



4/11

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

June 3, 2003

MEMORANDUM TO: Mr. C. E. Lassiter, Jr., P.E.
Division 2 Engineer

FROM: *for* Philip S. Harris, III, P.E., Manager *for common*
Office of the Natural Environment
Project Development and
Environmental Analysis Branch

SUBJECT: Craven and Pamlico Counties; NC 55 Widening from US 17 at
Bridgeton to East of SR 1127; State Project No. 8.1170901; T.I.P.
R-2539A

Attached are the U. S. Army Corps of Engineers Individual Permit and the DWQ 401 Water Quality Certification. All environmental permits have been received for the construction of this project.

VCB/eah

Attachment

cc: Ms. Debbie Barbour, P.E.
Mr. Jay Bennett, P.E.
Mr. David Chang, P.E.
Mr. Randy Garris, P.E.
Mr. Greg Perfetti, P.E.
Mr. Mike Staley
Mr. John F. Sullivan, III, FHWA
Mr. Omar Sultan
Mr. Jay Johnson, Division 2 Environmental Officer

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1500
FAX: 919-715-1501
WEBSITE: WWW.NCDOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

TIP Project No. R-2539 A

**Widening of NC 55
From US 17 at Bridgeton in Craven County
To East of SR 1127 in Pamlico County
Federal Aid Project No. STP-55(1)
State Project No. 8.1170901**

In addition to the standard Section 404 Individual Permit General Conditions, Section 401 Major Water Quality Certification Conditions, and Coastal Resources Commission (CAMA) Permit general conditions, the following special commitments have been agreed to by NCDOT.

COMMITMENTS DEVELOPED THROUGH PROJECT DEVELOPMENT AND DESIGN

All standard procedures and measures, including Best Management Practices for the Protection of Surface Waters and Sedimentation, will be implemented to avoid or minimize environmental impacts.

Roadway Design Unit, Division 2

The North Carolina Bicycling Highway Ocracoke Option designates NC 55 as a bicycle route from US 17 to SR 1005 (Neuse Road). The paved shoulder design for this project will accommodate the needs of bicycle traffic. In order to accommodate the needs of bicyclists through Reelsboro, the proposed curb and gutter section of roadway will be striped with a 3.6-meter (12-foot) center turn lane, 3.3-meter (11-foot) inside travel lanes, and 4.5-meter (14-foot) outside travel lanes.

The proposed bicycle accommodations have been incorporated into the design for R-2539 A. The portion of the project that extends through Reelsboro is part of R-2539 B and will be addressed in a future R-2539 B Construction Consultation.

Hydraulics Unit, Division 2 Construction

NCDOT's Best Management Practices include designing culverts to maintain the existing water surface conditions during normal flow periods. The culvert alignments and inverts will be designed to prevent interruptions to the natural stream flow. To ensure that the project will not impede fish migration, NCDOT will follow the draft design guidelines entitled "Stream Crossing Guidelines for Anadromous Fish Passage." As discussed in these guidelines, instream activities will be minimized during the spring migrating period of March, April, and May. Where spanning structures are not practicable, NCDOT will incorporate these guidelines into the culvert design.

Culvert designs for the project have incorporated both Best Management Practices and Stream Crossing Guidelines. Minimization of instream activities during the spring migrating period will be incorporated into the construction plans for the project.

Division 2 Construction

Notify PDEA and REU when construction is complete for the onsite mitigation sites at Upper Broad Creek, Deep Run Creek, and Goose Creek.

COMMITMENTS DEVELOPED THROUGH PERMITTING

O.N.E.

401 Condition 7. Compensatory mitigation for impacts to wetlands shall be done for 15.69 acres of impacts (1.39 acres of riverine and 14.3 acres of non-riverine). Wetland impacts shall be mitigated with 1.39 acres (1.39 credits) of onsite riverine wetland restoration and 5.56 acres (1.39 credits) of onsite riverine wetland enhancement, and 28.6 acres (28.6 credits) of offsite non-riverine wetland restoration from the Croatan MBI.

401 Condition 9. Compensatory mitigation shall be done for 619 linear feet of stream impacts. Required mitigation will be provided by using off-site stream mitigation by debiting 619 linear feet of stream credits from the Brock Mitigation Site in Jones County.

CAMA Condition 20) The annual monitoring report for the Croatan mitigation site shall include a debit ledger that reflects that credits for 28.6 acres of wetland restoration have been debited for R-2539A/B,C. Debit ledger shall also show the remaining credits available at the Croatan mitigation site.

Division 2 Construction, O.N.E.

CAMA Condition 1) Only construction of R-2539A is authorized. Prior to initiating any construction on remaining sections, permittee must submit a request for, and receive a modification(s).

Division 2 Construction

404 Condition f. Permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives, and the USACE, Washington Regulatory Field Office, prior to any work within jurisdictional waters and wetlands.

404 Condition o. In-stream activities will be minimized during the spring migration period of anadromous fish (February 1 through June 15).

CAMA Condition 12) Instream activities should be avoided from February 15 to June 15.

404 Condition aa. Construction equipment will be operated from the bank rather than in the stream channel.

Division 2 Construction, Hydraulics, Roadway Design

404 Condition hh. Permittee shall debit the 28.6 non-riverine restoration acres from the Croatan Wetland Mitigation Bank. No work within waters or wetlands authorized by the permit shall begin until proof has been received by the USACE that the credits have been debited from the Bank in accordance with the MBI signed April 2003.

404 Condition g. Prior to commencing construction within jurisdictional Waters of the U.S., the permittee shall forward the latest version of the project construction drawings to the USACE, Washington Regulatory Field Office.

404 Condition p. Temporary construction bridges will be used over Upper Broad Creek and Deep Run Creek and associated wetlands. In addition, top down construction methods will be used to construct the bridges over Goose Creek and associated wetlands.

CAMA Condition 17) Temporary work bridge will be constructed utilizing top-down construction methods, and will be removed immediately after construction of the permanent bridge is completed.

CAMA Condition 16) Bridges shall be constructed with driven piles or drilled shaft construction, specifically piles shall not be jetted. Should jetting of any bridge piles become necessary, a modification to the permit will be required.

404 Condition q. Absolutely no fill shall be deposited into, or removed from, wetlands adjacent to Upper Broad or Deep Run Creeks during installation or removal of pilings to support the temporary construction bridges. This prohibition includes matting or dredging.

CAMA Condition 14) Debris resulting from demolition of the existing bridge, including deck components, shall not enter wetlands or Waters of the U.S., even temporarily.

401 Condition 17. No changes to the horizontal or vertical placement of the following structures is permitted without written approval from the NC DWQ: stormwater outfall locations, culverts, bridges, grassed swales, or open ditches. 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 DWQ.

CAMA Condition 10) If the permittee determines that additional permanent and/or temporary impacts will occur that are not shown on the permit drawings, additional authorization from DCM will be required.

CAMA Condition 11) Fill slopes in wetlands will be 3:1 or steeper.

Division 2 Construction, O.N.E., Roadside Environmental Unit

404 Condition bb. Discharging hydro seeding mixtures and washing out hydro seeders and other equipment in or adjacent to surface waters is strictly prohibited.

Stream Mitigation

404 Condition s. Permittee will mitigate for stream impacts by purchasing and implementing natural channel design off-site on 969 feet at the Brock Mitigation Site located in Jones County. In addition, the permittee will provide 134.5 feet of on-site mitigation within the right-of-way via relocation of an unnamed tributary to West Fork Goose Creek (see Section B permit drawing sheet 25 of 48). Channel banks will be planted with one or more of the following species: sycamore, willow oak, green ash,

water oak, or swamp chestnut oak. As Built for the completed stream and wetland restoration will be submitted to the USACE within 30 days of construction completion. The NCDOT has purchased an Option for the Brock Mitigation site and will finalize the Mitigation Plan by May 1, 2004 and have the restoration work completed by May 1, 2005.

401 Condition 6. All channel relocations will be constructed in a dry work area and stabilized before stream flows are diverted. Vegetation used for bank stabilization shall be limited to native woody species and should include establishment of a 30-foot wide wooded and adjacent 20-foot wide vegetated buffer on both sides of the relocated channel to the maximum extent possible. A transitional phase incorporating coir fiber and seedling establishment is allowable. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested.

Wetland Mitigation

404 Condition cc. and CAMA Condition 18) Existing bridges over Upper Broad, Goose, and Deep Run Creeks will be removed and associated causeway fill will be excavated to restore and enhance three on-site wetlands. The material will be removed to the elevation of the adjacent wetlands. This wetland restoration effort will be accomplished pursuant to the "Restoration Plan for Swamp Hardwood Wetlands, at existing Bridge Causeways", dated December 11, 2002 [revised January 24, 2003] and implemented concurrently with all phases of construction activities to the extent necessary to restore, monitor and maintain 2.66 acres of riverine bottomland hardwood wetlands to the satisfaction of the USACE. Any deviation from the mitigation site construction schedule must be approved by the Wilmington District, USACE.

CAMA Condition 19) [Where existing causeways are being utilized for onsite riverine mitigation,] permittee will ensure removal of all unsuitable existing causeway fill and fill any void left with suitable organic substrate.

404 Condition w. Permittee will identify and survey the acreage at the mitigation sites utilized to satisfy special condition u. above and provide a copy of the survey to the USACE within 45 days (June 23, 2003) of date of the permit (May 9, 2003).

Roadside Environmental Unit

401 Condition 12. Prior to planting any of the vegetation for the wetland restoration sites, a planting plan shall be submitted to, and approved by, the NC DWQ.

404 Condition t. Permittee will visually monitor the vegetative plantings on the on-site mitigation stream banks to assess and ensure complete stabilization of the mitigation stream segments. This monitoring will include adequate visual monitoring of planted vegetation for a minimum of one year after planting, and appropriate remedial actions.

404 Condition gg. Permittee will submit the annual mitigation monitoring reports by December 31 of each monitoring year.

401 Condition 13. For the wetland restoration sites, NCDOT shall plant 680 stems/acre. Vegetation success shall be measured by survivability over a 5-year monitoring period. Survivability will be based on 320 stems/acre after 3 years and 260 stems/acre after 5 years. A survey of vegetation during the growing season shall be conducted annually over the 5-year monitoring period, and submitted to the NC DWQ. If the surviving vegetation densities are below the required thresholds after the 5-year monitoring period, the site may still be declared successful, at the discretion and with written approval from the NC DWQ.

401 Condition 14. For the wetland restoration sites, hydrologic success of the sites will be attained by restoration of a hydrologic regime that results in inundation or saturation of the soils within 12 inches of the ground surface for at least 12.5 percent of the growing season, and inundation or saturation of the soils within 12 inches of the ground surface within 20 percent of hydrologic monitoring gauges located in the adjacent wetland reference. The hydrologic monitoring shall persist for a total of 5 years. In addition, after the 5-year monitoring period, if the monitoring requirements are not met, the site may still be declared successful, at the discretion and with written approval from the NC DWQ.

Division 2 Construction, Roadside Environmental Unit, ROW

404 Conditions u (stream mitigation) and dd (wetland mitigation). NCDOT will maintain the stream channels utilized to satisfy Special Condition s. in a natural state in perpetuity as mitigation areas. NCDOT will maintain the mitigation sites (including 11.99 acres of riverine wetland enhancement) in the condition established by the mitigation plan in perpetuity (fee title) Prohibited activities within these mitigation areas includes, but is not limited to: construction or placement of roads, walkways, buildings, signs or structures of any kind (i.e. billboards, interior fences, etc.); filling, grading, excavation, leveling, or any other earth moving activity, that may alter the drainage pattern on the property; cutting, mowing, destruction, removal, damage of other alteration of any vegetation, except as may be authorized by the mitigation plan or subsequent modifications which are approved by the USACE. Permittee shall take no action, whether on or off the mitigation property, which will adversely impact the restored streams.

CAMA Condition 21) All mitigation sites will be protected in perpetuity in their restored, enhanced or preserved states as appropriate according to the approved final mitigation plans and owned by the permittee.

PDEA, O.N.E., Hydraulics, Roadway Design

401 Condition 18. When design plans are completed for R-2539B and R-2539C, a modification to the 401 WQC and the Neuse River Riparian Buffer Certification shall be submitted with seven copies and fees to the NC DWQ. No construction activities that

impact any wetlands, streams, surface waters, or buffers located in R-2539B or R-2539C shall begin until after NCDOT receives written modifications.

PERMIT EXPIRATION DATES:

404 Permit expires on December 31, 2006

401 WQC expires upon expiration of 404 or CAMA

CAMA Major Development permit expires on December 31, 2006



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

May 9, 2003

Regulatory Division

Subject: Action ID. 199303531; Tip No. R-2539

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

Dear Dr. Thorpe:

In accordance with your written request of August 9, 2002, and the ensuing administrative record, enclosed are two copies of a Department of the Army (DA) permit to discharge dredged or fill materials impacting a total of 15.84 acres of waters of the United States, including 15.69 acres of Section 404 wetlands and 619 linear feet of stream, to widen 14.2 miles of NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamlico Counties, North Carolina (TIP R-2539, Federal Aid Project STP-55(1), State Project No. 8.1170901).

You should acknowledge that you accept the terms and conditions of the enclosed permit by signing and dating each copy in the spaces provided ("Permittee" on page 3). Your signature, as permittee, indicates that, as consideration for the issuance of this permit, you voluntarily accept and agree to comply with all of the terms and conditions of this permit. All pages of both copies of the signed permit with drawings should then be returned to this office for final authorization. A self-addressed envelope is enclosed for your convenience.

After the permit is authorized in this office, the original copy will be returned to you; the duplicate copy will be permanently retained in this office. Should you have questions, feel free to contact Mr. Mike Bell at the Washington Regulatory Field Office, telephone (252)975-1616, extension 26.

Sincerely,

E. David Franklin
Chief, NCDOT Team

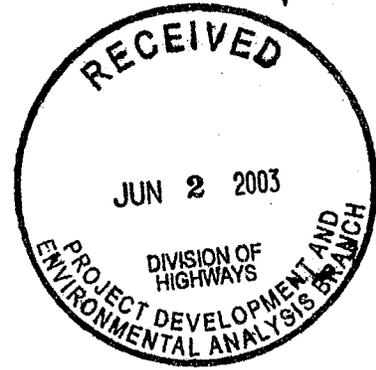
Enclosure



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1890
WILMINGTON, NORTH CAROLINA 28402-1890

May 27, 2003



Regulatory Division

Action ID. 199303531; TIP No. R-2539 A, B, C

Dr. Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA
N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Dr. Thorpe:

In accordance with the written request of August 9, 2002, and the ensuing administrative record, enclosed is a permit to discharge dredged or fill materials impacting a total of 15.84 acres of waters of the United States, including 15.69 acres of Section 404 wetlands and 619 linear feet of stream, to widen 14.2 miles of NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamlico Counties, North Carolina (TIP R-2539, Federal Aid Project STP-55(1), State Project No. 8.1170901).

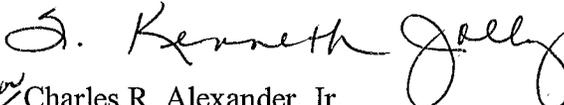
If any change in the authorized work is required because of unforeseen or altered conditions or for any other reason, the plans revised to show the change must be sent promptly to this office. Such action is necessary, as revised plans must be reviewed and the permit modified.

Carefully read your permit. The general and special conditions are important. Your failure to comply with these conditions could result in a violation of Federal law. Certain significant general conditions require that:

- a. You must complete construction before December 31, 2006.
- b. You must notify this office in advance as to when you intend to commence and complete work.
- c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

Should you have questions, feel free to contact Mr. Mike Bell at the Washington Regulatory Field Office, telephone (252)975-1616, extension 26.

Sincerely,


for Charles R. Alexander, Jr.
Colonel, U.S. Army
District Engineer

Enclosures

Copy Furnished with enclosures:

Chief, Source Data Unit
NOAA/National Ocean Service
ATTN: Sharon Tear N/CS261
1315 East-West Hwy., Rm 7316
Silver Spring, MD 20910-3282

Mr. Ronald Mikulak, Chief
Wetlands Section - Region IV
Water Management Division
U.S. Environmental Protection Agency
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303

Copies Furnished with special conditions
and plans:

Mr. Garland Pardue, Field Supervisor
U.S. Fish and Wildlife Service
Fish and Wildlife Enhancement
Post Office Box 33726
Raleigh, North Carolina 27636-3726

Mr. Doug Huggett
Division of Coastal Management
North Carolina Department of
Environment and Natural Resources
1638 Mail Service Center
Raleigh, North Carolina 27699-1638

Mr. Ron Sechler
National Marine Fisheries
Service, NOAA
Pivers Island
Beaufort, North Carolina 28516

Mr. Ronald E. Ferrell, Program Manager
Wetlands Restoration Program
Division of Water Quality
1619 Mail Service Center
Raleigh, North, Carolina 27699-1619

Mr. David Rackley
National Marine Fisheries
Service, NOAA
219 Fort Johnson Road
Charleston, South Carolina 29412-9110

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

MAY 9 1 2003

WILMINGTON FIELD OFFICE

Permittee NC Department of Transportation

Permit No. 199303531

Issuing Office CESAW-RG-W

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To discharge dredged or fill materials impacting a total of 15.84 acres of waters of the United States, including 15.69 acres of Section 404 wetlands and 619 linear feet of stream, to widen 14.2 miles of NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro.

Project Location:

From NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamlico Counties, North Carolina.

Permit Conditions:

General Conditions:

December 31, 2006

1. The time limit for completing the work authorized ends on _____ . If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

See enclosed sheet.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

() Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(^X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

MAY 2 1 2006

WILMINGTON FIELD OFFICE

Permittee NC Department of Transportation

Permit No. 199303531

Issuing Office CESAW-RG-W

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description:

To discharge dredged or fill materials impacting a total of 15.84 acres of waters of the United States, including 15.69 acres of Section 404 wetlands and 619 linear feet of stream, to widen 14.2 miles of NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro.

Project Location:

From NC 55 from 0.7 miles east of US 17 in Bridgeton to NC 304 in Bayboro, Craven and Pamlico Counties, North Carolina.

Permit Conditions:

General Conditions:

December 31, 2006

1. The time limit for completing the work authorized ends on December 31, 2006. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITEE) 12 May 03 (DATE)
NC DEPARTMENT OF TRANSPORTATION

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER) 5/27/03 (DATE)
for CHARLES R. ALEXANDER, JR. COLONEL

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEE) (DATE)

SPECIAL CONDITIONS

ACTION ID: 199303531;TIP NO. R-2539

a. Failure to institute and carry out the details of the following special conditions, below, will result in a directive to cease all ongoing and permitted work within waters and/or wetlands associated with the permitted project, or such other remedies and/or fines as the District Engineer or his authorized representatives may seek.

b. All work authorized by this permit must be performed in strict compliance with the attached plans, which are part of the permit.

c. The permittee and its contractors and/or agents shall not excavate, fill, or perform landclearing at any time in the construction or maintenance of this project within waters and/or wetlands, except as authorized by this permit or any modification to this permit. There shall be no excavation from or waste disposal into jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit, including appropriate compensatory mitigation. This prohibition applies to all borrow and fill activities connected with this project.

d. To ensure that all borrow and waste activities occur on high ground, except as authorized by this permit, the permittee shall require its contractors and/or agents to identify all areas to be used to borrow material, or to dispose of dredged, fill, or waste material. The permittee shall ensure that all such areas comply with Special Condition (c.) of this permit, and shall require and maintain documentation of the location and characteristics of all borrow and disposal sites associated with this project. This information will include data regarding soils, vegetation and hydrology sufficient to clearly demonstrate compliance with Special Condition (c.) above. All information will be available to the Corps of Engineers on request. NCDOT will require its contractors to complete reclamation plans for each waste and borrow site and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps of Engineers within 30 days of the completion of the reclamation work.

e. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit.

f. The permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives, and the Corps of Engineers, Washington Regulatory Field Office, NCDOT Regulatory Project Manager, prior to any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all the terms and conditions within the Department of the Army Permit. The permittee shall notify the Corps of Engineers NCDOT Project Manager a minimum of thirty (30) days in advance of the scheduled meeting in order to provide that individual with ample opportunity to schedule and participate in the required meeting.

g. Prior to commencing construction within jurisdictional waters of the United States, the permittee shall forward the latest version of the project construction drawings to the Corps of Engineers, Washington Regulatory Field Office NCDOT Regulatory Project Manager. Half-size drawings are preferred.

h. The permittee will maintain the authorized work in good condition and in conformance with the terms and conditions of this permit. The permittee is not relieved of this requirement if he abandons the permitted activity without having it transferred to a third party.

i. The temporary placement or double handling of excavated or fill materials within waters or wetlands are not authorized.

j. All fill material will be clean and free of any pollutants except in trace quantities. Metal products, organic materials, or unsightly debris will not be used.

k. All fill material will be immediately stabilized and maintained to prevent erosion and sedimentation into adjacent waters and/or wetlands. Fescue will not be planted within wetlands or any mitigation area.

l. The permittee shall remove all sediment and erosion control measures placed in wetlands or waters, and shall restore natural grades in those areas, prior to project completion.

m. This Department of the Army permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

n. The permittee shall take measures to prevent live or fresh concrete from entering into contact with any surface waters until the concrete has hardened.

o. In-stream activities will be minimized during the spring migration period of anadromous fish (February 1 through June 15).

p. In order to avoid impacts to high quality wetlands, temporary construction bridges will be used over Upper Broad Creek and Deep Run Creek and associated wetlands. In addition, top down construction methods will be used to construct the bridge over Goose Creek and associated wetlands.

q. Absolutely no fill shall be deposited into, or removed from, wetlands adjacent to Upper Broad or Deep Run Creeks during installation or removal of pilings to support the temporary construction bridges. This prohibition includes matting or dredging.

CULTURAL AND ARCHEOLOGICAL RESOURCES

r. If the permittee discovers any previously unknown historic or archeological remains while accomplishing the authorized work, he will immediately notify the Wilmington District Engineer which will initiate the required State/Federal coordination.

STREAM MITIGATION

s. The permittee will mitigate for stream impacts by purchasing and implementing natural channel design off-site on 969 linear feet at the Brock Mitigation Site located in Jones County. In addition, the permittee will provide 134.5 feet of on-site mitigation within the right of way via a relocation of an unnamed tributary to West Fork Goose Creek (see Section B drawing sheet 25 of 48). Channel banks will be planted with one or more of the following species: sycamore, willow oak, green ash, water oak or swamp chestnut oak. As-Builts for the completed stream and wetland restoration will be submitted to the Corps of Engineers, NCDOT Regulatory Project Manager within 30 days of the completion of the construction. The NCDOT has purchased an Option for the Brock Mitigation Site and will finalize the Mitigation Plan by May 1, 2004, and have the restoration work completed by May 1, 2005.

t. The permittee will visually monitor the vegetative plantings on the on-site mitigation stream banks, utilized to satisfy Special Condition (s.) above, to access and insure complete stabilization of the mitigation stream segments. This monitoring will include adequate visual monitoring of planted vegetation for a minimum of one year after planting, and appropriate remedial actions (e.g., replanting, streambank grading, etc.).

u. NCDOT will maintain the stream channels utilized to satisfy Special Condition (s.) in a natural state in perpetuity as mitigation areas. Prohibited activities within these mitigation areas specifically includes, but are not limited to: the construction or placement of roads, walkways, buildings, signs, or structures of any kind (i.e., billboards, interior fences, etc.); filling, grading, excavation, leveling, or any other earth moving activity that may alter the drainage pattern on the property; the cutting, mowing, destruction, removal, damage or other alternation of any vegetation; disposal or storage of any debris, waste or garbage; except as may be authorized by the mitigation plan or subsequent modifications which are approved by the Corps of Engineers. In addition, the permittee shall take no action, whether on or off the mitigation property, which will adversely impact the restored streams.

v. Special Condition (u.), above, runs with the land. The permittee shall not sell, lease, or otherwise convey any interest in the properties used to satisfy mitigation requirements for this permit, to any third party, without the express written consent of the Corps of Engineers.

w. The permittee will identify and survey the acreage at the mitigation sites utilized to satisfy Special Condition (u.) above and provide a copy of the survey to the US Army Corps of Engineers, Washington Regulatory Field Office, NCDOT Regulatory Project Manager, within 45 days of the date of this permit.

x. Riprap placed for bank stabilization will be limited to the stream bank below the high water mark, and vegetation should be used for stabilization above the high water elevation.

y. The dimension, pattern and profile of the on-site stream mitigation above and below the base flow barrel(s) will not be modified by widening the stream channel or reducing the depth of either mitigated stream .

z. Storm water will be routed to buffer areas and not discharged directly into streams.

aa. Construction equipment will be operated from the bank rather than in the stream channel in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into the streams.

bb. Discharging hydro seeding mixtures and washing out hydro seeders and other equipment in or adjacent to surface waters is strictly prohibited.

WETLAND MITIGATION

cc. Existing bridges over Upper Broad, Goose and Deep Run Creeks will be removed and associated causeway fill will be excavated to restore and enhance three on-site wetlands. The material will be removed to the elevation of the adjacent wetlands. This wetland restoration effort will be accomplished pursuant to the "Restoration Plan for Swamp Hardwood Wetlands, at existing Bridge Causeways of NC 55, Upper Broad Creek, Deep Run, Goose Creek in Craven and Pamlico Counties", dated December 11, 2002, and implemented concurrently with all phases of construction activities authorized by this permit, to the extent necessary to restore, monitor and maintain 2.66 acres of riverine bottomland hardwood wetlands to the satisfaction of the Corps of Engineers. Any deviation from the mitigation site construction schedule must be approved by the Wilmington District, U.S. Army Corps of Engineers, Regulatory Division.

dd. NCDOT will maintain the mitigation sites (including 11.99 acres of riverine wetland enhancement) in the condition established by the mitigation plan in perpetuity (fee title). Prohibited activities within the mitigation areas specifically include, but are not limited to: the construction or placement of roads, walkways, buildings, signs, or structures of any kind (i.e., billboards, interior fences, etc.); filling, grading, excavation, leveling, or any other earth moving activity that may alter the drainage pattern on the property; the cutting, mowing, destruction, removal, damage or other alternation of any vegetation; disposal or storage of any debris, waste or garbage; except as may be authorized by the mitigation plans or subsequent modifications which are approved by the Corps of Engineers. In addition, the permittee shall take no action, whether on or off the mitigation properties, which will adversely impact the restored wetlands.

ee. Special Condition (dd.), above, runs with the land. The permittee shall not sell, lease, or otherwise convey any interest in the properties used to satisfy mitigation requirements for this permit, to any third party, without the express written consent of the Corps of Engineers.

ff. The permittee shall contact the Corps of Engineers, Washington Regulatory Field Office, NCDOT Regulatory Project Manager and provide him with the opportunity to attend the annual mitigation monitoring efforts.

gg. The permittee will submit the annual mitigation monitoring reports by December 31 of each monitoring year.

hh. The Permittee shall debit 28.60 non-riverine restoration acres from the Croatan Wetland Mitigation Bank. No work within waters or wetlands authorized by this permit shall begin until proof has been received by the COE that the credits have been debited from the Bank in accordance with the Mitigation Banking Instrument signed April 2003, attached hereto and incorporated herein by reference. The NCDOT shall perform all activities required of the Bank Sponsor in the "Agreement To Establish The Croatan Mitigation Bank In Craven County, North Carolina," including the "Final Mitigation Plan," dated April 2002.

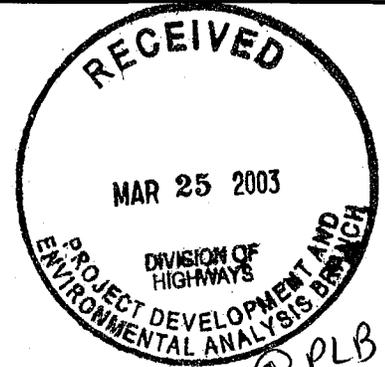


Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Alan W. Klimek, P.E. Director
Division of Water Quality

Handwritten initials

March 17, 2003



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

Dear Dr. Thorpe:

Re: 401 Water Quality Certification Pursuant to Section 401 of the Federal Clean Water Act,
Proposed widening of NC 55 from US 17 in Bridgeton to NC 304 in Bayboro in Craven and Palico Counties.
WQC Project No. 021232 **R-2539**

Attached hereto is a copy of Certification No. 3415 issued to The North Carolina Department of Transportation dated March 17, 2003. This certification authorizes the NCDOT to impact 15.69 acres of jurisdictional wetlands, 619 linear feet of streams, 0.15 acres of other surface waters, and 2.06 acres of Neuse River Riparian Buffers. The project shall be constructed pursuant to the application dated August 9, 2002, and the subsequent addendum dated February 3, 2003. Any proposed site plans submitted in the August 9, 2002 application that have a subsequent revised site plan submitted in the February 4, 2003 addendum are not authorized by this certification. Instead, for all impacts where a proposed site design as provided in the original August 9, 2002 application was revised and submitted in the February 4, 2003 addendum, the drawings with the latest date of revision are authorized. The purpose of the authorized impacts is the widening of NC 55 from US 17 in Bridgeton to NC 304 in Bayboro in Craven and Pamlico Counties.

If we can be of further assistance, do not hesitate to contact us.

Sincerely,

Handwritten signature of Alan W. Klimek
Alan W. Klimek, P.E.
Director

Attachments

- cc: Wilmington District Corps of Engineers
- Corps of Engineers Washington Field Office
- DWQ Washington Regional Office
- Cathy Brittingham, Division of Coastal Management
- Ron Ferrell, Wetlands Restoration Program
- Central Files
- File Copy





**APPROVAL OF 401 Water Quality Certification and ADDITIONAL CONDITIONS
 and Neuse River Buffer Rules**

THIS 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 (DWQ) Regulations in 15 NCAC 2H, Section .0500, and 15 NCAC 2B .0233. This certification authorizes the NCDOT to impact 15.69 acres of jurisdictional wetlands, 619 linear feet of streams, 0.15 acres of other surface waters, and 2.06 acres of Neuse River Riparian Buffers as described below.

Section	Impacts to Wetlands (Acres)			Impacts to Streams (Feet)	Impacts to other Surface Waters (Acres)	Impacts to Buffers (Acres)	
	Fill in Wetlands	Excavation & Drainage	Mechanized Clearing			Zone 1	Zone 2
R-2539A	2.48	3.43	1.16	114.8	0.05	0.39	0.18
R-2539B	1.88	0.24	1.52	295.2	0.03	0.59	0.32
R-2539C	1.52	1.96	1.50	209.0	0.07	0.37	0.21
Total	5.88	5.63	4.18	619	0.15	1.35	0.71

The project shall be constructed pursuant to the application dated August 9, 2002, and the subsequent addendum dated February 3, 2003. Any proposed site plans submitted in the August 9, 2002 application that have a subsequent revised site plan submitted in the February 4, 2003 addendum are not authorized by this certification. Instead, for all impacts where a proposed site design as provided in the original August 9, 2002 application was revised and submitted in the February 4, 2003 addendum, the drawings with the latest date of revision are authorized. The purpose of the authorized impacts is the widening of NC 55 from US 17 in Bridgeton to NC 304 in Bayboro in Craven and Pamlico Counties.

The application provides adequate assurance that the discharge of fill material into the waters of the Neuse River in conjunction with the proposed development will not result in a violation of applicable Water Quality Standards and discharge guidelines. Therefore, the State of North Carolina certifies that this activity will not violate the applicable portions of Sections 301, 302, 303, 306, 307 of PL 92-500 and PL 95-217 if conducted in accordance with the application and conditions hereinafter set forth.

This approval is only valid for the purpose and design that you submitted in your application, as described in the Public Notice. Should your project change, you are required to notify the DWQ 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 any additional wetland impacts or stream impacts, for this project (now or in the future) exceed one acre or 150 linear feet, respectively, additional compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you are required to comply with all the conditions listed below. In addition, you should obtain all other federal, state or local permits before proceeding with your project including (but not limited to) Sediment and Erosion control, Coastal Stormwater, Non-discharge and Water Supply watershed regulations. This Certification shall expire three years from the date of the cover letter from DWQ or on the same day as the expiration date of the corresponding Corps of Engineers Permit, whichever is sooner.



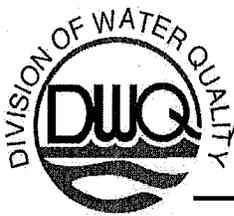
Condition(s) of Certification:

1. Appropriate sediment and erosion control practices which equal or exceed those outlined in the most recent version of the "North Carolina Sediment and Erosion Control Planning and Design Manual" or the "North Carolina Surface Mining Manual" whichever is more appropriate (available from the Division of Land Resources (DLR) in the DENR Regional or Central Offices) shall be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to assure compliance with the appropriate turbidity water quality standard (50 NTUs in all fresh water streams and rivers not designated as trout waters; 25 NTUs in all lakes and reservoirs, and all saltwater classes; and 10 NTUs in trout waters);
2. All sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored after the Division of Land Resources has released the project;
3. If an environmental document is required, this Certification is not valid until a FONSI or ROD is issued by the State Clearinghouse. All water quality-related conditions of the FONSI or ROD shall become conditions of this Certification;
4. No live or fresh concrete shall come into contact with waters of the state until the concrete has hardened;
5. There shall be no excavation from or waste disposal into jurisdictional wetlands or waters associated with this permit without appropriate modification of this permit. Should waste or borrow sites be located in wetlands or stream, compensatory mitigation will be required since it is a direct impact from road construction activities.
6. All channel relocations will be constructed in a dry work area, and stabilized before stream flows are diverted. Channel relocations will be completed and stabilized prior to diverting water into the new channel. Whenever possible, channel relocations shall be allowed to stabilize for an entire growing season. Vegetation used for bank stabilization shall be limited to native woody species, and should include establishment of a 30 foot wide wooded and an adjacent 20 foot wide vegetated buffer on both sides of the relocated channel to the maximum extent practical. A transitional phase incorporating coir fiber and seedling establishment is allowable. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested.
7. Compensatory mitigation for impacts to wetlands shall be done for 15.69 acres of impacts (1.39 acres of riverine and 14.30 acres of non-riverine). Applying a replacement ration of 2:1, total mitigation for 1.39 acres of riverine wetlands and 14.30 acres of non-riverine wetlands are 2.78 and 28.60 acres, respectively. The mitigation shall be provided as described below:



Mitigation Site	Acres of WL Debited from Site	Type of Mitigation	Replacement Ratio	Acres of Mitigation Credited
On-Site Riverine Mitigation	1.39	Riverine Restoration	1:1	1.39
On-Site Riverine Enhancement	5.56	Enhancement	4:1	1.39
Croatan Mitigation Site	28.60	Restoration	1:1	28.60

8. Upon completion of the project, the NCDOT shall complete and return the enclosed "Certification of Completion Form" to notify DWQ when all work included in the 401 Certification has been completed. The responsible party shall complete the attached form and return it to the 401/Wetlands Unit of the Division of Water Quality upon completion of the project.
9. Compensatory mitigation for impacts to streams shall be done for 619 linear feet of stream impact at a replacement ratio of 1:1. The required mitigation will be provided by using off-site stream mitigation by debiting 619 linear feet of stream credits from the Brock Mitigation Site located in Jones County.
10. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed to allow low flow passage of water and aquatic life unless it can be shown to DWQ that providing passage would be impractical. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium shall be maintained if requested in writing by DWQ.
11. All stormwater runoff shall be directed to sheetflow through stream buffers at nonerosive velocities, unless approved otherwise by this certification.
12. Prior to planting any of the vegetation for the wetland restoration sites located at R-2539A from Station 40+35 to 42+55, R-2539B from Station 75+55 to Station 76+55, and R-2539B from Station 148+40 to Station 150+60, a planting shall be submitted to, and approved by, the NC Division of Water Quality.
13. For the aforementioned wetland mitigation sites located at R-2539A from Station 40+35 to 42+55, R-2539B from Station 75+55 to Station 76+55, and R-2539B from Station 148+40 to Station 150+60, NCDOT shall plant 680 stems/acre of the approved planting list. Vegetation success shall be measured by survivability over a 5-year monitoring period. Survivability will be based on 320 stems/acre after 3 years and 260 stems after 5 years. A survey of vegetation during the growing season shall be conducted annually over the 5-year monitoring period, and submitted to the NC Division of Water Quality. If the surviving vegetation densities are below the required thresholds after the 5-year monitoring period, the site may still be declared successful, at the discretion, and with written approval from, the NC Division of Water Quality.



14. For the wetland mitigation sites located at R-2539A from Station 40+35 to 42+55, R-2539B from Station 75+55 to Station 76+55, and R-2539B from Station 148+40 to Station 150+60, hydrologic success of the sites will be attained by restoration of a hydrologic regime that results in inundation or saturation of the soils within 12 inches of the ground surface for at least 12.5 percent of the growing season, and inundation or saturation of the soils within 12 inches of the ground surface within 20 percent of hydrologic monitoring gauges located in the adjacent wetland reference. The hydrologic monitoring shall persist for a total of 5 years. In addition, after the 5-year monitoring period, if the monitoring requirements are not met, the site may still be declared successful, at the discretion, and with written approval from, the NC Division of Water Quality.
15. 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.
16. The post-construction removal of any temporary bridge structures will need to return the project site to its preconstruction contours and elevations. The revegetation of the impacted areas with appropriate native species may also be necessary.
17. 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.
18. When final design plans are completed for R-2539 Section B, and R-2539 Section C, a modification to the 401 Water Quality Certification and the Neuse River Riparian Buffer Certification shall be submitted with seven copies and fees to the NC Division of Water Quality. Final designs shall reflect all appropriate avoidance, minimization, and mitigation for impacts to wetlands, streams, and other surface waters, and buffers. No construction activities that impact any wetlands, streams, surface waters, or buffers located in R-2539 Section B or R-2539 Section shall begin until after NCDOT applies for, and receives a written modification 401 Water Quality Neuse River Riparian Buffer Certification from the NC Division of Water Quality.

Violations of any condition herein set forth shall result in revocation of this Certification and may result in criminal and/or civil penalties. This Certification shall become null and void unless the above conditions are made conditions of the Federal 404 and/or Coastal Area Management Act Permit. This Certification shall expire upon the expiration of the 404 or CAMA permit.



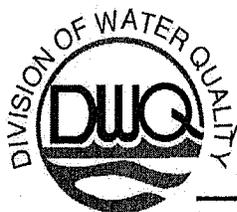
If this Certification is unacceptable to you have the right to an adjudicatory hearing upon written request within sixty (60) days following receipt of this Certification. This request must be in the form of a written petition conforming to Chapter 150B of the North Carolina General Statutes and filed with the Office of Administrative Hearings, P.O. Box 27447, Raleigh, N.C. 27611-7447. If modifications are made to an original Certification, you have the right to an adjudicatory hearing on the modifications upon written request within sixty (60) days following receipt of the Certification. Unless such demands are made, this Certification shall be final and binding.

This the 18th day of March 2003

DIVISION OF WATER QUALITY

Alan W. Klimek, P.E.
Director

WQC No. 3415



DWQ 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/Wetlands Unit, North Carolina Division of Water Quality, 1621 Mail Service Center, Raleigh, NC, 27699-1621. This form may be returned to DWQ 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 _____

Restoration Plan for Swamp Hardwood Wetlands
at existing Bridge Causeways of NC 55
Upper Broad Creek, Deep Run, and Goose Creek
in Craven and Pamlico Counties

R-2539

December 11, 2002

Revised January 24, 2003

The NCDOT will perform on-site mitigation for riverine bottomland hardwood swamp at the NC 55 overpasses of Upper Broad Creek, Deep Run, and Goose Creek in Craven and Pamlico counties. The NCDOT will remove approximately 1.78 acres of existing bridge causeway fill in Section A and approximately 0.88 acres in Section B in order to lengthen the bridges and restore the underlying wetlands.

The existing causeways will be removed and graded down approximately three feet below the grade of the surrounding wetlands. The excavated areas will be back filled with undercut material (muck) removed during the construction of R-2539. The portions of the site with adequate aerial clearance will be revegetated with swamp hardwood trees. Since all species are not available every year from local nurseries, the seedling mixture will mimic the surrounding wetland to the maximum extent possible. The final species mix will be subject to agency review prior to planting. The species to be planted will include an equal representation of green ash (*Fraxinus pennsylvanica*), bald cypress (*Taxodium distichum*), yellow poplar (*Liriodendron tulipifera*), swamp black gum (*Nyssa biflora*), and water tupelo (*Nyssa aquatica*). Twelve- to eighteen-inch bareroot seedlings will be planted at a density of 680 trees per acre. We also expect natural seeding from the adjacent swamp hardwoods. The remaining portion, with restricted overhead clearance, will be seeded with grasses immediately following construction, in order to stabilize the site and allowed to revegetate naturally from the local herbaceous seed source. Total on-site riverine wetland mitigation anticipated for this project will be 2.66 acres.

After planting has been completed, an initial evaluation will be performed to verify satisfactory planting technique and to determine initial species composition and density. Vegetation sampling plots will be established and permanently located within the three swamp hardwood mitigation areas.

Success criteria have been established to verify that the mitigation areas support vegetation necessary for a jurisdictional determination and that the restored area exhibits wetland hydrology. Based on the success criteria listed below, an annual report summarizing mitigation will be submitted to the regulatory agencies for their review and acceptance. Five years after project completion, NCDOT will schedule an agency field meeting to determine whether the areas have attained jurisdictional wetland status.

Vegetation Monitoring

For swamp hardwood areas planted in tree species, an annual update will consist of photographs provided during the agency monitoring report meeting and brief report on the progress of these areas attaining wetland jurisdictional status. The vegetative characteristics of the restoration area will then be compared to the immediately adjacent existing wetland complex (Reference Site).

Hydrologic Monitoring

When the existing causeways were constructed, the swamp hardwood wetland systems impacted had at least some amount of standing water throughout most of the growing season. Therefore, it is reasonable to expect that the removal of the causeways and minor site preparation will restore the area to wetland status. The restored hydrology of the site will be assessed concurrently with the vegetation monitoring. The site will be evaluated to determine if the restored area exhibits signs of wetland hydrology. The site will be evaluated using the same criteria outlined in the 1987 Wetland Delineation Manual, published by the United States Army Corps of Engineers, for field identification of a jurisdictional wetland. The hydrologic characteristics of the restoration area will then be compared to the immediately adjacent existing wetland complex (Reference Site).



WJR

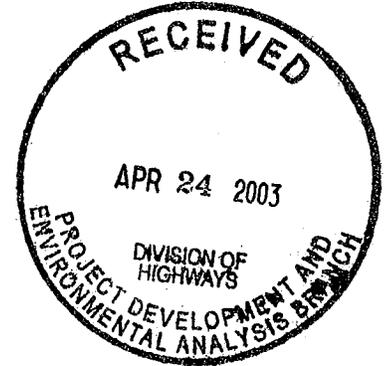
North Carolina Department of Environment and Natural Resources
Division of Coastal Management

Michael F. Easley, Governor

Donna D. Moffitt, Director

William G. Ross Jr., Secretary

April 23, 2003



N.C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Dear Sir or Madam:

The enclosed permit constitutes authorization under the Coastal Area Management Act, and where applicable, the State Dredge and Fill Law, for you to proceed with your project proposal. The original (buff-colored form) is retained by you and it must be available on site when the project is inspected for compliance. Please sign both the original and the copy and return the copy to this office in the enclosed envelope. Signing the permit and proceeding means you have waived your right of appeal described below.

If you object to the permit or any of the conditions, you may request a hearing pursuant to NCGS 113A-121.1 or 113-229. Your petition for a hearing must be filed in accordance with NCGS Chapter 150B with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27611-6714, (919) 733-2698 within twenty (20) days of this decision on your permit. You should also be aware that if another qualified party submits a valid objection to the issuance of this permit within twenty (20) days, the matter must be resolved prior to work initiation. The Coastal Resources Commission makes the final decision on any appeal.

The project plan is subject to those conditions appearing on the permit form. Otherwise, all work must be carried out in accordance with your application. Modifications, time extensions, and future maintenance require additional approval. Please read your permit carefully prior to starting work and review all project plans, as approved. If you are having the work done by a contractor, it would be to your benefit to be sure that he fully understands all permit requirements.

From time to time, Department personnel will visit the project site. To facilitate this review, we request that you complete and mail the enclosed Notice Card just prior to work initiation. However, if questions arise concerning permit conditions, environmental safeguards, or problem areas, you may contact Department personnel at any time for assistance. By working in accordance with the permit, you will be helping to protect our vitally important coastal resources.

Sincerely,

Douglas V. Huggett

Douglas V. Huggett
Major Permits and Consistency Manager

Enclosure

1638 Mail Service Center, Raleigh, North Carolina 27699-1638
Phone: 919-733-2293 \ FAX: 919-733-1495 \ Internet: <http://dcm2.enr.state.nc.us>

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Permit Class
NEW

Permit Number
55-03

STATE OF NORTH CAROLINA
Department of Environment and Natural Resources
and
Coastal Resources Commission

Permit

for

Major Development in an Area of Environmental Concern
pursuant to NCGS 113A-118.

Excavation and/or filling pursuant to NCGS 113-229

Issued to N.C. Department of Transportation, 1548 Mail Service Center, Raleigh, NC 27699-1548

Authorizing development in Craven and Pamlico County at Upper Broad Creek and Goose Creek, NC 55

Widening from Bridgeton to Bayboro, as requested in the permittee's application dated 8/13/02 and 2/4/03, including
the attached workplan drawings (33), 24 dated 2/13/02, 2 dated 5/20/02, 3 dated as received on 8/16/02, and 4 dated 11/6/02.

This permit, issued on 4/22/03, is subject to compliance with the application (where consistent with the permit), all applicable regulations, special conditions and notes set forth below. Any violation of these terms may be subject to fines, imprisonment or civil action; or may cause the permit to be null and void.

Roadway Widening

NOTE: The North Carolina Department of Transportation (NCDOT) project authorized by this Coastal Area Management Act (CAMA) permit, Transportation Improvement Program Number (T.I.P. No.) R-2539, is divided into three segments: R-2539A, R-2539B, and R-2539C. The R-2539A segment impacts the Public Trust Area and Public Trust Shoreline CAMA Areas of Environmental Concern (AEC's) where it crosses Upper Broad Creek. The R-2539B segment impacts the Public Trust Area and Public Trust Shoreline CAMA AEC's where it crosses Goose Creek. The R-2539C segment does not impact any CAMA AEC's.

(See attached sheets for Additional Conditions)

This permit action may be appealed by the permittee or other qualified persons within twenty (20) days of the issuing date. An appeal requires resolution prior to work initiation or continuance as the case may be.

This permit must be accessible on-site to Department personnel when the project is inspected for compliance.

Any maintenance work or project modification not covered hereunder requires further Division approval.

All work must cease when the permit expires on

December 31, 2006

In issuing this permit, the State of North Carolina agrees that your project is consistent with the North Carolina Coastal Management Program.

Signed by the authority of the Secretary of DENR and the Chairman of the Coastal Resources Commission.



Donna D. Moffitt, Director
Division of Coastal Management

This permit and its conditions are hereby accepted.



Signature of Permittee

ADDITIONAL CONDITIONS

- 11) Fill slopes in wetlands will be 3:1 or steeper.

Environmental Commitments

- 12) In accordance with the Project Commitments contained within the Environmental Assessment (EA) dated 10/8/07 and the Finding of No Significant Impact (FONSI) dated 9/14/00, the permittee shall conform with the NCDOT official policy entitled "Stream Crossing Guidelines for Anadromous Fish Passage (May 12, 1997)". These guidelines require that instream activities be avoided from February 15 to June 15.
- 13) Any mitigative measures or environmental commitments specifically made by the applicant in the CAMA permit application, the Environmental Assessment (EA) dated 10/8/07, the Finding of No Significant Impact (FONSI) dated 9/14/00, and/or during the NEPA/404 Merger Process, shall be implemented, regardless of whether or not such commitments are addressed by individual conditions of this permit.

Bridge Replacement, Upper Broad Creek

- 14) Debris resulting from demolition of the existing bridge, including deck components, shall not enter wetlands or waters of the United States, even temporarily.
- 15) All excavated materials and debris associated with the removal of the existing bridge and existing causeway fill material will be disposed of on an approved upland site.
- 16) Bridges shall be constructed with driven piles or drilled shaft construction, specifically piles shall not be jetted. Should jetting of any bridge piles become necessary, a modification to this permit will be required.
- 17) The temporary work bridge will be constructed utilizing top-down construction methods, and will be removed immediately after construction of the permanent bridge is completed.

Mitigation

NOTE: Compensatory mitigation for wetland and stream impacts resulting from this project includes: 2.66 acres of on-site riverine wetland restoration through the removal of existing bridge causeway and railway berm; 11.99 acres of riverine wetland enhancement associated with bridge lengthening; 28.60 acres of off-site restoration at the Croatan Mitigation Site; 134.5 linear feet of on-site stream relocation on R-2539B, Site 13; and 969 linear feet of off-site stream restoration at the Brock Mitigation Site in Jones County.

- 18) On-site mitigation will be carried out as described in the document titled "Restoration Plan for Swamp Hardwood Wetlands at existing Bridge Causeways of NC 55, Upper Broad Creek, Deep Run, and Goose Creek in Craven and Pamlico Counties" dated December 11, 2002, and revised on January 24, 2003.
- 19) The permittee will ensure the removal of all unsuitable existing causeway fill material to prevent potential contamination of the adjacent water bodies. The permittee will fill any void left by the removal of this unsuitable existing causeway fill material with suitable organic substrate.

ADDITIONAL CONDITIONS

Stormwater Management

- 28) The N.C. Division of Water Quality (DWQ) approved the R-2539A segment of this project under stormwater management rules of the Environmental Management Commission (EMC) under Stormwater Permit No. SW7020418 on 6/27/02. The DWQ approved the R-2539B segment of this project under stormwater management rules of the EMC under Stormwater Permit No. SW7020722 on 10/7/02. Any violation of the permits approved by the DWQ will be considered a violation of this CAMA permit. If required, a Stormwater Management Permit must be obtained for the R-2539C segment of this project, and a copy provided to DCM, prior to initiating any construction of the R-2539C segment.

General

- 29) Any relocation of utility lines that is not already depicted on the attached workplan drawings, or described within the attached permit application, will require additional authorization, either by way of a modification of this permit or by the utility company obtaining separate authorization.
- 30) The N.C. Division of Water Quality has authorized the proposed project under Water Quality Certification No. 3415 (DWQ Project No. 021232), which was issued on 3/17/03. Any violation of the Certification approved by DWQ will be considered a violation of this CAMA permit.

NOTE: The U.S. Army Corps of Engineers has assigned the proposed project COE Action ID No. 199303531.

NOTE: This permit does not eliminate the need to obtain any additional state, federal or local permits, approvals or authorizations that may be required.

NOTE: The permittee is encouraged to contact the Public Health Pest Management Section at (919) 733-6407 to discuss mosquito control measures.

Restoration Plan for Swamp Hardwood Wetlands
at existing Bridge Causeways of NC 55
Upper Broad Creek, Deep Run, and Goose Creek
in Craven and Pamlico Counties

R-2539

RECEIVED

December 11, 2002
Revised January 24, 2003

FEB 10 2003
DIV. OF COASTAL MANAGEMENT
RALEIGH

The NCDOT will perform on-site mitigation for riverine bottomland hardwood swamp at the NC 55 overpasses of Upper Broad Creek, Deep Run, and Goose Creek in Craven and Pamlico counties. The NCDOT will remove approximately 1.78 acres of existing bridge causeway fill in Section A and approximately 0.88 acres in Section B in order to lengthen the bridges and restore the underlying wetlands.

The existing causeways will be removed and graded down approximately three feet below the grade of the surrounding wetlands. The excavated areas will be back filled with undercut material (muck) removed during the construction of R-2539. The portions of the site with adequate aerial clearance will be revegetated with swamp hardwood trees. Since all species are not available every year from local nurseries, the seedling mixture will mimic the surrounding wetland to the maximum extent possible. The final species mix will be subject to agency review prior to planting. The species to be planted will include an equal representation of green ash (*Fraxinus pennsylvanica*), bald cypress (*Taxodium distichum*), yellow poplar (*Liriodendron tulipifera*), swamp black gum (*Nyssa biflora*), and water tupelo (*Nyssa aquatica*). Twelve- to eighteen-inch bareroot seedlings will be planted at a density of 680 trees per acre. We also expect natural seeding from the adjacent swamp hardwoods. The remaining portion, with restricted overhead clearance, will be seeded with grasses immediately following construction, in order to stabilize the site and allowed to revegetate naturally from the local herbaceous seed source. Total on-site riverine wetland mitigation anticipated for this project will be 2.66 acres.

After planting has been completed, an initial evaluation will be performed to verify satisfactory planting technique and to determine initial species composition and density. Vegetation sampling plots will be established and permanently located within the three swamp hardwood mitigation areas.

Success criteria have been established to verify that the mitigation areas support vegetation necessary for a jurisdictional determination and that the restored area exhibits wetland hydrology. Based on the success criteria listed below, an annual report summarizing mitigation will be submitted to the regulatory agencies for their review and acceptance. Five years after project completion, NCDOT will schedule an agency field meeting to determine whether the areas have attained jurisdictional wetland status.

Vegetation Monitoring

For swamp hardwood areas planted in tree species, an annual update will consist of photographs provided during the agency monitoring report meeting and brief report on the progress of these areas attaining wetland jurisdictional status. The vegetative characteristics of the restoration area will then be compared to the immediately adjacent existing wetland complex (Reference Site).

Hydrologic Monitoring

When the existing causeways were constructed, the swamp hardwood wetland systems impacted had at least some amount of standing water throughout most of the growing season. Therefore, it is reasonable to expect that the removal of the causeways and minor site preparation will restore the area to wetland status. The restored hydrology of the site will be assessed concurrently with the vegetation monitoring. The site will be evaluated to determine if the restored area exhibits signs of wetland hydrology. The site will be evaluated using the same criteria outlined in the 1987 Wetland Delineation Manual, published by the United States Army Corps of Engineers, for field identification of a jurisdictional wetland. The hydrologic characteristics of the restoration area will then be compared to the immediately adjacent existing wetland complex (Reference Site).

RECEIVED
FEB 10 2003
DIV. OF COASTAL MANAGEMENT
RALEIGH

REGULATORY APPROVALS

Application is hereby made for a Division of Coastal Management CAMA Major Development permit for R-2539 as required for the above described activities. Per instruction from DCM Representatives Cathy Brittingham and Bill Arrington (June 26, 2002 email), the NCDOT submits this application for the entire project; however, we are requesting a permit for development of Section A only because it is the only Section with final design. NCDOT will submit additional chapters for the subsequent Sections as they are finalized. No development will begin on any Section prior to issuance of that Section's permit. We also suggest that this permit be conditioned to allow for submittal of Utilities Relocations plans when they are finalized. The Bridges and Culverts Form (DCM-MP-5) for Section A is provided for authorization of that section at this time. NCDOT will submit the additional permit chapters for Sections B and C as the design drawings are finalized. A check for \$475.00 has been submitted to the NC Division of Water Quality for processing the water quality certification application.

If you have any questions or need additional information please call Ms. Elizabeth L. Lusk at (919) 733-7844 extension 335.

Sincerely,



V. Charles Bruton, Ph.D., Manager
Office of the Natural Environment

Attachments:

- MP-1
- MP-5
- Permit drawings
- ½-size Plans

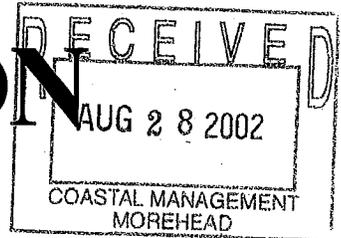
cc: w/o attachment

- Mr. David Franklin, Corps of Engineers, Wilmington Field Office
- Mr. Garland Pardue, Ph.D., USFWS, Raleigh
- Mr. N. L. Graf, P.E., FHWA
- Mr. John Dorney, NCDENR, Division of Water Quality
- Mr. David Cox, NCWRC, Raleigh
- Mr. Burt Tasaico P.E. Program Development Branch
- Ms. Deborah Barbour, P.E., Highway Design Branch
- Mr. Jay Bennett, P.E., NCDOT Roadway Design Unit
- Mr. Dave Henderson, P.E., Hydraulics Unit
- Mr. Greg Perfetti, P.E., NCDOT Structure Design, Raleigh
- Mr. C.E. (Neil) Lassiter, Jr., P.E. Division 2 Engineer, Greenville
- Mr. Jay B. Johnson, Division 2 Environmental Officer
- Mr. Charles R. Cox, P.E., NCDOT Project Development and Environmental Analysis, Raleigh

File: R-2539 CAMA permit

APPLICATION

(To be completed by all applicants)



revi
4a

1. APPLICANT R-2539

a. Landowner:

Name N.C. Department of Transportation

Address 1548 Mail Service Center

City Raleigh State NC

Zip 27699-1548 Day Phone 919-733-3141

Fax (919) 733-9794

b. Authorized Agent:

Name: _____

Address: _____

City: _____ State: _____

Zip: _____ Day Phone: _____

Fax: _____

c. Project name (if any): T.I.P. R-2539.

State Project No. 8.1170901, NC 55 Widening

NOTE: Permit will be issued in name of landowner(s), and/or project name.

2. LOCATION OF PROPOSED PROJECT

a. County: Craven and Pamlico

b. City, town, community or landmark:
From US 17 in Bridgeton to NC 304 in Bayboro

c. Street address or secondary road number:

NC 55

d. Is proposed work within city limits or planning jurisdiction? Part Yes No

e. Name of body of water nearest project (e.g. river, creek, sound, bay): Duck Creek, Upper Broad Creek, Saspers Branch, Deep Run Creek, Black Creek, Goose Creek, South Prong Bay River

3. DESCRIPTION AND PLANNED USE OF PROPOSED PROJECT

a. List all development activities you propose (e.g. building a home, motel, marina, bulkhead, pier, and excavation and/or filling activities).

Roadway widening, bridge construction and lengthening. Removal of road causeways and abandoned railway causeways.

b. Is the proposed activity maintenance of an existing project, new work, or both? Both

c. Will the project be for public, private or commercial use? Public

d. Give a brief description of purpose, use, methods of construction and daily operations of proposed project. If more space is needed, please attach additional pages. Widening of NC 55 from two to five lanes, from US 17 in Bridgeton to NC 304 in Bayboro

- A list of the names and complete addresses of the adjacent waterfront (riparian) landowners and signed return receipts as proof that such owners have received a copy of the application and plats by certified mail. Such landowners must be advised that they have 30 days in which to submit comments on the proposed project to the Division of Coastal Management. Upon signing this form, the applicant further certifies that such notice has been provided.

See Attached permit drawings

Name _____
 Address _____
 Phone _____

Name _____
 Address _____
 Phone _____

Name _____
 Address _____
 Phone _____

- A list of previous state or federal permits issued for work on the project tract. Include permit numbers, permittee, and issuing dates.
- _____

- A check for \$400 made payable to the Department of Environment, Health, and Natural Resources (DEHNR) to cover the costs of processing the application.
- A signed AEC hazard notice for projects in oceanfront and inlet areas.
- A statement of compliance with the N.C. Environmental Policy Act (N.C.G.S. 113A - 1 to 10) If the project involves the expenditure of public funds or use of public lands, attach a statement documenting compliance with the North Carolina Environmental Policy Act.

**6. CERTIFICATION AND PERMISSION
 TO ENTER ON LAND**

I understand that any permit issued in response to this application will allow only the development described in the application. The project will be subject to conditions and restrictions contained in the permit.

I certify that to the best of my knowledge, the proposed activity complies with the State of North Carolina's approved Coastal Management Program and will be conducted in a manner consistent with such program.

I certify that I am authorized to grant, and do in fact, grant permission to representatives of state and federal review agencies to enter on the aforementioned lands in connection with evaluating information related to this permit application and follow-up monitoring of the project.

I further certify that the information provided in this application is truthful to the best of my knowledge.

This is the 13th day of August, 19 2002

Print Name Vivian Charles Brubaker

Signature Vivian Charles Brubaker
Landowner or Authorized Agent

Please indicate attachments pertaining to your proposed project.

- DCM MP-2 Excavation and Fill Information
- DCM MP-3 Upland Development
- DCM MP-4 Structures Information
- DCM MP-5 Bridges and Culverts
- DCM MP-6 Marina Development

NOTE: Please sign and date each attachment in the space provided at the bottom of each form.

Table MP1-1. Project Area Soils

Map Unit Symbol	Soil Map Units	Hydric Classification
AaA	Altavista fine sandy loam	Non-hydric
Ag	Augusta fine sandy loam	B
Ap	Arapahoe fine sandy loam	A
Ba	Ballahack fine sandy loam	Non-hydric
ByB	Baymeade sand	Non-hydric
CnB	Conetoe loamy sand	Non-hydric
CrB	Craven loam	Non-hydric
Cs	Charleston fine sandy loam	Non-hydric
DA	Dare muck	A
De	Deloss fine sandy loam	Non-hydric
Fo	Fork loamy sand	Non-hydric
GoA	Goldsboro fine sandy loam	Non-hydric
La	Leaf silt loam	A
Le	Lenior silt loam	B
Ln	Leon sand	A
Ly	Lynchburg fine sandy loam	B
MA	Masontown loam	A
MM	Masontown mucky fine sandy loam and Muckalee sandy loam	A
Mu	Murville mucky fine sandy loam	Non-hydric
NoA	Norfolk loamy fine sand	Non-hydric
NoB	Norfolk loamy fine sand	Non-hydric
Ra	Raines fine sandy loam	A
Ro	Roanoke fine sandy loam	A
Ru	Rutledge mucky loamy fine sand	A
Se	Seabrook loamy fine sand	B
Sk	Stockade loamy fine sand	Non-hydric
Th	Tomahawk loamy sand	Non-hydric
Yo	Yonges loamy fine sand	A

Note: "A" denotes hydric soils or soils having hydric soils as a major component.

"B" denotes soils with inclusions of hydric soils or which have wet spots.

Table MP1-2. Soils at Stream Crossings

Station Number	Map Unit Symbol	Soil Map Units	Hydric Classification
10 + 20 - 16 + 00	DA	Dare muck	A
	Ln	Leon sand	A
	Mu	Murville mucky fine sandy loam	Non-hydric
38 + 70 - 43 + 70	AaA	Altavista fine sandy loam	Non-hydric
	Ap	Arapahoe fine sandy loam	A
	Cs	Charleston fine sandy loam	Non-hydric
	De	Deloss fine sandy loam	Non-hydric
	MA	Masontown loam	A
	MM	Masontown mucky fine sandy loam and Muckalee sandy loam	A
	Yo	Yonges loamy fine sand	A
59 + 70 - 61 + 00	Cs	Charleston fine sandy loam	Non-hydric
	MA	Masontown loam	A
	GoA	Goldsboro fine sandy loam	Non-hydric
	NoB	Norfolk loamy fine sand	Non-hydric
74 + 85 - 77 + 40	CrB	Craven loam	Non-hydric
	GoA	Goldsboro fine sandy loam	Non-hydric
	NoB	Norfolk loamy fine sand	Non-hydric
81 + 85 - 82 + 00	GoA	Goldsboro fine sandy loam	Non-hydric
	Le	Lenior silt loam	B
108 + 50 - 114 + 00	La	Leaf silt loam	A
134 + 75 - 137 + 30	CrB	Craven loam	Non-hydric
	GoA	Goldsboro fine sandy loam	Non-hydric
	Le	Lenior silt loam	B
	Ly	Lynchburg fine sandy loam	B
	MA	Masontown loam	A
644 + 00 - 673	Ba	Ballahack fine sandy loam	Non-hydric
	Fo	Fork loamy sand	Non-hydric
	Yo	Yonges loamy fine sand	A

Table MP1-3. Vegetation at Stream Crossings

Station Number	Vegetative Community (per Schafale/Weakley)	Dominant Plants (Common Names)
10 + 20 – 16 + 00	Coastal Plain Small Stream Swamp	Red Maple, Sweetgum, Tulip tree
38 + 70 – 43 + 70	Cypress-Gum Swamp	Blackgum, Red Maple, Sweetgum
59 + 70 – 61 + 00	Cypress-Gum Swamp	Blackgum, Red Maple, Sweetgum
74 + 85 – 77 + 40	Coastal Plain Bottomland Hardwoods	Water Oak, Sweetgum, Tulip tree
81 + 85 – 82 + 00	Cypress-Gum Swamp	Blackgum, Red Maple, Sweetgum
108 + 50 – 114 + 00	Cypress-Gum Swamp	Blackgum, Red Maple, Sweetgum
134 + 75 – 137 + 30	Coastal Plain Bottomland Hardwoods/ Cypress-Gum Swamp	Water Oak, Sweetgum, Tulip tree / Blackgum, Red Maple, Sweetgum

BRIDGES AND CULVERTS

Attach this form to Joint Application for CAMA Major Permit, Form DCM-MP-1. Be sure to complete all other sections of the Joint Application that relate to this proposed project.

1. BRIDGES R-2539 A , Station 40+00-43

a. Public Private _____

b. Type of bridge (construction material)
Prestressed concrete girders

c. Water body to be crossed by bridge
Upper Broad Creek

d. Water depth at the proposed crossing at MLW or
NWL +/- 2 ft

e. Will proposed bridge replace an existing bridge?
 Yes _____ No

- If yes,
- (1) Length of existing bridge 214 ft
 - (2) Width of existing bridge 29 ft
 - (3) Navigation clearance underneath existing bridge 8 ft
 - (4) Will all, or a part of, the existing bridge be removed? (Explain) Yes, all of the existing bridge will be removed as the new bridge is built.

f. Will proposed bridge replace an existing culvert(s)?
 Yes No

- If yes,
- (1) Length of existing culvert _____
 - (2) Width of existing culvert _____
 - (3) Height of the top of the existing culvert above the MHW or NWL _____
 - (4) Will all, or a part of, the existing culvert be removed? (Explain) _____

g. Length of proposed bridge 720 ft *changed in revised Cover letter to 722' 8/28/02 12:10 PM*

h. Width of proposed bridge 65 ft

i. Height of proposed bridge above wetlands
10 ft

j. Will the proposed bridge affect existing water flow?
 Yes No
If yes, explain _____

k. Navigation clearance underneath proposed bridge
8 ft

l. Will the proposed bridge affect navigation by reducing or increasing the existing navigable opening? Yes No
If yes, explain : New bridge will be longer

m. Will the proposed bridge cross wetlands containing no navigable waters? Yes No
If yes, explain : Wetlands will be restored under the new bridge

n. Have you contacted the U.S. Coast Guard concerning their approval?
 Yes No
If yes, please provide record of their action.

2. CULVERTS

a. Water body in which culvert is to be placed

b. Number of culverts proposed _____

c. Type of culvert (construction material, style)

d. Will proposed culvert replace an existing bridge?
 Yes No

If yes,

- (1) Length of existing bridge _____
- (2) Width of existing bridge _____
- (3) Navigation clearance underneath existing bridge _____
- (4) Will all, or a part of, the existing bridge be removed? (Explain) _____

e. Will proposed culvert replace an existing culvert?
 Yes No

If yes,

- (1) Length of existing culvert _____
- (2) Width of existing culvert _____
- (3) Height of the top of the existing culvert above the MHW or NWL _____
- (4) Will all, or a part of, the existing culvert be removed? (Explain) _____

f. Length of proposed culvert _____

g. Width of proposed culvert _____

h. Height of the top of the proposed culvert above the MHW or NWL _____

i. Will the proposed culvert affect existing water flow?
 Yes No
If yes, explain _____

j. Will the proposed culvert affect existing navigation potential? Yes No
If yes, explain _____

3. EXCAVATION AND FILL

a. Will the placement of the proposed bridge or culvert require any excavation below the MHW or NWL?
 Yes No

See Attached Permit Drawings

If yes,

- (1) Length of area to be excavated _____
- (2) Width of area to be excavated _____
- (3) Depth of area to be excavated _____
- (4) Amount of material to be excavated in cubic yards _____

b. Will the placement of the proposed bridge or culvert require any excavation within:
 Coastal Wetlands SAVs Section 404 Other Wetlands

If yes,

See Attached Permit Drawings

- (1) Length of area to be excavated _____
- (2) Width of area to be excavated _____
- (3) Amount of material to be excavated in cubic yards _____

c. Will the placement of the proposed bridge or culvert require any highground excavation?
 Yes No

If yes,

See Attached Permit Drawings

- (1) Length of area to be excavated _____
- (2) Width of area to be excavated _____
- (3) Amount of material to be excavated in cubic yards 977 cu yds

d. If the placement of the bridge or culvert involves any excavation, please complete the following:

- (1) Location of the spoil disposal area
Approved upland disposal site.
- (2) Dimensions of spoil disposal area
Unknown at this time
- (3) Do you claim title to the disposal area?
 Yes No
If no, attach a letter granting permission from the owner.
- (4) Will the disposal area be available for future maintenance? Yes No
- (5) Does the disposal area include any coastal wetlands (marsh), SAVs, or other wetlands?
 Yes No
If yes, give dimensions if different from (2) above. _____
- (6) Does the disposal area include any area below the MHW or NWL? Yes No
If yes, give dimension if different from No. 2 above. _____

e. Will the placement of the proposed bridge or culvert result in any fill (other than excavated material described in Item d. above) to be placed below MHW or NWL? Yes No

If yes,

- (1) Length of area to be filled _____
- (2) Width of area to be filled _____
- (3) Purpose of fill _____

f. Will the placement of the proposed bridge or culvert result in any fill (other than excavated material described in Item d. above) to be placed within:

Coastal Wetlands SAVs Section 404 Other Wetlands.

See Attached Permit Drawings

If yes,

- (1) Length of area to be filled _____
- (2) Width of area to be filled _____
- (3) Purpose of fill Provide wider road base

g. Will the placement of the proposed bridge or culvert result in any fill (other than excavated material described in Item d. above) to be placed on highground? Yes No

If yes,

See Attached Permit Drawings

- (1) Length of area to be filled _____
- (2) Width of area to be filled _____
- (3) Purpose of fill Provide wider road base

4. GENERAL

a. Will the proposed project involve any mitigation? Yes No

If yes, explain in detail

See cover letter

b. Will the proposed project require the relocation of any existing utility lines? Yes No

If yes, explain in detail Telephone lines and power lines.

c. Will the proposed project require the construction of any temporary detour structures?

Yes No

If yes, explain in detail: Existing bridge will be used as the detour bridge

d. Will the proposed project require any work channels? Yes No

If yes, complete Form DCM-MP-2

e. How will excavated or fill material be kept on site and erosion controlled? Silt fence, diversion ditches and NCDOT Type "B" basins.

f. What type of construction equipment will be used (for example, dragline, backhoe or hydraulic dredge)? Backhoe, bulldozer, crane.

g. Will wetlands be crossed in transporting equipment to project site? Yes No
If yes, explain steps that will be taken to lessen environmental impacts.

h. Will the placement of the proposed bridge or culvert require any shoreline stabilization?

Yes No

If yes, explain in detail

Applicant or Project Name:

NCDOT NC 55 Widening R-2539A

Signature

Vinton Charles Burt

Date

August 13, 2002