

ENTERED  
7/6/14

## MINIMUM CRITERIA DETERMINATION CHECKLIST

The following questions provide direction in determining when the Department is required to prepare environmental documents for state-funded construction and maintenance activities. Answer questions for Parts A through C by checking either "Yes" or "No". Complete Part D of the checklist when Minimum Criteria Rule categories #8, 12(i) or #15 are used.

**TIP Project No.:**

State Project No: 38307

**Project Location:** Onslow County- At the intersection of Franck Street SR1308, and Wilmington Street SR1003, in Richlands.

**Project Description: Permit or Consultation Requirements:** Install a new CB on SR 1003 on top of existing 18" pipe. Install 2 new DI's on SR 1308 including 60'-12" RCP and, 27'-12" RCP. Two existing boxes, that will be removed and reworked to bring them to standards. Existing CB on SR 1003 at the intersection that will be removed and the existing 18" cross line extended to the DI that will become a traffic bearing JB with a manhole lid. The existing DI in the inbound lane to Richlands on SR 1308 will be removed and the pipe from there will either be plugged or removed. There will be some new C & G installed (125') from Driveway on SR 1003 to Driveway on SR 1308, along with new asphalt and striping as needed.

**Special Project Information:** Onslow Maintenance to do the boxes/pipe work. Asphalt, curb, striping will be handled by contract.

See notes on following page.  
-AW

**Project:** Onslow County, SR 1003 (Wilmington St.) at the corner of SR 1308 (Franck St.) – Create a turn radius per the plan sheet.

**WBS element:** 38307

Jurisdictional Resources: There are no jurisdictional resources in the vicinity of this project and therefore no permits are needed as there will be no impacts.

Cultural Resources: This project was reviewed and cleared by NCDOT's cultural resources staff in coordination with the State Historic Preservation Office (see attached forms). Richlands National Register Historic District is within the designated APE of the project. **No staging of construction equipment should occur within the historic district boundary (see color aerial map for blue, shaded district boundary). Also, if there are any changes to the project plans, further Historic Architecture review will be required before clearance is granted.**

BMPs: All applicable BMPs must be used before, during, and after construction.

Preconstruction Meeting: A preconstruction meeting with division environmental is NOT requested for this project. See note above regarding staging of equipment; any contractor should be made aware of this request.

**PART A: MINIMUM CRITERIA**

***Item 1 to be completed by the Engineer.***

- |  | YES                                 | NO                       |
|--|-------------------------------------|--------------------------|
| 1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is <u>not</u> required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the answer to number 1 is "no", then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category?      2

If either category #8, #12(i) or #15 is used complete Part D of this checklist.

**PART B: MINIMUM CRITERIA EXCEPTIONS**

***Items 2 – 4 to be completed by the Engineer.***

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

***Item 5-8 to be completed by Division Environmental Officer.***

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If any questions 2 through 8 are answered "yes", the proposed project may not qualify as a Minimum Criteria project. A state environmental assessment (EA) may be required. For assistance, contact:

Manager, Project Development and Environmental Analysis Branch  
P. O. Box 25201  
Raleigh, NC 27611  
(919) 733-3141  
Fax: (919) 733-9794

**PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS**

***Items 9- 12 to be completed by Division Environmental Officer.***

- |  | YES                      | NO                                  |
|--|--------------------------|-------------------------------------|
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

***Items 13 – 15 to be completed by the Engineer.***

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|

Cultural Resources

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an "effect" on a property or site listed on the National Register of Historic Places?                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Questions in Part "C" are designed to assist the Engineer and the Division Environmental Officer in determining whether a permit or consultation with a state or federal resource agency may be required. If any questions in Part "C" are answered "yes", follow the appropriate permitting procedures prior to beginning project construction.

**PART D: ( To be completed when either category #8, 12(i) or #15 of the rules are used.)**

*Items 16- 22 to be completed by Division Environmental Officer.*

- 16. Project length: 0.01
- 17. Right of Way width: 60'
- 18. Project completion date: ~~Fall 2015~~ SUMMER 2015
- 19. Total acres of newly disturbed ground surface: \_\_\_\_\_
- 20. Total acres of wetland impacts: \_\_\_\_\_
- 21. Total linear feet of stream impacts: \_\_\_\_\_
- 22. Project purpose: \_\_\_\_\_

If Part D of the checklist is completed, send a copy of the entire checklist document to:

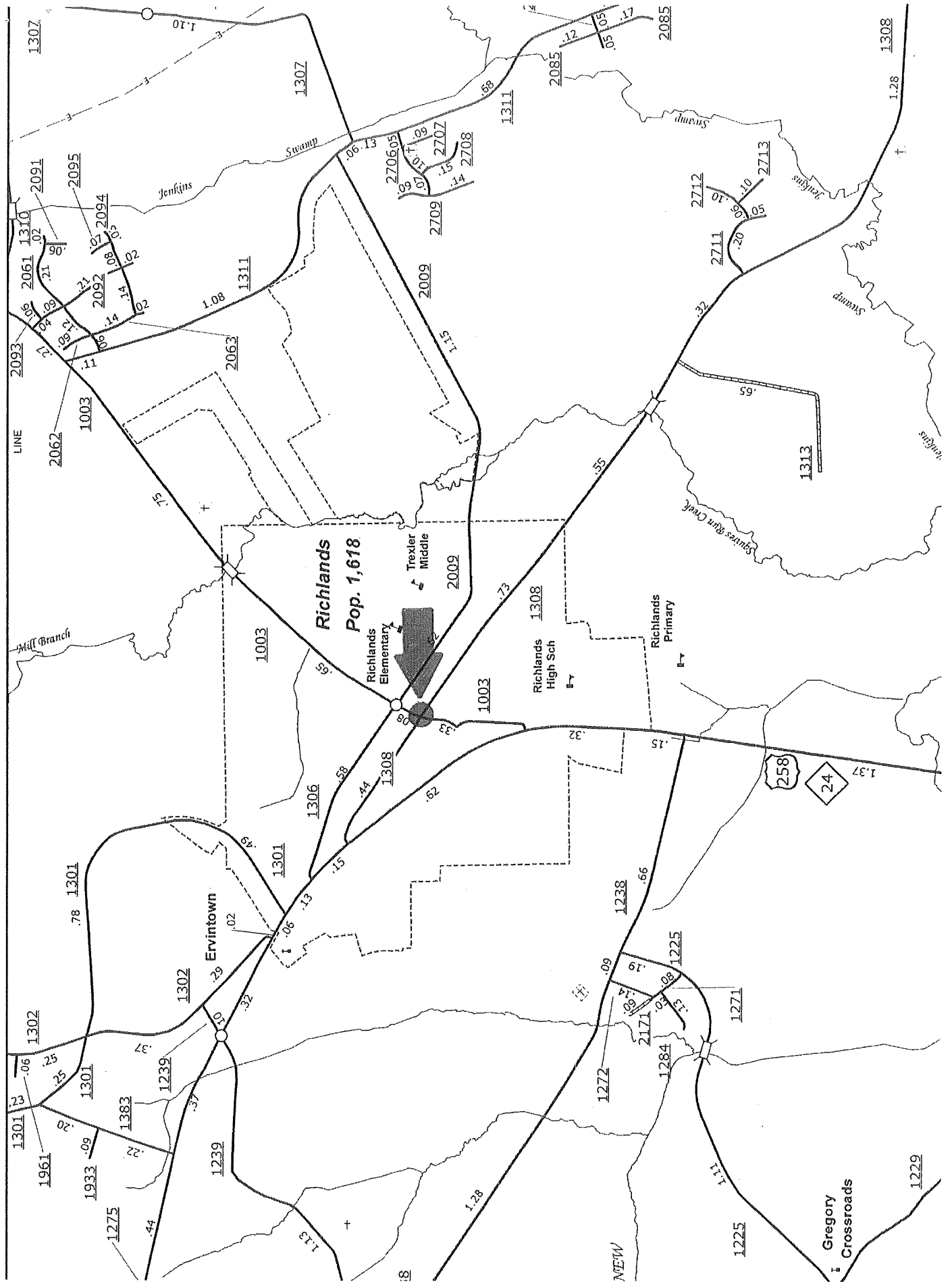
Don G. Lee  
State Roadside Environmental Engineer  
Mail Service Center 1557  
Raleigh, NC 27699-1557  
(919) 733-2920  
Fax (919) 733-9810  
Email: dlee@dot.state.nc.us

Reviewed by: *RaVann*  
Lead Engineer

Date: 6/3/14

*Amelise Westphal*  
Division Environmental Officer

Date: 7/29/2014



14-06-0028



## HISTORIC ARCHITECTURE AND LANDSCAPES NO HISTORIC PROPERTIES PRESENT OR AFFECTED FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

### PROJECT INFORMATION

|  |   |                        |  |
|--|---|------------------------|--|
| <i>Project No:</i>   |   | <i>County:</i>         | Onslow   |
| <i>WBS No.:</i>  | 38307   | <i>Document Type:</i>  | MCD Checklist  |
| <i>Fed. Aid No:</i>  |   | <i>Funding:</i>        | <input checked="" type="checkbox"/> State <input type="checkbox"/> Federal |
| <i>Federal Permit(s):</i>  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | <i>Permit Type(s):</i> |  |
| <b><i>Project Description:</i></b><br>Project located in Richlands, NC. Project is to provide a radius on SR 1003 (Wilmington St) for right hand turn movements onto SR 1308 (Franck St.). This will be delineated by a painted asphalt island (not raised) as shown on the plan sheet. Right-of-way will be acquired. Some drop inlets and pipe structures will be removed and some will be added, see plan sheet. There will be removal of existing asphalt (right-of-way to be acquired is an existing parking lot) and new asphalt. Some existing concrete curb will be removed and 125 feet added. State forces will do the boxes/pipe work while a contractor will do the asphalt, curb, and paint striping. Project length is approximately 250 feet on each side of the intersection. Proposed right-of-way to be added is 2,372.09 feet on each side. |   |                        |  |

### SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

- There are no National Register-listed or Study Listed properties within the project's area of potential effects.
- There are no properties less than fifty years old which are considered to meet Criteria Consideration G within the project's area of potential effects.
- There are no properties within the project's area of potential effects.
- There are properties over fifty years old within the area of potential effects, but they do not meet the criteria for listing on the National Register.
- There are no historic properties present or affected by this project. (Attach any notes or documents as needed.)

Date of field visit:

Description of review activities, results, and conclusions:

Review of HPO quad maps, HPOweb GIS mapping, historic designations roster, and indexes was conducted on 8/20/13. Based on this review, there are no DE, SL, LL or SS properties within the Area of Potential Effects (APE). There is one NR (National Register) property, the Richlands Historic District (ON0689). A southeastern corner of the district boundary is located within the project APE, however, according to project plans and Google Street View imagery, the project will not affect any historic properties or individual resources within the district. A ca. 20<sup>th</sup> century frame bungalow sits in this particular corner of the Richlands Historic District. Other properties nearby but not included within the district boundary are a mid-20<sup>th</sup> century brick former post office, a one-story masonry building that also looks to be mid-20<sup>th</sup> century, and a former art modern masonry building that looks to have been a former garage/mechanic shop or some type of automatic-industry building.

The project engineer has confirmed that there will be no tree removal no minimal to no effects from the right-of-way acquisition. Since sidewalks did not exist in the area acquired for right-of-way, pedestrian traffic will not be altered; pedestrians can continue to use the sidewalks on the opposite side of Wilmington St. Additionally, there is no granite curbing within the APE. No staging of construction equipment should occur within the historic district boundary.

Additionally, because this is a state funded project with no federal involvement, all environmental review requirements for historic properties have been satisfied per GS 121-12(a) regulations. Considering all these factors, NCDOT Historic Architecture makes a finding of "No Historic Properties Present/Affected" for this project.

If there are any changes to project plans, further Historic Architecture review will be required before clearance is granted.

**SUPPORT DOCUMENTATION**

Map(s)     Previous Survey Info.     Photos     Correspondence     Design Plans

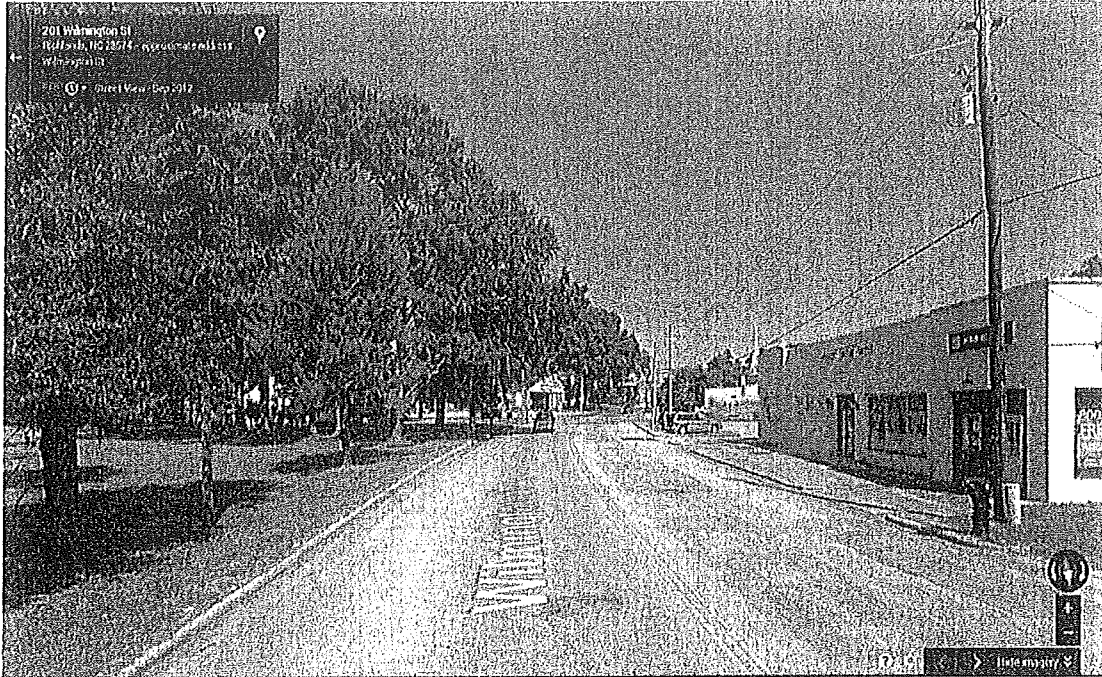
**FINDING BY NCDOT ARCHITECTURAL HISTORIAN**

Historic Architecture and Landscapes – NO HISTORIC PROPERTIES PRESENT OR AFFECTED

  
\_\_\_\_\_  
NCDOT Architectural Historian

7/28/14  
\_\_\_\_\_  
Date

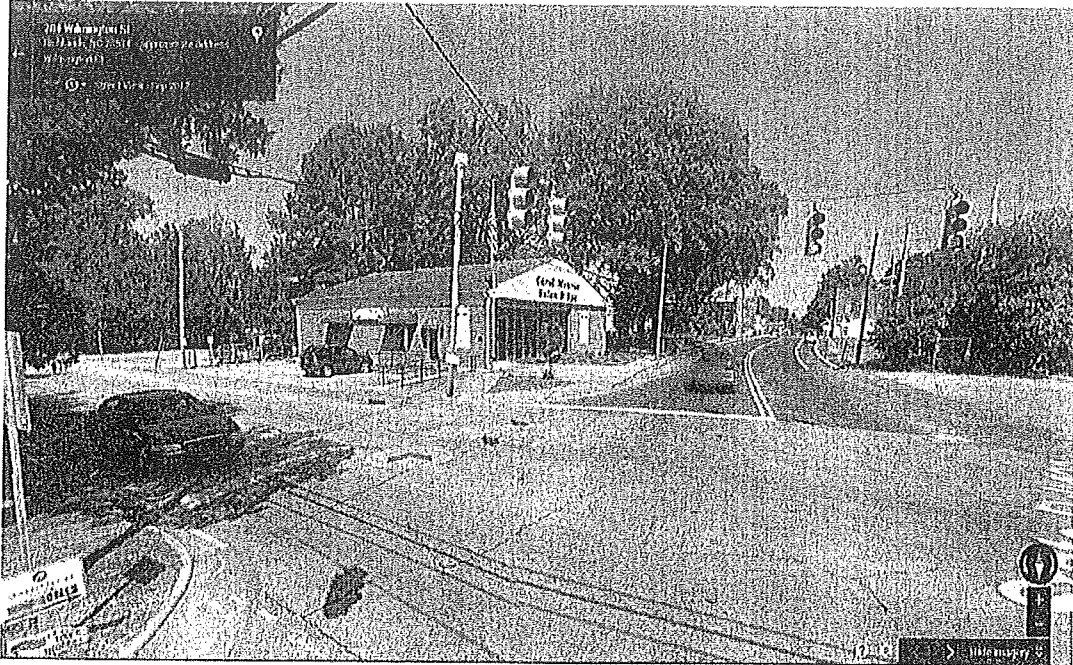




*Wilmington Street, facing north, Richlands, NC. Image courtesy of Google Street View.*



*Wilmington Street, facing east, Richlands, NC. Image courtesy of Google Street View.*



*Wilmington Street and Franck Street, facing north, Richlands, NC. Image courtesy of Google Street View.*

Privett, Megan N

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From: Whorton, Wayne W  
Sent: Monday, July 21, 2014 1:00 PM  
To: Privett, Megan N  
Cc: Westphal, Anneliese  
Subject: 14-08-0028 (WBS38307) Onslow County

Follow Up Flag: Follow up  
Flag Status: Flagged

Megan, I hope that this answers your questions about the above referenced Project, If not please feel free to contact me direct. There will be no tree removal due to right of way requirements. There should be no effects from the right of way acquisition. There are no sidewalks in the area where right of way was acquired so there was never any pedestrian traffic on that side. There is sidewalk on the opposite side of the road from the acquisition where the pedestrian traffic can continue to use. And yes you are correct in the fact that there is no granite curbing in this area. Everything there is concrete and will be replaced with concrete. Again if you need further information, please contact me. Wayne

Wayne Whorton  
Assistant District Engineer  
Division 3 District 1  
295 A Wilmington Highway  
Jacksonville, N.C. 28540  
Phone (910)346-2040  
Fax (910)346-8040

This communication and any files transmitted with it are subject to the FOIA. Records may and may be disclosed to third parties.

**Privett, Megan N**

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**From:** Westphal, Anneliese  
**Sent:** Tuesday, July 08, 2014 1:25 PM  
**To:** Privett, Megan N  
**Subject:** RE: Review for 14-06-0028 (Onslow Co)

Hi Megan,

I have asked the designer about the sidewalks. There are no trees in that corner, so that shouldn't be an issue. Also, I don't think that the project will technically extend into the HD boundary, but according to HPOWEB it certainly is just feet away.

I will let you know what he says about the sidewalks. The August 5th timeline sounds good. Thank you.

Anneliese

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**From:** Privett, Megan N  
**Sent:** Monday, July 07, 2014 1:08 PM  
**To:** Westphal, Anneliese  
**Subject:** Review for 14-06-0028 (Onslow Co)

Hi Anneliese,

I actually have a few questions about an Onslow County project for you as well. It's PA 14-08-0028 (WBS# 38307) and proposes the addition of right-hand turning movements onto SR 1308 (Franck St) in Richlands. Since it looks like the project will extend into the historic district boundary (?) and the project acquires right-of-way, I wanted to know if there will be any tree removal as well as any details you may know of regarding effects from right-of-way acquisition. Will sidewalks be affected? It doesn't look like there is any granite curbing so that is good- one less thing to worry about.

I may also put this one on the HPO meeting agenda for August 5.

Thank you,

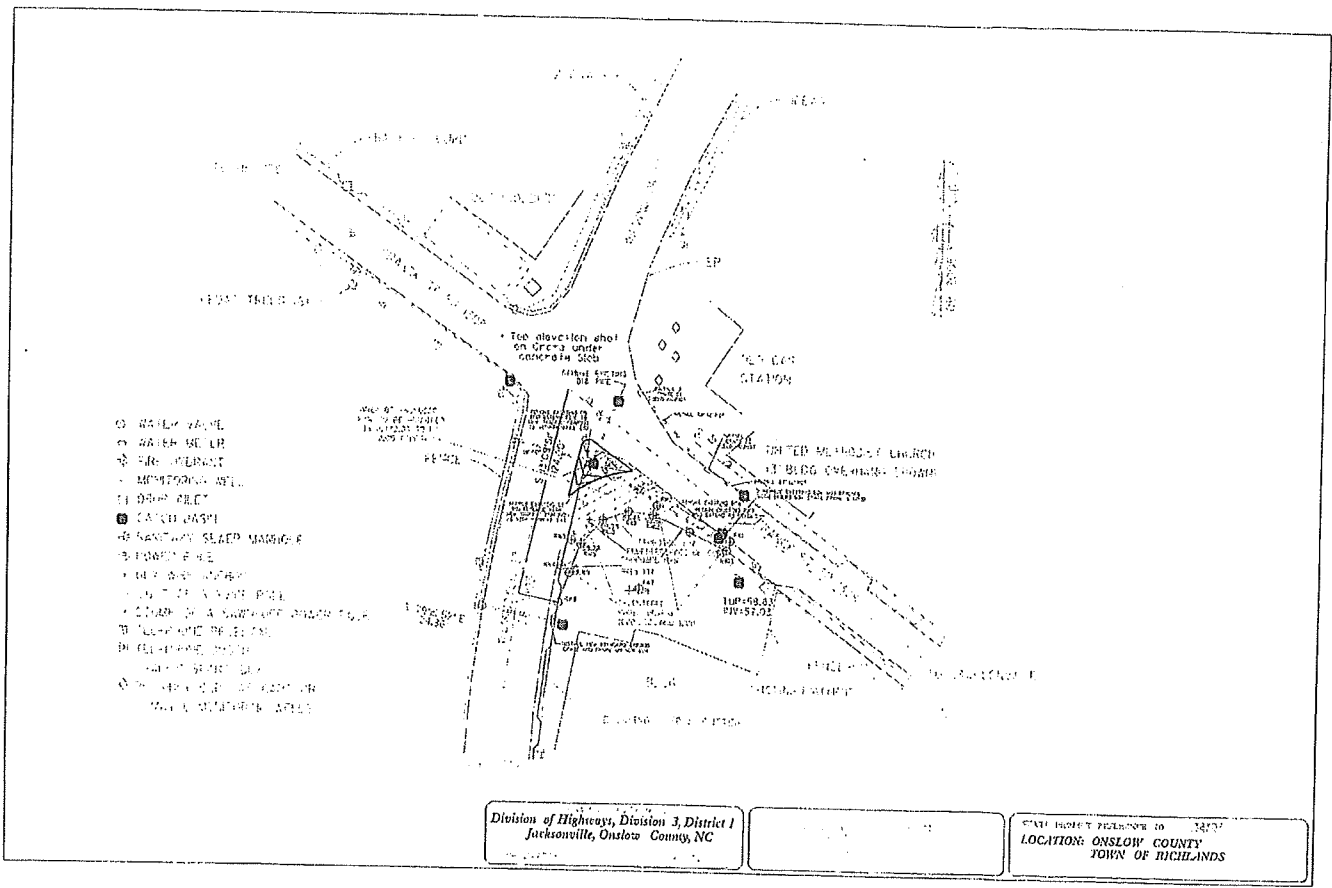
Megan N. Privett  
Architectural Historian  
PDEA, Human Environment Unit  
NC Department of Transportation  
919-707-6061  
[mnprivett@ncdot.gov](mailto:mnprivett@ncdot.gov)<<mailto:mnprivett@ncdot.gov>>

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- WATER MAIN
- WATER METER
- FIRE HYDRANT
- MANHOLE
- DEPTH MARK
- CATCH BASIN
- SANITARY SLATED MANHOLE
- FLOW METER
- AIR VALVE
- AIR VALVE BOX
- CLEANING A CURB OFF BRUSH
- TELEPHONE BOX
- TELEPHONE MOUNT
- TELEPHONE POLE
- TELEPHONE CABLE
- TELEPHONE WIRE

Division of Highways, Division 3, District 1  
 Jacksonville, Onslow County, NC

STATE PROJECT NUMBER IS 12157  
 LOCATION: ONSLOW COUNTY  
 TOWN OF RICHLANDS

14-06-0028



## NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Group.



### PROJECT INFORMATION

Project No: SR1003/SR1308 County: Onslow  
 WBS No: 38307 Document: MCS  
 F.A. No: n/a Funding:  State  Federal

Federal Permit Required?  Yes  No Permit Type:

*Project Description: The project location is in Richlands, NC. This work will provide a radius on (northbound) SR1003 for right hand turn movements onto SR1308 (Franck St.). This will be delineated by a painted asphalt island (not raised) as shown on the plan sheet. ROW will be acquired (2372.09ft<sup>2</sup>). Some drop inlets and pipe will be removed and some will be added; see plan sheet. There will be removal of existing asphalt and new asphalt (ROW to be acquired is an existing parking lot). Some existing concrete curb will be removed and 125ft added. State forces will complete the boxes/pipe work while a contractor will do the asphalt, curb, and paint striping. The project length is approximately 250ft on each side of the intersection. The archaeological APE covers the proposed ROW encapsulating the construction footprint.*

### SUMMARY OF CULTURAL RESOURCES REVIEW

#### **Brief description of review activities, results of review, and conclusions:**

First, permitting and funding information was reviewed for determining the level of archaeological input required by state and federal laws. Because there is no federal funding or permitting interaction relative to the effort, Section 106 of the National Historic Preservation Act does not apply. Next, construction design and other data was examined (when applicable) to define the character and extent of potential impacts to the ground surfaces embracing the improvement work. Based on the submitted project specs, no undisturbed subsurface areas will be affected by the proposed undertaking. Once an APE was outlined, a map review and site file search was conducted (6/30/2014) at the Office of State Archaeology (OSA). No previously documented archaeological sites are located within or directly adjacent to the project APE.

An inspection of National Register of Historic Places (NRHP), State Study Listed (SL), Locally Designated (LD), Determined Eligible (DE), and Surveyed Site (SS) properties employing the NCSHPO website revealed an absence of meaningful historic structural resources within the project area. Yet, the SR1003/SR1308 intersection is positioned along the southern periphery of the NRHP recognized Richlands Historic District. As currently proposed, no subsurface impacts are planned within the district's boundary. Historic maps of Onslow County were appraised for former/past structure locations, land use patterns, or other confirmation of historic occupation in the project vicinity and archaeological/historical reference materials were inspected as well. In general, the cultural portion of the review confirmed that no cemeteries, significant historic properties, or documented archaeological sites will be impacted.

Further, topographic, geologic, and NRCS soil survey maps (GpB) were referenced to evaluate pedological, geomorphological, hydrological, and other environmental determinants that may have resulted in past occupation at this location. Aerial and on-ground photographs (NCDOT Spatial Data Viewer) and the Google Street View map application (when amenable) were also examined/utilized for the assessment of disturbances, both natural and human induced, which compromise the integrity of archaeological sites.



**Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:**

The project area contains no NRHP listed historic properties, previously documented archaeological sites, or cemeteries. Examination of soil data, on-ground and aerial imagery confirm a high level of modern development and disturbance associated with the APE. Archaeological site documentation is considered remote. As such, no cultural resources survey nor any other input is recommended for the effort.

**SUPPORT DOCUMENTATION**

See attached:  Map(s)     Previous Survey Info     Photos     Correspondence  
 Photocopy of County Survey Notes    Other:

**FINDING BY NCDOT ARCHAEOLOGIST**

**NO ARCHAEOLOGY SURVEY REQUIRED**

Eric Halverson 7/11/2014

TO US 258

CEDAR TREES

- ⊗ WATER VALVE
- WATER METER
- ⊕ FIRE HYDRANT
- MONITORING WELL
- DROP INLET
- CATCH BASIN
- ⊕ SANITARY SEWER MANHOLE
- Ⓟ POWER POLE
- + GUY WIRE ANCHOR
- LIGHT OR SERVICE POLE
- STUMP OF A SAWN-OFF
- ▣ TELEPHONE PEDESTAL
- ▤ TELEPHONE BOOTH
- TRAFFIC SIGNAL BOX
- ◇ POSSIBLY OLD GAS CAPS  
MAYBE MONITORING WE



### MINIMUM CRITERIA DETERMINATION CHECKLIST

The following questions provide direction in determining when the Department is required to prepare environmental documents for state-funded construction and maintenance activities. Answer questions for Parts A through C by checking either "Yes" or "No". Complete Part D of the checklist when Minimum Criteria Rule categories #8, 12(i) or #15 are used.

**TIP Project No.:**

**State Project No.:** 3CR.PE

**Project Location:** Onslow County- Map 1: SR1003 from US258 to intersection of SR1003 and SR1308. Map 2: SR1003 from Foy Street (Town Street) to 230' North of Elizabeth Street (Town Street).

**Project Description:** Mill & Fill (mill entire lane and repave entire lane).

**Anticipated Permit or Consultation Requirements:**

**Special Project Information:** The stripping will be Thermo.

This project, as described, will not impact any jurisdictional features. Therefore, no 404 or 401 permits are required.

This project has been reviewed by NCDOT's cultural resources specialists in coordination with the state historic preservation office.

As proposed, this work is cleared.

However, please see the requirement listed on the Historic Architecture and

Landscapes Form that "No materials, vehicles, or other equipment should be staged or stored outside of the existing ROW within the National Register historic district." This district is shown shaded in blue in one of the attached maps.

**RECEIVED**

NOV 19 2014

**DIVISION 3 OFFICE**

11/18/14 Proceed. AW

**PART A: MINIMUM CRITERIA**

***Item 1 to be completed by the Engineer.***

1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is not required?

YES

NO

If the answer to number 1 is "no", then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category? **8a**

If either category #8, #12(i) or #15 is used complete Part D of this checklist.

**PART B: MINIMUM CRITERIA EXCEPTIONS**

***Items 2 – 4 to be completed by the Engineer.***

2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?
3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?
4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department?

YES

NO

***Item 5-8 to be completed by Division Environmental Officer.***

5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value?
6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list?
7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
|   | YES                      | NO                                  |
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If any questions 2 through 8 are answered "yes", the proposed project may not qualify as a Minimum Criteria project. A state environmental assessment (EA) may be required. For assistance, contact:

Manager, Project Development and Environmental Analysis Branch  
P. O. Box 25201  
Raleigh, NC 27611  
(919) 733-3141  
Fax: (919) 733-9794

**PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| <b><i>Items 9- 12 to be completed by Division Environmental Officer.</i></b>   | YES                      | NO                                  |
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| <b><i>Items 13 – 15 to be completed by the Engineer.</i></b>       | YES                      | NO                                  |
| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Cultural Resources**

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an "effect" on a property or site listed on the National Register of Historic Places?                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Questions in Part "C" are designed to assist the Engineer and the Division Environmental Officer in determining whether a permit or consultation with a state or federal resource agency may be required. If any questions in Part "C" are answered "yes", follow the appropriate permitting procedures prior to beginning project construction.

**PART D: ( To be completed when either category #8, 12(i) or #15 of the rules are used.)**

*Items 16- 22 to be completed by Division Environmental Officer.*

16. Project length: Map 1: 0.19 miles, Map 2: 0.18 miles
17. Right of Way width: 60'
18. Project completion date: Fall 2015 Summer 2015
19. Total acres of newly disturbed ground surface: \_\_\_\_\_
20. Total acres of wetland impacts: \_\_\_\_\_
21. Total linear feet of stream impacts: \_\_\_\_\_
22. Project purpose: \_\_\_\_\_

If Part D of the checklist is completed, send a copy of the entire checklist document to:

Don G. Lee  
State Roadside Environmental Engineer  
Mail Service Center 1557  
Raleigh, NC 27699-1557  
(919) 733-2920  
Fax (919) 733-9810  
Email: dlee@dot.state.nc.us

Reviewed by:

Ravani  
Lead Engineer

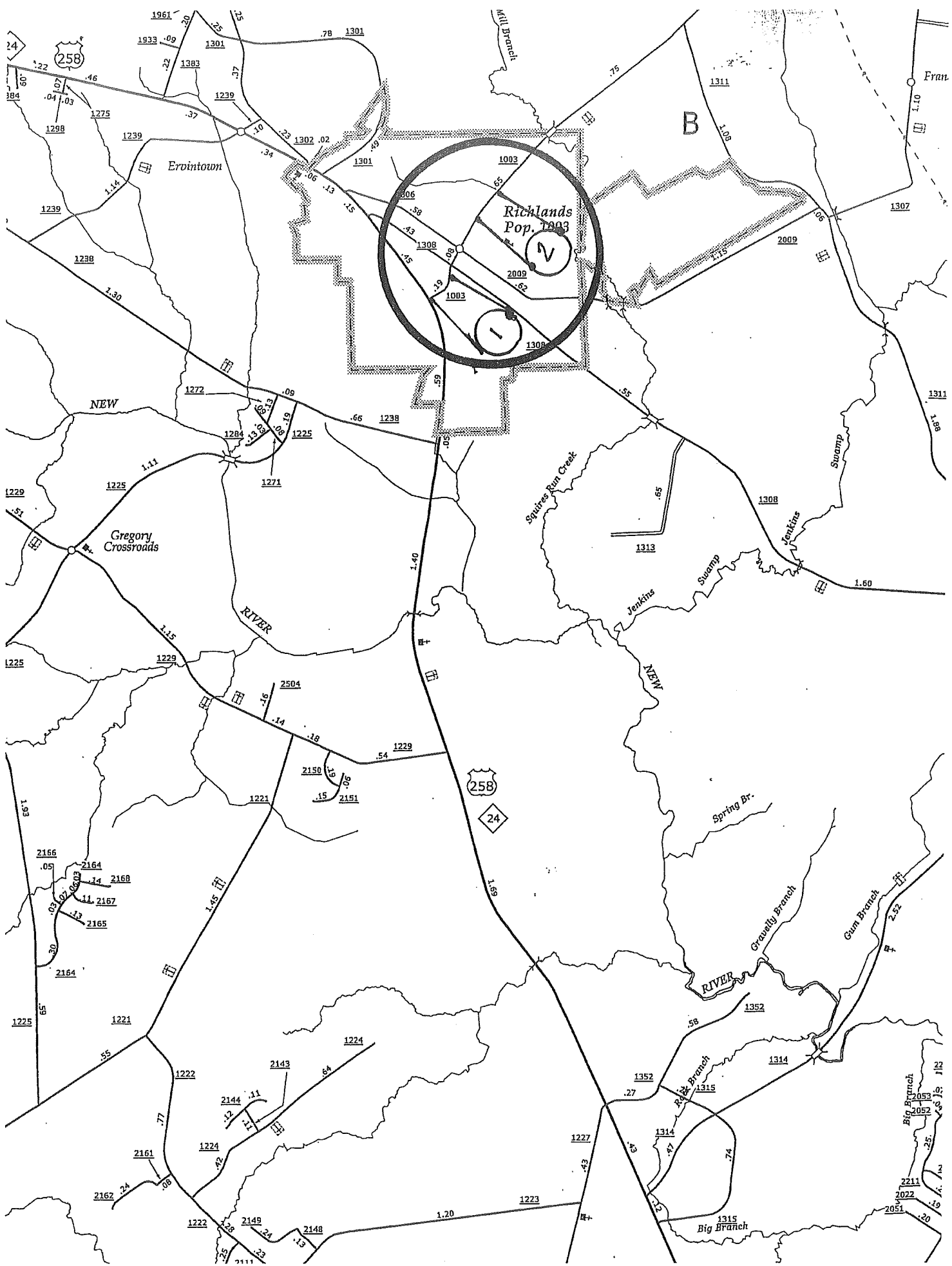
Date:

11/18/14

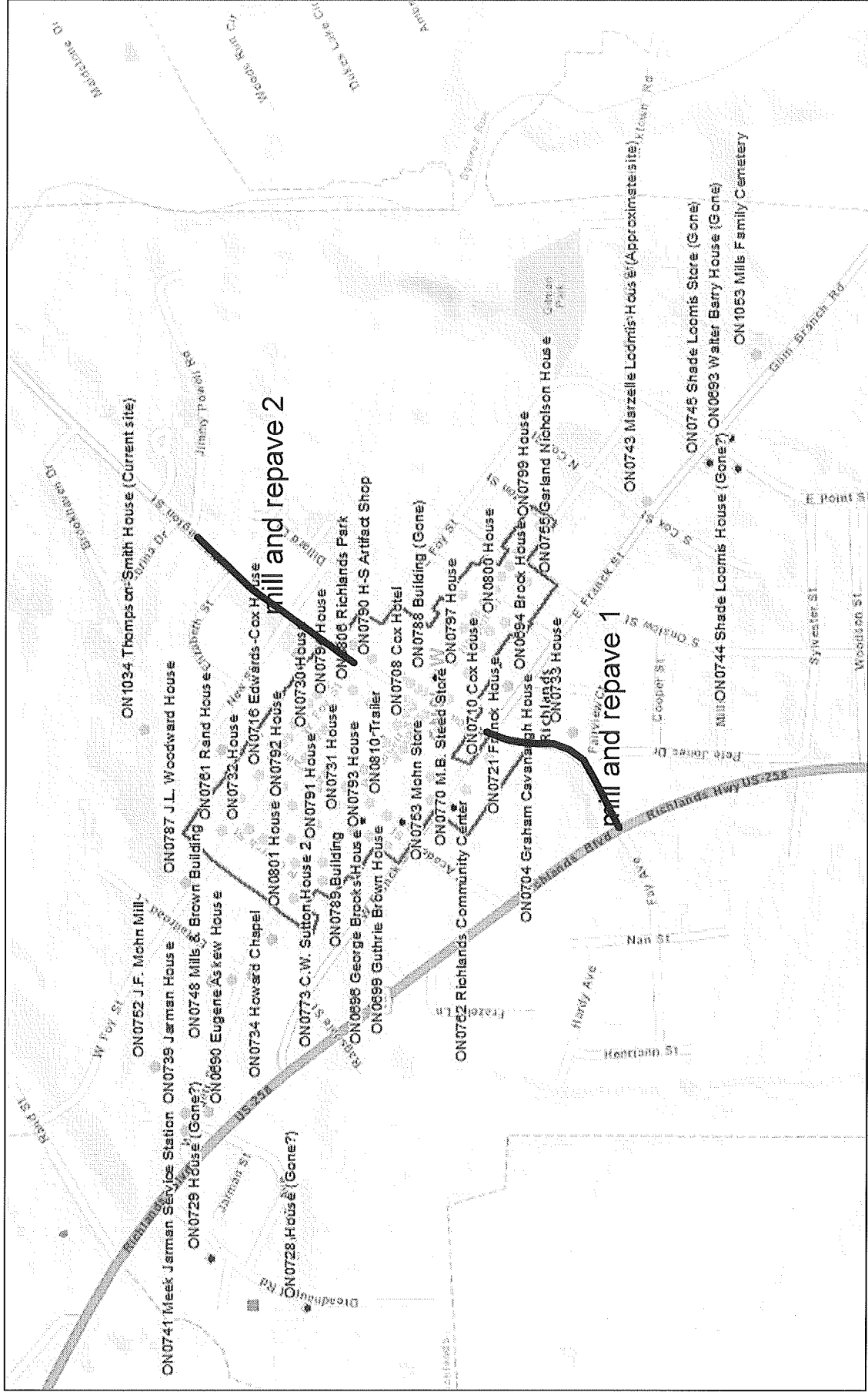
Anneliese Westphal  
Division Environmental Officer

Date:

1/28/2015

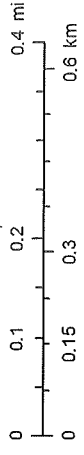


# Onslow County - SR 1003 in Richlands - 2 sections of mill and repave



November 24, 2014

1:11,616



● NR Individual Listing ★ NRHD Center Point

● NR Listing, Gone

Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp.,  
 NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand).





## HISTORIC ARCHITECTURE AND LANDSCAPES NO HISTORIC PROPERTIES PRESENT OR AFFECTED FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

### PROJECT INFORMATION

|  |             |                        |                    |
|--|-------------|------------------------|--------------------|
| <b>Project No:</b>   |             | <b>County:</b>         | Onslow             |
| <b>WBS No.:</b>  | 3CR.PE      | <b>Document Type:</b>  |                    |
| <b>Fed. Aid No:</b>  |             | <b>Funding:</b>        | X State    Federal |
| <b>Federal Permit(s):</b>  | Yes    X No | <b>Permit Type(s):</b> |                    |
| <b>Project Description:</b> Mill and resurface two sections of SR 1003 (Wilmington Street) in Richlands – from US 258 to SR 1308 (Franck Street) and from Foy Street to 230 feet N of Elizabeth Street (no widening, ROW acquisition, or off-site detour planned). |             |                        |                    |

### SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

- There are no National Register-listed or Study Listed properties within the project's area of potential effects.
- There are no properties less than fifty years old which are considered to meet Criteria Consideration G within the project's area of potential effects.
- There are no properties within the project's area of potential effects.
- There are properties over fifty years old within the area of potential effects, but they do not meet the criteria for listing on the National Register.
- There are no historic properties present or **affected** by this project. (Attach any notes or documents as needed.)

**Date of field visit:** 7 January 2015

**DESCRIPTION OF REVIEW ACTIVITIES, RESULTS, AND CONCLUSIONS:** HPOWeb reviewed on 19 December 2014 and yielded one NR, three SS, and no DE, SL, or LD properties in the Area of Potential Effects (APE). The APE for historic architectural resources extends 100 feet NE, SW, SE, and NW of each section to be resurfaced to encompass anticipated construction activities. Onslow County current GIS mapping, aerial photography, and tax information further illustrate the intersection of the APE with the boundaries of the National Register-listed Richlands Historic District (ON0689), the placement of the SS properties (Shackelford Cemetery (ON0979), former Richlands Post Office (ON0807), and House (ON0733)), and the presence of several additional resources dating to the mid-twentieth-century (viewed 19 December 2014). Given the proximity of the historic district to the proposed work, NCDOT–Historic Architecture carried out a field investigation on 7 January 2015. The site visit confirmed that the project will exert no adverse physical or visual impacts on the historic district, the surveyed sites, and other resources. Since the proposed work will be confined to the existing ROW, will not require removal or altering of any significant building, structure, vegetation, or other landscape features, and will not constitute a visual intrusion, a finding of "no historic properties affected" will satisfy both Section 106 and GS 121-12(a) compliance requirements. As the project is

Historic Architecture and Landscapes NO HISTORIC PROPERTIES PRESENT OR AFFECTED form for Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.

state-funded and requires no Federal permits, only GS 121-12(a) applies. The Foy Street and Franck Street intersections are represented in earlier reviews, respectively, Tracking No. 10-05-0021 (update) (WBS No. 3603.3.10) from 2012 and Tracking No. 14-06-0028 (WBS No. 38307) from 2014.

**No materials, vehicles, or other equipment  
should be staged or stored outside of the existing ROW  
within the National Register historic district.**

**Should the funding, permitting, or design of the project change, please notify  
NCDOT Historic Architecture as additional review may be necessary.**

#### SUPPORT DOCUMENTATION

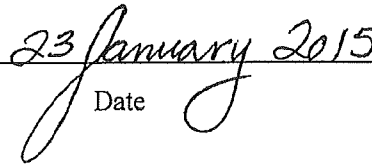
X Map(s)     Previous Survey Info.    Photos     Correspondence     Design Plans

#### FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes – NO HISTORIC PROPERTIES PRESENT OR AFFECTED



NCDOT Architectural Historian

  
Date

Wilmington Street Resurfacing, Onslow County  
WBS No. 3CR.PE  
Tracking No. 14-12-0018





## NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Group.



### PROJECT INFORMATION

Project No: SR 1003 (Wilmington St.) County: Onslow  
 WBS No: 3CR.PE Document: MCD Checklist  
 F.A. No: N/A Funding:  State  Federal  
 Federal Permit Required?  Yes  No Permit Type: N/A

**Project Description:** NCDOT's Division 3 proposes to mill and resurface the existing footprint of two (2) sections of SR 1003 (Wilmington Street) in the Town of Richlands from 1) its intersection with US 258 to its intersection with SR 1308 (Franck Street), and 2) its intersection with Foy Street (town-maintained) to 230 feet north of Elizabeth Street (town-maintained). All work is to be completed within the NCDOT's existing 60-foot ROW. Project length for Section 1 measures about 0.19 mile (1,003 feet); project length for Section 2 measures about 0.18 mile (950 feet). Therefore, the Area of Potential Effects (APE) for Section 1 measures approximately 60,180 square feet or about 1.38 acres, inclusive of the existing roadway; the APE for Section 2 measures approximately 57,000 square feet or about 1.31 acres, inclusive of the existing roadway.

### SUMMARY OF CULTURAL RESOURCES REVIEW

#### *Brief description of review activities, results of review, and conclusions:*

A map review and site file search was conducted at the Office of State Archaeology (OSA) on Friday, December 19, 2014. An archaeological survey along these sections of SR 1003 (Wilmington Street) has never been conducted, and no archaeological sites have been recorded within one-half (1/2) mile of the proposed project. Digital copies of HPO's maps (Richlands Quadrangle) as well as the HPOWEB GIS Service (<http://gis.ncdcr.gov/hpoweb/>) were last reviewed on Friday, January 9, 2015. Small portions of each section occur within the Richlands Historic District (ON0689 – late 19<sup>th</sup>-early 20<sup>th</sup>-century historic downtown) with various known historic architectural resources within the vicinity of the project area; however, intact archaeological deposits associated with these resources are not anticipated within the footprint of the proposed project. In addition, topographic maps, historic maps (NCMaps website), USDA soil survey maps, and aerial photographs were utilized and inspected to gauge environmental factors that may have contributed to historic or prehistoric settlement within the project limits, and to assess the level of modern, slope, agricultural, hydrological, and other erosive-type disturbances within and surrounding the archaeological APE.

#### *Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:*

A milling and resurfacing project consists of tearing out approximately 2-4 inches of the existing asphalt and then going back over the same footprint with a new layer of asphalt. All work is to be completed within the existing footprint of the roadway. No widening is proposed, and new paint markings will be thermoplastic. There is minimal outside disturbance, if any. Therefore, all proposed project activities are to take place within the NCDOT's existing 60-foot ROW along SR 1003 (Wilmington Street) in the

14-12-0018

Town of Richlands. There are no Federal permits involved in this project, nor are any temporary/permanent easements required. In addition, this is a State-funded project. All in all, there appears to be no Federal connection for this project. Moreover, NC GS 121-12a does not apply since there are no eligible or potentially eligible (i.e. National Register-listed) archaeological resources located within the project's Area of Potential Effects (APE) that would require our attention. From an environmental perspective, aside from the urbanized landscape of downtown Richlands, the APE consists of nearly level and gently sloping terrain, characteristic of North Carolina's Lower Coastal Plain. The APE is composed entirely of one (1) soil type: Goldsboro-Urban land complex, 0-5% slopes (GpB). Despite the presence of moderately well drained soil, the entire project corridor consists of land that has been severely disturbed by the creation of and maintenance for SR 1003 (Wilmington Street). The Office of State Archaeology (OSA) has reviewed several projects within the vicinity of downtown Richlands for their potential to impact archaeological resources, (Squire Run Apartments [CH 01-0251], stream restoration [ER 98-7869], Richlands Recreation and Open Space [ER 88-7923], and improvements to US 258/NC 24 [ER 85-7031]). No archaeological surveys were required for these projects. The dearth of archaeological sites and the low number of surveys conducted in the general area stem from the fact that "prehistoric settlers of the Lower Coastal Plain probably would have seen few attractions in the interior, interstream areas, which were relatively impoverished in terms of wild plant food and game in comparison with the abundant wild resources of the larger streams, estuaries, and sounds of the nearby coastline" (Hargrove 1988 [Bibilo#2383]). A review of known prehistoric sites in the Richlands area shows that most of these sites have been found at the confluence of major drainages, like the level terraced fields near the New River and Squires Run. Historic archaeological sites are also not anticipated for most of the area consists of early 20<sup>th</sup>-century architecture save for the small Wallace Cemetery near the northern terminus of the project, which should not be impacted by the proposed activities. Primarily as a result of the extremely constricted nature of the proposed project (i.e. existing footprint of the roadway), it is believed that the project corridor, as depicted, is unlikely to contain intact and significant cultural, archaeological, or historical resources. Based on the information above, there should be no archaeological survey required for this project. If design plans change, then additional consultation regarding archaeology will be required. At this time, no further archaeological work is recommended. If archaeological materials are uncovered during project activities, then such resources will be dealt with according to the procedures set forth for "unanticipated discoveries," to include notification of NCDOT's Archaeology Group.

#### SUPPORT DOCUMENTATION

See attached:  Map(s)  Previous Survey Info  Photos  Correspondence  
 Photocopy of County Survey Notes Other:

#### FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED

  
 NCDOT ARCHAEOLOGIST II

January 12, 2015

Date

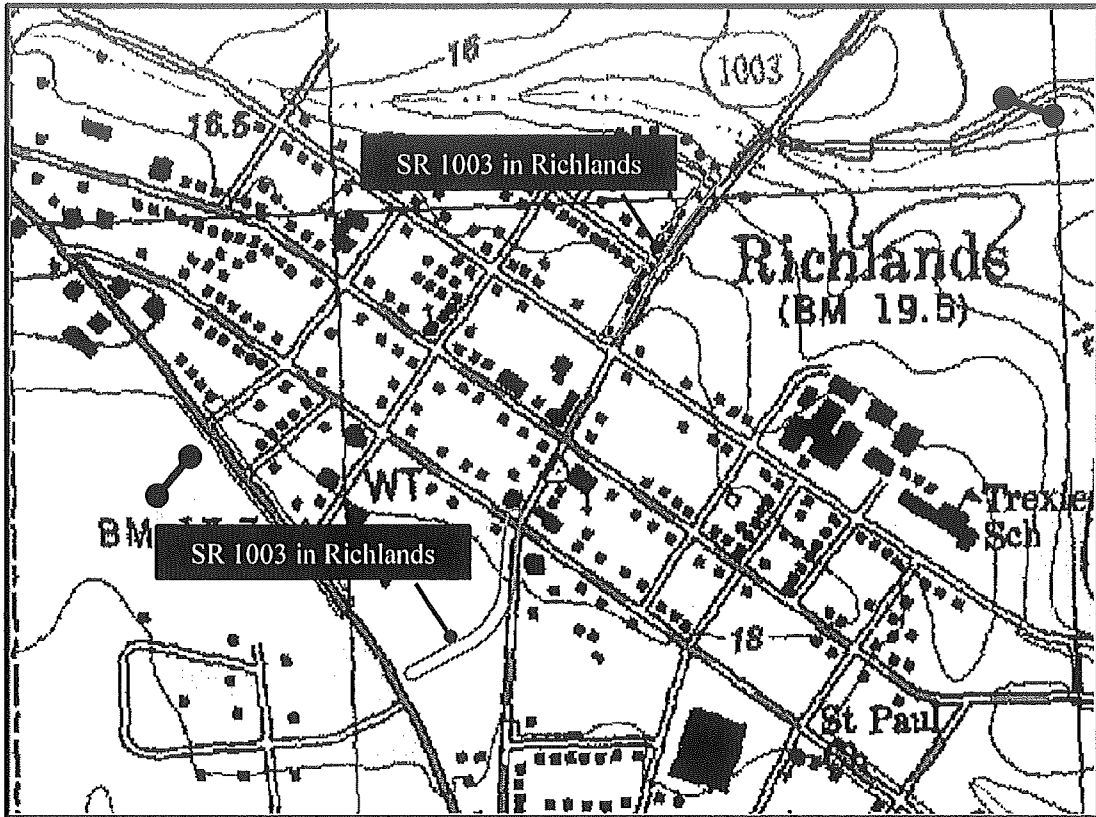







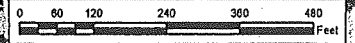
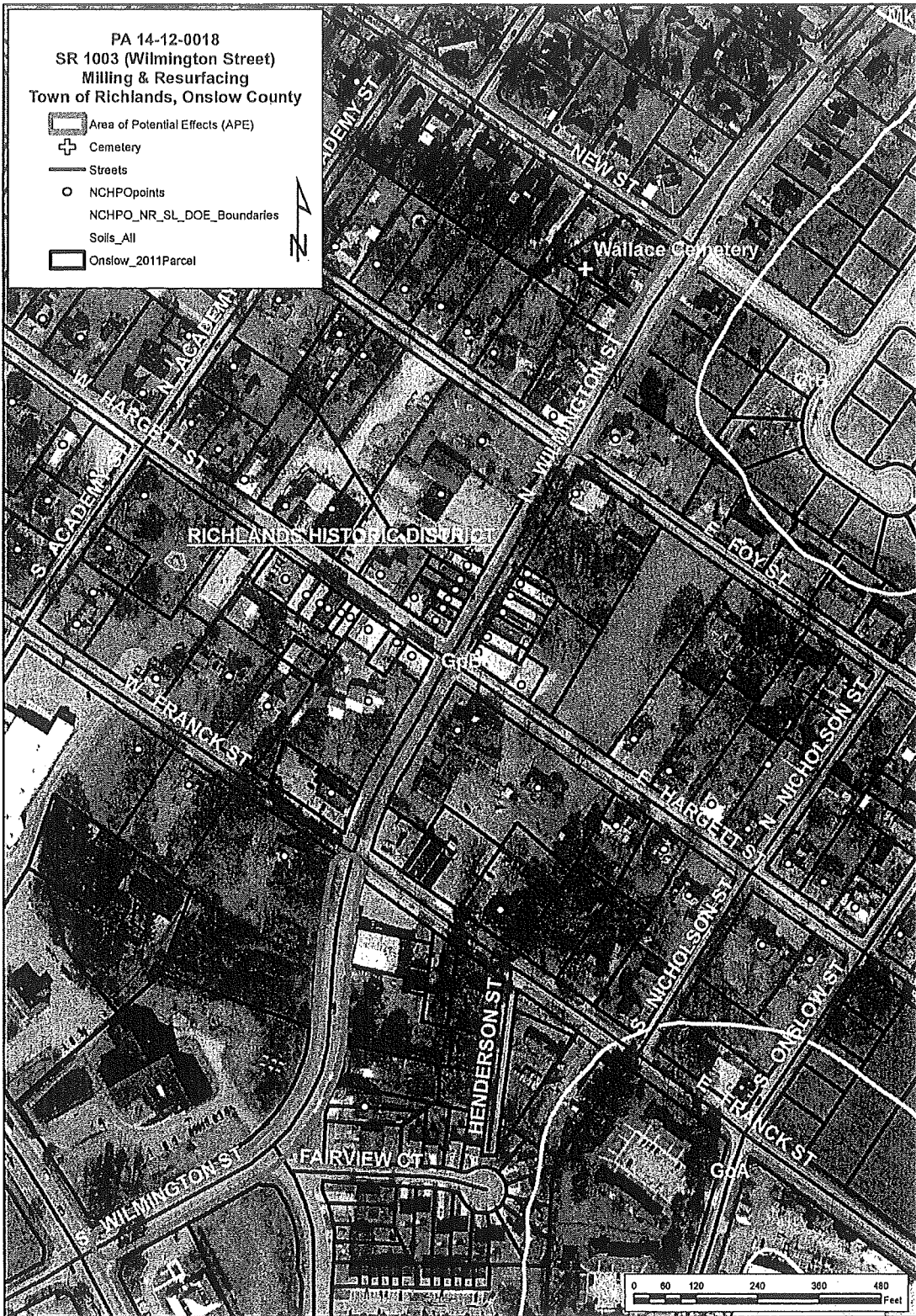


Figure 1: Richlands, NC (USGS 1981) [NB: This is not new construction; the extension of SR 1003 to US 258 occurred sometime after 1981].

PA 14-12-0018  
 SR 1003 (Wilmington Street)  
 Milling & Resurfacing  
 Town of Richlands, Onslow County

-  Area of Potential Effects (APE)
-  Cemetery
-  Streets
-  NCHPO points
-  NCHPO\_NR\_SL\_DOE\_Boundaries
-  Soils\_All
-  Onslow\_2011 Parcel



ENTERED  
7-15-13

## MINIMUM CRITERIA DETERMINATION CHECKLIST

The following questions provide direction in determining when the Department is required to prepare environmental documents for state-funded construction and maintenance activities. Answer questions for Parts A through C by checking either "Yes" or "No". Complete Part D of the checklist when Minimum Criteria Rule categories #8, 12(i) or #15 are used.

**TIP Project No.:**

**State Project No.:** 3C.067076

**Project Location:** ONSLOW COUNTY- SR1560 Hartsfield Road 0.58 miles South NC172 & SR1528 Winery Road towards SR1518 Old Folkstone Road.

**Project Description:** Grade, Drain, Base, & Pave

**Anticipated Permit or Consultation Requirements:**

**Special Project Information:** At Sta. 16+38.45-Replace existing 24"-37.8' RCP with 24"-50' CAP (Please note this pipe size to be determined by Hydro it will be 24" or larger). At Sta. 29+00 install 18"-50' RCP.

- Site determined non jurisdictional per site visit with US Army Corps of Engineers (Brad Shaver), Action ID SAW-2013-01484. and DWR (Mason Herndon).
- Implement 3:1 vegetated grass slopes along the roadway as stormwater BMP's.
- 'if the scope of the project or funding changes, this project must be reviewed again.
- All clear, Proceed

(CBF)

RECEIVED

JUL 15 2013

DIVISION 3 OFFICE



**PART A: MINIMUM CRITERIA**

***Item 1 to be completed by the Engineer.***

1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is not required?

YES

NO

If the answer to number 1 is "no", then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category? 12i

If either category #8, #12(i) or #15 is used complete Part D of this checklist.

**PART B: MINIMUM CRITERIA EXCEPTIONS**

***Items 2 – 4 to be completed by the Engineer.***

2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?
3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?
4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department?

YES

NO

***Item 5-8 to be completed by Division Environmental Officer.***

5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value?
6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list?
7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
|   | YES                      | NO                                  |
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If any questions 2 through 8 are answered "yes", the proposed project may not qualify as a Minimum Criteria project. A state environmental assessment (EA) may be required. For assistance, contact:

Manager, Project Development and Environmental Analysis Branch  
P. O. Box 25201  
Raleigh, NC 27611  
(919) 733 -3141  
Fax: (919) 733-9794

**PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| <i>Items 9- 12 to be completed by Division Environmental Officer.</i>  | YES                      | NO                                  |
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

*Items 13 – 15 to be completed by the Engineer.*

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|

Cultural Resources

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an "effect" on a property or site listed on the National Register of Historic Places?                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Questions in Part "C" are designed to assist the Engineer and the Division Environmental Officer in determining whether a permit or consultation with a state or federal resource agency may be required. If any questions in Part "C" are answered "yes", follow the appropriate permitting procedures prior to beginning project construction.

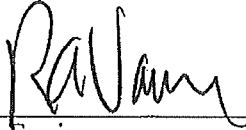
PART D: (To be completed when either category #8, 12(i) or #15 of the rules are used.)


*Items 16- 22 to be completed by Division Environmental Officer.*

16. Project length: 1998.69'
17. Right of Way width: 60'
18. Project completion date: Fall 2014
19. Total acres of newly disturbed ground surface: \_\_\_\_\_
20. Total acres of wetland impacts: \_\_\_\_\_
21. Total linear feet of stream impacts: \_\_\_\_\_
22. Project purpose: \_\_\_\_\_

If Part D of the checklist is completed, send a copy of the entire checklist document to:

Don G. Lee  
State Roadside Environmental Engineer  
Mail Service Center 1557  
Raleigh, NC 27699-1557  
(919) 733-2920  
Fax (919) 733-9810  
Email: dlee@dot.state.nc.us

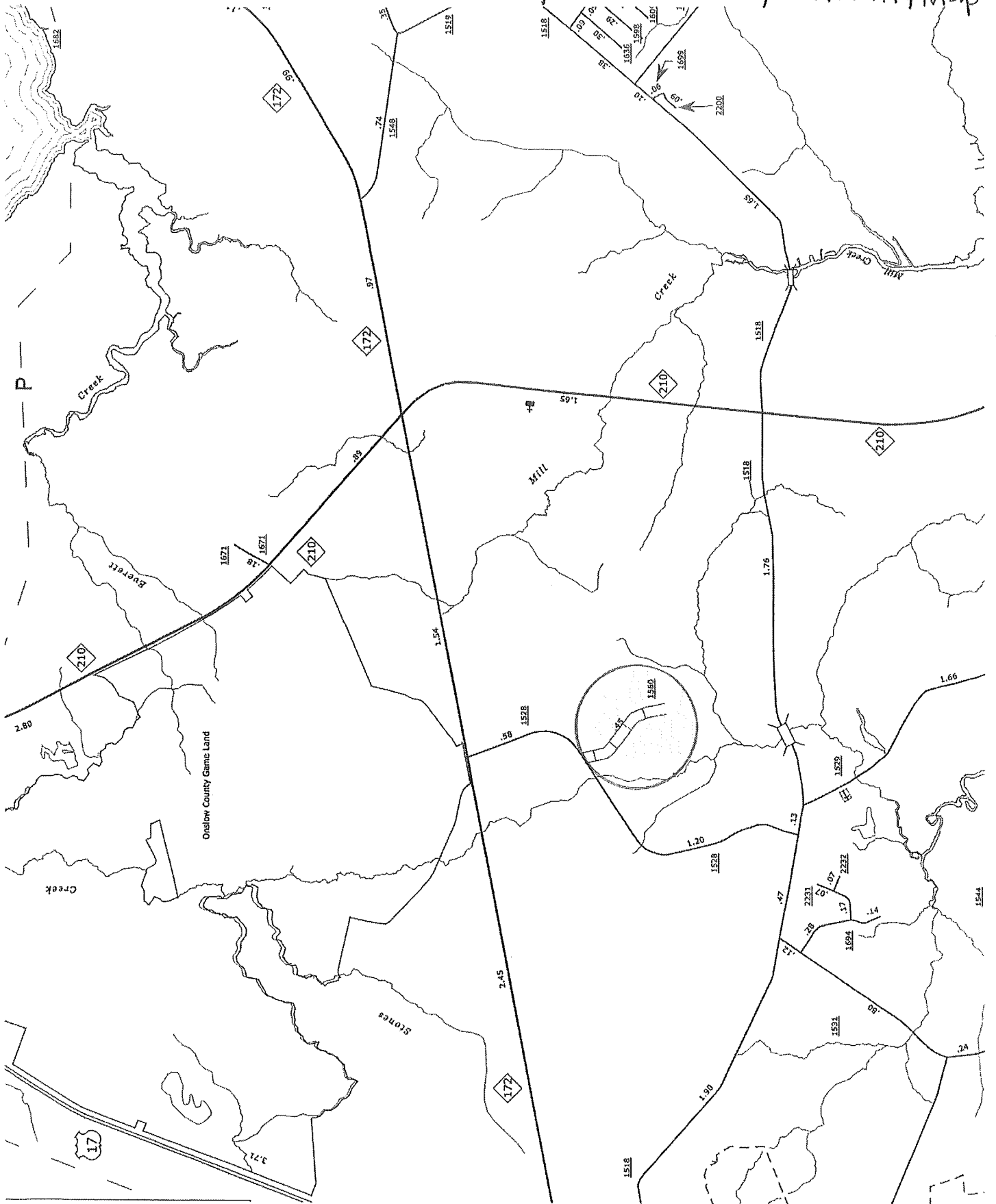
Reviewed by:   
Lead Engineer

  
Division Environmental Officer

Date: 7/12/13

Date: 9/3/13

# SR 1560 Hartsfield Rd, Onslow County - Vicinity Map



## MINIMUM CRITERIA DETERMINATION CHECKLIST

The following questions provide direction in determining when the Department is required to prepare environmental documents for state-funded construction and maintenance activities. Answer questions for Parts A through C by checking either "Yes" or "No". Complete Part D of the checklist when Minimum Criteria Rule categories #8, 12(i) or #15 are used.

**TIP Project No.:**

**State Project No.:**

**Project Location: Onslow County: SR 1938 Quaker Bridge Rd- County Construction Project**

**Project Description: Pipe Installation Portion: Two pipes will be installed under this Project:**

**Site A, Remove existing 48" x 30' Long pipe and install 1 @ 10' span x 4.83' tall x 50' long ALBC.**

**Site B, install 1 @ 10' span x 3.42' tall x 50' long ALBC.**

**Bridge Maintenance will perform the work in the dry, bypass pumping and dewatering operations will be utilized.**

- work also includes grade, drain, base and pave. CF  
10/15/13

**Anticipated Permit or Consultation Requirements:**

**Special Project Information:**

- waterbody at site location: Margaret Branch (C, NSW)
- any changes in the scope or funding may require additional surveys or notification
- work is to be completed under a Nationwide 14 Permit & Water Quality Certification 3886. Permits expire 3/19/2017. See attached.
- See impact summary table. Do NOT exceed proposed impacts. Do NOT clear beyond silt fence/orange fencing.
- Pipe A inverts: lay flat at 92.5
- Pipe B inverts: lay flat at 95.9
- JD issued; Action ID 201100404
- Pre construction meeting requested. NCDWR staff (Mason Herndon) requests to be present.
- Proceed. CF

**PART A: MINIMUM CRITERIA**

**Item 1 to be completed by the Engineer.**

- |  | YES                                 | NO                       |
|--|-------------------------------------|--------------------------|
| 1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is <u>not</u> required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the answer to number 1 is "no", then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category?      **9 Pipe Replacement**

If either category #8, #12(i) or #15 is used complete Part D of this checklist.

**PART B: MINIMUM CRITERIA EXCEPTIONS**

**Items 2 - 4 to be completed by the Engineer.**

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Item 5-8 to be completed by Division Environmental Officer.**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If any questions 2 through 8 are answered "yes", the proposed project may not qualify as a Minimum Criteria project. A state environmental assessment (EA) may be required. For assistance, contact:

Manager, Project Development and Environmental Analysis Branch  
P. O. Box 25201  
Raleigh, NC 27611  
(919) 733 -3141  
Fax: (919) 733-9794

**PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS**

**Items 9- 12 to be completed by Division Environmental Officer.**

- |  | YES                                 | NO                                  |
|--|-------------------------------------|-------------------------------------|
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Items 13 – 15 to be completed by the Engineer.**

- |  |                          |                                     |
|--|--------------------------|-------------------------------------|
| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|-------------------------------------|

**Cultural Resources**

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an "effect" on a property or site listed on the National Register of Historic Places?                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Questions in Part "C" are designed to assist the Engineer and the Division Environmental Officer in determining whether a permit or consultation with a state or federal resource agency may be required. If any questions in Part "C" are answered "yes", follow the appropriate permitting procedures prior to beginning project construction.

PART D:( To be completed when either category #8, 12(i) or #15 of the rules are used.)

*Items 16- 22 to be completed by Division Environmental Officer.*

16. Project length: \_\_\_\_\_
17. Right of Way width: \_\_\_\_\_
18. Project completion date: \_\_\_\_\_
19. Total acres of newly disturbed ground surface: \_\_\_\_\_
20. Total acres of wetland impacts: \_\_\_\_\_
21. Total linear feet of stream impacts: \_\_\_\_\_
22. Project purpose: \_\_\_\_\_

If Part D of the checklist is completed, send a copy of the entire checklist document to:

Don G. Lee  
State Roadside Environmental Engineer  
Mail Service Center 1557  
Raleigh, NC 27699-1557  
(919) 733-2920  
Fax (919) 733-9810  
Email: dlee@dot.state.nc.us

Reviewed by:

A. Candy  
Lead Engineer

Date:

10/10/13

Celia Foushee  
Division Environmental Officer

Date:

10/14/2013









North Carolina Department of Environment and Natural Resources

Division of Water Resources

Water Quality Programs

Thomas A. Reeder

Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

October 8, 2013  
Onslow County  
NCDWR Project No. 13-1054  
SR 1938 (Quaker Bridge Road)  
State Project No. 3C.067078

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

Ms. Karen Fussell, P.E., Division Engineer  
NCDOT, Division 3  
5501 Barbados Blvd.  
Castle Hayne, N.C. 28429

Dear Ms. Fussell:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of implementing secondary roadway improvements on SR 1938 (Quaker Bridge Road) in Onslow County:

**Stream Impacts in the White Oak River Basin**

| Site         | Station           | Permanent Fill in Intermittent Stream (linear ft) | Temporary Fill in Intermittent Stream (linear ft) | Permanent Fill in Perennial Stream (linear ft) | Temporary Fill in Perennial Stream (linear ft) | Total Stream Impact (linear ft) | Stream Impacts Requiring Mitigation (linear ft) |
|--------------|-------------------|---|---|--|--|---------------------------------|---|
| 1            | Sta. -L- 56+56.46 | 0   | 0   | 20   | 20   | 40                              | 0   |
| <b>TOTAL</b> |                   | <b>0</b>  | <b>0</b>  | <b>20</b>                                      | <b>20</b>                                      | <b>40</b>                       | <b>0</b>  |

**Total Stream Impact for Project: 40 linear feet.**

**Wetland Impacts in the White Oak River Basin (riparian)**

| Site         | Station                 | Fill (ac)   | Fill (temporary) (ac) | Excavation (temporary) (ac) | Mechanized Clearing (ac) | Hand Clearing (ac) | Total Wetland Impact (ac) |
|--------------|-------------------------|-------------|-----------------------|-----------------------------|--------------------------|--------------------|---------------------------|
| 1            | Sta. -L- 55+30 to 58+75 | 0.09        | 0                     | <0.01                       | 0                        | 0                  | 0.10                      |
| <b>TOTAL</b> |                         | <b>0.09</b> | <b>0</b>              | <b>&lt;0.01</b>             | <b>0</b>                 | <b>0</b>           | <b>0.10</b>               |

**Total Wetland Impact for Project: 0.10 acres.**

The project shall be constructed in accordance with your application dated received October 1, 2013 and revisions received on October 3, 2013. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 3886. This certification corresponds to the Nationwide Permit 14 issued by the Corps of Engineers. In addition, you should acquire any other federal, state or local permits before

Transportation and Permitting Unit  
1650 Mall Service Center, Raleigh, North Carolina 27699-1650  
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604  
Phone: 919-807-6300 \ FAX: 919-807-6492  
Internet: [www.ncwaterquality.org](http://www.ncwaterquality.org)

An Equal Opportunity \ Affirmative Action Employer



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. 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. NCDWR staff shall be invited to the pre-construction meeting.
2. For the 20 linear feet of streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and re-vegetated with appropriate native species.
3. The stream channel shall be excavated no deeper than the natural bed material of the stream, to the maximum extent practicable. Efforts must be made to minimize impacts to the stream banks, as well as to vegetation responsible for maintaining the stream bank stability. Any applicable riparian buffer impact for access to stream channel shall be temporary and be re-vegetated with native riparian species.
4. Pipes and culverts used exclusively to maintain equilibrium in wetlands, where aquatic life passage is not a concern, shall not be buried. These pipes shall be installed at natural ground elevation.
5. Material temporarily excavated for pipe installation shall be stockpiled in an upland area and placed back into the excavated area in a manner that restores the original grade and soil profile with the organic/root layer on top.
6. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Riparian areas are defined as a distance 25 feet landward from top of stream bank.
7. The project shall be constructed in accordance with the provisions of the NCDOT's National Pollutant Discharge Elimination (NPDES) Stormwater Permit NCS000250, including the applicable requirements of the NCG01000.

**General Conditions**

8. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required.

9. 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.
10. 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.
11. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
12. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.
13. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
14. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of the NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
15. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
16. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials.
17. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
18. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
19. 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.
20. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification.
21. 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.
22. 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.
23. 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.

24. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery.
25. 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.
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. 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.
29. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

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. Lacy Presnell, General Counsel  
Department of Environment and Natural Resources  
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 Mason Herndon at (910) 308-4021 or [mason.herndon@ncdenr.gov](mailto:mason.herndon@ncdenr.gov).

Sincerely,



Thomas A. Reeder

cc: Brad Shaver, US Army Corps of Engineers, Wilmington Field Office  
Stoney Mathis, Division 3 Environmental Officer  
Chris Militscher, Environmental Protection Agency  
Gary Jordan, US Fish and Wildlife Service  
Travis Wilson, NC Wildlife Resources Commission  
Sonia Carrillo, NCDWQ Central Office  
File Copy





### Determination of Jurisdiction:

- A.  Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- 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 and Section 404 of the Clean Water Act. 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 of the US and/or wetlands within the above described project area 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 subject area exhibits wetland criteria as described in the 1987 Corps Delineation Manual and is adjacent to a jurisdictional perennial channel that possessed an ordinary high water mark. These features ultimately drain to the New River, a traditional navigable water of the US.

**Remarks:** The site was reviewed in the field on 2/24/2011.

#### 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 jurisdictional determinations as indicated in B and C above).

This correspondence constitutes an approved jurisdictional 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 **12/8/2013**.

**\*\*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: SHAVER.BRAD.E.12766017 Digitally signed by SHAVER.BRAD.E.12766017  
DN: cn=US, o=U.S. Government, ou=DoD, ou=FA  
ou=USA, cn=SHAVER.BRAD.E.12766017  
Date: 2013.10.08 11:25:38 -0400  
56

**Brad Shaver**

Date of JD: **10/8/2013**

Expiration Date of JD: **10/8/2018**

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 online at <http://per2.nwp.usace.army.mil/survey.html>.

Copy furnished:  
(Electronic Copy)

Mr. Stonewall Mathis, NCDOT-Division 3  
Mr. Mason Herndon, NC DWR  
Mr. Todd Tugwell, USACE  
Ms. Beth Harmon, NCEEP

SAW-2011-00404

**SPECIAL CONDITIONS**  
Improvements to SR 1938 (Quaker Bridge Road)  
Onslow County

1. In order to compensate for impacts associated with this permit, mitigation shall be provided in accordance with the provisions outlined on the most recent version of the attached Compensatory Mitigation Responsibility Transfer Form. The requirements of this form, including any special conditions listed on this form, are hereby incorporated as special conditions of this permit authorization.

SHAVR.BRAD.E.1  
276601756

Digitally signed by SHAVR.BRAD.E.1  
DN: c=US, ou=US Government, ou=ODJ, ou=AP1,  
ou=USA, cn=SHAVR.BRAD.E.1, email=276601756,  
date=2013.10.08 11:25:59 -0400

10/8/2013

**Brad Shaver**  
Project Manager

**Date**

Action ID Number: SAW-2011-00404

County: Onslow

Permittee: NCDOT – Division 3

Project Name: NCDOT / SR 1938 / Quaker Bridge Road / Division 3

Date Verification Issued: 10/8/2013

Project Manager: Brad Shaver

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: Brad Shaver  
69 Darlington Ave  
Wilmington, NC 28403

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

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: NCDOT-Division 3 | File Number: SAW-2011-00404 | Date: 10/8/2013 |
|-----------------------------|-----------------------------|-----------------|

|   |                   |
|---|-------------------|
| Attached is: D  | 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 checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION                   | D                 |
| <input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION                           | E                 |

**SECTION I** - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 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: Brad Shaver**  
 69 Darlington Ave  
 Wilmington, NC 28403

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.

|   |       |                   |
|---|-------|-------------------|
| _____<br>Signature of appellant or agent. | Date: | Telephone number: |
|---|-------|-------------------|

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

District Engineer, Wilmington Regulatory Division, Attn: Brad Shaver, 69 Darlington Avenue, Wilmington, North Carolina 28403

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

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

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

Permittee: North Carolina Department of Transportation  
 Project Name: Quaker Bridge Widening (SR 1938)

Action ID: SAW-2011-00404  
 County: Onslow

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

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

**Permitted Impacts and Compensatory Mitigation Requirements:**

| Permitted Impacts Requiring Mitigation* |      |      | 8-digit HUC and Basin: 03030001, White Oak/Cape Fear River Basin |                       |              |         |
|---|------|------|--|-----------------------|--------------|---------|
| Stream Impacts (linear feet)            |      |      | Wetland Impacts (acres)  |                       |              |         |
| Warm                                    | Cool | Cold | Riparian Riverine  | Riparian Non-riverine | Non-Riparian | Coastal |
| 10                                      |      |      |  |                       |              |         |

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

| Compensatory Mitigation Requirements: |      |      | 8-digit HUC and Basin: 03030001, White Oak/Cape Fear River Basin |                       |              |         |
|---------------------------------------|------|------|--|-----------------------|--------------|---------|
| Stream Mitigation (credits)           |      |      | Wetland Mitigation (credits)                                     |                       |              |         |
| Warm                                  | Cool | Cold | Riparian Riverine  | Riparian Non-riverine | Non-Riparian | Coastal |
| 20                                    |      |      |  |                       |              |         |

Mitigation Site Debited: NCEEP

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

| <i>Section to be completed by the Mitigation Sponsor</i>   |   |
|--|---|
| <p>Statement of Mitigation Liability Acceptance: I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for NCEEP), as approved by the USACE, are currently available at the mitigation site identified above. Further, I understand that if the Sponsor fails to provide the required compensatory mitigation, the USACE Wilmington District Engineer may pursue measures against the Sponsor to ensure compliance associated with the mitigation requirements.</p> |   |
| <p>Mitigation Sponsor Name: <u>NC DENR EEP</u></p>   |   |
| <p>Name of Sponsor's Authorized Representative: <u>Beth Harman</u></p>   |   |
| <p><u>Beth Harman</u><br/>Signature of Sponsor's Authorized Representative</p>   | <p><u>10/8/2013</u><br/>Date of Signature</p> |

USACE Wilmington District  
Compensatory Mitigation Responsibility Transfer Form, Page 2

Conditions for Transfer of Compensatory Mitigation Credit:

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

Comments/Additional Conditions:

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

USACE Project Manager: Brad Shaver  
USACE Field Office: Wilmington Regulatory Field Office  
US Army Corps of Engineers  
69 Darlington Avenue  
Wilmington, NC 28403

Email:

SHAVER.BRAD.E.127660  
1756

Digitally signed by SHAVER.BRAD.E.1276601756  
DN: cn=US, o=U.S. Government, ou=DoD, ou=PA,  
ou=USA, cn=SHAVER.BRAD.E.1276601756  
Date: 2013.10.08 11:27:48 -0400

USACE Project Manager Signature

October 8, 2013

Date of Signature

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

Page 2 of 2

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 our website at <http://regulatory.usacesurvey.com/> to complete the survey online.