

**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action Id. SAW-2017-01617 County: Dare U.S.G.S. Quad: Hatteras (digital)

**GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION**

Permittee: NCDOT - Ferry Division  
Catherine Peele  
Address: 159 Lucinda Lane  
Powells Point, NC, 27966

Telephone Number: (252) 305-7288

Size (acres)	<u>4.1</u>	Nearest Town	<u>Hatteras</u>
Nearest Waterway	<u>Pamlico Sound</u>	River Basin	<u>Pamlico</u>
USGS HUC	<u>03020105</u>	Coordinates	Latitude: <u>35.207999</u> Longitude: <u>-75.702906</u>

Location description: The project area is within the Hatteras Ferry Terminal Basin located on NC Hwy 12 in Hatteras Village in Dare County, North Carolina.

Description of projects area and activity: The project involves mechanical dredging to remove 5158 cubic yards of accumulated sediment to impact 0.54 acres within existing Hatteras Ferry Basin as indicated in the project information submitted on August 25, 2017.

Applicable Law:  Section 404 (Clean Water Act, 33 USC 1344)  
 Sections 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number or Nationwide Permit Number: 35  
***SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND SPECIAL CONDITIONS***

**Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated August 25, 2017. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.**

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Elizabeth City, NC, at (252) 264-3901.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Kyle Barnes at (910) 251-4584 or Kyle.W.Barnes@usace.army.mil.

Corps Regulatory Official: \_\_\_\_\_ Date: September 14, 2017

Expiration Date of Verification: March 18, 2022

## Determination of Jurisdiction:

- A.  There are waters, including wetlands, on the above described project area that may be subject to Section 404 of the Clean Water Act (CWA) (33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction. Please note, if work is authorized by either a general or nationwide permit, and you wish to request an appeal of an approved JD, the appeal must be received by the Corps and the appeal process concluded prior to the commencement of any work in waters of the United States and prior to any work that could alter the hydrology of waters of the United States.
- B.  There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- C.  There are waters, including wetlands, within the above described project area that are subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- D.  The jurisdictional areas within the above described project area have been identified under a previous action. Please reference jurisdictional determination issued . Action ID: **SAW-** .

**Basis For Determination: The project area is part of the Pamlico Sound which is subject to the ebb and flow of tides and has been historically used to move trade and commerce.**

**Remarks: The project will be performed in accordance with the information provided in the PCN application.**

### E. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

### F. Appeals Information (This information applies only to approved jurisdiction determinations as indicated in B and C above).

This correspondence constitutes an approved jurisdiction determination for the above described site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers  
South Atlantic Division  
Attn: Jason Steele, Review Officer  
60 Forsyth Street SW, Room 10M15  
Atlanta, Georgia 30303-8801  
Phone: (404) 562-5137

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by  N/A .

\*\*It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.\*\*

Corps Regulatory Official: \_\_\_\_\_

**Kyle Barnes**

Date of JD: **September 14, 2017**

Expiration Date of JD: **September 14, 2022**

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 our Customer Satisfaction Survey, located online 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).

## **Special Conditions**

**This project shall incorporate the following special conditions.**

- 1) Turbidity curtain shall be utilized during the dredging to minimize uncaptured sediment from leaving the project area.**
- 2) NWP 35 also requires that you obtain any required CAMA permits in the 20 coastal counties and that construction activities may not commence for these projects until you obtain the required CAMA permit. Please provide the Corps w/a copy of the CAMA authorization for these projects, if applicable. The expiration date of these Nationwide Permits is March 18, 2022.**

Action ID Number: SAW-2017-01617 County: Dare

Permittee: NCDOT - Ferry Division  
Catherine Peele

Project Name: NCDOT Hatteras Basin Dredging

Date Verification Issued: September 14, 2017

Project Manager: Kyle Barnes

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT  
Attn: Kyle Barnes

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

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

Applicant: <b>NCDOT - Ferry Division</b> <b>Catherine Peele</b>	File Number: <b>SAW-2017-01617</b>	Date: <b>September 14, 2017</b>
--	------------------------------------	---------------------------------

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

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits.aspx> or Corps regulations at 33 CFR Part 331.

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

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

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

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

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

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

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

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

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

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

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

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

If you have questions regarding this decision and/or the appeal process you may contact:  
**District Engineer, Wilmington Regulatory Division, Attn: Kyle Barnes**  
**2407 West 5<sup>th</sup> Street**  
**Washington, North Carolina 27889**

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

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

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

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

**District Engineer, Wilmington Regulatory Division, Attn: Kyle Barnes, 2407 West 5<sup>th</sup> Street, Washington, North Carolina 27889**

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

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

## CAMA AUTHORIZATION

**From:** Daisey, Greg  
**Sent:** Thursday, September 7, 2017 8:37 AM  
**To:** Peele, Catherine D  
**Cc:** Brittingham, Cathy; Huggett, Doug; Ward, Garcy; Barnes, Kyle W CIV USARMY CESAW (US)  
**Subject:** RE: Hatteras Basin - Passenger Ferry Dredging

Cat –

The N.C. Division of Coastal Management (DCM) has reviewed the request from the NCDOT Ferry Division for approval to conduct maintenance dredging at the Hatteras Ferry Terminal in Dare County. The request was initially received by email on July 12, 2017, and an amended request with additional information was received on August 28, 2017 including a description of the dredging project with two (2) attached drawings (one dated July 6, 2017, and one dated August 22, 2017) depicting the two proposed areas to be dredged. NCDOT states that a proposed passenger ferry will begin operating in the late spring of 2018, providing a route from Hatteras to Silver Lake for walk on passengers. The new passenger ferry will need to be docked in the current basin and accumulated material (combined total of approximately 5,158 cubic yards) needs to be removed to allow for the passenger ferry to enter and exit the terminal safely.

NCDOT states the location does not have an upland disposal site or any other close disposal option for dredged material utilizing a pipeline dredge, therefore all dredge work will be contracted out and will not be completed by NCDOT forces. A long reach excavator from shore and/or a barge with a bucket type dredge is the equipment expected to be used to remove the accumulated sediment. Removed material will then be hauled off site and taken to a pre-approved location. A turbidity curtain will be installed around the project area.

Major Permit No. 224-87, which was issued on November 20, 1987, includes a maintenance clause. The maintenance clause allows NCDOT to conduct maintenance with proper notification.

This email serves as authorization from DCM to proceed with the proposed work, in accordance with the permit's maintenance clause. All conditions and stipulations of the active permit remain in force unless altered herein. Additional conditions related to this one-time methodology approval are as follows:

- All excavated materials shall be confined above mean high water and landward of regularly or irregularly flooded marsh behind adequate dikes or other retaining structures to prevent spillover of solids into any marsh or surrounding waters.
  - All dump trucks shall have sealed holding areas to prevent run-off of sediment/material during loading and transport.
- The temporary placement, storage, and/or double handling of any excavated material within the Estuarine Shoreline Area of Environmental Concern is not authorized.
  - The permittee and/or his contractor shall contact the N.C. Division of Coastal Management Transportation Project Coordinator in Elizabeth City to request a preconstruction conference prior to project initiation.



This email shall be attached to the original of Permit No. 224-87, as well as all subsequent minor modifications, letters of refinement, and renewals. Copies of all documents shall be readily available on site when a Division representative inspects the project for compliance.

If any aspect of this project should change from what was described and authorized, please call me before proceeding. Thanks for your time and contact me with any questions or concerns.

**Greg Daisey**

Transportation Projects Field Representative  
Division of Coastal Management  
North Carolina Department of Environmental Quality

252 264 3901, EXT. 249  
[Greg.Daisey@ncdenr.gov](mailto:Greg.Daisey@ncdenr.gov)

401 S. Griffin St., Suite 300  
Elizabeth City, NC 27909





ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

S. JAY ZIMMERMAN  
*Director*

September 12, 2017  
Dare County  
NCDWR Project No. 20170927  
Maintenance Dredging  
State Project No. 16.71001

**APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS**

Catherine Peele  
NCDOT, Ferry Division  
159 Lucinda Lane  
Powells Point, NC 27966

Dear Mrs. Peele:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of maintenance dredging at the Hatteras Ferry Terminal in Dare County:

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

Site	Excavation in Open Waters (ac)
Hatteras Ferry Basin	0.54

The project shall be constructed in accordance with your application dated received July 26, 2017 and amended application dated received August 25, 2017. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4095. This certification corresponds to the Nationwide Permit 35 issued by the Corps of Engineers. In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must 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 total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification(s) and any additional conditions listed below.

## Condition(s) of Certification:

### Project Specific Conditions

1. This approval authorizes the excavation of approximately 5,158 cubic yards of bottom material. This material shall be properly disposed of into an approved upland site. This site shall be identified and DWR notified prior to work commencing. [15A NCAC 02H.0506(b)(2)(3)]

### General Conditions

1. 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.
2. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
3. No rock, sand or other materials shall be dredged from the channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
4. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.[15A NCAC 02H.0506(b)(3) and (c)(3)]
5. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:
  - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
  - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
  - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
  - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
6. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]
7. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]
8. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]
9. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]

10. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
11. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]

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. Bill F. Lane, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center

This letter completes the review of the Division of Water Resources under Section 401 of the Clean Water Act. If you have any questions, please contact Garcy Ward at (252)946-6481 or [garcy.ward@ncdenr.gov](mailto:garcy.ward@ncdenr.gov).

Sincerely,



S. Jay Zimmerman, Director  
Division of Water Resources

Attachments (General Certifications and Certificate of Completion form)

Electronic copy only distribution:

Kyle Barnes, US Army Corps of Engineers, Washington Field Office  
Greg Daisey, DCM, Elizabeth City  
Cathy Brittingham, DCM, Raleigh  
Garcy Ward, NC DWR, Washington Regional Office  
File Copy



ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

S. JAY ZIMMERMAN  
Director

NCDWR Project No.: \_\_\_\_\_ County: \_\_\_\_\_

Applicant: \_\_\_\_\_

Project Name: \_\_\_\_\_

Date of Issuance of 401 Water Quality Certification: \_\_\_\_\_

**Certificate of Completion**

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return this certificate to the 401 Transportation Permitting Unit, North Carolina Division of Water Resources, 1617 Mail Service Center, Raleigh, NC, 27699-1617. This form may be returned to NCDWR by the applicant, the applicant's authorized agent, or the project engineer. It is not necessary to send certificates from all of these.

**Applicant's Certification**

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

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

**Agent's Certification**

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

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

**Engineer's Certification**

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

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

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

Date \_\_\_\_\_