

State of North Carolina  
Department of Environment  
and Natural Resources  
Division of Water Quality



NORTH CAROLINA DEPARTMENT OF  
ENVIRONMENT AND NATURAL RESOURCES

Michael F. Easley, Governor  
Bill Ross, Secretary  
Kerr T. Stevens, Director

May 2, 2001  
DWQ No. 000801  
Wilson County

Mr. William D. Gilmore, P.E., Manager  
Planning and Environmental Branch  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, North Carolina, 27699-1548

Re: Proposed widening of NC 42 from I-95 to SR 1165 in Wilson County, State Project No. 8.1340801,  
TIP Project No. U-3472.

**APPROVAL of Neuse Buffer Rules AUTHORIZATION CERTIFICATE with ADDITIONAL  
CONDITIONS**

Dear Mr. Gilmore,

Attached hereto is a modification to original 401 Water Quality Certification issued for DWQ project number 000801 issued to the North Carolina Department of Transportation on November 6, 2000. The project shall be constructed according to the 401 Water Quality Certification issued November 6, 2000, your application for modification dated April 25, 2001, and any conditions listed below. This approval shall act as your Authorization Certificate as required within the Neuse River Riparian Area Protection Rules (15A NCAC 2B .0233). In addition, you should get any other required federal, state or local permits before you go ahead with your project including (but not limited to) Sediment and Erosion Control. It should be noted the modification is applicable only to the additional proposed activities. All the authorized activities and conditions of certification associated with the original Water Quality Certification dated November 6, 2000, and all other corresponding modifications still apply except where superseded by this certification.

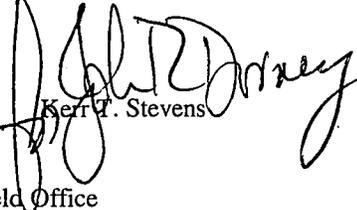
This approval is only valid for the purpose and design that you described in your application for modification dated April 25, 2001. If you change your project, you must notify us and you may be required to send us a new application. If the property is sold, the new owner must be given a copy of this authorization and approval letter and is thereby responsible for complying with all conditions. For this approval to be valid, you must follow the conditions listed below.

- As built for the entire NC 42 project (U-3472) shall be submitted to the NC Division of Water Quality no later than 3 months after the construction of the project is completed.

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

This letter completes the review of the Division of Water Quality under the "No Practical Alternatives" determination required in 15A NCAC 2B .0233(8). If you have any questions, please contact John Hennessy at 919-733-5694.

Sincerely,



Kerr A. Stevens

Cc: US Army Corps of Engineers Raleigh Field Office  
DWQ Raleigh Regional Office  
File Copy  
Central Files