

State of North Carolina  
Department of Environment  
and Natural Resources

Division of Water Quality  
James B. Hunt, Jr., Governor  
Wayne McDevitt, Secretary  
A. Preston Howard, Jr., P.E., Director



February 4, 1999  
Randolph and Chatham Counties  
DWQ Project # 981273  
R-2217A,B&C

**APPROVAL of 401 Water Quality Certification**

Mr. William D. Gilmore, P.E., Manager  
Planning and Environmental Branch  
North Carolina Department of Transportation  
P.O. Box 25201  
Raleigh, NC, 27611-5201



Dear Mr. Gilmore:

You have our approval, in accordance with the attached conditions and those listed below, to Widen US 64 from NC 22 in Ramseur to SR 2469/SR 2628, as you described in your application dated 11 December 1998 (received 22 December 1998). After reviewing your application, we have decided that this fill is covered by **General Water Quality Certification Number 3103**. This certification allows you to use Nationwide Permit Number 14 when the Corps of Engineers issues it. In addition, you should get any other federal, state or local permits before you go ahead with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire when the accompanying 404 permit expires unless otherwise specified in the General Certification.

This approval is only valid for the purpose and design that you described in your application. If you change your project, you must notify us and to send us 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 conditions. If total wetland fills for this project (now or in the future) exceed one acre, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to be valid, you must follow the conditions listed in the attached certification.

Stream restoration shall be implemented onsite as described in your application, and at the **Starmount Park**, Starmount Forest Country Club, and **Sussman's Park Stream Mitigation Sites**. This shall include 1063 linear feet of onsite stream relocation and 2434 linear feet of stream mitigation at the offsite locations. Channel relocations shall be done

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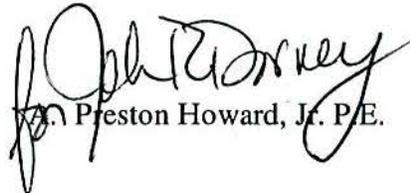
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using bioengineering techniques for streambank stabilization and creation of meanders. Vegetation must be restored along the banks to provide shade for the streams. DOT is required to notify the DWQ Central and Winston-Salem Regional Offices when onsite stream relocation has been completed. This will be followed by a site inspection by DWQ staff. Any sections found to be insufficient for stream restoration will need to be mitigated offsite instead.

If you do not accept any of the conditions of this certification, you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, P.O. Box 27447, Raleigh, N.C. 27611-7447. This certification and its conditions are final and binding unless you ask for a hearing.

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please telephone John Dorney or Cyndi Bell at 919-733-1786.

Sincerely,



John Preston Howard, Jr. P.E.

Attachment

cc: Wilmington District Corps of Engineers  
Corps of Engineers Raleigh Field Office  
Raleigh DWQ Regional Office  
Winston-Salem DWQ Regional Office  
Central Files

981273

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE  
FOR CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBER 14 (ROAD  
CROSSINGS)**

This General Certification is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality Regulations in 15A NCAC 2H, Section .0500 and 15A NCAC 2B .0200 for the discharge of fill material to waters and wetland areas as described in 33 CFR 330 Appendix A (B) (14) of the Corps of Engineers regulations (i.e., Nationwide Permit No. 14). The category of activities shall include any fill activity for road crossing and is limited to fill less than one-third of an acre. This Certification replaces Water Quality Certification Number 2177, issued on November 5, 1987, Water Quality Certification Number 2666 issued on January 21, 1992 and Water Quality Certification Number 2732 issued on May 1, 1992. This WQC is rescinded when the Corps of Engineers reauthorize Nationwide Permit 14 or when deemed appropriate by the Director of the DWQ.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Conditions of Certification:

1. Proposed fill or substantial modification of wetlands or waters under this General Certification requires written concurrence from the Division of Water Quality;
2. The width of the fill is limited to the minimum needed for the actual crossing;
3. The roadway width shall be minimized as much as practicable and that no practicable alternative exists;
4. Pipes shall be installed under the road in all streams so as to carry at least the 25 year storm event as outlined in the most recent edition of the "North Carolina Erosion and Sediment Control Planning and Design Manual" or "North Carolina Surface Mining Manual" in order not to impede flow. Pipes shall be placed at or below the elevation of the streambed so as not to impede aquatic life movement;
5. That appropriate sediment and erosion control practices which equal or exceed those outlined in the "North Carolina Erosion and Sediment Control Planning and Design Manual" or "North Carolina Surface Mining Manual" (available from the Division of Land Resources in the DEHNR Regional and Central Offices) are utilized to prevent exceedances of the appropriate turbidity water quality standard (50 NTUs in streams and rivers not designated as trout waters by DWQ; 25 NTUs in all saltwater classes, and all lakes and reservoirs; and 10 NTUs in trout waters);
6. All sediment and erosion control measures placed in wetlands or waters shall be removed and the natural grade restored after the Division of Land Resources has released the project;
7. Measures shall be taken to prevent live or fresh concrete from coming into contact with waters of the state until the concrete has hardened;

8. If this Certification is used to access building sites, all lots must be buildable without additional fill beyond that allowed under other General Certifications. Deed restrictions must be placed on the remaining wetlands on these lots to restrict future fill. DWQ shall be sent copies of all deed restrictions applied to these lots;
9. This Certification shall be utilized for roads from natural high ground to natural high ground. The Certification for Nationwide Permit 18 may not be used in conjunction with this Certification to create high ground for road access;
10. If an environmental document is required, this Certification is not valid until a FONSI or ROD is issued by the State Clearinghouse;
11. That additional site-specific conditions may be added to projects proposed under this Certification in order to ensure compliance with all applicable water quality and effluent standards;
12. Concurrence from DWQ that this Certification applies to an individual project shall expire three years from the date of the cover letter from DWQ.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this Certification for the project and may also result in criminal and/or civil penalties.

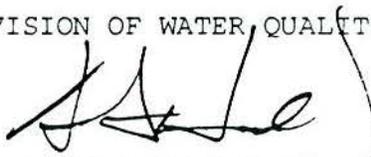
The Director of the North Carolina Division of Water Quality may require submission of a formal application for individual certification for any project in this category of activity, if it is determined that the project is likely to have a significant adverse effect upon water quality or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

Public hearings may be held for specific applications or group of applications prior to a Certification decision if deemed in the public's best interest by the Director of the North Carolina Division of Water Quality.

Effective date: 11 February 1997.

DIVISION OF WATER QUALITY

By



A. Preston Howard, Jr. P.E.  
Director

gencert.14

WQC # 3103