

Off-site compensatory mitigation would involve the restoration of North Prong of Stinking Creek, a perennial stream that flows through the Causey Farm property located in southeast Guilford County. It would include 4 acres of floodplain wetland restoration and the restoration of a minimum of 6,500 linear feet of stream channel, comprising 4% of the wetlands and 22% of stream channel of the compensatory mitigation plan total.

Also, as part of the mitigation plan, all wetland and stream channel mitigation sites include upland buffers. Wetland buffers and wetland/upland ecotones are important in reducing sediment and nutrient inputs into local streams and rivers. Vegetative buffers can also moderate in-stream water temperatures and increase available dissolved oxygen in cooler waters. They help create and maintain a diversity of aquatic habitat types, which in turn provide for a high diversity and abundance of aquatic organisms. Vegetated upland buffers may also enhance groundwater recharge into adjacent wetlands through increased flood storage capacities and dissipated flood waters by frictional resistance and evapotranspiration to desynchronize runoff into wetland and stream channel corridors. Finally, the buffers provide important wildlife habitat and corridors. Approximately 49.50 acres of high ground buffers are included with the on-site mitigation properties and approximately 20 acres of high ground buffers are included with the off-site mitigation properties.

In accordance with 33 U.S.C. 1341 (d), all conditions of the NCDENR's Water Quality Certification Number 3428 issued on November 10, 2003, are incorporated as part of the DA permit.

The following Special Conditions will be included in any permit issued for this project:

Special Conditions

- a. The expansion of the Piedmont Triad International Airport (PTIA) will be conducted in two phases, identified herein as Phase I and Phase II. Phase I of the development consists of four distinct and separate elements: the relocation of Bryan Boulevard, the construction of the runway 5L/23R system, the construction of a connecting taxiway from the existing airfield to the new runway, and the initial FedEx site development. Phase II includes the construction of a second connecting taxiway (Taxiway D), a second parallel taxiway on the west side of the runway (Taxiway G), and the expansion of the air cargo facilities. Except as specifically noted, all conditions of this permit apply to all phases and elements of the project.
- b. All work authorized by this permit must be completed in strict compliance with the attached plans, which are a part of this permit, or any modification to those plans specifically approved by the Corps. The permittee will ensure that the construction design plans that have been, or will be approved for this project do not deviate after acceptance. Any deviation in the construction design plans will be brought to the attention of the Corps, Raleigh Regulatory Field Office prior to any active construction in waters or wetlands.
- c. Prior to commencing construction within jurisdictional waters of the U.S. on each project element, the permittee shall forward the latest version of project construction drawings for that element to the Corps, Raleigh Regulatory Field Office, for approval. Half-size drawings are acceptable.

d. The permittee shall schedule an onsite preconstruction meeting between its representatives, the contractor's representatives, and Mr. John Thomas with the Corps, Raleigh Regulatory Field Office, at telephone (919) 876-8441, Ext. 25, prior to any work within jurisdictional waters and wetlands to ensure that there is a mutual understanding of all of the terms and conditions contained within this DA Permit. The permittee shall notify the Corps of Engineers 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.

e. Prior to any construction of any project element authorized by this permit, the permittee shall stake all wetland/stream boundaries on the ground on the PTIA property, within the vicinity of the permitted construction impacts for each element, so that such areas are clearly identifiable by construction crews and others working on the property.

f. The permittee and its contractors and/or agents shall not excavate, fill, or perform mechanized 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. Except as authorized by 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.

g. 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 for borrow material, or to dispose of dredged, fill, or waste material. The permittee shall ensure that all such areas comply with the preceding condition (f) 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 the preceding condition (f).

h. Permittee shall require its contractors to complete and execute reclamation plans for each waste and borrow site outside the permitted impact limits, and provide written documentation that the reclamation plans have been implemented and all work is completed. This documentation will be provided to the Corps within 30 days of the completion of the reclamation work.

i. 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.

j. Any violation of these conditions or violations of Section 404 of the Clean Water Act must be reported in writing to the Wilmington District, U. S Army Corps of Engineers, within 24 hours of the permittee's discovery of the violation.

MITIGATION REQUIREMENTS

k. The permittee shall mitigate for 12,823 linear feet of stream impacts and 22.93 acres of permanent bottomland hardwood wetland forest impacts for this project, as described in the following conditions, in the Central Piedmont Eco-Region, in the Cape Fear River basin (Cataloging Unit 03030002).

l. The permittee will restore 200 linear feet of cool water stream channel onsite at the PTIA in accordance with the Priority 1 Stream Restoration guidelines, and will preserve an additional 14,510 linear feet within and adjacent to Brush Creek as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

m. The permittee will restore 7.4 acres of onsite bottomland hardwood wetland forest adjacent to Brush Creek through the removal of fill material as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

n. The permittee will create 5.3 acres of onsite bottomland hardwood wetland forest adjacent to Brush Creek through the removal of fill material within the old road fill causeway as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

o. The permittee will preserve 69.9 acres of onsite bottomland hardwood forest adjacent to Brush Creek as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

p. The permittee will restore 2 acres of bottomland hardwood wetland forest through removal of fill material within the existing Longview Golf Course fairways adjacent to Horsepen Creek as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

q. The permittee will create 12.6 acres of bottomland hardwood wetland forest through removal of fill material within the existing Longview Golf Course fairways adjacent to Horsepen Creek as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

r. The permittee will restore 6,107 linear feet of cool water stream channel in accordance with Priority I Stream Restoration guidelines in Horsepen Creek in the existing Longview Golf Course as proposed in their mitigation plan titled "Wetland and Stream Mitigation Plan," dated December 28, 2001.

s. The permittee will restore 6,539 linear feet of cool water stream channel in accordance with Priority I Stream Restoration guidelines on an unnamed tributary to North Prong Stinking Quarter Creek on the Causey Farm as proposed in the Conceptual Mitigation Report for the Causey Farm Mitigation Site dated February 2002.

t. The permittee will restore a minimum of 4 acres of bottomland hardwood wetland forest through the filling of relic ditches and reintroduction of the stream channel to the floodplain following stream restoration activities adjacent to the North Prong of Stinking Quarter Creek on the Causey Farm as proposed in their Conceptual Mitigation Report for the Causey Farm Mitigation Site dated February 2002. The final mitigation plan for the proposed Causey Farm Mitigation Site shall be submitted to the Corps within 90 days of the date of issuance of this DA permit.

u. All compensatory mitigation, as described in the "Wetland and Stream Mitigation Plan" dated December 28, 2001, and required by the final, approved Causey Farm Mitigation Site, shall be accomplished in accordance with the following schedule:

<u>Mitigation Site Name/Description</u>	<u>Constructed By</u>	<u>Planted By</u>
Causey Farm stream and wetland restoration adjacent to an unnamed tributary to North Prong Stinking Quarter Creek	November 1, 2004	March 15, 2005
Bottomland hardwood (BLH) wetland forest creation adjacent to Brush Creek at PTIA	November 1, 2005	March 15, 2006
BLH wetland forest restoration adjacent to Brush Creek at PTIA	November 1, 2006	March 15, 2007
Area I BLH wetland forest restoration/creation and stream channel restoration adjacent to Horsepen Creek at PTIA	November 1, 2004	March 15, 2005
Areas II and III BLH wetland forest restoration/creation and stream channel restoration adjacent to Horsepen Creek at PTIA	November 1, 2006	March 15, 2007

STREAM MITIGATION MONITORING REQUIREMENTS

v. AS-BUILT SURVEY: The permittee shall complete and submit (to the Corps) an as-built channel survey within sixty days of completion of the stream mitigation project construction. The permittee shall document the dimension, pattern, and profile of the restored channel. The

permittee shall establish permanent cross-sections at an approximate frequency of one per 20 (bankfull-width) lengths, which represent approximately 50% pools and 50% riffle areas. The permittee shall also include in the as-built survey: photo documentation at all cross-sections and structures; a plan view diagram; a longitudinal profile; vegetation information; and a pebble count for at least six cross-sections (or all permanent cross sections if less than six required for project).

w. MONITORING SCHEDULE: The permittee shall perform Level I monitoring each year for the 5-year monitoring period. The permittee shall submit the monitoring reports to the Corps, Raleigh Regulatory Field Office Project Manager, within sixty days after completing the monitoring. If less than two bankfull events occur during the first 5 years, the permittee shall continue monitoring until the second bankfull event is documented. The bankfull events must occur during separate monitoring years. In the event that the required bankfull events do not occur during the five-year monitoring period, the Corps, in consultation with the resource agencies, may determine that further monitoring is not required. It is suggested that all bankfull occurrences be monitored and reported through the required monitoring period. The permittee shall perform and submit photo documentation twice each year (summer and winter) for the 5-year monitoring period, and for any subsequently required monitoring period.

x. MONITORING DATA/REPORT: The permittee shall include the following information in the Level I monitoring report for the site: reference photos; plant survival analysis; and channel stability analysis. The permittee shall complete the Monitoring Data Record, Sections 1 – 3, (pages 1 - 4, attached) for each cross-section, and for each year of monitoring. The permittee shall include in the monitoring reports a discussion of any deviations from as-built and an evaluation of the significance of these deviations and whether they are indicative of a stabilizing or destabilizing situation.

y. STREAM MITIGATION SUCCESS CRITERIA: The mitigation success criteria, and required remediation actions, will be based on the attached Appendix II, and the Photo Documentation, Ecological Function, and Channel Stability criteria in the “Stream Mitigation Guidelines”, dated April, 2003 (available on the internet at http://www.saw.usace.army.mil/wetlands/Mitigation/stream_mitigation.html), pages 24 and 25, under “Success Criteria.”.

WETLAND MITIGATION MONITORING REQUIREMENTS

z. The permittee will monitor the site vegetation between June 1 and November 30, inclusively, of each year, and document plant mortality and stress. A minimum of two 0.05-acre sample plot will be established within the restoration and creation areas at PTIA, Horsepen Creek and the Causey Farm, and will be placed randomly within a representative position. The permittee will continue monitoring of the planting areas annually until the respective performance criteria are met, as described below.

aa. Performance criteria for tree planting areas will be met if sample plots demonstrate that for each of the first three complete years of monitoring, a minimum of 320 target-species trees per acre have survived, such that at the end of three years, a minimum of 320 three-year old target-species trees per acre have survived on the site, and, in years four and five, 288 and 260 trees per acre, respectively, have survived on the site, such that at the end of year five, a minimum of 260 five-year old target-species trees per acre have survived on the site.

bb. If for any monitoring year, vegetation survival is not favorable, as determined by the Corps, any remedial action required by the Corps will be performed, the required enhancement/restoration areas will be replanted, and the five-year monitoring period will begin again with year one.

cc. Hydrology at the PTIA site, Horsepen Creek and the Causey Farm restoration and creation areas will be monitored through use of monitoring gauges during each growing season for the first five years of the vegetative monitoring, or until performance criteria have been met, whichever occurs later. The number and placement of hydrologic monitoring devices will be submitted, reviewed and approved by the Corps prior to installation.

dd. To meet the hydrology success criteria, the monitoring data must show that for each normal precipitation year within the monitoring period, the site has been inundated or saturated within the upper 12 inches of the soil for a minimum of 12.5% of the growing season (28 consecutive days for Guilford County). WETS tables for Guilford County will be utilized as appropriate to determine normal precipitation years.

ee. If there are no normal precipitation years during the first five years of monitoring, to meet performance criteria, the permittee will continue to monitor hydrology on the site until it reflects that the site has been inundated or saturated as described above during a normal precipitation year.

ff. In the alternative, and at the Corps' discretion, a site may be found to meet the hydrology performance criteria on the basis of comparison of monitoring data taken from the site with monitoring data taken from an established jurisdictional mitigation reference site approved by the Corps. The Corps retains the discretion to find that the hydrology criteria are met if such monitoring data from the mitigation site and the reference site are substantially the same. This finding by the Corps may be made during years with or without normal rainfall.

gg. In the event there are years of normal precipitation during the monitoring period, and the data for those years do not show that the site has been inundated or saturated within the upper 12 inches of the soil for a minimum of 12.5 % of the growing season (28 consecutive days) during a normal precipitation year, the Corps may require remedial action. The permittee shall perform such required remedial action, and continue to monitor hydrology on the site until it displays that the site has been inundated or saturated as described above, during a normal

precipitation year. If the Corps determines that further remediation is not appropriate, other options will be considered, including use of a different site to mitigate for project impacts.

hh. The permittee will submit yearly mitigation monitoring reports by the first day of February after each assessment period, for five years following final site manipulation. These reports will include, at a minimum, sample plot, well and rainfall data; number of individuals of each tree species within each sample plot; photographs, including a location key; and problems/resolution, and will be provided to both the Corps and the North Carolina Division of Water Quality.

ii. The permittee shall contact the Corps, Raleigh Regulatory Field Office Regulatory Project Manager, to provide that individual with the opportunity to attend the yearly mitigation monitoring efforts.

GENERAL MITIGATION

jj. The permittee shall continue implementation of the compensatory wetland mitigation plan entitled "Wetland and Stream Mitigation Plan" for the PTIA, dated December 28, 2001, and as modified by this permit, to provide the preservation described in condition "o," above. PTAA will do a boundary survey of the restoration, creation and preservation properties located on PTIA's property and the Causey Farm. The surveys for the Horsepen Creek restoration, Brush Creek creation, and Brush Creek restoration sites shall be completed and submitted to the District Engineer within 90 days of issuance of this permit. The survey for the Brush Creek preservation site will be completed and submitted within 6 months of issuance of this permit.

kk. The permittee shall properly execute and record in the Guilford County Register of Deeds a Declaration of Restrictions acceptable to the Corps covering the Horsepen Creek restoration, Brush Creek creation, and Brush Creek restoration sites within 120 days of issuance of this permit. A Declaration of Restrictions for the Brush Creek preservation site will be executed and recorded within 7 months of issuance of this permit.

ll. Within 120 days of permit issuance, the permittee shall convey or cause to be conveyed a conservation easement acceptable to the Corps covering the Causey Farm mitigation site to a nonprofit conservation organization or a natural resource agency, which is willing to hold the areas in perpetuity for conservation purposes, and which is acceptable to the Corps. The annual monitoring reports, as required, will include the status of the conveyance efforts. The permittee shall provide a copy of the properly recorded easement to the Corps prior to the commencement of any work in waters or wetlands in Phase II authorized by this permit.

mm. The permittee shall provide a preliminary title opinion on the Causey Farm mitigation site to the Corps within 15 days of issuance of this permit. Any liens or encumbrances unacceptable to the Corps may result in suspension or revocation of this permit.

nn. PROHIBITED ACTIVITIES: The permittee and subsequent property owners shall maintain the mitigation property at the PTIA property described in the Wetland and Stream Mitigation Plan dated December 28, 2001, (onsite mitigation property) in its natural condition, except as authorized by this permit, in perpetuity. Prohibited activities within the onsite mitigation property 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 or activity that may alter the drainage patterns on the property; the cutting, mowing, destruction, removal, or other damage of any vegetation, except as specifically stated in the mitigation plan or any approved modifications thereto; disposal or storage of any debris, trash, garbage, or other waste material; except as may be authorized by the mitigation plans, or subsequent modifications that are approved by the Corps. In addition, the permittee, and current and subsequent property owners, shall take no action at the PTIA, whether on or off the mitigation properties, which will adversely impact the streams on the mitigation properties, except as specifically authorized by this permit, or subsequent modifications that are approved by the Corps.

oo. The permittee shall not sell or otherwise convey any interest in the properties used to satisfy mitigation requirements for this permit, to any third party, without 10 days prior notification to Wilmington District Corps of Engineers in writing, which writing shall reference this permit Action ID 200021655.

pp. Any sale, lease or other conveyance of the Conservation Property shall specifically reference the recorded Declaration of Restrictions required in "Condition kk," above.

OTHER CONDITIONS

qq. Failure to institute and carry out the details of all "Special Conditions" will result in a directive to cease all ongoing and permitted work within waters and/or wetlands associated with the proposed runway, taxiway and air cargo hub at the Piedmont Triad International Airport, or such other remedy as the District Engineer or his authorized representatives may seek.

rr. The 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.

ss. 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.

tt. No excavated or fill material will be placed at any time in waters or wetlands outside the permitted construction areas.

uu. Appropriate sedimentation and erosion control practices shall be implemented which equal or exceed those outlined in the most recent version of two manuals, either the "North Carolina

Sediment and Erosion Control Planning and Design Manual” or the “North Carolina Surface Mining Manual” (available from the Division of Land Resources in the DENR Regional or Central Offices). The control practices shall be utilized to prevent exceedances of the appropriate turbidity water quality standard (50 NTU’s in all fresh water streams and rivers not designated as trout waters; 25 NTU’s in all lakes and reservoirs, and all saltwater classes; and 10 NTU’s in trout waters).

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

ww. This DA permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

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

yy. This permit does not authorize interference with any existing or proposed Federal projects.

zz. In issuing this permit, the Federal Government does not assume any liability for:

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

- Damages to the permitted project or uses thereof as a result of current or future Federal activities initiated on behalf of the general public.

- Damages to other permitted or unpermitted activities or structures caused by the authorized activity.

- Design and construction deficiencies associated with the permitted work.

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

aaa. Thirty days prior to commencing land disturbing activity on each project element, a Sedimentation / Erosion Control Plan will be filed for that project element with the Division of Land Resources, Land Quality Section, North Carolina Department of Natural Resources and Community Development. The Plan must: Include a scaled plat plan of the site, showing the affected areas as well as adjacent properties, which may be affected. Include contours, if available. Indicate critical areas such as wetlands, creeks, streams, drainways, marsh etc. Include a brief narrative describing the activities to be undertaken and a construction schedule. Indicate on the plat the measures to be utilized to prevent sediment from entering adjacent properties, such as location of silt fences, silt basins, diversion ditches, hay barriers, areas to be seeded, etc. Include any other pertinent information directed at controlling off-site sedimentation, slope degradation and erosion.

Note: The Plan is required whenever the proposed activity is to be undertaken on a tract comprising more than one acre, if more than one contiguous acre is to be uncovered.

bbb. The permittee will adhere to conditions outlined in the state NCDENR Water Quality Certification (WQC No. 3428) issued for the project as amended (Attachment C).

C. General Evaluation [33 CFR 320.4(a)]:

i. The relative extent of the public and private need for the proposed work is discussed above, and in the FAA-FEIS/FAA-ROD. I have reviewed and concur with the FAA-FEIS/FAA-ROD discussion of this topic.

ii. The practicability of using reasonable alternative locations and methods to accomplish the objective of the proposed structure or work is addressed in III.B. above. I have reviewed and concur with the FAA-FEIS/FAA-ROD discussion of this topic.

iii. The extent and permanence of the beneficial and/or detrimental effects that the proposed structures or work may have on the public and private uses to which the area is suited are discussed and evaluated in the FAA-FEIS/FAA-ROD. I have reviewed and concur with the FAA-FEIS/FAA-ROD discussion of this topic.

VI. Determinations:

(A) Finding of No Significant Impact (FONSI) (33 CFR Part 325): Having reviewed the information provided by the applicant, all interested parties, the FEIS/ROD prepared by the FAA, the assessment of environmental impacts contained in Part III of this document, and the Corps Environmental Assessment prepared pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969, I find that issuance of a DA permit for the proposed project to support the construction of an air cargo hub and associated runway improvements at the PTIA will not have a significant impact on the quality of the human environment, and no further study is required.

(B) 404(b)(1) Compliance/Non-compliance Review (40 CFR 230.12):

() The discharge complies with the Guidelines.

(X) The discharge complies with the Guidelines, with the inclusion of the appropriate and practicable conditions listed above (in V.B.4) to minimize pollution or adverse effects to the affected ecosystem.

() The discharge fails to comply with the requirements of these Guidelines because:

() There is a practicable alternative to the proposed discharge that would have less adverse effect on the aquatic ecosystem and that alternative does not have other significant adverse environmental consequences (See III.B.2. above).

() The proposed discharge will result in significant degradation of the aquatic ecosystem under 40 CFR 230.10(b) or (c).

() The discharge does not include all appropriate and practicable measures to minimize potential harm to the aquatic ecosystem, namely...

() There is not sufficient information to make a reasonable judgment as to whether the proposed discharge will comply with the Guidelines.

(C) Section 176(c) of the Clean Air Act General Conformity Rule Review: As stated in the FAA-FEIS in Chapters 4.3.6 and 5.5, development of all of the build alternatives, including the no-action alternative, would result in unavoidable impacts to National Ambient Air Quality Standards (NAAQS). Accordingly, I concur with the FAA-FEIS that development of all the build alternatives, including the no-action alternative, would result in unavoidable impacts to NAAQS. Although not required, mitigation measures to reduce emissions are contained in Chapter 6.0, Mitigation, of the FAA-FEIS. Therefore, there should be no substantial effect.

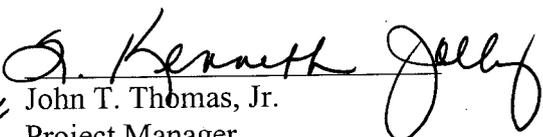
(D) Public Hearing Request: With regard to requests for a public hearing, in accordance with our regulations (33 CFR 327), a public hearing may be held in connection with the consideration of a (DA) permit application whenever a public hearing is deemed necessary to acquire information which will be considered in evaluating the proposed DA permit action. However, the District Engineer may deny the public hearing request if there is no valid interest to be served by a hearing. The FAA held a public hearing on May 23, 2000, for the proposed expansion at the PTIA, and a second public hearing was held on the same issue by the NCDENR on April 3, 2001. Raleigh Regulatory Field Office staff attended the April 2001 public hearing, and has reviewed the minutes from the FAA public hearing. Based upon our review of the information gathered at the two completed hearings, as well as that gained during our evaluation of the permit request, we are not aware of any issues that would indicate the need for a public hearing. Accordingly, no public hearing was conducted by the DA on this permit request.

(E) Civil Rights: In accordance with Title III of the Civil Rights Act of 1964 and Executive Order 12898, it has been determined that the project would not directly or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin nor would it have a disproportionate effect on minority or low-income communities. As discussed in the FAA-FEIS, see Chapter 5.3.1, none of the proposed build alternatives would result in significant division or disruption of established communities, disruption of orderly planned development, or result in environmental justice impacts from either physical displacement, noise, or other environmental impacts.

(F) Public interest determination: I have given full consideration to this application, weighing the favorable and unfavorable aspects. My evaluation has included the impact of the activity on the public interest, including application of the 404(b)(1) Guidelines,

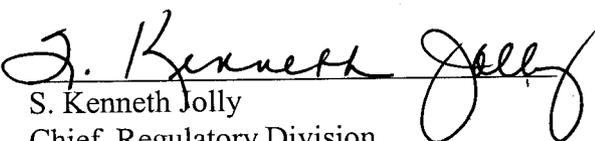
and I find that issuance of a DA permit to the PTAA, as prescribed by regulations published in 33 CFR Parts 320 to 330, and 40 CFR Part 230 is not contrary to the public interest provided that the permittee adheres to the attached conditions incorporated in the permit. Accordingly, I am hereby issuing the requested permit with conditions.

PREPARED BY:

for 
John T. Thomas, Jr.
Project Manager

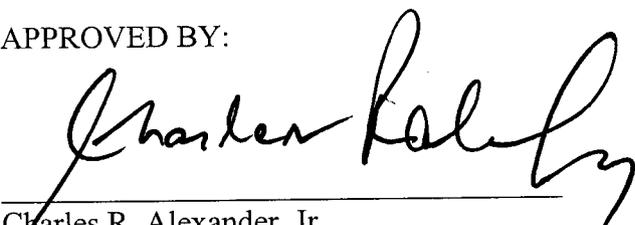
12/8/03
Date

REVIEWED BY:


S. Kenneth Jolly
Chief, Regulatory Division

12/8/03
Date

APPROVED BY:


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

12/8/03
Date