

Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, NCDOT will return the Certificate of Completion to the NCDWQ 401/Wetlands Unit after obtaining the Division Engineer's signature.

Upon completion of all work, the Division Engineer and Division Environmental Officer will sign and return the USACE compliance form to the USACE.

Permitting Process for Phased New Location Projects

Many project corridor lengths are broken into a number of project segments and are funded at different timeframes for right of way acquisition and construction. Therefore, right of way plan preparation and final plan preparation occur at various timeframes depending upon the project segment's schedule.

For a project that has multiple project segments, the following process will occur: the NEPA document will be written for the entire project corridor length (Steps 1-27). At the time of the Draft EIS or EA issuance, the NCDOT will submit a Section 404 application for the entire project corridor. The application will also include the plan for how compensatory mitigation will be addressed for the entire project (Step 33). An approved compensatory mitigation plan must be provided for the entire project before any project segment is permitted. Following the submittal of the application, the steps in the process that extend to the issuance of the FONSI or ROD (whichever is applicable) and the public information meeting will be completed for the entire project corridor length and Concurrence Point 4A will be achieved for the entire project corridor length.

The development of right of way plans on through to the project letting and construction (Steps 28-43) will begin for the project segment(s) that are imminently scheduled for right of way acquisition and letting. At the time the right of way plans are completed, an updated permit application will be submitted that will include right of way plans for the projects segment(s) that are imminently scheduled for right of way acquisition and letting. Preliminary designs will be submitted with the permit application for the remaining project segments that are scheduled for later years. The permitting agencies will then take final action on the permit application for all project segments. Any permits that are issued will have conditions that a final design will have to be submitted and written approval and/or permit modification obtained from the USACE and NCDENR before construction can begin on those project segments where only preliminary design was submitted with the application.

As the right of way and letting date draws near for the remaining project segment(s), the development of right of way plans and the completion of steps that lead to the project letting and construction (Steps 28-43) will be completed for each project segment(s). At the time the right of way plans for the remaining project segment(s) are completed, a request for a permit modification will be submitted for those project segment(s). This request will contain the final design information for the project segment(s). Prior to providing written approval and/or permit modification, the USACE and NCDENR, in coordination with the Project

Team, will ensure that all appropriate avoidance and minimization measures have been incorporated in the project design. NCDOT will be notified of the decision on the requested segment(s) approval.