



Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Alan W. Klimek, P.E. Director
Division of Water Quality
Coleen H. Sullins, Deputy Director
Division of Water Quality

file AG

October 27, 2003
DWQ No. 021232
Pamlico County



Dr. Gregory J. Thorpe, PhD., Manager
Planning and Environmental Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina, 27699-1548

Re: Pamlico County, Widening of NC 55 from Bridgeton to Bayboro,
Federal Aid Project No. STP-55(1), State Project No. 8.1170901; TIP R-2539B.
UT to Deep Creek [27-103; C NSW]

APPROVAL of NEUSE RIVER BUFFER RULES MINOR VARIANCE with ADDITIONAL CONDITIONS

Dear Dr. Thorpe,

You have our approval, in accordance with the attached conditions, to install a preformed scour in Zone 2 of protected riparian buffers for the purpose of widening of NC 55 from Bridgeton to Bayboro. This authorization permits 3.87 square feet of impacts to protected Neuse River Riparian Buffers to install a preformed scour hole. The preformed scour hole will result in stormwater discharging through the remainder of the buffers as diffuse flow at nonerosive velocities. The preformed scour hole and stormwater collection system that discharges to it shall be constructed according to the design Detail L included in your application dated July 21, 2003 and conditions listed below. This approval shall act as your Authorization Certificate as required within the Neuse River Area Protection Rules (15A NCAC 2B .0233). In addition, you should get any other required federal, state or local permits before you go ahead with your project including (but not limited to) Sediment and Erosion Control.

This approval is only valid for the purpose and design that you described in your application dated July 21, 2003. If you change your project, you must notify us and you may be required to send us a new application. If the property is sold, the new owner must be given a copy of this authorization and approval letter and is thereby responsible for complying with all conditions. For this approval to be valid, you must follow the conditions listed below.

- No changes to the horizontal or vertical placement of the stormwater outfall locations, the horizontal or vertical placement of the culverts, the horizontal or vertical placement of bridges, the horizontal or vertical placement of grassed swales, or the horizontal or vertical placement of open ditches is permitted without written approval from the NC Division of Water Quality 401 Wetlands Unit. In addition, no changes to the flow spreader locations or designs, preformed scour hole locations or designs are permitted without written approval from the NC Division of Water Quality 401 Wetlands Unit. Any request for changes to the referenced items above will require submittal of a modification request, with seven copies, and corresponding fees will need to be submitted to the North Carolina Division of Water Quality.

If you do not accept any of the conditions of this authorization, 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 authorization 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 the "No Practical Alternatives" determination required in 15A NCAC 2B .0233(8). If you have any questions, please contact John Hennessy at 919-733-5694.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan W. Klimek", is written over the typed name and title.

Alan W. Klimek, P.E.
Director

cc: US Army Corps of Engineers Washington Field Office
DWQ Washington Regional Office
File Copy
Central Files

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