

Legend

-  Bridge #17
-  B-5417 Detour
-  Southern Shores Town Limit
-  Dare County



Figure 1
Vicinity Map
 Bridge No. 17 Replacement
 TIP Project No. B-5417
 Southern Shores, Dare County



Figure 2
Aerial Map
Bridge No. 17 Replacement
TIP Project No. B-5417
Southern Shores, Dare County



Source: US Geological Survey



Figure 3
Topographic Map
 Bridge No. 17 Replacement
 TIP Project No. B-5417
 Southern Shores, Dare County



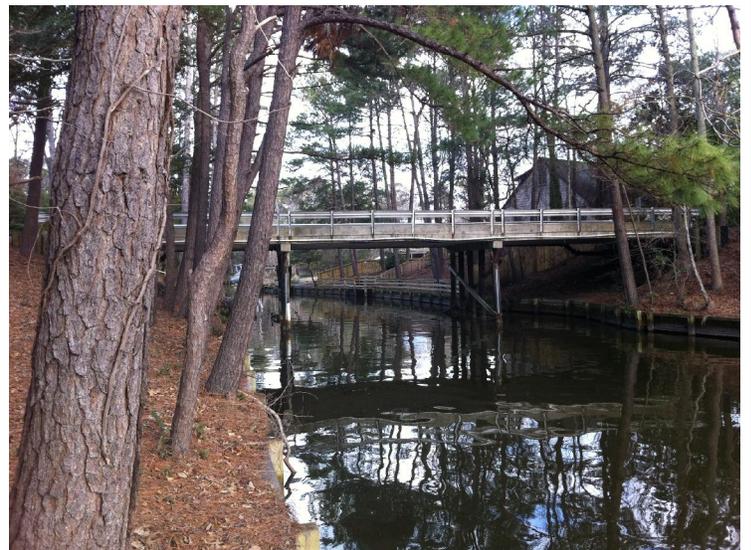
Looking North on Bridge No. 17



Underside of Bridge No. 17



9" Steel Water Pipe



East Stream Profile



Looking West on Bridge No. 17



Looking East on Bridge No. 17



Figure 4
Photos
Bridge No. 17 Replacement
TIP Project No. B-5417
Southern Shores, Dare County

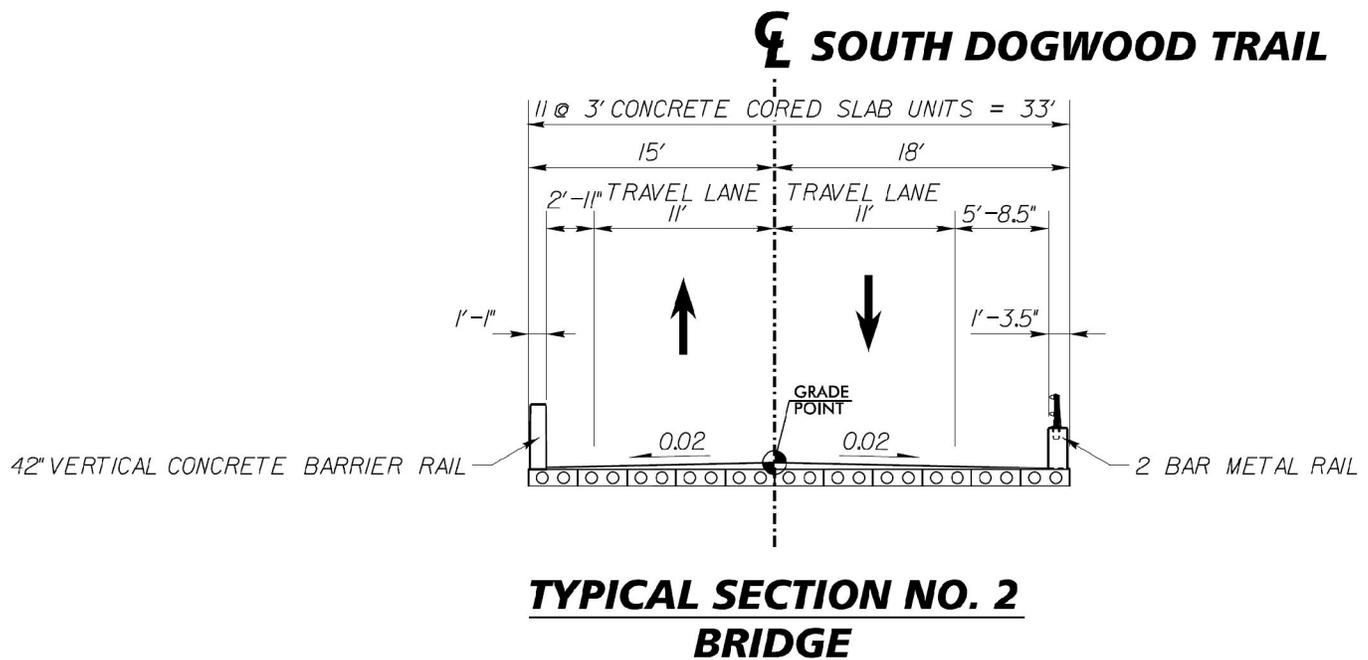
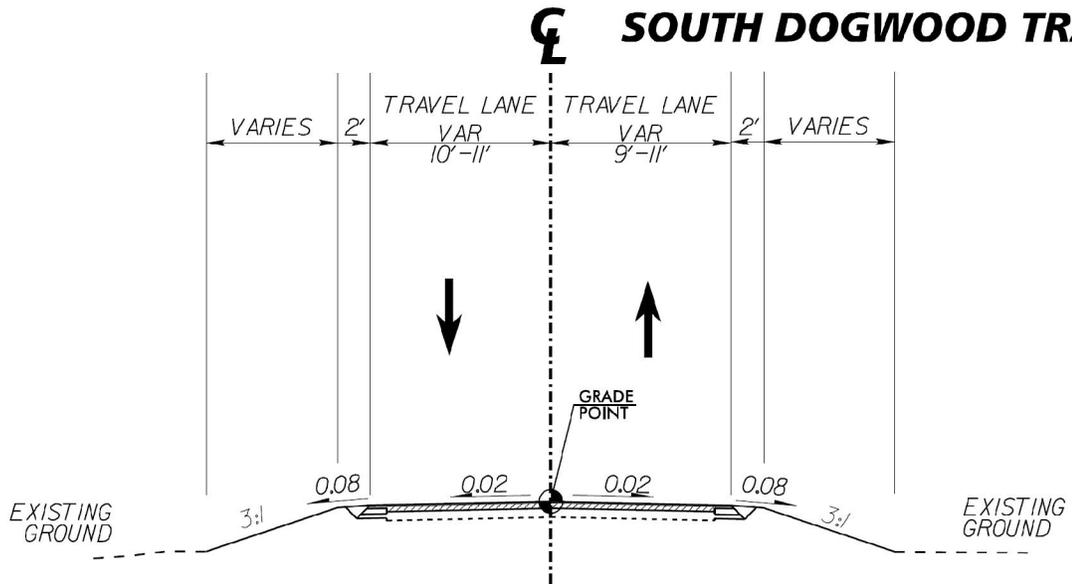


Figure 5
Typical Section
 Bridge No. 17 Replacement
 TIP Project No. B-5417
 Southern Shores, Dare County



Figure 6
Preliminary Roadway Design
 Bridge No. 17 Replacement
 TIP Project No. B-5417
 Southern Shores, Dare County

Van Duyn, Meredith

From: Militscher, Chris <Militscher.Chris@epa.gov>
Sent: Tuesday, April 02, 2013 1:37 PM
To: Van Duyn, Meredith
Cc: Militscher, Chris; Bill Biddlecome (william.j.biddlecome@usace.army.mil); Wainwright, David
Subject: RE: B-5417 (S. Shores) Scoping Letter and Figures

Categories: Important

Ms. VanDuyn: EPA has reviewed the scoping information provided. EPA's only comment is that some of the existing wooden pilings on Bridge No. 17 were placed in the canal. EPA requests that the new pilings be kept out of the water to the extent practicable and that the new bridge design spans the width of the canal/waters of the U.S.

Thank you for the opportunity to comment.

Christopher A. Militscher, REM, CHMM
USEPA Region 4 NEPA Program Office
404-562-9512

From: Meredith.VanDuyn@kimley-horn.com [<mailto:Meredith.VanDuyn@kimley-horn.com>]
Sent: Tuesday, April 02, 2013 8:21 AM
To: Militscher, Chris; crystal.best@doa.nc.gov; clarence.coleman@dot.gov; ron.lucas@dot.gov; gary_jordan@fws.gov; william.j.biddlecome@usace.army.mil; waverly.w.gregory@uscg.mil; travis.wilson@ncwildlife.org; fritz.rohde@noaa.gov; environmental.review@ncdcr.gov; amy.simes@ncdenr.gov; david.wainwright@ncdenr.gov; kevin.hart@ncdenr.gov; cathy.brittainham@ncdenr.gov
Cc: prascoe@southernshores-nc.gov; Cecil.Narron@kimley-horn.com
Subject: B-5417 (S. Shores) Scoping Letter and Figures

All,

Attached for your review and comment are the scoping letter and figures for TIP Project B-5417 (replacement of Bridge No. 17, S. Dogwood Trail over Snow Goose Canal in the Town of Southern Shores). Please let me know if you have any questions or trouble with the files.

The Town has requested that Kimley-Horn collect the scoping letter responses. (My contact information is below.) We will make sure the Town receives a copy, if not already copied, and append the letters to the NEPA document.

Crystal – I will send 16 copies to you in today's mail for the Clearinghouse distribution.

Thanks,
Meredith

Meredith H. Van Duyn, P.E.
Kimley-Horn and Associates, Inc.
PO Box 33068
Raleigh, NC 27636-3068
Tel 919.677.2108 Cell 252.452.1268
meredith.vanduynd@kimley-horn.com



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

April 11, 2013

Meredith Van Duyn
Kimley-Horn and Associates, Inc.
P.O. Box 33068
Raleigh, North Carolina 27606-3068

Dear Ms. Van Duyn:

This letter is in response to your request for comments from the U.S. Fish and Wildlife Service (Service) on the potential environmental effects of the proposed replacement of Bridge No. 17 on South Dogwood Trail over Snow Goose Canal, Southern Shores, Dare County, North Carolina (TIP No. B-5417). These comments provide information in accordance with provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

Section 7(a)(2) of the Endangered Species Act requires that all federal action agencies (or their designated non-federal representatives), in consultation with the Service, insure that any action federally authorized, funded, or carried out by such agencies is not likely to jeopardize the continued existence of any federally threatened or endangered species. A biological assessment/evaluation may be prepared to fulfill the Section 7(a)(2) requirement and will expedite the consultation process. To assist you, a county-by-county list of federally protected species known to occur in North Carolina and information on their life histories and habitats can be found on our web page at http://www.fws.gov/raleigh/species/cntylist/nc_counties.html.

The North Carolina Natural Heritage Program database indicates that the federally endangered West Indian manatee (*Trichechus manatus*) has been observed near the project area. If any in-water work occurs, the Services **GUIDELINES FOR AVOIDING IMPACTS TO THE WEST INDIAN MANATEE: Precautionary Measures for Construction Activities in North Carolina Waters** should be implemented. These guidelines may be found at http://www.fws.gov/raleigh/es_tes.html.

If you determine that the proposed action may affect (i.e. likely to adversely affect or not likely to adversely affect) a listed species, you should notify this office with your determination, the results of your surveys, survey methodologies and an analysis of the effects of the action on listed species, including consideration of direct, indirect and cumulative effects, before conducting any activities that might affect the species. If you determine that the proposed action will have no effect (i.e. no beneficial or adverse, direct or indirect effect) on listed species, then you are not required to contact our office for concurrence.

In addition, the Service recommends the following general conservation measures to avoid or minimize impacts to fish and wildlife resources:

1. Wetland, forest and designated riparian buffer impacts should be avoided and minimized to the maximum extent practical;

2. If unavoidable wetland or stream impacts are proposed, a plan for compensatory mitigation to offset unavoidable impacts should be provided early in the planning process;
3. Off-site detours should be used rather than construction of temporary, on-site bridges. For projects requiring an on-site detour in wetlands or open water, such detours should be aligned along the side of the existing structure which has the least and/or least quality of fish and wildlife habitat. At the completion of construction, the detour area should be entirely removed and the impacted areas be replanted with appropriate tree species;
4. In streams utilized by anadromous fish, the NCDOT policy entitled "Stream Crossing Guidelines for Anadromous Fish Passage" should be implemented;
5. New bridges should be long enough to allow for sufficient wildlife passage along stream corridors;
6. On each side of the stream bank underneath bridges, at least 10 feet of the bank should remain clear of riprap;
7. "Best Management Practices (BMP) for Construction and Maintenance Activities" should be implemented;
8. Bridge designs should include provisions for roadbed and deck drainage to flow through a vegetated buffer prior to reaching the affected stream. This buffer should be large enough to alleviate any potential effects from run-off of storm water and pollutants;
9. Bridge designs should not alter the natural stream and stream-bank morphology or impede fish passage. To the extent possible, piers and bents should be placed outside the bank-full width of the stream; and
10. Bridges and approaches should be designed to avoid any fill that will result in damming or constriction of the channel or flood plain. If spanning the flood plain is not feasible, culverts should be installed in the flood plain portion of the approach to restore some of the hydrological functions of the flood plain and reduce high velocities of flood waters within the affected area.

The Service appreciates the opportunity to comment on this project. If you have any questions regarding our response, please contact Mr. Gary Jordan at (919) 856-4520, ext. 32.

Sincerely,


for Pete Benjamin
Field Supervisor

Electronic copy: Peter Rascoe, Southern Shores, NC



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

GUIDELINES FOR AVOIDING IMPACTS TO THE WEST INDIAN MANATEE Precautionary Measures for Construction Activities in North Carolina Waters

The West Indian manatee (*Trichechus manatus*), also known as the Florida manatee, is a Federally-listed endangered aquatic mammal protected under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C 1461 *et seq.*). The manatee is also listed as endangered under the North Carolina Endangered Species Act of 1987 (Article 25 of Chapter 113 of the General Statutes). The U.S. Fish and Wildlife Service (Service) is the lead Federal agency responsible for the protection and recovery of the West Indian manatee under the provisions of the Endangered Species Act.

Adult manatees average 10 feet long and weigh about 2,200 pounds, although some individuals have been recorded at lengths greater than 13 feet and weighing as much as 3,500 pounds. Manatees are commonly found in fresh, brackish, or marine water habitats, including shallow coastal bays, lagoons, estuaries, and inland rivers of varying salinity extremes. Manatees spend much of their time underwater or partly submerged, making them difficult to detect even in shallow water. While the manatee's principal stronghold in the United States is Florida, the species is considered a seasonal inhabitant of North Carolina with most occurrences reported from June through October.

To protect manatees in North Carolina, the Service's Raleigh Field Office has prepared precautionary measures for general construction activities in waters used by the species. Implementation of these measure will allow in-water projects which do not require blasting to proceed without adverse impacts to manatees. In addition, inclusion of these guidelines as conservation measures in a Biological Assessment or Biological Evaluation, or as part of the determination of impacts on the manatee in an environmental document prepared pursuant to the National Environmental Policy Act, will expedite the Service's review of the document for the fulfillment of requirements under Section 7 of the Endangered Species Act. These measures include:

1. The project manager and/or contractor will inform all personnel associated with the project that manatees may be present in the project area, and the need to avoid any harm to these endangered mammals. The project manager will ensure that all construction personnel know the general appearance of the species and their habit of moving about completely or partially submerged in shallow water. All construction personnel will be informed that they are responsible for observing water-related activities for the presence of manatees.
2. The project manager and/or the contractor will advise all construction personnel that

there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act and the Endangered Species Act.

3. If a manatee is seen within 100 yards of the active construction and/or dredging operation or vessel movement, all appropriate precautions will be implemented to ensure protection of the manatee. These precautions will include the immediate shutdown of moving equipment if a manatee comes within 50 feet of the operational area of the equipment. Activities will not resume until the manatee has departed the project area on its own volition (i.e., it may not be herded or harassed from the area).

4. Any collision with and/or injury to a manatee will be reported immediately. The report must be made to the U.S. Fish and Wildlife Service (ph. 919.856.4520 ext. 16), the National Marine Fisheries Service (ph. 252.728.8762), and the North Carolina Wildlife Resources Commission (ph. 252.448.1546).

5. A sign will be posted in all vessels associated with the project where it is clearly visible to the vessel operator. The sign should state:

CAUTION: The endangered manatee may occur in these waters during the warmer months, primarily from June through October. Idle speed is required if operating this vessel in shallow water during these months. All equipment must be shut down if a manatee comes within 50 feet of the vessel or operating equipment. A collision with and/or injury to the manatee must be reported immediately to the U.S. Fish and Wildlife Service (919-856-4520 ext. 16), the National Marine Fisheries Service (252.728.8762), and the North Carolina Wildlife Resources Commission (252.448.1546).

6. The contractor will maintain a log detailing sightings, collisions, and/or injuries to manatees during project activities. Upon completion of the action, the project manager will prepare a report which summarizes all information on manatees encountered and submit the report to the Service's Raleigh Field Office.

7. All vessels associated with the construction project will operate at "no wake/idle" speeds at all times while in water where the draft of the vessel provides less than a four foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.

8. If siltation barriers must be placed in shallow water, these barriers will be: (a) made of material in which manatees cannot become entangled; (b) secured in a manner that they cannot break free and entangle manatees; and, (c) regularly monitored to ensure that manatees have not become entangled. Barriers will be placed in a manner to allow manatees entry to or exit from essential habitat.

Prepared by (rev. 06/2003):
U.S. Fish and Wildlife Service
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726
919/856-4520

Figure 1. The whole body of the West Indian manatee may be visible in clear water; but in the dark and muddy waters of coastal North Carolina, one normally sees only a small part of the head when the manatee raises its nose to breathe.

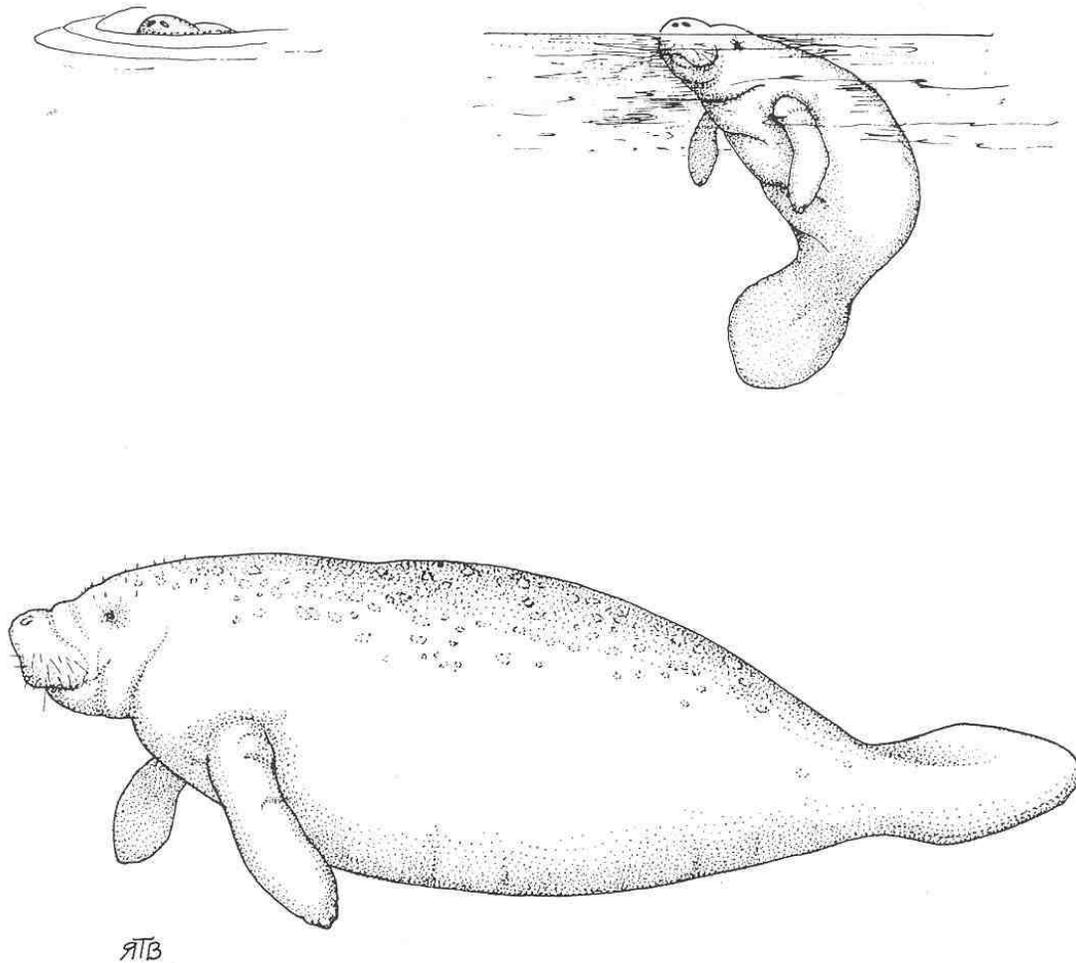


Illustration used with the permission of the North Carolina State Museum of Natural Sciences.
Source: Clark, M. K. 1987. Endangered, Threatened, and Rare Fauna of North Carolina: Part I. A re-evaluation of the mammals. Occasional Papers of the North Carolina Biological Survey 1987-3. North Carolina State Museum of Natural Sciences. Raleigh, NC. pp. 52.



North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtride, Jr., Secretary

May 7, 2013

Ms. Meredith Van Duyn
Town of Southern Shores
c/o Kimley-Horn and Assoc.
Post Office Box 33068
Raleigh, North Carolina 27606-3068

Re: SCH File # 13-E-0000-0390; SCOPING; Proposed project is for the replacement of Bridge No. 17 carrying South Dogwood Trail over Snow Goose Canal. NCDOT TIP B-5417.

Dear Ms. Van Duyn:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Crystal Best".

Crystal Best
State Environmental Review Clearinghouse

Attachments

cc: Region R

Mailing Address:
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone: (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail state.clearinghouse@doa.nc.gov

Location Address:
116 West Jones Street
Raleigh, North Carolina



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

MEMORANDUM

TO: Crystal Best
State Clearinghouse

FROM: Lyn Hardison *Lyn*
Division of Environmental Assistance and Outreach
Permit Assistance & Project Review Coordinator

RE: 13-0390
Scoping – Proposed project is for the replacement of Bridge No. 17 carrying South
Dogwood Trail over Snow Goose Canal, NCDOT TIP B-5417
Dare County

Date: May 2, 2013

The Department of Environment and Natural Resources has reviewed the proposal for the referenced project. Based on the information provided, several of the agencies have provided some specific recommendations and comments that will help the applicant facilitate the preparation of an environmental document. These comments are attached for the applicant's consideration.

The Department will provide more specific comments during the environmental review process.

Thank you for the opportunity to respond.

Attachment



North Carolina Department of Environment and Natural Resources
Office of Conservation, Planning, and Community Affairs

Pat McCrory
Governor

Linda Pearsall
Director

John E. Skvarla, III
Secretary

April 22, 2013
Via Electronic Mail

Meredith Van Duyn
Kimley-Horn and Associates, Inc.
PO Box 33068
Raleigh, NC 27606-3068
Email: Meredith.vanduynd@kimley-horn.com
cc: prascoe@southernshores-nc.gov

SUBJECT: Proposed Replacement of Bridge No. 17, Southern Shores, Dare County. NCDOT TIP No. B-5417.

Dear Ms. Van Duyn:

The North Carolina Natural Heritage Program (NCNHP) has reviewed the maps submitted to the State Environmental Review Clearinghouse for NCDOT TIP No. B-5417 against our spring 2013 quarterly dataset. NCNHP has no records of rare species, important natural communities, significant natural heritage areas, or conservation/management areas with the proposed project area.

We have the following records for rare species within one mile of the proposed project site:

SCIENTIFIC NAME	COMMON NAME	STATE STATUS	FEDERAL STATUS
<i>Trichechus manatus</i>	West Indian Manatee	Endangered	Endangered
<i>Dichanthelium fusiforme</i>	Spindle-fruited Witch Grass	Significantly Rare	n/a
<i>Hudsonia tomentosa</i>	Sand Heather	Threatened	n/a
<i>Lechea maritima</i> var. <i>virginica</i>	Maritime Pinweed	Endangered	n/a
<i>Ludwigia brevipes</i>	Long Beach Seedbox	Significantly Rare	n/a
Maritime Deciduous Forest		n/a	n/a
Maritime Swamp Forest (Cypress Subtype)		n/a	n/a
Stable Dune Barren (Beach Heather Subtype)		n/a	n/a

West Indian Manatee has been documented from Currituck Sound. Occurrences of Sand Heather, Maritime Pinweed, Maritime Deciduous Forest, Maritime Swamp Forest, and Stable Dune Barren are located within Southern Shores Cypress Swamp Significant Natural Heritage Area (SNHA) ca. 0.6 mile

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east of the proposed project. This SNHA is located on private property. There is also a historical occurrence of Long Beach Seedbox located one mile northeast of the site in a pond less than 200 yards from the ocean.

Please note that although our maps do not show records of natural heritage elements within the project area, it does not necessarily mean that they are not present. It may simply mean that the area has not been surveyed. The use of Natural Heritage Program data should not be substituted for actual field surveys, particularly if the project area contains suitable habitat for rare species, important natural communities, or priority natural areas.

Please do not hesitate to contact me at 919-707-8637 if you have questions or require further information.

Regards,

A handwritten signature in cursive script that reads "Suzanne Mason".

Suzanne Mason, Conservation Information Specialist

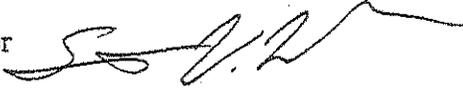


North Carolina Wildlife Resources Commission

Gordon Myers, Executive Director

MEMORANDUM

TO: Lyn Hardison, Environmental Assistance Coordinator
Division of Environmental Assistance and Outreach, DENR

FROM: Travis Wilson, Highway Project Coordinator
Habitat Conservation Program 

DATE: April 18, 2013

SUBJECT: Response to the start of study notification regarding fish and wildlife concerns for the proposed replacement of Bridge No. 17 in the Town of Southern Shores, Dare County, North Carolina. TIP No. B-5417, SCH Project No. 13-0390.

This memorandum responds to a request from the Town of Southern Shores for our concerns regarding impacts on fish and wildlife resources resulting from the subject project. Biologists on the staff of the N. C. Wildlife Resources Commission (NCWRC) have reviewed the proposed improvements. Our comments are provided in accordance with certain provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

B-5417, bridge number 17 in Dare County on South Dogwod Trail over Snow Goose Canal: This structure is located on Snow Goose Canal in close proximity to the confluence with Jean Guite Creek, a designated Primary Nursery Area. In order to minimize impacts to this nursery area NCWRC recommends an in water work moratorium of February 15 to September 30.

1. Description of fishery and wildlife resources within the project area, including a listing of federally or state designated threatened, endangered, or special concern species. Potential borrow areas to be used for project construction should be included in the inventories. A listing of designated plant species can be developed through consultation with:

NC Natural Heritage Program
Dept. of Environment & Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601.

and, WWW.ncnhp.org

NCDA Plant Conservation Program

P. O. Box 27647
Raleigh, N. C. 27611
(919) 733-3610

2. Description of any streams or wetlands affected by the project. The need for channelizing or relocating portions of streams crossed and the extent of such activities.
3. Cover type maps showing wetland acreages impacted by the project. Wetland acreages should include all project-related areas that may undergo hydrologic change as a result of ditching, other drainage, or filling for project construction. Wetland identification may be accomplished through coordination with the U. S. Army Corps of Engineers (COE). If the COE is not consulted, the person delineating wetlands should be identified and criteria listed.
4. Cover type maps showing acreages of upland wildlife habitat impacted by the proposed project. Potential borrow sites should be included.
5. The extent to which the project will result in loss, degradation, or fragmentation of wildlife habitat (wetlands or uplands).
6. Mitigation for avoiding, minimizing or compensating for direct and indirect degradation in habitat quality as well as quantitative losses.
7. A cumulative impact assessment section which analyzes the environmental effects of highway construction and quantifies the contribution of this individual project to environmental degradation.
8. A discussion of the probable impacts on natural resources which will result from secondary development facilitated by the improved road access.
9. If construction of this facility is to be coordinated with other state, municipal, or private development projects, a description of these projects should be included in the environmental document, and all project sponsors should be identified.

Thank you for the opportunity to provide input in the early planning stages for this project. If we can further assist your office, please contact me at (919) 707-0370.

Cc: Tracy Wheeler, USACE
Cathy Brittingham, DCM
David Wainwright, DWQ
Kevin Hart, DMF



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Charles Wakile, P. E.
Director

Pat McCrory
Governor

John Skvarla, III
Secretary

April 11, 2013

MEMORANDUM

To: Lyn Hardison, Environmental Coordinator, Office of Legislative and Intergovernmental Affairs
From: David Wainwright, NC Division of Water Quality, Central Office *DWW*
Subject: Scoping Comments on the Proposed Replacement of Bridge No. 17 over Snow Goose Canal on South Dogwood Trail in Dare County, Federal Aid Project No. BRZ-0154(3), TIP B-5417
State Clearinghouse Project No. 013-390.

Reference your correspondence dated April 2, 2013 in which you requested comments for the referenced project. Preliminary analysis of the project reveals the potential for multiple impacts to streams and jurisdictional wetlands in the project area. More specifically, impacts to:

Stream Name	River Basin	Stream Classification(s)	Stream Index Number
Snow Goose Canal (UT to Jean Guite Creek)	Pasquotank	SC	30-1-17

Further investigations at a higher resolution should be undertaken to verify the presence of other streams and/or jurisdictional wetlands in the area. In the event that any jurisdictional areas are identified, the Division of Water Quality requests that the Town of Southern Shores consider the following environmental issues for the proposed project.

General Project Comments:

1. The environmental document should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.
2. Alternatives should consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. These alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of NCDWQ's *Stormwater Best Management Practices Manual*, July 2007, such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.
3. After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the Town of Southern Shores is respectfully reminded that they will need to

Transportation and Permitting Unit
1850 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
Phone: 919-807-6300 | FAX: 919-807-6488
Internet: www.ncwaterquality.org



demonstrate the avoidance and minimization of impacts to wetlands and streams to the maximum extent practical. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 1 acre to wetlands. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as wetland mitigation.

4. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 150 linear feet to any single stream. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as stream mitigation.
5. Future documentation, including the 401 Water Quality Certification Application, should include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.
6. NCDWQ is very concerned with sediment and erosion impacts that could result from this project. The Town of Southern Shores should address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigating factors that would reduce the impacts.
7. The Town of Southern Shores is respectfully reminded that all impacts, including but not limited to, bridging, fill, excavation and clearing, and rip rap to jurisdictional wetlands and streams need to be included in the final impact calculations. These impacts, in addition to any construction impacts, temporary or otherwise, also need to be included as part of the 401 Water Quality Certification Application.
8. Bridge deck drains should not discharge directly into the stream. Stormwater should be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of NCDWQ's *Stormwater Best Management Practices*.
9. Sediment and erosion control measures should not be placed in wetlands or streams.
10. Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas will need to be presented in the 401 Water Quality Certification and could precipitate compensatory mitigation.
11. Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require a Nationwide (NW) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from NCDWQ. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.
12. If concrete is used during construction, a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured

concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.

13. Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.
14. All work in or adjacent to stream waters should be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures should be used to prevent excavation in flowing water.
15. While the use of National Wetland Inventory (NWI) maps, NC Coastal Region Evaluation of Wetland Significance (NC-CREWS) maps and soil survey maps are useful tools, their inherent inaccuracies require that qualified personnel perform onsite wetland delineations prior to permit approval.
16. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment should be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.
17. Riprap should not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
18. Riparian vegetation (native trees and shrubs) should be preserved to the maximum extent possible. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.

Thank you for requesting our input at this time. NCDOT is reminded that issuance of a 401 Water Quality Certification requires that appropriate measures be instituted to ensure that water quality standards are met and designated uses are not degraded or lost. If you have any questions or require additional information, please contact David Wainwright at (919) 807-6405 or David.Wainwright@ncdenr.gov.

cc: Meredith Van Duyn, Kimley-Horn and Associates, Inc.
Peter Rascoe, Town of Southern Shores
Bill Biddlecome, US Army Corps of Engineers, Washington Field Office (electronic copy only)
Clarence Coleman, Federal Highway Administration (electronic copy only)
Chris Militscher, Environmental Protection Agency (electronic copy only)
Travis Wilson, NC Wildlife Resources Commission (electronic copy only)
Cathy Brittingham, Division of Coastal Management (electronic copy only)
Garcy Ward, NCDWQ Washington Regional Office (electronic copy only)
File Copy



North Carolina Department of Environment and Natural Resources

Division of Marine Fisheries

Pat McCrory
Governor

Dr. Louis B. Daniel III
Director

John E. Skvarla, III
Secretary

TO: Lyn Hardison

THROUGH: Anne Deaton AD

FROM: Kevin Hart KH

DATE: April 8, 2013

SUBJECT: Snow Goose Canal Bridge Replacement Tip B-5417 (Project Number 13-0390)

The following comments by the North Carolina Division of Marine Fisheries (NCDMF) on the subject project are offered pursuant to G.S. 113-131. The applicant is proposing to replace an existing bridge over Snow Goose Canal in the Town of Southern Shores. Snow Goose Canal is a manmade tributary of Jean Guite Creek, a NCWRC designated Primary Nursery Area (PNA).

Depending on the bridge construction techniques and design, the NCDMF may request that in water work moratorium of February 15 through September 30 be followed for the subject project. Work should be performed outside of this period to minimize impacts in the nursery area.

The NCDMF appreciates the opportunity to review and comment on this project. If you have any comments or questions, please call me at (252) 948-3878 or email me at Kevin.Hart@ncdenr.gov.

Hardison, Lyn

From: Roddy, Jackie
Sent: Monday, April 22, 2013 11:54 AM
To: Hardison, Lyn
Cc: Kaufman, Tammy
Subject: DENR Project No. 13-0390.

Ms. Hardison,

Thank you for providing the Division of Water Resources (DWR) - Public Water Supply (PWS) Section an opportunity to provide comments regarding a proposed project for the replacement of Bridge No. 17 carrying South Dogwood Trail over Snow Goose Canal, NCDOT TIP B-5417, in Dare County. DENR Project No. 13-0390.

At this time, DWR-PWS has no objection to the project, but offers the following comments from David Tuten of the Washington Regional Office:

1. Please contact the local water utility to assist with locating any existing water mains in or near the project area.
2. If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources, Public Water Supply Section, Technical Services Branch, 1634 Mail Service Center, Raleigh, North Carolina 27699-1634, (919) 707-9100.

Let me know if you have any questions.

Jackie Roddy, P.E.

Environmental Engineer
Division of Water Resources
Public Water Supply Section
Raleigh, NC 27699-1634
Phone: (919) 707-9059
Fax: (919) 715-4374

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

**Department of Environment and Natural Resources
Project Review Form**

Project Number: 13-0390

County: Dare

Date Received: 04/08/2013

Due Date: 5/1/2013

Project Description: Scoping - Proposed project is for the replacement of Bridge No. 17 carrying South Dogwood Trail over Snow Goose Canal. NCDOT TIP B-5417.

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville	<input type="checkbox"/> Air	<input type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Coastal Management
<input type="checkbox"/> Fayetteville	<input checked="" type="checkbox"/> Water <i>BW 4/19/13</i>	<input checked="" type="checkbox"/> Marine Fisheries <i>K Hart</i>	<input type="checkbox"/> Military Affairs
<input type="checkbox"/> Mooresville	<input type="checkbox"/> Aquifer Protection	<input checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Water Quality
<input type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> Land Quality Engineer	<input type="checkbox"/> Waste Mgmt	<input checked="" type="checkbox"/> Water Quality - DOT
<input checked="" type="checkbox"/> Washington	<i>Patton 4/8/13</i>	<input type="checkbox"/> Water Resources Mgmt	<input type="checkbox"/> Wildlife <i>D. Wainwright</i>
<input type="checkbox"/> Wilmington	<input checked="" type="checkbox"/> UST <i>JSS 4/8/13</i>	<input checked="" type="checkbox"/> Water Supply Section	<input checked="" type="checkbox"/> Wildlife - DOT <i>T. Wilson</i>
<input type="checkbox"/> Winston-Salem			

Manager Sign-Off/Region:	Date:	In-House Reviewer/Agency:
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Response (check all applicable)

No objection to project as proposed. No Comment

Insufficient information to complete review Other (specify or attach comments)

If you have any questions, please contact:
Lyn Hardison at lyn.hardison@ncdenr.gov or (252) 948-3842.

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Project Number: 13-0390 Due Date: 5-1-13

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/>	Permit to construct & operate Transportation Facility as per 15 A NCAC (2D.0800, 2Q.0601)	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.		
<input type="checkbox"/>	Complex Source Permit required under 15 A NCAC 2D.0800		
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input checked="" type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any arc mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/>	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual bum is planned."	1 day (N/A)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion	30 days (60 days)

PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR, running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fees based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	N/A	60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application	55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input checked="" type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
<input type="checkbox"/>	Tar Pamlico or Neuse Riparian Buffer Rules required.		
* Other comments (attach additional pages as necessary, being certain to cite comment authority)			

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

Asheville Regional Office

2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500

Mooresville Regional Office

610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699

Wilmington Regional Office

127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

Fayetteville Regional Office

225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300

Raleigh Regional Office

3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200

Winston-Salem Regional Office

585 Waughtown Street
Winston-Salem, NC 27107
(336) 771-5000

Washington Regional Office

943 Washington Square Mall
Washington, NC 27889
(252) 946-6481



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

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

TO: Lyn Hardison, Environmental Coordinator

FROM: Scott Bullock, Regional UST Supervisor JSB

COPY: Robert Davies, Corrective Action Branch Head

COPY: Becky Jefferys, Administrative Secretary

DATE: April 8, 2013

RE: CDBG Environmental Review – Scoping – Project Initiation for the Proposed Replacement of Bridge No. 17 (carrying South Dogwood Trail over Snow Goose Canal), Southern Shores, Dare County. NCDOT TIP Project B-5417. WBS 45450.1.1, Federal Aid Number Brz-0154(3)

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases indicated the **presence of one petroleum release in the vicinity of the proposed project as follows:**

- **Kitty Hawk Elementary School, 16 South Dogwood Trail, Southern Shores, NC, Incident Number 31653, No Further Action Letter issued 1/19/07, soil and groundwater remediated to the applicable standards.**

Please note that heating oil USTs may be in the area. I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater. The following comments are pertinent to my review:

1. The Washington Regional Office (WaRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (252) 946-6481.
2. Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.
3. Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environment & Natural Resources – Division of Waste Management Underground Storage Tank Section in the Washington Regional Office at (252) 946-6481.
4. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosion or inhalation hazards exist. Also, notify the UST

Section of the Washington Regional Office at (252) 946-6481. Petroleum contaminated soils must be handled in accordance with all applicable regulations.

5. Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (252) 946-6481.

If you have any questions or need additional information, please contact me at 252-948-3906.

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: DARE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 13-E-0000-0390

DATE RECEIVED: 04/04/2013

AGENCY RESPONSE: 05/01/2013

REVIEW CLOSED: 05/06/2013

MS CAROLYN PENNY
CLEARINGHOUSE COORDINATOR
CC&PS - DIV OF EMERGENCY MANAGEMENT
FLOODPLAIN MANAGEMENT PROGRAM
MSC # 4719
RALEIGH NC

REVIEW DISTRIBUTION

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CC&PS - DIV OF EMERGENCY MANAGEMENT
DENR - COASTAL MGT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION

PROJECT INFORMATION

APPLICANT: Town of Southern Shores
TYPE: National Environmental Policy Act
Scoping

DESC: Proposed project is for the replacement of Bridge No. 17 carrying South Dogwood Trail over Snow Goose Canal. NCDOT TIP B-5417.

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

John D Burbaker

DATE: 11 April 2013

COASTAL A-ZONE
NCDOT



RECEIVED
APR 9 2013
N.C. Floodplain Mapping Program

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

Kerry Marrow

COUNTY: DARE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 13-E-0000-0390

DATE RECEIVED: 04/04/2013

AGENCY RESPONSE: 05/01/2013

REVIEW CLOSED: 05/06/2013

MS CARRIE ATKINSON
CLEARINGHOUSE COORDINATOR
DEPT OF TRANSPORTATION
STATEWIDE PLANNING - MSC #1554
RALEIGH NC

REVIEW DISTRIBUTION

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DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION

PROJECT INFORMATION

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

[Handwritten Signature]

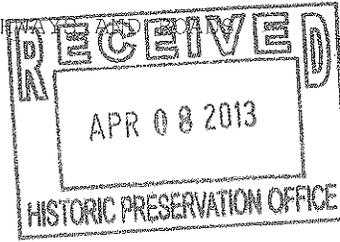
DATE:

4/11/13

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: DARE

F02: HIGHWAY



STATE NUMBER: 13-E-0000-0390
DATE RECEIVED: 04/04/2013
AGENCY RESPONSE: 05/01/2013
REVIEW CLOSED: 05/06/2013

MS RENEE GLEDHILL-EARLEY
CLEARINGHOUSE COORDINATOR
DEPT OF CULTURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE
MSC 4617 - ARCHIVES BUILDING
RALEIGH NC

ER 13-0684

REVIEW DISTRIBUTION

ALBEMARLE REG PLANNING COMM
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DENR - COASTAL MGT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION

due 4/12/13 A-NO LEA/KK 4-9-13

PROJECT INFORMATION

APPLICANT: Town of Southern Shores
TYPE: National Environmental Policy Act
Scoping

due 4/19/13 S (NC) JDE/cas 4/10/13

DESC: Proposed project is for the replacement of Bridge No. 17 carrying South Dogwood Trail over Snow Goose Canal. NCDOT TIP B-5417.

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY: Renee Gledhill-Earley

DATE: 4-18-13



APR 09 2013



North Carolina Department of Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Pat McCrory, Governor
Susan Kluttz, Secretary
Kevin Cherry, Deputy Secretary

Office of Archives and History
Division of Historical Resources

April 19, 2013

Peter Rascoe
Town of Southern Shores
5375 North Virginia Dare Trail
Southern Shores, NC 27949

Re: Replace Bridge 17 on South Dogwood Trail over Snow Goose Canal, B-5417, Dare County,
ER 13-0684

Dear Mr. Rascoe:

Thank you for your letter of April 2, 2013, concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

for Ramona M. Bartos