



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

March 19, 2015
Robeson County
NCDWR Project No. 15-0269
Bridge No. 446 on NC 41
TIP Project No. SF-770446

APPROVAL of 401 WATER QUALITY CERTIFICATION, with ADDITIONAL CONDITIONS

Mr. Greg Burns, P.E., Division Engineer
NCDOT, Division 6
PO Box 1150
Fayetteville, NC 28302

Dear Mr. Burns:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of replacing Bridge No. 446 with a 19' 10" x 7' 8" x 76 ft aluminum box culvert on NC 41 over Gum Branch Canal in Robeson County:

Stream Impacts in the Lumber 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. 12+96 - 13+58 -L-	0	0	76	0	76	0
1	Bank Stabilization	0	0	42	20	62	0
TOTAL		0	0	118	20	138	0

Total Stream Impact for Project: 138 linear feet.

The project shall be constructed in accordance with your application dated received March 13, 2015. 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 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 and any additional conditions listed below.

Condition(s) of Certification:

Project Specific Conditions

1. As a condition of this 401 Water Quality Certification, the bridge demolition and construction must be accomplished in strict compliance with the most recent version of NCDOT's Best Management Practices for Construction and Maintenance Activities. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
2. The culvert shall be installed in a manner that mimics the natural stream cross section as closely as possible, utilizing the construction of floodplain benches and/or use of sills where appropriate. Widening of the stream channel shall be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage. [15A NCAC 02H.0506(b)(2)]
3. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed. [15A NCAC 02H.0506(b)(2)]
4. For the 42 linear feet of streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]
5. 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. [15A NCAC 02H.0506(b)(3) and (c)(3)]
6. 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. [15A NCAC 02B.0211].

General Conditions

7. 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 NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
8. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. [15A NCAC 02B.0200]
9. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]
10. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]

11. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage. [15A NCAC 02H.0506(b)(2)]
12. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
13. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]
14. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]
15. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]
16. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
17. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
18. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]
19. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
20. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
21. 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. [15A NCAC 02H.0501 and .0502]
22. 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.
23. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
24. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
25. 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.[15A NCAC 02H.0506(b)(2)]

26. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]
27. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
28. Where placement of sediment and erosion control devices in wetlands and/or waters is unavoidable at site, they shall be removed and the natural grade restored upon completion of the project. [15A NCAC 02H.0506(b)(3) and (c)(3)]

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:

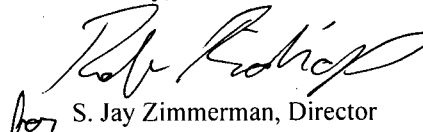
Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919)-431-3000, Facsimile: (919)-431-3100

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

Mr. Sam M. Hayes, 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.

Sincerely,


S. Jay Zimmerman, Director
Division of Water Resources

Electronic copy only distribution:

Liz Haire, Wilmington US Army Corp Wilmington Field Office
Jim Rerko, Division 6 Environmental Officer
Gary Jordan, US Fish and Wildlife Service
Travis Wilson, NC Wildlife Resources Commission
NC Division of Water Resources Raleigh Central Office
File Copy



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

NCDWR Project No.: _____ County: _____

Applicant: _____

Project Name: _____

Date of Issuance of 401 Water Quality Certification: _____

Certificate of Completion

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

Applicant's Certification

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

Signature: _____ Date: _____

Agent's Certification

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

Signature: _____ Date: _____

Engineer's Certification

_____ Partial _____ Final

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

Signature _____ Registration No. _____

Date _____



North Carolina Department of Transportation

Highway Stormwater Program
STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS



(Version 2.01; Released December 2014)

WBS Element: 41665.1B TIP No.: SF-770446 County(ies): Robeson Page 1 of 1

General Project Information

WBS Element:	41665.1B	TIP Number:	SF-770446	Project Type:	Bridge Replacement	Date:	1/6/2015
NCDOT Contact:	Robert T. Turnbull			Contractor / Designer:	HNTB North Carolina, P.C. / John F. Watson, PE		
Address:	524 South New Hope Rd Raleigh, NC 27610			Address:	343 E. Six Forks Road, Suite 200 Raleigh, NC 27609		
	Phone: (919) 212-1760				Phone: (919) 424-0444		
	Email: rturnbull@esinc.cc				Email: jfwatson@hntb.com		
City/Town:	Lumberton			County(ies):	Robeson		
River Basin(s):	Lumber			CAMA County?	No		
Wetlands within Project Limits?	No						

Project Description

Project Length (lin. miles or feet):	177 ft.	Surrounding Land Use:	Urban Residential					
	Proposed Project			Existing Site				
Project Built-Upon Area (ac.)	0.20	ac.		0.19	ac.			
Typical Cross Section Description:	4 - 11' Lanes, with 2'-6" curb and gutter with 5' side walks on each side.			3 - 11' Lanes transitioning to 4 - 11' lanes, with 2'-6" curb and gutter with 4' side walks on each side.				
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	24000	Year:	2035	Existing:	12000	Year:	2010

General Project Narrative:
(Description of Minimization of Water Quality Impacts)

The project involves the replace of Robeson County Bridge #0466, an existing 1 @ 21' - 0" reinforced concrete deck on Steel I-Beams , with a 1 @ 19' - 10" x 7' - 8" aluminum box culvert at the same location. There are no modifications to existing storm drainage systems within the project limits of SF-770446.

Waterbody Information

Surface Water Body (1):	Gum Branch		NCDWR Stream Index No.:	14-14-1				
NCDWR Surface Water Classification for Water Body	Primary Classification:		Class C					
	Supplemental Classification:		Swamp Waters (Sw)					
Other Stream Classification:	None							
Impairments:	None							
Threatened/Endangered Species?	Comments:							
NRTR Stream ID:			Buffer Rules in Effect:		N/A			
Project Includes Bridge Spanning Water Body?	No	Deck Drains Discharge Over Buffer?	N/A		Dissipator Pads Provided in Buffer?			N/A
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)			(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)			
(If yes, provide justification in the General Project Narrative)								

PROJECT REFERENCE NO. SF-770446	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

PLAN

Point	North	East	Elevation
BL-1	311805.41	1992719.51	117.33
BL-2	312224.41	1992940.86	117.01
BL-3	312549.84	1993232.92	115.26

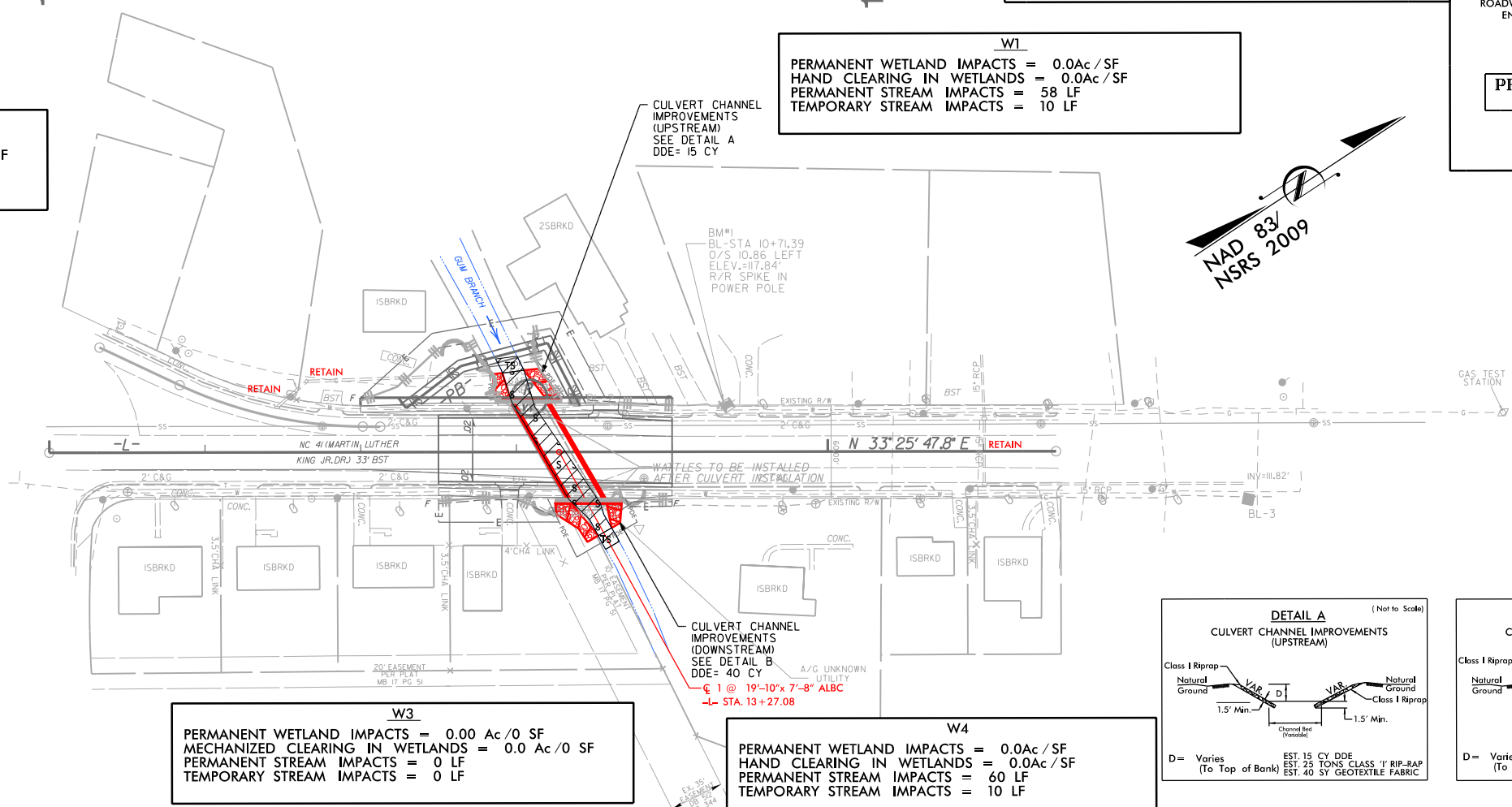
DATUM DESCRIPTION
 THE LOCALIZED COORDINATE SYSTEM DEVELOPED FOR THIS PROJECT IS BASED ON THE STATE PLANE COORDINATES ESTABLISHED BY OTHERS FOR MONUMENT "BL-2"
 WITH NAD 83/NSRS 2009 STATE PLANE GRID COORDINATES OF NORTHING: 312224.408(ft) EASTING: 1992940.861(ft) ELEVATION: 117.01(ft)
 THE AVERAGE COMBINED GRID FACTOR USED ON THIS PROJECT (GROUND TO GRID) IS: 0.9999351165
 VERTICAL WAS ESTABLISHED FROM NGS MONUMENT "ROB 59" WITH AN ELEVATION OF 117.34'
 ALL LINEAR DIMENSIONS ARE LOCALIZED HORIZONTAL DISTANCES
 VERTICAL DATUM USED IS NAVD 88

W2
 PERMANENT WETLAND IMPACTS = 0.0 Ac / 0 SF
 MECHANIZED CLEARING IN WETLANDS = 0.0 Ac / 0 SF
 PERMANENT STREAM IMPACTS = 0 LF
 TEMPORARY STREAM IMPACTS = 0 LF

W1
 PERMANENT WETLAND IMPACTS = 0.0Ac / SF
 HAND CLEARING IN WETLANDS = 0.0Ac / SF
 PERMANENT STREAM IMPACTS = 58 LF
 TEMPORARY STREAM IMPACTS = 10 LF

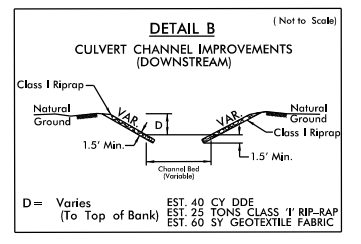
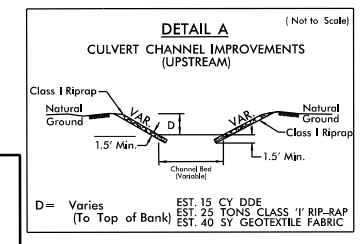
W3
 PERMANENT WETLAND IMPACTS = 0.00 Ac / 0 SF
 MECHANIZED CLEARING IN WETLANDS = 0.0 Ac / 0 SF
 PERMANENT STREAM IMPACTS = 0 LF
 TEMPORARY STREAM IMPACTS = 0 LF

W4
 PERMANENT WETLAND IMPACTS = 0.0Ac / SF
 HAND CLEARING IN WETLANDS = 0.0Ac / SF
 PERMANENT STREAM IMPACTS = 60 LF
 TEMPORARY STREAM IMPACTS = 10 LF



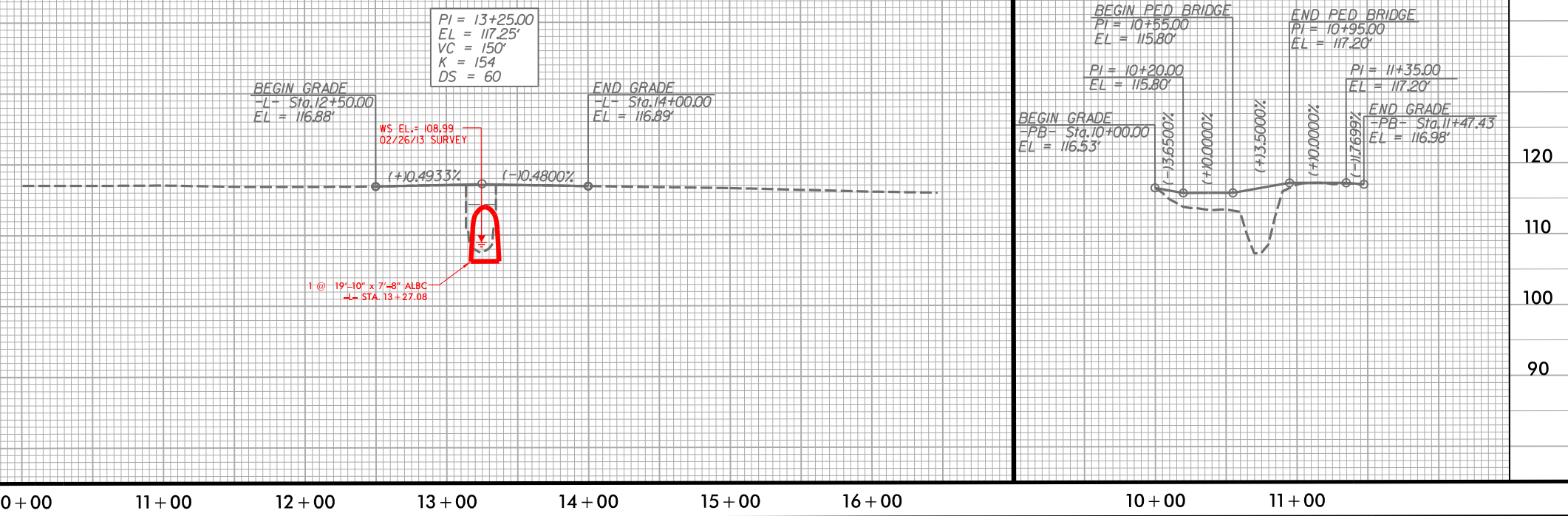
LEGEND

 DENOTES IMPACTS IN SURFACE WATER
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER



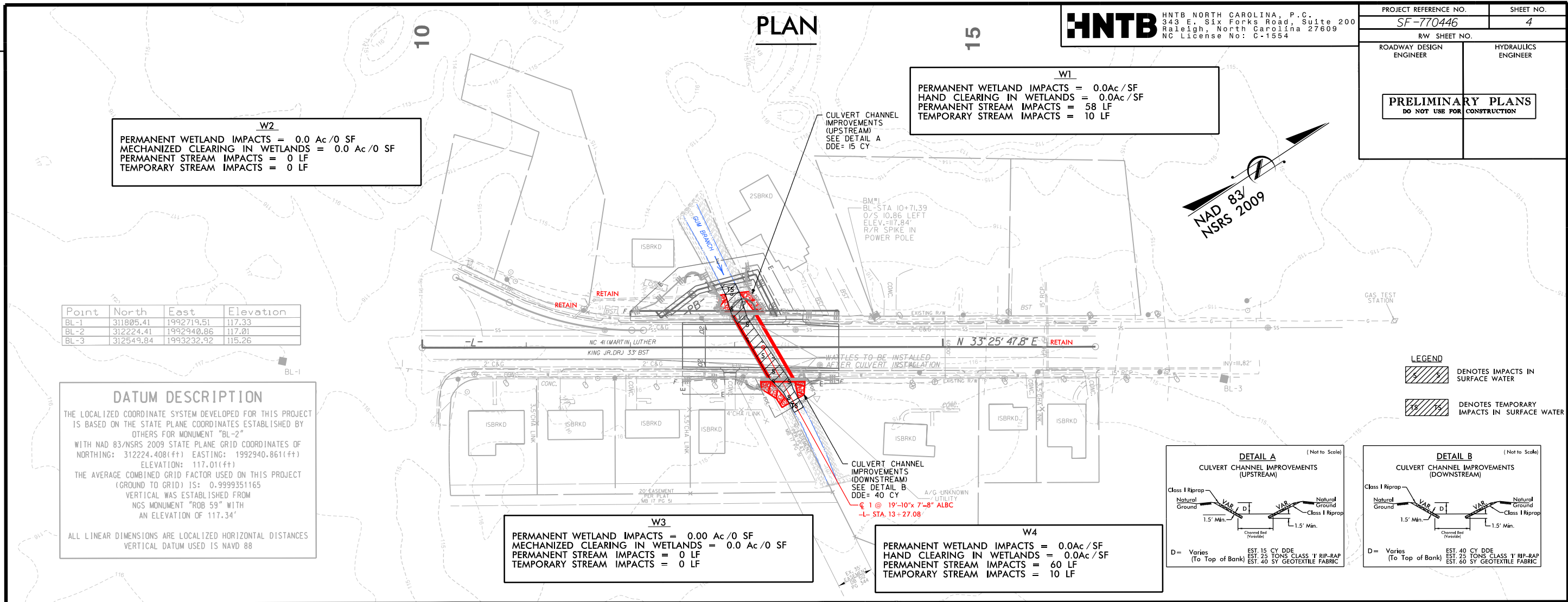
PROFILE

CULVERT HYDRAULIC DATA
 DESIGN DISCHARGE = 500 CFS
 DESIGN FREQUENCY = 50 YRS
 DESIGN HW ELEVATION = 115.2 FT
 BASE DISCHARGE = 550 CFS
 BASE FREQUENCY = 100 YRS
 BASE HW ELEVATION = 115.42 FT
 OVERTOPPING DISCHARGE = 510 CFS
 OVERTOPPING FREQUENCY = 50 YRS
 OVERTOPPING ELEVATION = 115.22 FT
 DATE OF SURVEY = 02/26/13
 W.S. ELEVATION AT DATE OF SURVEY = 108.99 FT



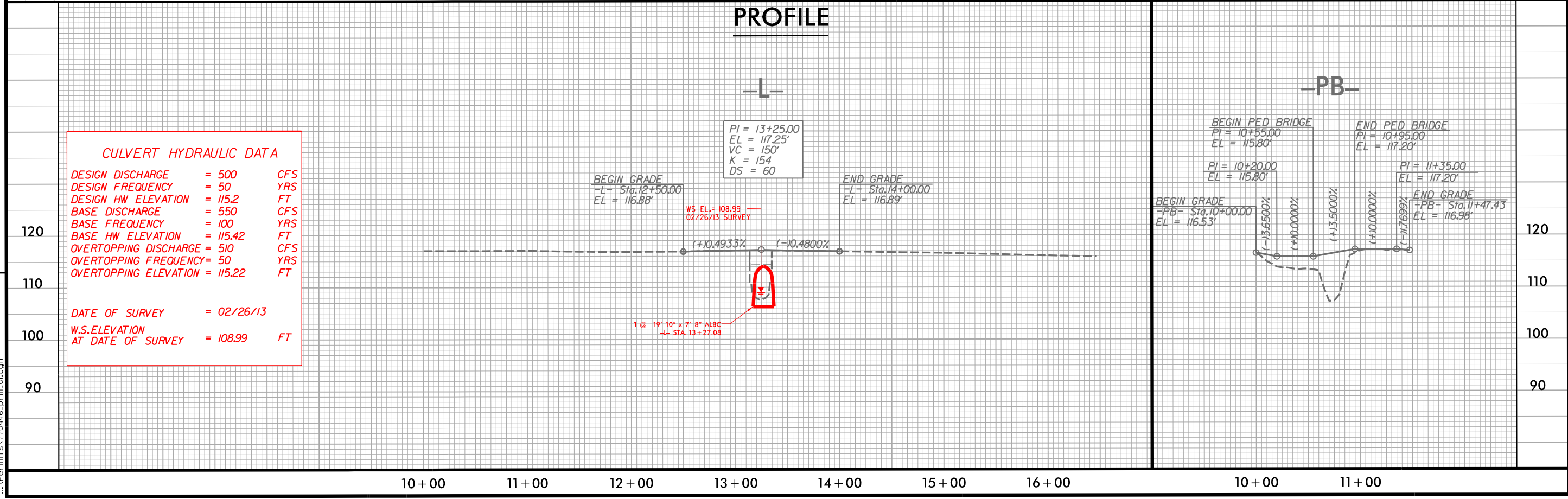
REVISIONS

PROJECT REFERENCE NO. SF-770446	SHEET NO. 4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS DO NOT USE FOR CONSTRUCTION	

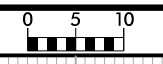


Point	North	East	Elevation
BL-1	311805.41	1992719.51	117.33
BL-2	312224.41	1992940.86	117.01
BL-3	312549.84	1993232.92	115.26

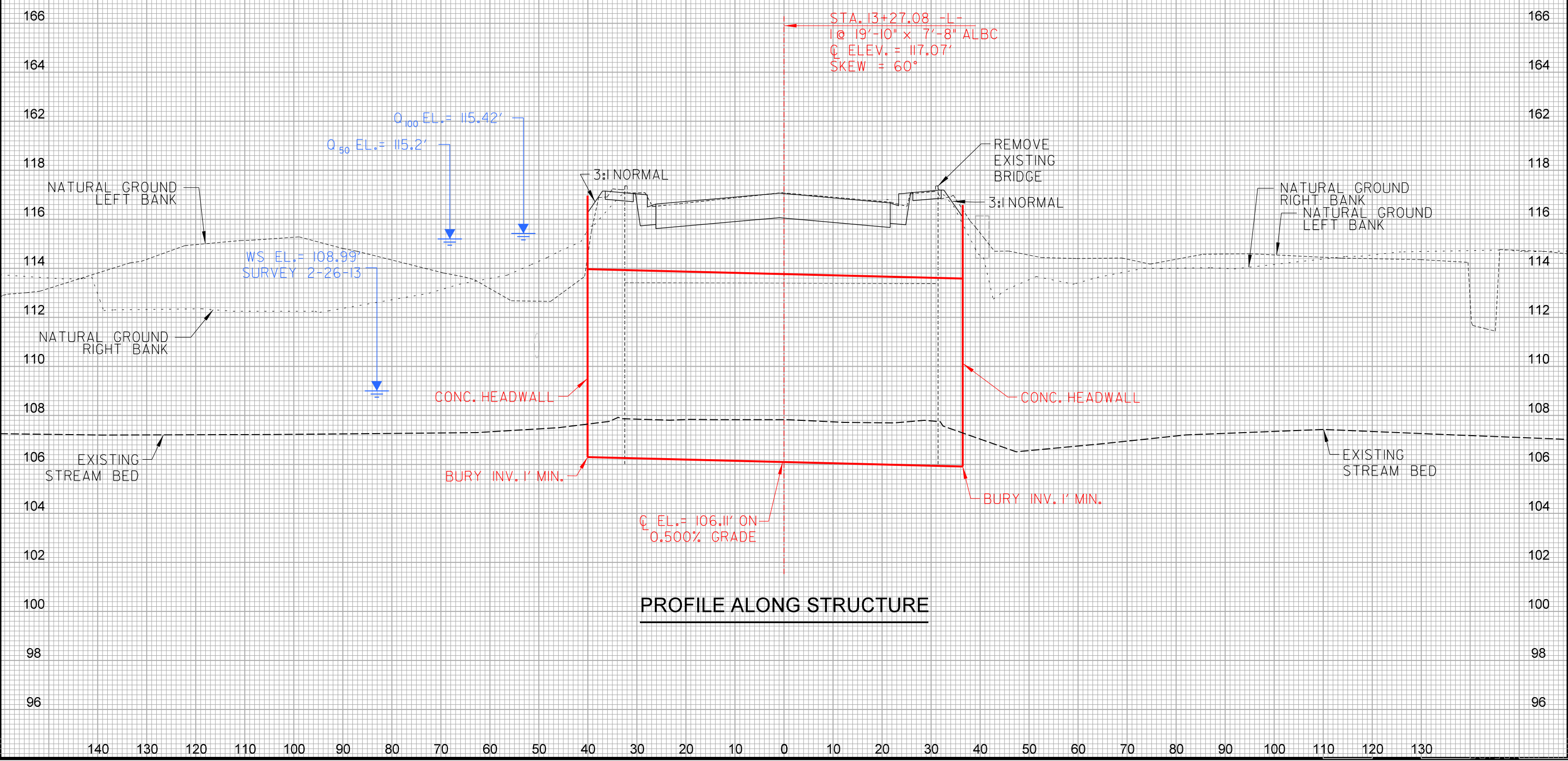
REVISIONS



2/18/2015 4:45:11 PM ...Permits\770446.prm.Dwg



1"=20' HORIZONTAL
1"=4' VERTICAL



PROFILE ALONG STRUCTURE

4:23:06 PM 7/20/16 446-prm-01.dgn

WETLAND PERMIT IMPACT SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
	-L- 12+96 - 13+58	19'-10" x 7'-8" ALBC								76		
	-L- 12+86 - 13+10 (LT)	Bank Stabilization								20	10	
	-L- 13+35 - 13+66 (RT)	Bank Stabilization								22	10	
TOTALS*:										118	20	0

*Rounded totals are sum of actual impacts

NOTES:
 Temp. Stream Impacts for dewatering / construction.
 ALBC = Aluminium Box Culvert

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 02/18/2015
 Robeson
 SF-770446

SHEET 1 OF 1

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

Permittee: NC DOT, Mr. Greg Burns, Division 6 Engineer
 Project Name: NC 41/SR 2415/ bridge 446 over Gum Swamp

Action ID: SAW-2015-00507
 County: Robeson

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 (credits) shown below are available at the identified site. By signing below, the Sponsor is accepting full responsibility for the identified mitigation, regardless of whether or not they have received payment from the Permittee. Once the form is signed, the Sponsor must update the bank ledger and provide a copy of the signed form and the updated bank ledger to the Permittee, the USACE Project Manager, and the Wilmington District Mitigation Office (see contact information on page 2). The Sponsor must also comply with all reporting requirements established in their authorizing instrument.

Permitted Impacts and Compensatory Mitigation Requirements:

Permitted Impacts Requiring Mitigation*			8-digit HUC and Basin: 03040203, Lumber River Basin			
Stream Impacts (linear feet)			Wetland Impacts (acres)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
76						

*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: 03040203, Lumber River Basin			
Stream Mitigation (credits)			Wetland Mitigation (credits)			
Warm	Cool	Cold	Riparian Riverine	Riparian Non-Riverine	Non-Riparian	Coastal
76						

Mitigation Site Debited: NC DMS

(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).

Section to be completed by the Mitigation Sponsor

Statement of Mitigation Liability Acceptance: I, the undersigned, verify that I am authorized to approve mitigation transactions for the Mitigation Sponsor shown below, and I certify that the Sponsor agrees to accept full responsibility for providing the mitigation identified in this document (see the table above), associated with the USACE Permittee and Action ID number shown. I also verify that released credits (and/or advance credits for 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.

Mitigation Sponsor Name: _____

Name of Sponsor's Authorized Representative: _____

Signature of Sponsor's Authorized Representative

Date of Signature

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

Conditions for Transfer of Compensatory Mitigation Credit:

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

Comments/Additional Conditions:

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

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

Email:

**HAIR.SARAH.E
A.1054693512**

Digitally signed by
HAIR.SARAH.EA.1054693512
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=HAIR.SARAH.EA.1054693512
Date: 2015.04.08 17:30:09 -04'00'

April 8, 2015

USACE Project Manager Signature

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>.

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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.