed about the special sensitivity of park values, regulations, and appropriate grounds maintenance during construction periods.
  33. Work crews will be courteous to visitors and refer visitor inquires to the appropriate Park or Permittee (or contractor/subcontractor) supervisory personnel so that the inquiry is answered promptly. Flaggers and traffic control personnel shall be instructed as to the proper interaction with visitors.
  34. All injuries to Park employees, construction workers or visitors and property damage must be reported to the Park's POC. The Permittee must assist in any investigations pertaining to injuries, property loss, or activities occurring at the site and associated with the Project.
  35. All construction vehicles will be pressure cleaned with water prior to arriving at and departing from the construction site to minimize the potential for introducing exotic plant species. North Carolina Highway 12 will be kept clean and free from debris associated with Project activities.
  36. Safety fences and signs will exclude Park visitors from construction and access areas, and other appropriate signage will provide general information to the public about the Project. The Permittee will maintain fences

- and signs in good repair during the Project and will promptly remove them following completion of the Project.
37. From May 1 through November 15, all lighting associated with the Project shall be limited to the immediate area of active construction only and shall be the minimal lighting necessary to comply with safety requirements. Only lights approved in the Biological Opinion and subsequent Section 7 consultations are required to minimize illumination of the nesting beach and nearshore waters. Lighting on offshore equipment shall be minimized through reduction, shielding, lowering, and appropriate placement of lights to avoid excessive illumination of the water, while meeting all U.S. Coast Guard and Occupational Safety and Health Administration requirements. Shielded low pressure sodium vapor lights are highly recommended for lights on offshore equipment that cannot be eliminated, but any lighting type listed in the Biological Opinion or approved at subsequent Section 7 consultations may be used.
  38. The U.S. Fish and Wildlife Service, at the request of the U.S. Army Corps of Engineers, the Federal Highway Administration or the Permittee, has issued Biological Opinions (BOs) from time to time pertaining to the Project, the maintaining of navigable channels and/or highways at Oregon Inlet and other similar matters. While operating under this permit, the Permittee is required to fully comply with all terms and conditions of any BOs applicable to its work and operations in the Park.
  39. An agreement between the Permittee and the Park has been implemented regarding a mitigation plan for wetlands disturbed or eliminated as a result of the Project. It is agreed by the Permittee that the mitigation plan will by this reference, be incorporated herein as if fully rewritten here. It is further agreed by the Permittee that all environmental compliance requirements incumbent on the Park pursuant to such mitigation will be accomplished by the Permittee at its expense, to the satisfaction of the Park and that the mitigation will be scheduled or well underway before construction commences under this Permit or be implemented under a schedule otherwise agreed to between the Permittee and the Park based on site conditions after the start date of this Permit.
  40. The Permittee and the Park agree that upon completion of the Project, the Permittee shall restore all Park land affected by the Project to the entire satisfaction of the Superintendent as set out in Paragraph 51 below before the Park executes and delivers to the Permittee a final Highway Easement Deed, which will convey a non-exclusive easement for highway purposes. The Permittee and the Park agree that, during and /or at the conclusion of the Project, written modifications and corrections may be made to the HED to reflect "as built" dimensions or other changes agreed to by both parties.
  41. The Park and the Permittee have considered the Project's possible impacts on the septic facilities/treatment field currently serving the Oregon Inlet Fishing Center and the waste station. The Permittee believes that it can avoid impacting the septic waste system, thereby avoiding the need to relocate the system. However, the Permittee agrees that if during the Project it does in fact impact the septic waste system, then the Permittee will immediately restore the system to full operational capacity and maintain such system fully operational until the Permittee can relocate the septic facilities/treatment field and waste station to a site acceptable to the Park at the Permittee's expense. It is further agreed by the Permittee that all environmental compliance requirements incumbent on the Park related to such relocation will be accomplished by the Permittee at its expense and to the satisfaction of the Park. The limits for the septic facilities/treatment field are considered to be as previously delineated in the field and as shown on plans provided to the Park by the Permittee. The septic facilities/treatment field will be staked by the Permittee 45 days before commencement of on-the-ground work on the Project.
  42. For the duration of the Project, the Permittee will provide a boat and operator to allow the Park's staff to monitor breeding and overwintering protected species on federal lands adjacent to the B-2500 (Phase I) bridge replacement project. The Permittee will provide this service when requested, but no more than once per week at pre-agreed times for up to two hours per trip. Park staff will be transported as close to the subject areas as possible but due to shallow conditions some wading may be necessary.
  43. The Permittee will provide an additional motor vehicle/pedestrian ramp access from Highway 12 or the

modification to an existing ramp to the ocean beach north of Ramp 4 to mitigate impact on visitors' access to the beach caused by the Project. The National Park Service will choose the location of the ramp and has generated the appropriate environmental document, and Environmental Analysis dated June 2013. The Permittee will consult with the Park before beginning design of ramp and adjacent parking lot which designs and resulting plans must be approved by the Park as consistent in design and construction to other existing Park ramps and parking lots. Permittee will acquire the appropriate permits, and will construct the access ramp and parking lot. It is further agreed by the Permittee that any additional environmental compliance related to such access ramp and parking lot will be accomplished by the Permittee at its expense and to the satisfaction of the Park. Ramp 4 vehicular access shall be maintained at all times.

44. If Permittee's activities under this Permit disturb or may disturb park resources or impede visitors' enjoyment of the Park as determined by the Park, in a manner not already environmentally compliant (that is permitted and analyzed under NEPA), the Permittee will be responsible for satisfying any Park requirements for environmental compliance, including, but not limited to environmental analysis, documentation and permitting and will take necessary steps to mitigate or terminate such activities and the resulting impacts. The resources and costs required to accomplish these requirements shall be borne by the Permittee.
45. The Park publishes annually its Hurricane Plan which outlines the steps to be taken by the Park and its concessioners and permit holders under certain storm events designated "Incidents." The Permittee and its contractors, subcontractors and agents must review the plan when issued, abide by its terms and conditions during an Incident, and follow all directives issued by the Incident Command. During an evacuation of the Park, the Permittee will assist the Incident Commander in carrying out the Hurricane Plan and will involve its contractors, subcontractors, and agents as necessary.
46. To the extent that work undertaken under this Permit is performed by persons or entities other than the Permittee's employees or those under direct charge of the Design Build Team, the Permittee shall require such person or entity to:
  - Fully comply with the terms and conditions of this Permit.
  - Procure public and employee liability insurance from a responsible company or companies with an aggregated limitation of Three Million Dollars (\$3,000,000) for any number of claims arising from any one incident. The policies shall name the United States as an additional insured, shall specify that the insured shall have no right of subrogation against the United States for payments of any premiums or deductibles due thereunder, and shall specify that the insurance shall be assumed by, be for the account of, and be at the insured's sole risk. Prior to beginning the Project authorized herein and annually thereafter, the Permittee shall provide the Park written confirmation of such insurance coverage.
  - Pay the United States the full value for all damages to the lands or other property of the United States caused by the said person or organization, its representatives, or employees.
  - Indemnify, save and hold harmless, and defend the United States against all fines, claims, damages, losses, judgments, and expenses arising out of, or from, any omission or activity of the said person or organization, its representatives, or employees.
47. Mining and/or removal of natural substances such as sand and gravel is prohibited. Digging, excavation work, and fill work during the construction process, other than that shown on the approved construction plans, will only be permitted with the express written consent of the Superintendent under a plan developed and written by the Permittee and approved by the Superintendent.
48. The Permittee shall abide by and ensure that all personnel at the site abide by the rules and regulations of the Park now existing or subsequently promulgated and pertaining to the Cape Hatteras National Seashore.
49. The Permittee agrees to do everything reasonably within its power, both independently and on request of the Superintendent, including making available such construction and maintenance forces as may be reasonably obtainable, to prevent and suppress fires resulting from the Permittee's activities, materials or equipment on and adjacent to the site.
50. That in the construction, operation, and maintenance of the project, the permittee shall not discriminate

against any employee or applicant for employment because of race, creed, color, or national origin and shall require an identical provision to be included in all contracts and subcontracts pertaining to the project.

51. Upon the completion of the construction of the new bridge NCDOT Highway Project TIP B-2500 (Phase 1), the permittee shall decommission the construction site, remove all trash, equipment and materials not necessary for the decommissioning of the original Bonner Bridge, and restore the area to parkland. Restoration of the site will include, but not be limited to: grading, smoothing, filling, and restoring native vegetation. Simultaneous with such restoration, the Permittee will begin the demolition of the original Bonner Bridge according to plans approved by the Park (Demolition Plans) and shall restore the site to parkland with compatible landscaping to the entire satisfaction of the Superintendent or his designee. Except for the portion of the existing bridge which will remain after the Project as a remnant, all bridge and highway structures, substructures, improvements, and man-made surfaces shall be removed to the extent practicable and as outlined in the Demolition Plans. Restoration of any damaged areas will include but not be limited to: grading, smoothing, filling, and restoring native vegetation. Restoration shall attain conditions in the subject areas that are equivalent to natural, undisturbed conditions. As part of its restoration program, the Permittee will conduct a hazardous materials site survey and be responsible for any associated clean-up or mitigation costs and actions as a result of such survey.
52. Following such deconstruction and restoration, the NCDOT and/or the State of North Carolina shall release to the United States of America (or a designated agency thereof) any and all further use and interest in the easement identified as "Released Easement" in the HED referenced above in Paragraph 40.

**This Permit may be revoked at the discretion of the Superintendent without compensation to the Permittee or liability to the United States.**



# General Activities Special Use Permit Application

OMB Control # 1018-0102  
Expiration Date: 06/30/2017

Refuge:

Address:

Attn: (Refuge Official)

E-Mail:

Phone #:

**For Official Use Only:**

Permit #:

Station #:

Permit Term: from  to

Refuge Manager Approval:

**Note: We do not require all information for each use. See instructions at the end of the notice and contact the refuge identified above to determine applicability of a particular item. Attach additional sheets to the application if the text spaces provided are inadequate.**

1) Identify the type of Permit you are applying for: New  Renewal  Modification  Other

## Applicant Information

2) Full Name:  3) Organization:

4) Street Address:

5) City/State/Zip:

6) Phone #:  7) Fax #:

8) E-mail:

9) List known assistants/subcontractors/subpermittees: (Only required if the assistants/subcontractors/subpermittees will be operating on the refuge without the permittee being present.)

| Name/Business          | Address  | Phone #        |
|------------------------|--|----------------|
| PCL Civil Constructors | 801 Corporate Center Drive, Suite 130, Raleigh, NC 27607 | (919) 859-5210 |
|                        |  |                |
|                        |  |                |
|                        |  |                |

## Activity Information

10) Activity type:  Event  Wood Cutting  Group Visit  Educational Activity  
 Cabin/Subsistence Cabin  Other

**Note: Depending on the activity for which you are requesting a permit, we may ask you for the following activity information. Please contact the specific refuge where the activity is being conducted to determine what information is required.**

11) Specifically identify timing, frequency, and how the activity is expected to proceed:

The N. C. Department of Transportation is proceeding with contractual work to replace the existing Bonner Bridge (B-2500) over Oregon Inlet. Construction activities for the bridge replacement project will begin in late 2015 and will likely continue until December 31, 2019. Once construction is fully underway, construction activities will occur 7 days per week and 24 hours per day. The southern end of the bridge will make landfall on Pea Island National Wildlife Refuge. All construction activities will occur within the NCDOT right-of-way (ROW) or temporary construction easements as described in the 2015 ROW easement.

12) Activity/site occupancy timeline: (Specifically identify beginning and ending dates, site occupation timeline, hours, clean-up, and other major events.)

NCDOT and their contractors will be onsite from October, 2015 through completion of construction estimated to be December 31, 2019. Crews will be working in shifts 24 hours per day and 7 days per week.

13) Expected number of participants, if applicable: Children (1-18 )  Adults  Total

14) Grade level of educational group, if applicable: Grade

15a) Will staff time/assistance be required for group activities? Yes  No  N/A

15b) If yes, what's the anticipated time frame?

16a) Plan of Operation required? Yes  No  N/A  16b) Plan of Operation attached? Yes  No

17) Specifically identify location(s): (GPS location(s) preferred)

The Bonner Bridge replacment project will span Oregon Inlet from the southern end of Bodie Island to the northern end of Hatteras Island. The southern terminus of the bridge is on Pea Island National Wildlife Refuge.

18a) Is map of location(s) required? Yes  No  N/A

18b) Is map of location(s) attached? Yes  No

### Insurance Coverage/License/Certifications/Permits

**Note: Contact the specific refuge headquarters office where the activity is going to be conducted to determine if any type of insurance, certification(s), or permit(s) will be required. We may process this Special Use Permit while the applicant obtains them.**

19) List any **insurance coverage** you have such as general liability, aviation, grounding liability, contaminants applicator, medical evacuation, or others, if required:

| Insurance Type | Carrier Name | Policy Number | Copy Attached?<br>Yes or No |
|----------------|--------------|---------------|-----------------------------|
| N/A            |              |               |                             |
|                |              |               |                             |
|                |              |               |                             |
|                |              |               |                             |

20) Identify licenses, certifications, and permits, if required:

| License/Certification/Permit Type                       | Number (if applicable) | Issued to: | Copy Attached?<br>Yes or No |
|---|------------------------|------------|-----------------------------|
| (Various permits from other federal and state agencies) |                        |            |                             |
|   |                        |            |                             |
|   |                        |            |                             |
|   |                        |            |                             |

## Logistics and Transportation

**Note: Not all information is required for each use. Please contact the specific refuge where the activity is being conducted to determine what information is required. Attach additional sheets to the application if the text spaces provided are inadequate.**

21) Does activity require personnel to stay overnight onsite? Yes  No

22) List names of personnel involved:

| List Names  | List Names | List Names |
|---|------------|------------|
| Various NCDOT and contractor employees on 24 hr work shifts |            |            |
|   |            |            |
|   |            |            |
|   |            |            |

23) Specifically describe all major equipment/gear and materials used, if required:

Any and all equipment normally associated with bridge construction over water and land, including welders and cutting torches.

24a) Provide detailed information on the logistics for onsite, intersite, and/or ship-to-shore transportation to or on the refuge, if required:

Standard NCDOT and contractor vehicles including transport trucks and barges hauling for supplies and materials.

24b) Provide descriptions, license plate, or I.D. numbers of vehicles used for onsite, intersite, and/or ship-to-shore transportation, if required:

| Type of transportation<br>(onsite, intersite, or ship-to-shore) | Equipment Type | License/I.D./Registration Numbers |
|---|----------------|-----------------------------------|
| Various types of transportation and construction equipment.     |                |                                   |
|   |                |                                   |
|   |                |                                   |
|   |                |                                   |
|   |                |                                   |
|   |                |                                   |

25) Specifically describe onsite work and/or living accommodations:

Construction crews will likely be working 24 hours per day and 7 days per week in shifts. There will be no living accommodations on the Refuge beyond trailer offices, port-a-jons, and storage sheds.

26) Specifically describe onsite hazardous material storage or other onsite material storage space:

Hazardous materials on the project site will mostly include diesel fuel and hydraulic fluids. The NCDOT contract requires strict compliance with all OSHA as well as all other health and safety standards at all times. Containers with hazardous materials will be removed from the Refuge prior to significant storms such as hurricanes, tropical storms, or other storm events that could result in flooding or damage to the construction area..

Sign, date, and print this form and return it to the refuge for processing.

30) Signature of Applicant: 

Date of Application: Nov. 5, 2015

(NOTE: The items under the "Notice" and "General Conditions and Requirements" are incorporated into the Special Use Permit form at the OMB level and cannot be modified without proper notice, review, and Solicitor approval. Allow a minimum of 4-6 weeks for this process.)

### Notice

In accordance with the Privacy Act (5 U.S. C. 552a) and the Paperwork Reduction Act (44 U.S. C. 3501), please note the following information:

1. The issuance of a permit and collection of fees on lands of the National Wildlife Refuge System are authorized by the National Wildlife Refuge System Administration Act (16 U.S. C. 668dd-ee) as amended, and the Refuge Recreation Act (16 U.S. C. 460k-460k-4).
2. The information that you provide is voluntary; however submission of requested information is required to evaluate the qualifications, determine eligibility, and document permit applicants under the above Acts. It is our policy not to use your name for any other purpose. The information is maintained in accordance with the Privacy Act. All information you provide will be considered in reviewing this application. False, fictitious, or fraudulent statements or representations made in the application may be grounds for revocation of the Special Use Permit and may be punishable by fine or imprisonment (18 U.S.C. 1001). Failure to provide all required information is sufficient cause for the U.S. Fish and Wildlife Service to deny a permit.
3. No Members of Congress or Resident Commissioner shall participate in any part of this contract or to any benefit that may arise from it, but this provision shall not pertain to this contract if made with a corporation for its general benefit.
4. The Permittee agrees to be bound by the equal opportunity "nondiscrimination in employment" clause of Executive Order 11246.
5. Routine use disclosures may also be made: (a) to the U.S. Department of Justice when related to litigation or anticipated litigation; (b) of information indicating a violation or potential violation of a statute, rule, order, or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order, or license; (c) from the record of the individual in response to an inquiry from a Congressional office made at the request of the individual (42 FR 19083; April 11, 1977); and (d) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal Claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department (48 FR 54716; December 6, 1983).
6. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. This information collection has been approved by OMB and assigned control number 1018-0102. The public reporting burden for this information collection varies based on the specific refuge use being requested. The relevant public reporting burden for the General Use Special Use Permit Application form is estimated to average 30 minutes per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Comments on this form should be mailed to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042-PDM, Arlington, Virginia, 22203.

### General Conditions and Requirements

1. **Responsibility of Permittee:** The permittee, by operating on the premises, shall be considered to have accepted these premises with all facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. The permittee will fully repay the Service for any and all damage directly or indirectly resulting from negligence or failure on his/her part, and/or the part of anyone of his/her associates, to use reasonable care.
2. **Operating Rules and Laws:** The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to the operations under the permit as well as all Federal laws, rules, and regulations governing national wildlife refuges and the area described in this permit. The permittee shall comply with all instructions applicable to this permit issued by the refuge official in

charge. The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.

3. Use Limitations: The permittee's use of the described premises is limited to the purposes herein specified and does not, unless provided for in this permit, allow him/her to restrict other authorized entry onto his/her area; and permits the Service to carry on whatever activities are necessary for: (1) protection and maintenance of the premises and adjacent lands administered by the Service; and (2) the management of wildlife and fish using the premises and other Service lands.
4. Transfer of Privileges: This permit is not transferable, and no privileges herein mentioned may be sublet or made available to any person or interest not mentioned in this permit. No interest hereunder may accrue through lien or be transferred to a third party without the approval of the Regional Director of the Service and the permit shall not be used for speculative purposes.
5. Compliance: The Service's failure to require strict compliance with any of this permit's terms, conditions, and requirements shall not constitute a waiver or be considered as a giving up of the Service's right to thereafter enforce any of the permit's terms or conditions.
6. Conditions of Permit not Fulfilled: If the permittee fails to fulfill any of the conditions and requirements set forth herein, all money paid under this permit shall be retained by the Government to be used to satisfy as much of the permittee's obligation as possible.
7. Payments: All payment shall be made on or before the due date to the local representative of the Service by a postal money order or check made payable to the U.S. Fish and Wildlife Service.
8. Termination Policy: At the termination of this permit the permittee shall immediately give up possession to the Service representative, reserving, however, the rights specified in paragraph 11. If he/she fails to do so, he/she will pay the government, as liquidated damages, an amount double the rate specified in this permit for the entire time possession is withheld. Upon yielding possession, the permittee will still be allowed to reenter as needed to remove his/her property as stated in paragraph 11. The acceptance of any fee for the liquidated damages or any other act of administration relating to the continued tenancy is not to be considered as an affirmation of the permittee's action nor shall it operate as a waiver of the Government's right to terminate or cancel the permit for the breach of any specified condition or requirement.
9. Revocation Policy: This permit may be revoked by the Regional Director of the Service without notice for noncompliance with the terms hereof or for violation of general and/or specific laws or regulations governing national wildlife refuges or for nonuse. It is at all times subject to discretionary revocation by the Director of the Service. Upon such revocation the Service, by and through any authorized representative, may take possession of the said premises for its own and sole use, and/or may enter and possess the premises as the agent of the permittee and for his/her account.
10. Damages: The United States shall not be responsible for any loss or damage to property including, but not limited to, growing crops, animals, and machinery or injury to the permittee or his/her relatives, or to the officers, agents, employees, or any other who are on the premises from instructions or by the sufferance of wildlife or employees or representatives of the Government carrying out their official responsibilities. The permittee agrees to save the United States or any of its agencies harmless from any and all claims for damages or losses that may arise to be incident to the flooding of the premises resulting from any associated Government river and harbor, flood control, reclamation, or Tennessee Valley Authority activity.
11. Removal of Permittee's Property: Upon the expiration or termination of this permit, if all rental charges and/or damage claims due to the Government have been paid, the permittee may, within a reasonable period as stated in the permit or as determined by the refuge official in charge, but not to exceed 60 days, remove all structures, machinery, and/or equipment, etc. from the premises for which he/she is responsible. Within this period the permittee must also remove any other of his/her property including his/her acknowledged share of products or crops grown, cut, harvested, stored, or stacked on the premises. Upon failure to remove any of the above items within the aforesaid period, they shall become the property of the United States.

Alligator River National Wildlife Refuge  
Pea Island National Wildlife Refuge



**CONDITIONS FOR SPECIAL USE PERMITS & AUTHORIZED ACTIVITIES**

**Special Use Permit #: 2015-007 Bonner Bridge Replacement (B-2500)**

1. The Permittee or authorized person, and all officers, agents, employees, representatives, and clients of the Permittee or authorized person, shall comply with all Refuge, Federal, State, and local regulations and conditions that apply to the special use activity. Failure to comply with any applicable regulation or condition, and all Federal laws, rules, and regulations governing National Wildlife Refuges and the area described in the Special Use Permit (Permit) or authorizing documents may result in revocation of the Permit or authorized activity and/or criminal prosecution.
2. While engaged in a special use activity on the Refuge, the Permittee or authorized person, and his/her officers, agents, employees, or representatives, shall be in possession of a **copy** of the Permit or authorizing documents (including all attachments that contain conditions) and shall, upon request by an authorized Refuge official or by any authorized local, state, or federal law enforcement officer, display the **copy** authorizing their presence and activity on the Refuge and shall furnish any other licenses and identification documents as may be requested.
3. Entry on the Refuge during nighttime hours (i.e., ½-hour after sunset to ½-hour before sunrise) is prohibited, **unless authorized in writing by the Refuge Manager.**
4. It is unlawful to disturb, destroy, injure, collect, or take any wildlife, plant, natural object, mineral, cultural or historical feature, or public property on the Refuge, **unless authorized in writing by the Refuge Manager.**
5. Wildlife shall not be harmed or harassed and disturbance shall be kept to a minimum, this includes all snakes (poisonous and non-poisonous snakes), **unless authorized in writing by the Refuge Manager.**
6. The Refuge Manager should be contacted **immediately** at (252) 473-1132 upon discovery of any **wildfire**, or any leak, spill, or break in a pipeline, power line, canal, or dike, or any other accident or incident that has the potential to have an adverse impact on the soil, wildlife, or plants in the area. Any unusual wildlife sightings or suspected illegal activities should be reported to the Refuge Manager.
7. Any accident that results in a personal injury (**i.e., an accident that requires professional medical treatment**) shall be reported to the Refuge Manager within 24 hours of the accident.
8. All **locked** Refuge gates shall be closed and locked upon entering and leaving Refuge property. Refuge gates should be left the way they are found (i.e., open, closed, either locked or unlocked as the case may be).

9. Vehicle travel shall only be on designated roads or routes of travel, **unless authorized in writing by the Refuge Manager**. Vehicles, boats, trailers, and other equipment shall be parked in such a manner that **roads and trails, including canoe trails and navigable waters, are not to be blocked**. Roads and trails need to be accessible to other Refuge visitors and to Refuge staff, cooperative farmers, fire trucks, emergency vehicles, maintenance equipment, and law enforcement patrols.
10. Vehicles with catalytic converters shall be restricted to paved roads, recently maintained gravel or dirt roads, or bare soil areas because of the high fire potential. Vehicles with catalytic converters shall not be parked over high vegetation or other fire hazardous materials.
11. Refuge gate or building keys **shall not be loaned** to other agencies, companies, or persons. If there is a need for access by other persons, please have them contact the Refuge Manager. All Refuge keys shall be returned to the Refuge Manager, or a designated staff member, within 10 calendar days, after expiration or termination of the Permit or authorized activity.
12. All dogs (or any other pet) must be confined or on a leash while on the Refuge, **unless authorized in writing by the Refuge Manager**. Leashed pets must be under the immediate control of the Permittee or authorized person, or the leash must be secured to a stationary object. The leash shall not be in excess of 10 feet in length.
13. Possession or use of firearms, air guns, bows and arrows, cross bows, spears, or gigs; or illegal knives, weapons, or devices; or explosives of any type is prohibited on the Refuge when engaged in a special use activity, **unless authorized in writing by the Refuge Manager**.
14. Littering is prohibited. **All** materials brought into the Refuge shall be removed and properly disposed. Drink cans, bottles, candy wrappers, toilet paper, and other garbage and refuse shall not be left on the Refuge.
15. The Refuge Manager shall be contacted **before** any surface work is done. This includes mowing, road or trail improvements, digging, clearing or trimming of brush or vegetation, installation of structures, etc.
16. The use of herbicides and pesticides on Refuge property is prohibited, **unless authorized in writing by the Refuge Manager**. Unrestricted, over-the-counter-type, insect repellents may be used on or near the body and clothing to repel biting or stinging insects.
17. No permanent or semi-permanent markings shall be made on any Refuge building, structure, gate, post, sign, fence, tree, vegetation, or soil by either marking, painting, cutting, scratching, blazing, mowing, digging, or other destructive method, **unless authorized in writing by the Refuge Manager**. When needed, only temporary, removable markers (e.g., flagging tape, survey stakes, metal/paper/plastic tags, etc.) shall be used to mark site locations, plots, etc. Safety signs,

informational signs, and any other signs required by law or regulation for the special use activity being conducted, shall be posted as required, **but only with prior authorization by the Refuge Manager.** All markers and signs shall be removed upon conclusion of the special use activity or upon expiration or termination of the Permit.

18. The use or possession of traps, snares, or other passive (i.e., unattended) collection devices, which are used to collect wildlife, is prohibited, **unless authorized in writing by the Refuge Manager.** Each individual trap, snare, or passive collection device shall have a weather-resistant, permanent tag attached with the Permittee's, authorized person's, and/or organization's name legibly marked on the tag **or** shall have the Permittee's, authorized person's, and/or organization's name legibly marked, imprinted, or engraved on the trap, snare, or device.
19. No permanent or semi-permanent fences, buildings, shelters, docks, piers, or other structures or facilities may be erected, built, or placed on the Refuge, **unless authorized in writing by the Refuge Manager.** No machinery, equipment, supplies, or materials may be placed or stored on the refuge, **unless authorized in writing by the Refuge Manager.**
20. All open fires are prohibited, **unless authorized in writing by the Refuge Manager.** Leaving an **authorized** open fire unattended or not completely extinguished is prohibited. Setting on fire or causing to be set on fire any timber, brush, grass, or other inflammable material, including camp or cooking fires, is prohibited, **unless authorized in writing by the Refuge Manager.** The use of cutting torches, arc welders, or any other open flame/sparking devices (which are required to conduct the special use activity) shall be exercised with caution and **only with prior authorization from the Refuge Manager or Refuge Fire Management Officer.** When use of these devices is necessary, the operator(s) shall have **immediate access to appropriate fire control equipment** (e.g., fire extinguishers, shovels, etc.) and **immediate communication access to local emergency services** (e.g., cellular telephone, two-way radio, etc.). Tobacco smokers shall practice caution when smoking; shall completely extinguish all matches, cigars, cigarettes, and pipes; and shall dispose of same in a proper container (e.g., a vehicle ash tray).
21. This Special Use Permit authorizes construction of the southern portion of the Herbert C. Bonner Replacement Bridge on the northern end of Pea Island National Wildlife Refuge.
22. All work for the bridge replacement project will be confined to the current right-of-way and temporary construction easements as described in the amended right-of-way easement signed by the Regional Director on July 10, 2015 and recorded on September 11, 2015.
23. There shall be strict compliance with the terms and conditions of this permit and the right-of-way easement signed by the Regional Director on July 10, 2015 and recorded on September 11, 2015.
24. Future modifications of this permit, if any, shall be subject to the approval of the Refuge Manager and could require approval by the Regional Director, depending upon the nature of the requested modification.