

PROJECT SPECIAL PROVISIONS
PERMITS

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

PERMIT

AUTHORITY GRANTING THE PERMIT

Dredge and Fill and/or
Work in Navigable Waters (404)

U. S. Army Corps of Engineers

Water Quality (401)

Division of Environmental Management, DENR,
State of North Carolina

The Contractor shall comply with all applicable permit conditions during construction of this project. Those conditions marked by * are the responsibility of the department and the Contractor has no responsibility in accomplishing those conditions.

Agents of the permitting authority will periodically inspect the project for adherence to the permits.

The Contractor's attention is also directed to Articles 107-10 and 107-14 of the Standard Specifications and the following:

Should the Contractor propose to utilize construction methods (such as temporary structures or fill in waters and/or wetlands for haul roads, work platforms, cofferdams, etc.) not specifically identified in the permit (individual, general, or nationwide) authorizing the project it shall be the Contractor's responsibility to coordinate with the Engineer to determine what, if any, additional permit action is required. The Contractor shall also be responsible for initiating the request for the authorization of such construction method by the permitting agency. The request shall be submitted through the Engineer. The Contractor shall not utilize the construction method until it is approved by the permitting agency. The request normally takes approximately 60 days to process; however, no extensions of time or additional compensation will be granted for delays resulting from the Contractor's request for approval of construction methods not specifically identified in the permit.

Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the waters or wetlands provided that activities outside those areas is done in such a manner as to not affect the waters or wetlands.



REPLY TO
ATTENTION OF:

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

200

September 2, 2004

Regulatory Division

Action ID Number 200300999, U.S. 74, Transportation Improvements Project R-513

Dr. Gregory J. Thorpe, PhD, Manager
Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
Division of Highways
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

In accordance with your written request of May 5, 2004, and the ensuing administrative record, enclosed are two copies of a Department of the Army permit to directly discharge dredged and/or fill material into tributaries to Back Swamp, Double Branch, Jacob Swamp, and Lumber River to facilitate the construction of the U.S. 74, Transportation Improvements Project (TIP) R-513, State Project Number 6.469002T, in Roberson County, North Carolina. The proposed 19.6 mile four-lane, median divided, full control of access highway extends from the existing US 74/74 Business intersection in Maxton (LAT. DD 34.7165; LONG DD 79.3110) and runs on new alignment to just east of the I-95 interchange (LAT. DD 34.5938; LONG DD 79.0842) and continues on the existing US 74 alignment to the intersection with NC 41 (LAT DD 34.5798; LONG DD 79.0483).

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.

In addition, I have enclosed a copy of the Notification of Administrative Appeal Process and Options and Request for Appeal. Please carefully read Section "B" of this form for information regarding the appeal process for proffered permits.

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, contact Mr. Richard K. Spencer of my Wilmington Field Office regulatory staff at telephone (910) 251-4172.

Sincerely,



E. David Franklin.
Chief, NCDOT Team

Enclosures

DEPARTMENT OF THE ARMY PERMIT

RECEIVED

NC Department of Transportation

Permittee _____

200300999

Permit No. _____

USAED, Wilmington

Issuing Office _____

SEP 08 2004

REGULATORY
WILM. FLD. OFC.

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:

Directly discharge dredged and/or fill material into tributaries to Back Swamp, Double Branch, Jacob Swamp, and Lumber River to facilitate the construction of the U.S. 74, Transportation Improvements Project (TIP) R-513, State Project Number 6.469002T. This authorization will also include the temporary construction of diversion structures consisting of impervious dikes and a fabric-lined diversion channel at Site #2, Section BA.

Project Location: In the Lumber River basin, beginning at the existing US 74/74 Business intersection in Maxton (LAT. DD 34.7165; LONG DD 79.3110) and runs on new alignment to just east of the I-95 interchange (LAT. DD 34.5938; LONG DD 79.0842) and continues on the existing US 74 alignment to the intersection with NC 41 (LAT DD 34.5798; LONG DD 79.0483), Roberson County, North Carolina.

Permit Conditions:**General Conditions:**

1. The time limit for completing the work authorized ends on December 31, 2007. 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.

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.

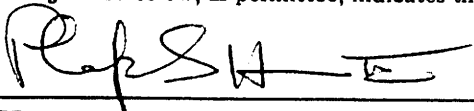
b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

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.



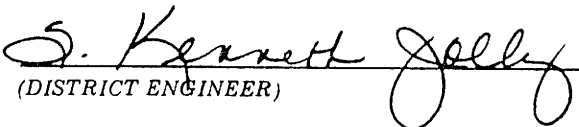
(PERMITTEE)

9/3/04

(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)

9/9/04

(DATE)

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.

(TRANSFEREE)

(DATE)

SPECIAL CONDITIONS (Action ID. 2003-0-0999; NCDOT/TIP R-513)

1. All work authorized by this permit must be performed in strict compliance with the attached plans, which are a part of this permit. Written verification shall be provided that the final construction drawings comply with the attached permit drawings prior to any active construction in waters of the United States, including wetlands. The permittee shall ensure that the construction design plans for this project do not deviate from the permit plans attached to this authorization. Any deviation in the construction design plans shall be brought to the attention of the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Field Office prior to any active construction in waters or wetlands and any modification to the permit plans must be approved by the Corps of Engineers prior to implementation.
2. The permittee shall schedule a preconstruction meeting between its representatives, the contractor's representatives, and the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Field Office, 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 Department of the Army Permit. The permittee shall notify the Corps of Engineers Project Manager a minimum of thirty (30) days in advance of the scheduled meetings in order to provide that individual with ample opportunity to schedule and participate in the required meetings. One copy of the final construction drawings shall be furnished to the Corps of Engineers, Mr. Richard Spencer, Wilmington Regulatory Field Office prior to the pre-construction meeting. Written verification shall be provided to the Corps of Engineers that the final construction drawings comply with the attached permit drawings.
3. 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 and any authorized modifications. Copies of this permit and any modifications authorized by the USACE shall be available for review at the construction site at all times. All violations, including non-compliance of these conditions, of the authorized permit shall be reported to the District Engineer within 24 hours of the violation.
- *4. Compensatory mitigation for the unavoidable impacts to 54.12 acres of wetland and 8,192 linear feet of stream associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated July 28, 2004 from William D. Gilmore, EEP Transition Manager. The EEP will provide 541.20 acres of preservation of wetlands (55.3 acres of riverine and 485.9 acres of non-riverine wetlands) and 81,920 linear feet of stream preservation in the Southern Inner Coastal Plain Eco-Region at the Great Coharie Site in Sampson County that has been acquired and protected by the EEP. Pursuant to the EEP Memorandum of Agreement (MOA) between the State of North Carolina and the US Army Corps of Engineers signed on July 22, 2003, the EEP will provide a minimum of 48.59 acres of restoration of non-riverine wetlands, 5.53 acres of restoration of riverine wetlands and 8,192 linear feet of restoration of warm water stream channel in the Lumber River basin (Hydrologic Cataloging Unit 03040203 by July 22, 2005 and half of the proposed preservation mitigation would be available at that time for mitigation for other project impacts.

Construction within wetlands on the permitted highway project shall begin only after the EEP has provided written confirmation to the District Engineer that the EEP and not the NCDOT is responsible for providing the required mitigation, pursuant to Paragraph VI.B.7 of the MOA. The NCDOT shall, within 30 days of the issue date of this permit, certify that sufficient funds have been provided to EEP to complete the required mitigation, pursuant to Paragraph V. of the MOA.

5. 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, or cause the degradation of waters and/or wetlands, except as authorized by this permit, or any modification to this permit. There shall be no excavation from, waste disposal into, or degradation of, 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.

6. To ensure that all borrow and waste activities occur on high ground and do not result in loss or the degradation of adjacent wetlands and streams, 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 the preceding condition (#5) 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 (#5). All information will be available to the Corps of Engineers upon request. NCDOT shall require its contractors to complete and execute 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.

7. The permittee shall comply with the conditions specified in the water quality certification, No. 3468, issued by the North Carolina Division of Water Quality on August 5, 2004.

8. The permittee shall place the inverts of culverts and other structures greater than 48 inches in diameter in waters, streams, and wetlands one foot below the bed of the stream to allow low flow passage of water and aquatic life, unless providing passage would be impractical and the Corps of Engineers has waived this requirement. For culverts 48 inches in diameter or smaller, culverts must be buried below the bed of the stream to a depth equal to or greater than 20 percent of the diameter of the culvert. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to, upstream or downstream of the structures.

9. The temporary diversion channels at Site #2, Section BA shall be constructed in accordance with Section 5.2.4 of the August 2003, "Best Management Practices for Construction and Maintenance Activities". All temporary diversion channels shall be constructed of non-erodible materials. All channel diversion structures shall be sized to withstand expected high flows.
10. The permittee shall use 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" to assure compliance with the appropriate turbidity water quality standard.
11. 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.
12. The permittee shall take measures to prevent live or fresh concrete from coming into contact with any surface waters until the concrete has hardened.
13. If the permittee discovers any previously unknown historic or archeological remains while accomplishing the authorized work, he shall immediately stop work and notify the Wilmington District Engineer who will initiate the required State/Federal coordination.
14. No excavated or fill material shall be placed at any time in waters or wetlands outside the authorized permit area, nor will it be placed in any location or in any manner so as to impair surface water flow into or out of any wetland area.
15. The permittee shall 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 transferring it to a third party.
16. All fill material shall be clean and free of any pollutants except in trace quantities. Metal products, organic materials, or unsightly debris will not be used.
17. This Department of the Army permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
18. In issuing this permit, the Federal Government does not assume any liability for:
 - 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 Federal activities initiated on behalf of the general public.
 - c. Damages to other permitted or un-permitted activities or structures caused by the authorized activity.

- d. Design and construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

| | | |
|--------------------------------------|--|-------------------------|
| Applicant: NCDOT/TIP R-513 (U.S. 74) | File Number: 2003-0-0999 | Date: September 2, 2004 |
| Attached is: | | See Section below |
| <input checked="" type="checkbox"/> | INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission) | A |
| <input type="checkbox"/> | PROFFERED PERMIT (Standard Permit or Letter of permission) | B |
| <input type="checkbox"/> | PERMIT DENIAL | C |
| <input type="checkbox"/> | APPROVED JURISDICTIONAL DETERMINATION | D |
| <input type="checkbox"/> | PRELIMINARY JURISDICTIONAL DETERMINATION | E |

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

210
REASONS FOR APPEAL OR OBJECTIONS: (Describe as for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

| | |
|---|---|
| <p>If you have questions regarding this decision and/or the appeal process you may contact: Mr. Richard K. Spencer, Regulatory Project Manager U.S. Army Corps of Engineers, Wilmington District Wilmington Regulatory Field Office 69 Darlington Avenue Wilmington, North Carolina 228402</p> | <p>If you only have questions regarding the appeal process you may also contact: Mr. Arthur Middleton, Administrative Appeal Review Officer CESAD-ET-CO-R U.S. Army Corps of Engineers, South Atlantic Division 60 Forsyth Street, Room 9M15 Atlanta, Georgia 30303-8801</p> |
|---|---|

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

| | | |
|--|--------------|--------------------------|
| <p>_____ Signature of appellant or agent.</p> | <p>Date:</p> | <p>Telephone number:</p> |
|--|--------------|--------------------------|

DIVISION ENGINEER:
 Commander
 U.S. Army Engineer Division, South Atlantic
 60 Forsyth Street, Room 9M15
 Atlanta, Georgia 30303-3490



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

Michael F. Easley, Governor

William G. Ross, Jr., Secretary
Alan W. Klimek, P.E., Director

August 5, 2004

RECEIVED

AUG 10 2004

REGULATORY

Mr. Gregory J. Thorpe, Ph.D., Environmental Director
NCDOT Planning and Environmental Branch
1548 Mail Service Center
Raleigh, NC, 27699-1548

Dear Dr. Thorpe:

Re: Water Quality Certification Pursuant to §401 of the Federal Clean Water Act,
Maxton Bypass, from existing US 74 Business Bypass in Maxton to just east of the I-95 Interchange
to the intersection with NC 41, Robeson County.
WBS Element 34336.1.5; State Project No. 6.469002T
TIP No. R-513
DWQ Project No. 040734

Attached hereto is a copy of Certification No. 3468 issued to The North Carolina Department of
Transportation dated August 5, 2004.

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

Sincerely,

Alan W. Klimek, P.E.

Attachments

cc: Wilmington District Corps of Engineers
Richard Spencer, USACE Wilmington Field Office
Ken Averitte, NCDWQ Fayetteville Regional Office
Christopher Militscher, US Environmental Protection Agency – Region IV
William D. Gilmore, P.E., Transition Manager, NC DENR Division of Ecosystem Enhancement
T. R. Gibson, PE, Division Engineer, NCDOT Division 6
Central Files
File Copy

NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

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 .0500. This Certification authorizes the NCDOT to incur the following permanent impacts:

- 54.12 acres of jurisdictional wetlands;
- 3.48 ac of fill in surface waters; and
- 8,192 linear feet of jurisdictional stream loss;

in Robeson County.

| Site R-513A | Station Number | Wetlands Impacts (ac) | Drainage Impacts (ac) |
|---------------------|----------------------------------|-----------------------------|------------------------------|
| 1 | 13+00-16+60 | 0.37 | 0.87 |
| 3 | 33+38-33+75 | 1.07 | 0 |
| 4 | 12 + 78 Rp 'B' | 0.03 | 0 |
| 6 | 82+00-85+50 | 8.54 | |
| Site R-513BA | | | |
| 1 | 85+80-87+14.77 | 2.19 | 0 |
| 1A | 14+19.67-RPB-144+ 40 -Y1 - | 0.04 | 0 |
| 2 | 12+86-SR1 - | 0.004 | 0 |
| 7 | 140+30-140+60 | 0.12 | 0 |
| 8 | 145+58-148+15 | 2.58 | 0 |
| Site R-513BB | | | |
| 1 | 160+92-161+44 | 0.334 | 0 |
| 2 | 18+99-19+52 | 0.252 | 0 |
| 3 | 170+05-172+16 | 3.697 | 0 |
| 4 | 188+99-191+93 | 3.018 | 0 |
| 5 | 194+51-195+93 | 1.551 | 0 |
| 7 | 214+49-215+89 | 1.843 | 0 |
| 8 | 217+06-223+00 | 8.531 | 0 |
| Site R-513C | | | |
| | Station Number | Wetland Impacts (ac) | Drainage Impacts (ac) |
| 1 | 250+34-253+07 | 8.47 | 0 |
| 2 | 282+14-282+72 12+23-14+03-Y8- | 3.62 | 0 |
| 2A | 6+50-RP"D"- | 0.13 | 0 |
| 3 | 285+59-287+09 15+85-18+27-Y8- | 4.25 | 0 |
| 4 | 32+42-33+42-Y3- | 1.17 | 0 |
| 5 | 51+63-53+56-Y8- | 1.42 | 0 |
| 7 | 272+90 LT&RT | 0.01 | 0 |
| TOTAL | | 54.12 acres | |

NCDOT TIP No. R-513

Page 2

August 5, 2004

| Site R-513A | Station Number | Stream Name | Impact (feet) |
|--------------|---------------------|--------------------------|-------------------|
| 1 | 13+00-16+60 | UT to Lumber River | 1715 |
| 5 | 12+42-Y2 | Double Branch Canal | 164 |
| Site R-513BA | Station Number | Stream Name | Impact (feet) |
| 1A | 14+19-RPB-14+40-Y1- | Double Branch Canal | 640 |
| 2 | 12+86-SR1- | Double Branch Canal | 135 |
| 4 | 120+86 | Back Swamp Canal | 1132 |
| 5 | 128+01 | UT to Back Swamp Canal | 341 |
| 6 | 134+00-136+00 | UT to Back Swamp Canal | 338 |
| Site R-513BB | Station Number | Stream Name | Impact (feet) |
| 6 | 200+21 | UT to Little Back Swamp | 246 |
| 9 | 229+60 | UT to Back Swamp | 207 |
| Site R-513C | Station Number | Stream Name | Impact (feet) |
| 1A | 252+00-257+00 | UT to Back Swamp | 2217 |
| 3 | 285+59-287+09 | Jacob Swamp | 827 |
| 7 | 272+90 LT&RT | UT to Back Swamp | 1056 |
| 8 | 290+85 | UT to Jacob Swamp | 413 |
| 9 | 308+00 | UT to Little Jacob Swamp | 230 |
| TOTAL | | | 8,192 feet |

The US 74 relocation from Maxton bypass in Maxton to NC 41 in Lumberton, Robeson County, shall be constructed pursuant to the Application dated May 5, 2004 (complete application received July 28, 2004).

The Application provides adequate assurance that the discharge of fill material into the waters of the state 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. All work authorized by this Certification must be done in strict compliance with the plans attached to the Application. If this project changes, incurring additional impacts to streams or wetlands, you are required to notify the DWQ *in writing*, and you may be required to submit a new application. 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, Non-discharge and Water Supply watershed regulations. This Certification shall expire three (3) years from the date of the cover letter from DWQ or on the same day as the expiration date of the corresponding US Army Corps of Engineers Permit, whichever is later.

Condition(s) of Certification:

1. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:
 - a. Page The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. Any reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
2. No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the Application. All construction activities shall be performed so that no violations of state water quality standards, statutes, or rules occur.
3. 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 within 30 days after the project has been released.
4. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by orange fabric fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
5. NCDOT and its contractors and/or agents shall not excavate, fill, or perform mechanized land clearing at any time in the construction or maintenance of this project within waters and/or wetlands, except as authorized by this Certification, or any modification to this Certification. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this Certification without appropriate modification. If this occurs, compensatory mitigation will be required since it is a direct impact from road construction activities.
6. Excavation of stream crossings should be conducted in the dry unless demonstrated by the applicant or its authorized agent to be unfeasible and approved by the DWQ. Sandbags, cofferdams, flexible pipe, or other diversion structures should be used to minimize excavation in flowing water.

NCDOT TIP No. R-513

Page 4

August 5, 2004

7. Placement of culverts and other structures in waters, streams, and wetlands shall be placed below the elevation of the streambed to allow low flow passage of water and aquatic life unless it is otherwise approved by the 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 dis-equilibrium of wetlands or streambeds 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.
8. The natural dimension, pattern and profile of the streams above and below the approved crossings shall not be modified by widening the stream channel or changing the depth of the stream, except as approved by this certification.
9. The removal of vegetation in riparian areas should be minimized. NCDOT is encouraged to use existing on-site vegetation and materials for stream bank stabilization and to minimize the use of rip rap. Riprap shall not be placed in the stream bottom.
10. Using native trees and shrubs, riparian vegetation must be re-established within the construction limits of the project by the end of the growing season following completion of construction.
11. Heavy equipment should be operated from the stream bank rather than in the stream channel unless demonstrated by the applicant or its authorized agent to be unfeasible and approved by the DWQ. All mechanized equipment operated near surface waters should be inspected and maintained regularly to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids or other toxic substances.
12. Live or fresh concrete shall not come into contact with waters of the state until the concrete has hardened. Water that inadvertently contacts uncured concrete should not be discharged to surface waters.
13. Discharging hydroseeding mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is strictly prohibited.
14. NCDOT shall require its contractors (and/or agents) to comply with all of the terms of this Certification, and shall provide each of its contractors (and/or agents) a copy of this Certification.

NCDOT TIP No. R-513

Page 5

August 5, 2004

* 15. *Mitigation:*

Wetland Mitigation

Compensatory mitigation for 54.12 acres of wetland impacts shall be provided through the following schemes:

- The NCDENR Ecosystem Enhancement Program (EEP) has agreed to provide compensatory mitigation for 54.12 acres of wetland impacts incurred for construction of R-513. DWQ acknowledges that the EEP has agreed to provide compensation for the subject project (reference EEP letter May 20, 2004, received by DWQ July 28, 2004).

Stream Mitigation

Compensatory mitigation for 8,192 feet of stream impacts shall be provided through the following schemes:

- The NCDENR Ecosystem Enhancement Program has agreed to provide compensatory mitigation for 8,192 feet of stream impacts incurred for construction of R-513 (reference EEP letter May 20, 2004). EEP shall provide the compensatory mitigation in accordance with the Tri-Party MOA signed on June 12, 2002 and the Dual-Party MOA signed on July 22, 2003.

- * 16. 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 Transportation Permitting Unit of the Division of Water Quality upon completion of the project.

NCDOT and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State law and Federal law.

If DWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use), or that State or federal law is being violated, or that further conditions are necessary to assure compliance, DWQ may reevaluate and modify this certification to include conditions appropriate to assure compliance with such standards and requirements in accordance with 15A NCAC 2H .0507(d). Any new or revised conditions shall be provided to NCDOT in writing, shall be provided to the United States Army Corps of Engineers for reference in any permit issued pursuant to Section 404 of the Clean Water Act, and shall also become conditions of the 404 Permit for the project.

Violations of any condition herein set forth may 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 Permit. This Certification shall expire upon the expiration of the 404 Permit.

NCDOT TIP No. R-513

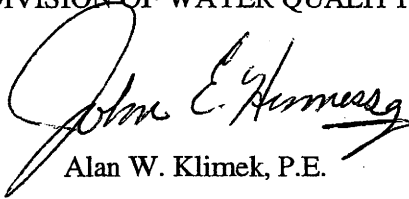
Page 6

August 5, 2004

If you do not accept any of the conditions of this certification, 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 that conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This Certification and its conditions are final and binding unless you ask for a hearing.

This the 5th day of August 2004

DIVISION OF WATER QUALITY

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

Alan W. Klimek, P.E.

WQC No. 3468

DWQ Project No.: 040734

County: Robeson

Applicant: NCDOT

Project Name: R-513 Maxton Bypass

Date of Issuance of 401 Water Quality Certification: August 5, 2004

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 Transportation Permitting Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650. 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, 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, the approved plans and specifications, and other supporting materials.

Signature: _____ Date: _____

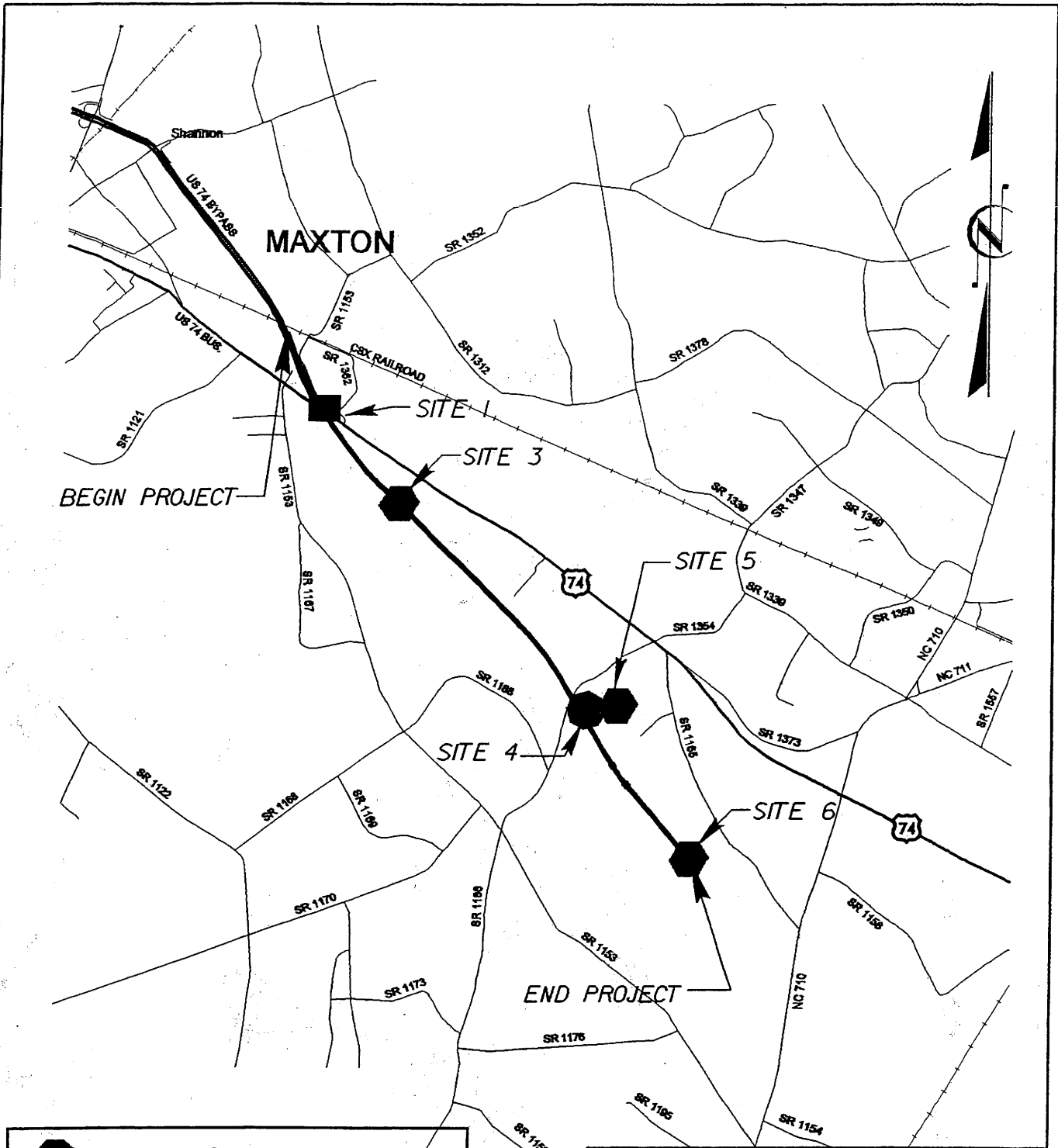
Engineer's Certification




_____ 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, the approved plans and specifications, and other supporting materials.

Signature _____ Registration No. _____

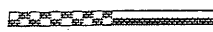
Date _____



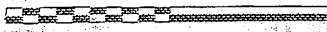
-  FILL IN WETLANDS
-  FILL IN SURFACE WATERS
-  COMBINATION FILL IN WETLANDS AND SURFACE WATERS

SCALE

1 .5 0 1 km



1 1/2 0 1 mile



LOCATION MAP
 SHOWING SITES FOR PERMIT APPLICATION ALONG PROPOSED US 74

N. C. DEPT. OF TRANSPORTATION
 DIVISION OF HIGHWAYS

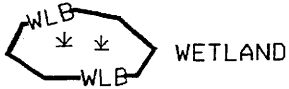
ROBESON COUNTY

PROJECT: 6.469002T - R-513A
 US 74 FROM MAXTON BY-PASS
 TO EAST OF S.R.1166

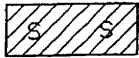
Rev. 2/13/04

LEGEND

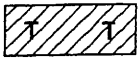
—WLB— WETLAND BOUNDARY




 DENOTES FILL IN WETLAND

 DENOTES FILL IN SURFACE WATER

 DENOTES FILL IN SURFACE WATER (POND)

 DENOTES TEMPORARY FILL IN WETLAND

 DENOTES EXCAVATION IN WETLAND

 DENOTES TEMPORARY FILL IN SURFACE WATER

 DENOTES MECHANIZED CLEARING

← ← FLOW DIRECTION

—TB— TOP OF BANK

---WE--- EDGE OF WATER

—C— PROP. LIMIT OF CUT

—F— PROP. LIMIT OF FILL

———— PROP. RIGHT OF WAY

---NG--- NATURAL GROUND

—PL— PROPERTY LINE

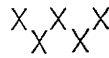
—TDE— TEMP. DRAINAGE EASEMENT


—PDE— PERMANENT DRAINAGE EASEMENT

—EAB— EXIST. ENDANGERED ANIMAL BOUNDARY


—EPB— EXIST. ENDANGERED PLANT BOUNDARY

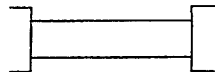
—▽— WATER SURFACE

 LIVE STAKES

 BOULDER

----- COIR FIBER ROLLS


 ADJACENT PROPERTY OWNER OR PARCEL NUMBER


 PROPOSED BRIDGE


 PROPOSED BOX CULVERT

 PROPOSED PIPE CULVERT

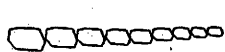
(DASHED LINES DENOTE EXISTING STRUCTURES)


 SINGLE TREE

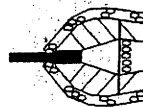
 WOODS LINE

 DRAINAGE INLET

 ROOTWAD

 VANE

 RIP RAP

 RIP RAP ENERGY DISSIPATOR BASIN

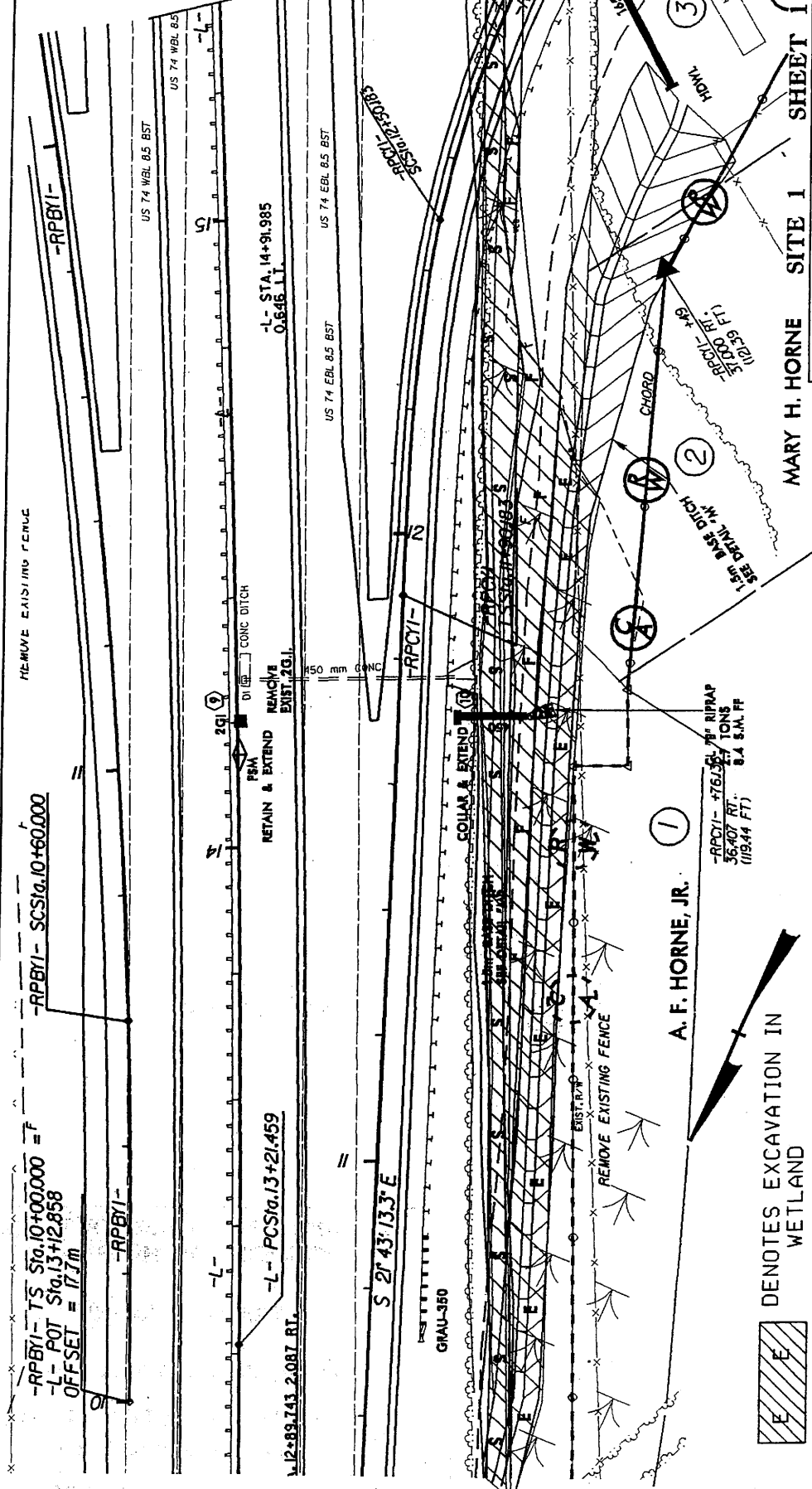
N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T - R-513 A
US 74 FROM MAXTON BY-PASS
TO EAST OF SR 1166

SHEET 3 OF 15 *Rev. 2/13/04*
APRIL, 2002

MATCH SITE 1 SHEET 2



MARY H. HORNE SITE 1 SHEET 1

NC DOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T (R-513A)

US 74 OM MAXTON BY-PASS

TO EAST OF SR 1166

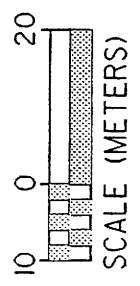
REV. 2/13/04

09/19/03

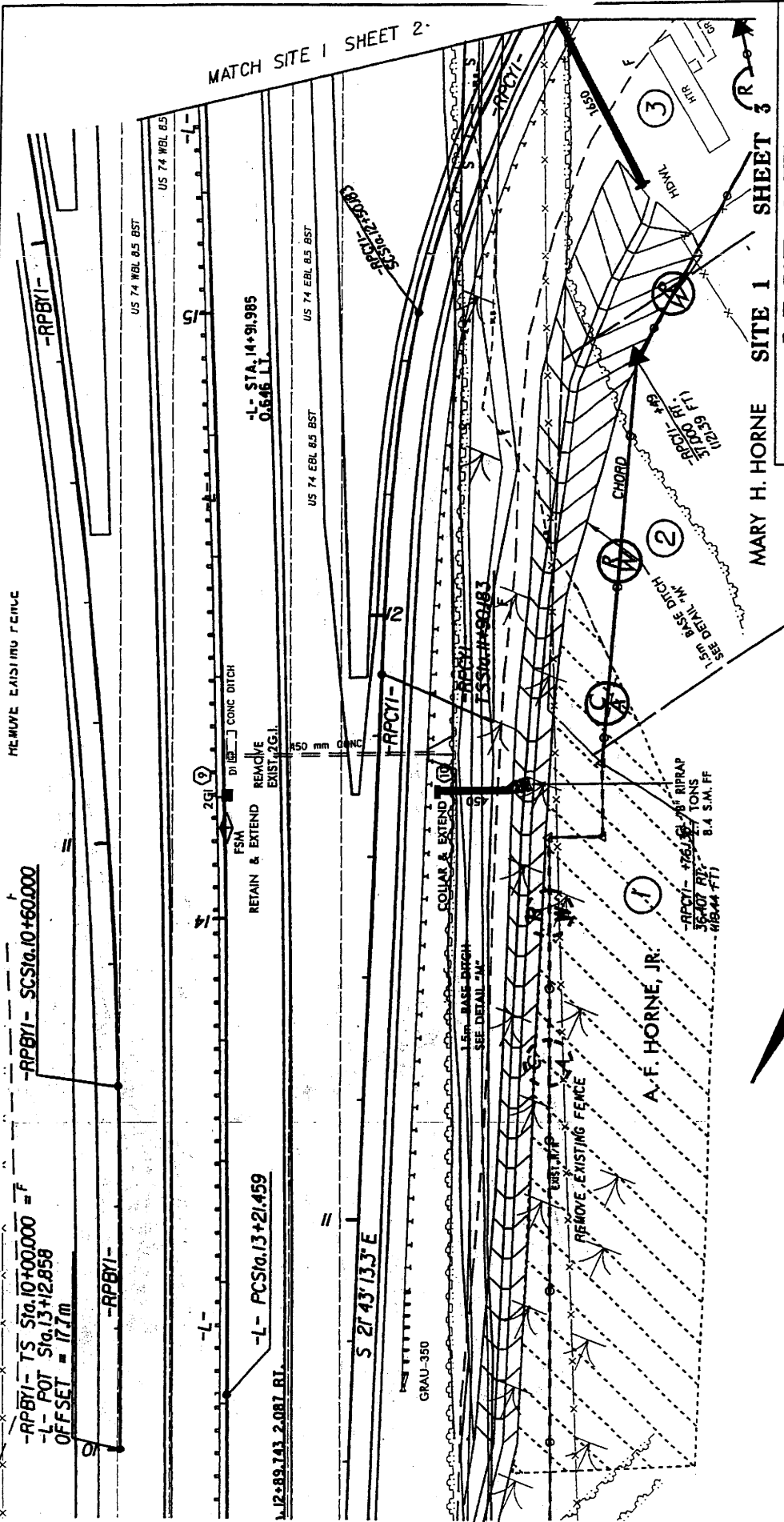
SHEET 4 OF 1 E

PLAN VIEW

- DENOTES EXCAVATION IN WETLAND
- DENOTES FILL IN WETLAND
- DENOTES FILL IN SURFACE WATER



MATCH SITE 1 SHEET 2-



NCDOT

DIVISION OF HIGHWAYS
ROBESON COUNTY

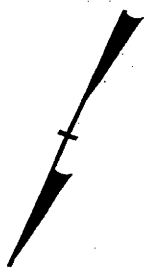
PROJECT: 6.469002T (R-513A)

US 74 OM MAXTON BY-PASS
TO EAST OF SR 1166

REV 3/2004
09/19/03

SHEET 6 OF 15

MARY H. HORNE SITE 1 SHEET 3



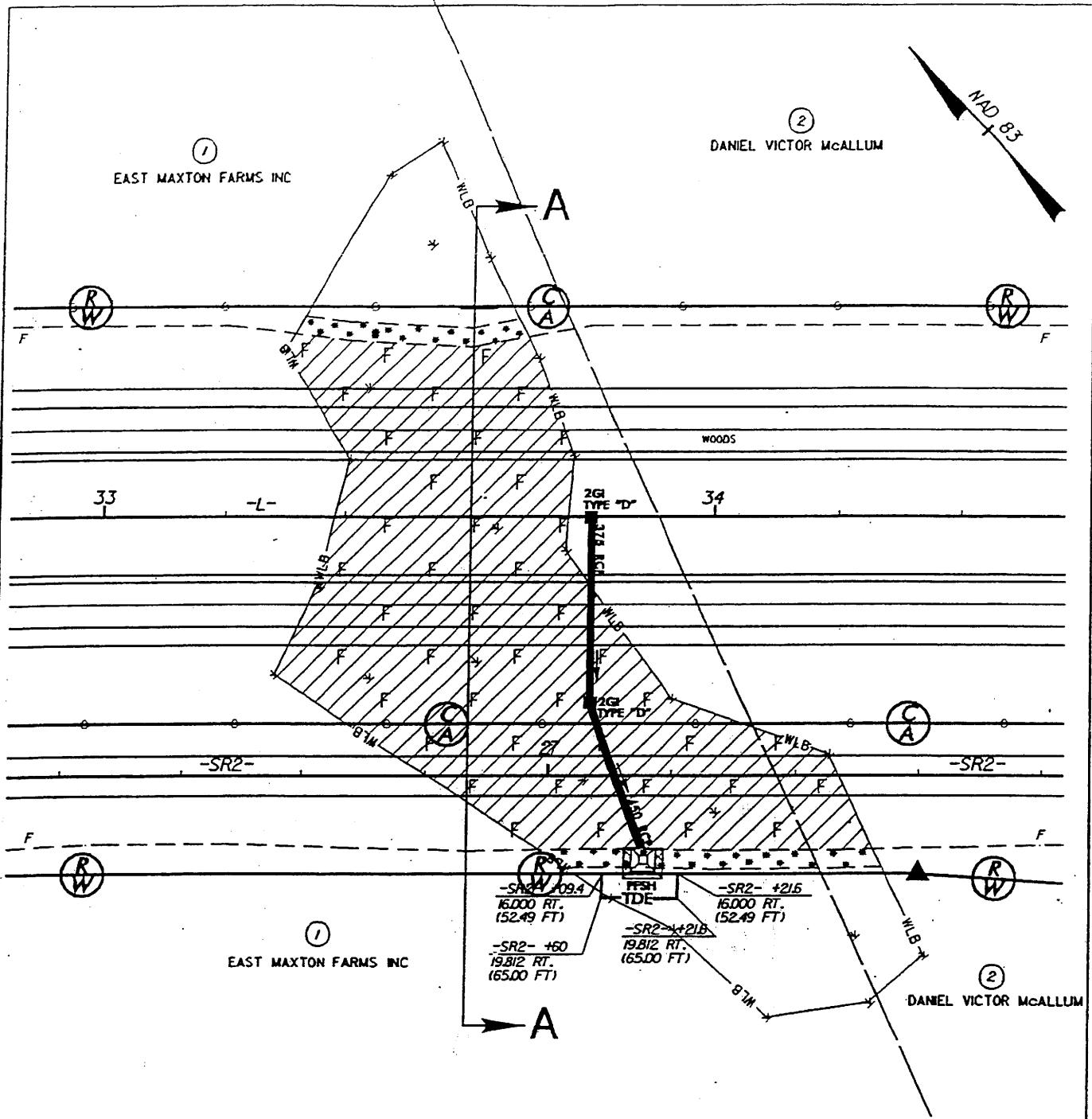
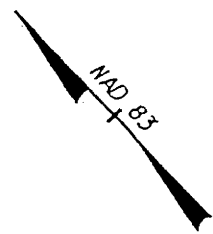
BOUSSINESQ EQUATION
DITCH IMPACTS

PLAN VIEW

10 0 20



SCALE (METERS)



SITE 5 SHEET 1

PROPOSED FILL IN WETLAND

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
ROBESON COUNTY

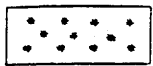
PROJECT 6.469002T - R-515 A
US 74 FROM MAXTON BY-PASS
TO EAST OF SR 1166

Rev. APRIL, 2004
APRIL, 2002

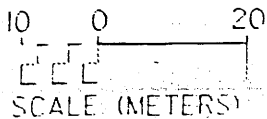
SHEET 7 OF 15

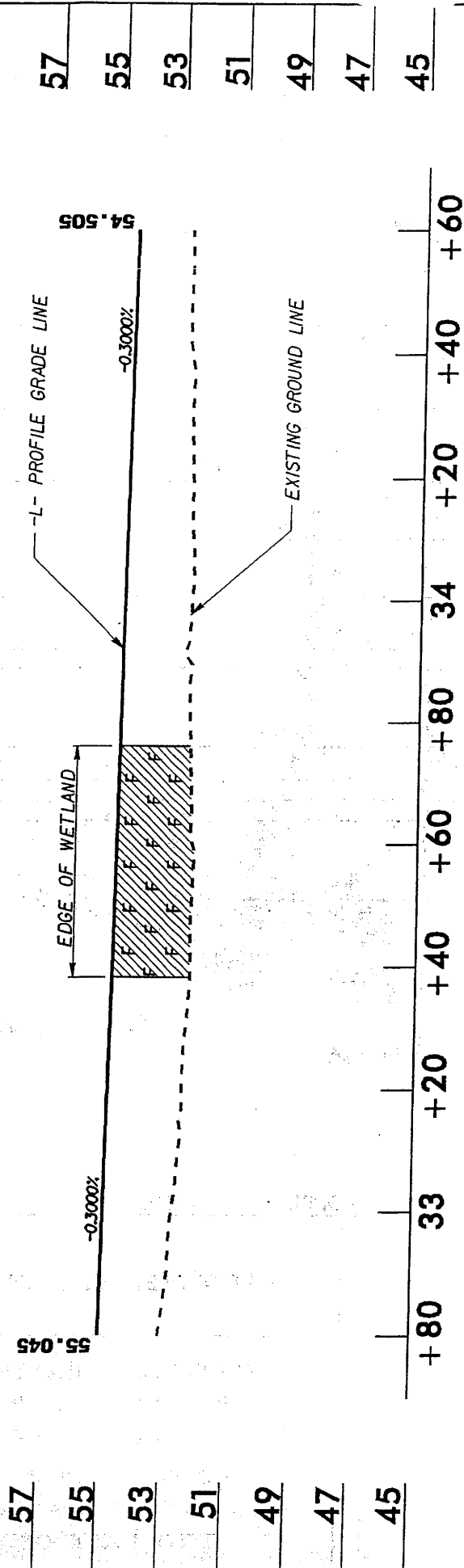


DENOTES FILL IN WETLAND



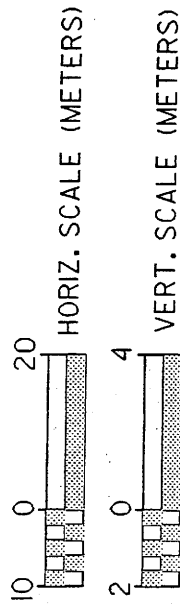
DENOTES MECHANIZED CLEARING





SITE 3 SHEET 2

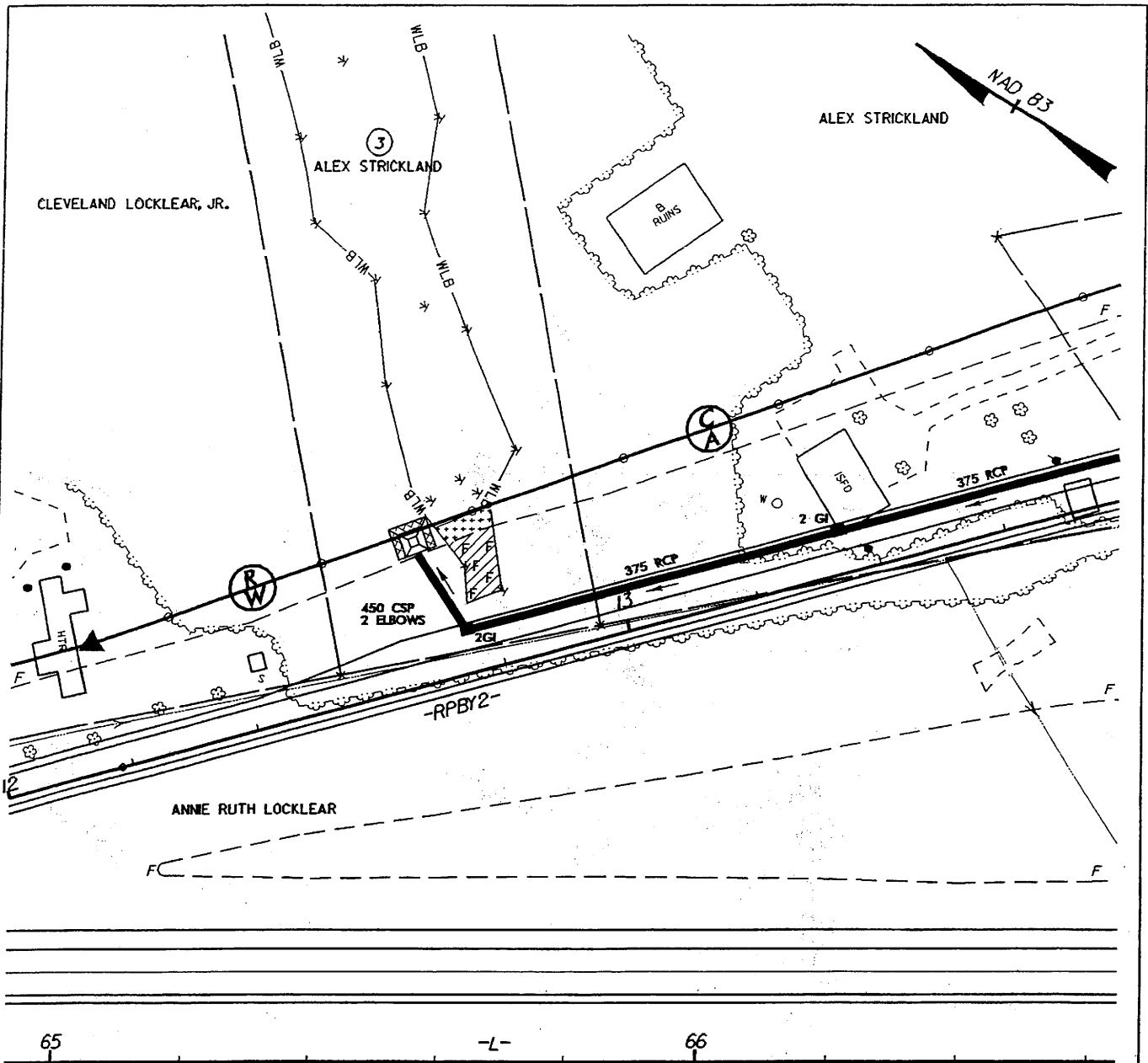
PROFILE VIEW
SITE 3



N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
ROBESON COUNTY
PROJECT 6.469002T - R-513 A
US 74 FROM MAXTON BY-PASS
TO EAST OF SR 1166

REV. 2/13/04
APRIL, 2002

SHEET 8 OF 15





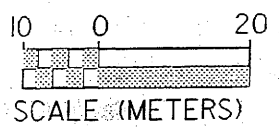
SITE 4 SHEET 1

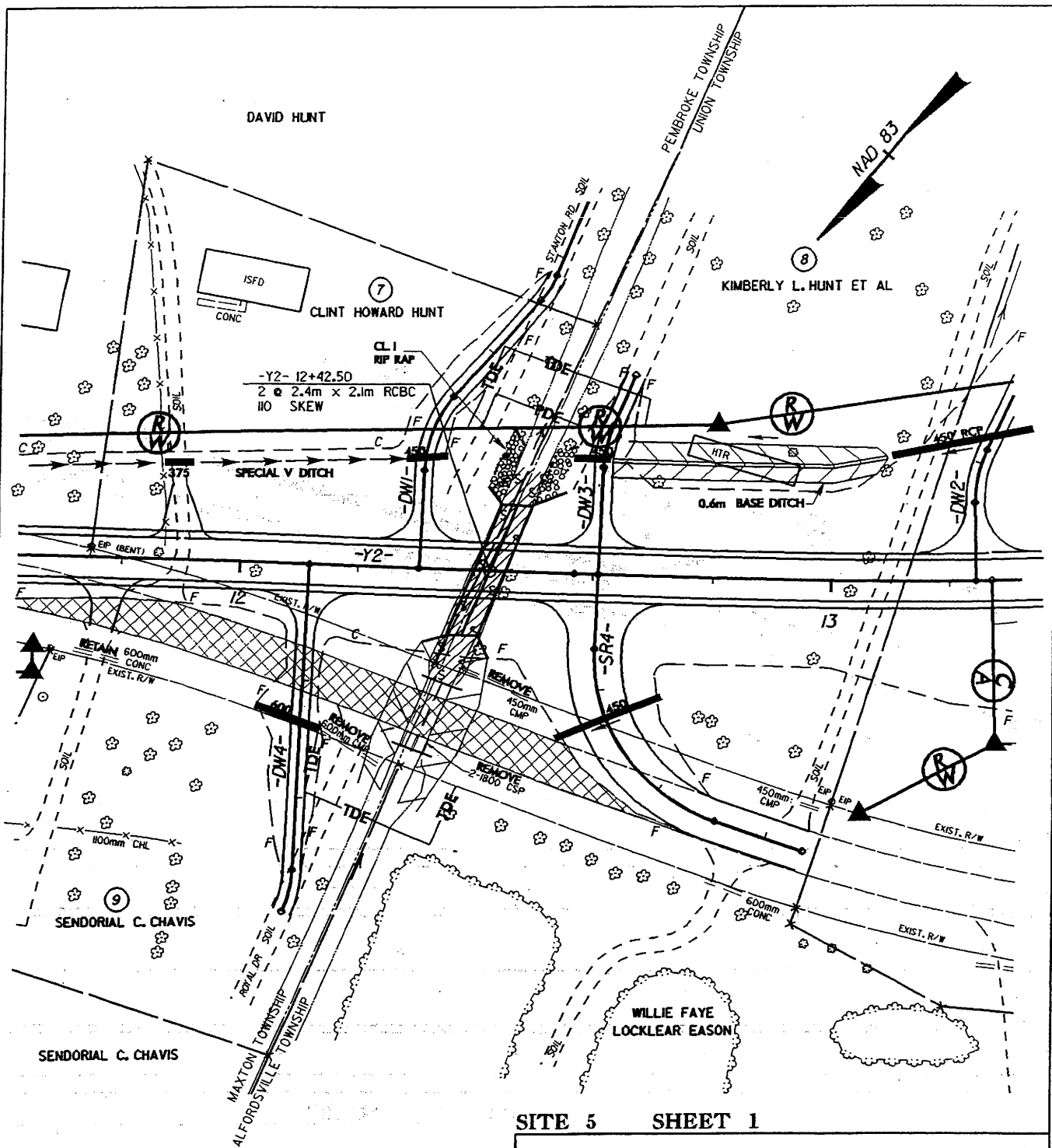
PROPOSED FILL IN WETLAND

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
ROBESON COUNTY

PROJECT 6.469002T - R-513 A
US 74 FROM MAXTON BY-PASS
TO EAST OF SR 1166

-  DENOTES FILL IN WETLAND
-  DENOTES MECHANIZED CLEARING



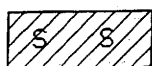


SITE 5 SHEET 1

PROPOSED FILL IN WETLAND

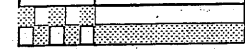
N.C. DEPT. OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT 6.469002T - R-513 A
 US 74 FROM MAXTON BY-PASS
 TO EAST OF SR 1166

REV. 2/13/04
 APRIL, 2002



DENOTES FILL IN SURFACE WATER.

10 0 20



SCALE (METERS)

MATCH SITE 6 SHEET 2

52
MONCELL & JESS D. GIBSON
DB 953 PG 431

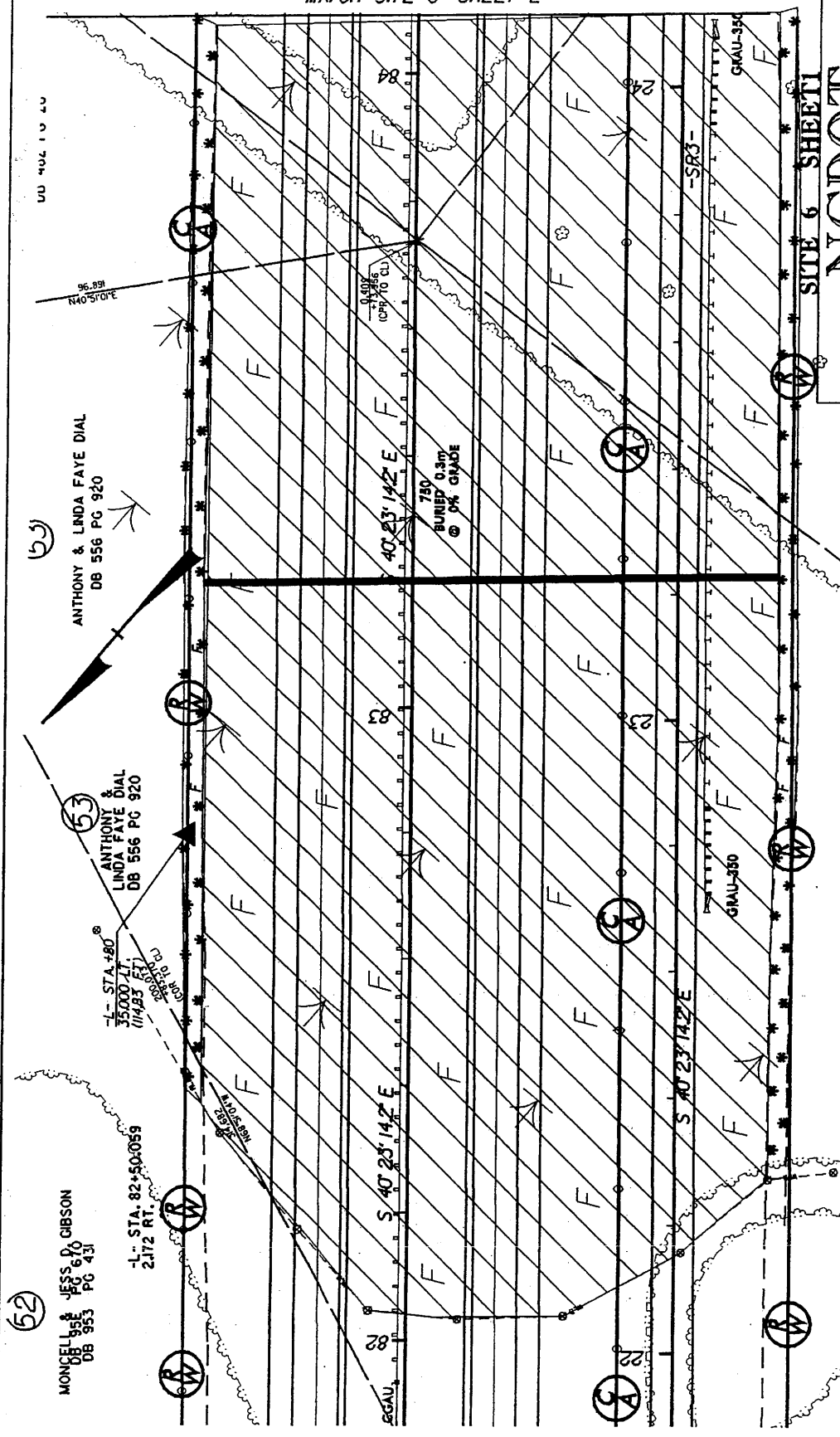
53
ANTHONY & LINDA FAYE DIAL
DB 556 PG 920

53
ANTHONY & LINDA FAYE DIAL
DB 556 PG 920

L- STA. 80
35000 FT.
(11483 FT.)
2000000

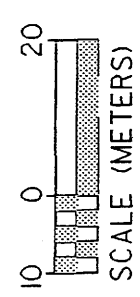
L- STA. 82+50:059
2,172 FT.

52
MONCELL & JESS D. GIBSON
DB 953 PG 431



F DENOTES FILL IN WETLAND

***** DENOTES MECHANIZED CLEARING



PLAN VIEW SITE 6

NCDOT

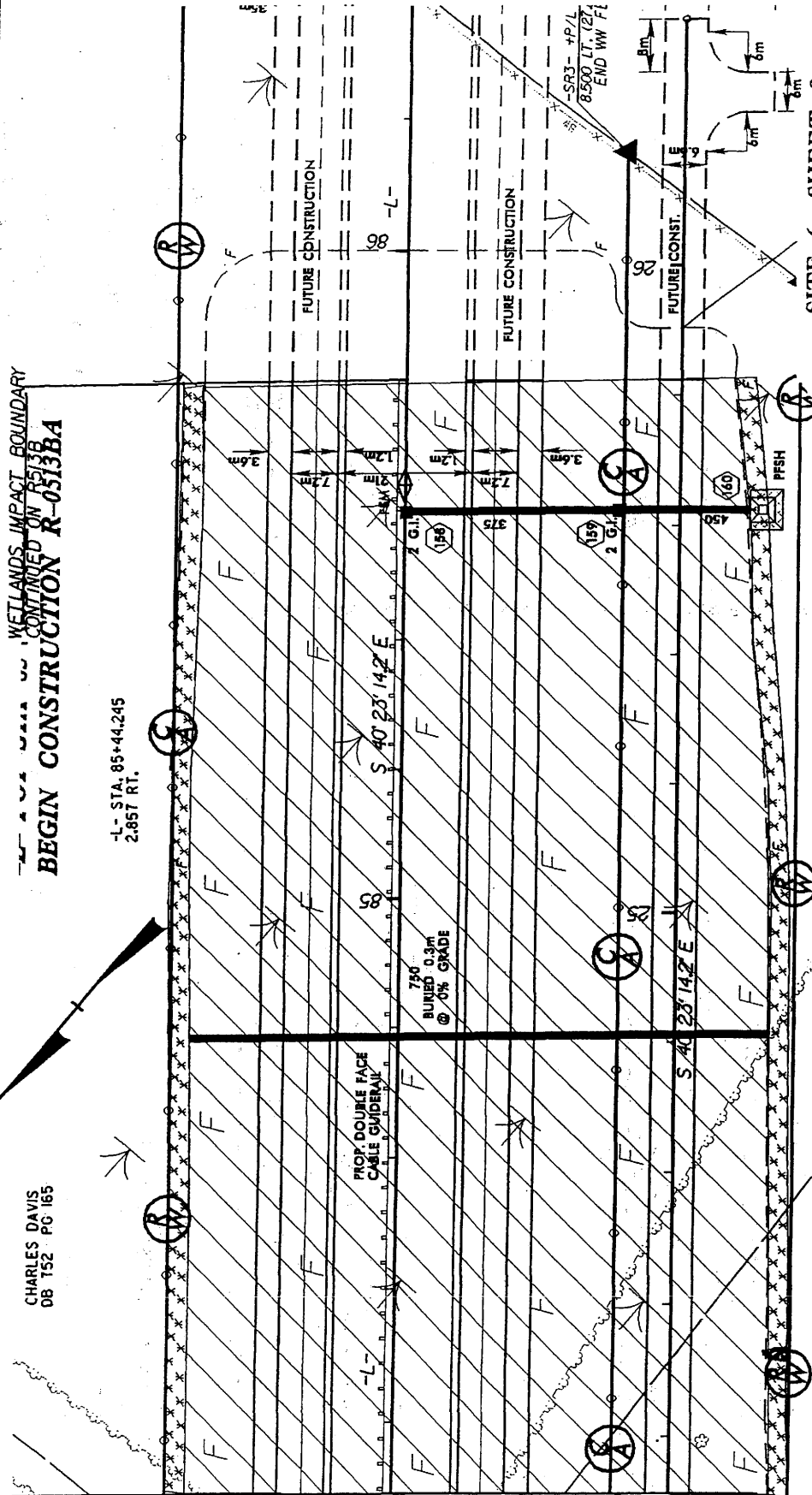
DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513A)
 US 74 FROM MAXTON BY-PASS
 TO EAST OF SR 1166

Rev. 2/13/04
 SHEET 11 OF 12 09/19/03

WETLANDS IMPACT BOUNDARY
CONTINUED ON R-513B
BEGIN CONSTRUCTION R-0513BA

CHARLES DAVIS
DB 152 PG 165

-L- STA. 85+44.245
2.857 RT.



SITE 6 SHEET 2

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T1 (R-513A)

US 74 FROM MAXTON BY-PASS



TO EAST OF SR 1166

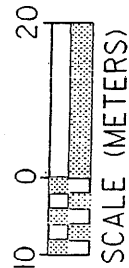
Rev. 2/13/04

SHEET 12 OF 15

09/19/03

PLAN VIEW
SITE 6

-  DENOTES FILL WETLAND
-  DENOTES MECHANIZED CLEARING



IMPACT SUMMARY

| Site No. | Station (From/To) | Structure Size | WETLAND IMPACTS | | | | SURFACE WATER IMPACTS | | | | | DITCH IMPACTS | | | | |
|---|----------------------------------|-----------------|-----------------------|----------------------------|-----------------------------|---------------------------------|---------------------------|------------------------|---------------------------|--------------------------------|------------------------|-----------------------|--------------------------|-----|-----|------|
| | | | Fill In Wetlands (ac) | Temp. Fill In Wetland (ac) | Excavation In Wetlands (ac) | Mech Clearing (Method III) (ac) | Fill In SW (Natural) (ac) | Fill In SW (Pond) (ac) | Temp. Fill In SW (ac) | Existing Channel Impacted (ft) | Relocated Channel (ft) | Enclosed Channel (ft) | Boussinesq Equation (ac) | | | |
| 1 | 13+00 TO 16+60 -L- | 1650mm | 0.14 | | 0.23 | | 0.39 | | | | | 1715 | | | 230 | 0.87 |
| 2 | 13+60 TO 14+20 RPB1 28+10 -L- | 900mm | | | | | | | NON-JURISDICTIONAL STREAM | | | | | | | |
| 3 | 33+38 to 33+75 | | 1.01 | | | | | 0.06 | | | | | | | | |
| 4 | 12+78 Rp 'B' | | 0.02 | | | | | 0.01 | | | | | | | | |
| 5 | 12+42 -Y2- | 2 - 2.4m x 2.1m | | | | | 0.07 | | | | | 164 | | | 79 | |
| 6 | 82+00 TO 85+50 -L- | | 8.01 | | | | | 0.53 | | | | | | | | |
| PEE DEE RIVER BASIN (LUMBER RIVER) NO BUFFER REGULATIONS | | | | | | | | | | | | | | | | |
| TOTALS | | | 9.18 | 0 | 0.23 | | 0.46 | | 0.60 | | 0 | 1879 | 0 | 308 | 0 | 0.87 |

N.C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6469002T - R-513 A
Rev 4/2004
Rev 3/2004
APRIL, 2002

SHEET 13 OF 15

PROPERTY OWNER

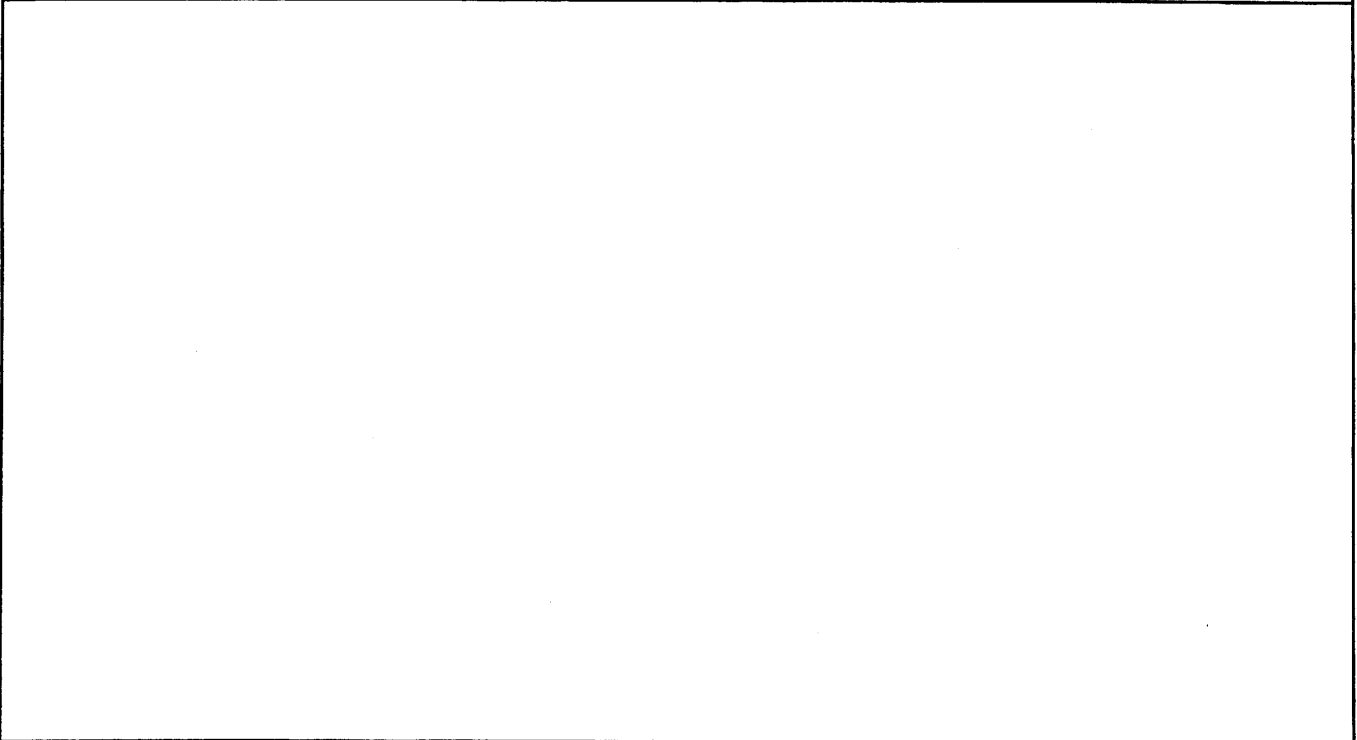
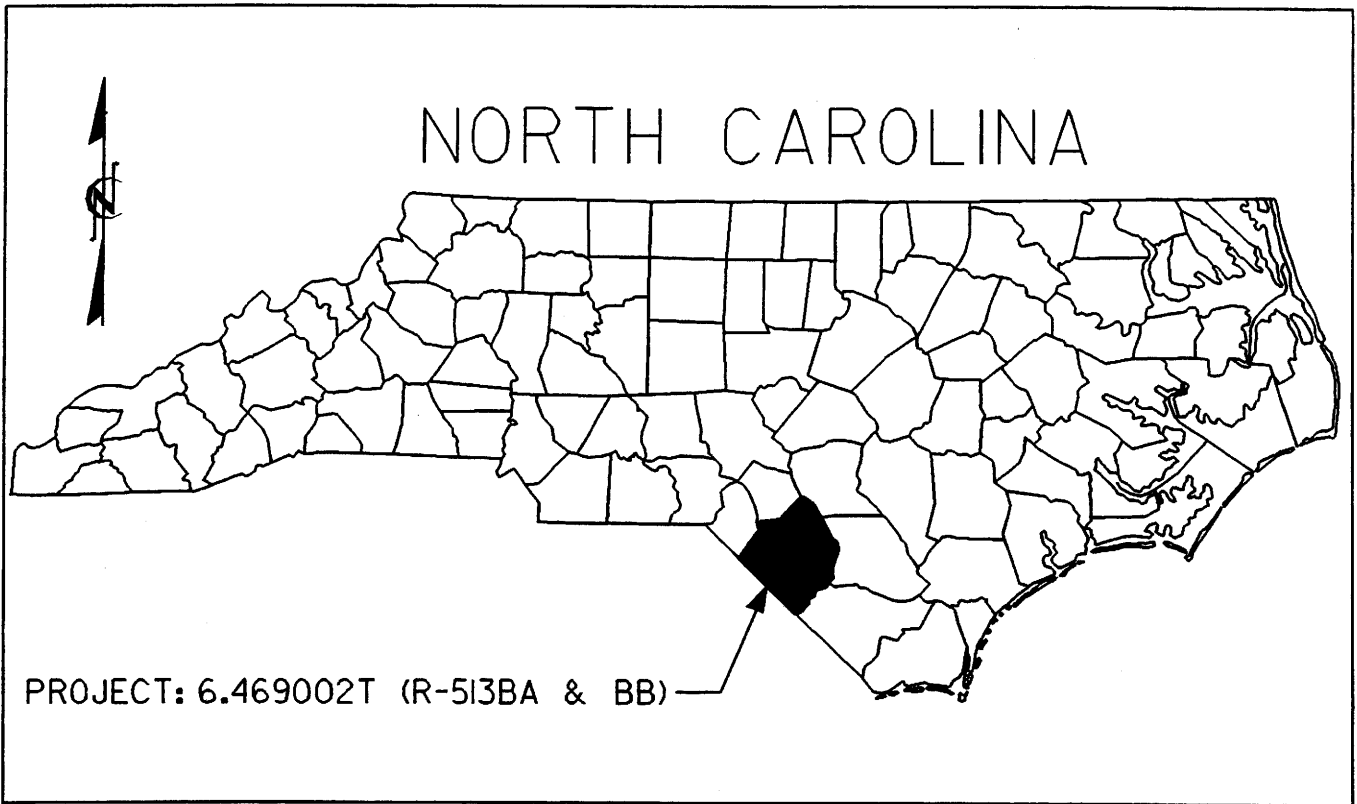
| SITE | PARCEL | OWNER'S NAME | ADDRESS |
|------|--------|---|---|
| 1 | 1 | A. F. HORNE, Jr | 202 US 74 Bus. W Maxton, NC 28364 |
| | 2, 4 | MARY H. HORNE | Rt. 4 Box 10 Maxton, NC 28364 |
| | 3 | COY C. HORNE | Rt. 4 Box 10 Maxton, NC 28364 |
| 3 | 1 | EAST MAXTON FARMS INC | P.O. Box 310308 Columbia, SC 29221 |
| | 2 | DANIEL VICTOR McALLUM | P.O. Box 205 Rockwell, NC 28138 |
| 4 | 3 | ALEX STRICKLAND | 754 Cabinet Shop Rd Maxton, NC 28364 |
| 5 | 7 | CLINT HOWARD HUNT | Rt 4 Box 47 Maxton, NC 28364 |
| | 8 | KIMBERLY L. HUNT | Rt 4 Box 47 Maxton, NC 28364 |
| | 9 | SENDORIAL C. CHAVIS | Rt 2 Box 80A Pembroke, NC 28372 |
| 6 | 53 | ANTHONY & LINDA FAYE DIAL CHARLES DAVIS | 1766 Gaddys Mill Rd. Rowland, NC 283834 Rt 34 Box 80 149 Nealson Rd. Maxton, NC 28364 |

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002 - R-513 A

US 74 FROM MAXTON BY-PASS
TO EAST OF SR 1166



VICINITY
MAP

NCDOT
DIVISION OF HIGHWAYS
ROBESON COUNTY
PROJECT: 6.469002T (R-513BA
MAXTON-LUMBERTON
US 74 FROM EAST OF SR 1166
TO WEST OF SR 1164
SHEET 1 OF 23 **9/18/03**

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

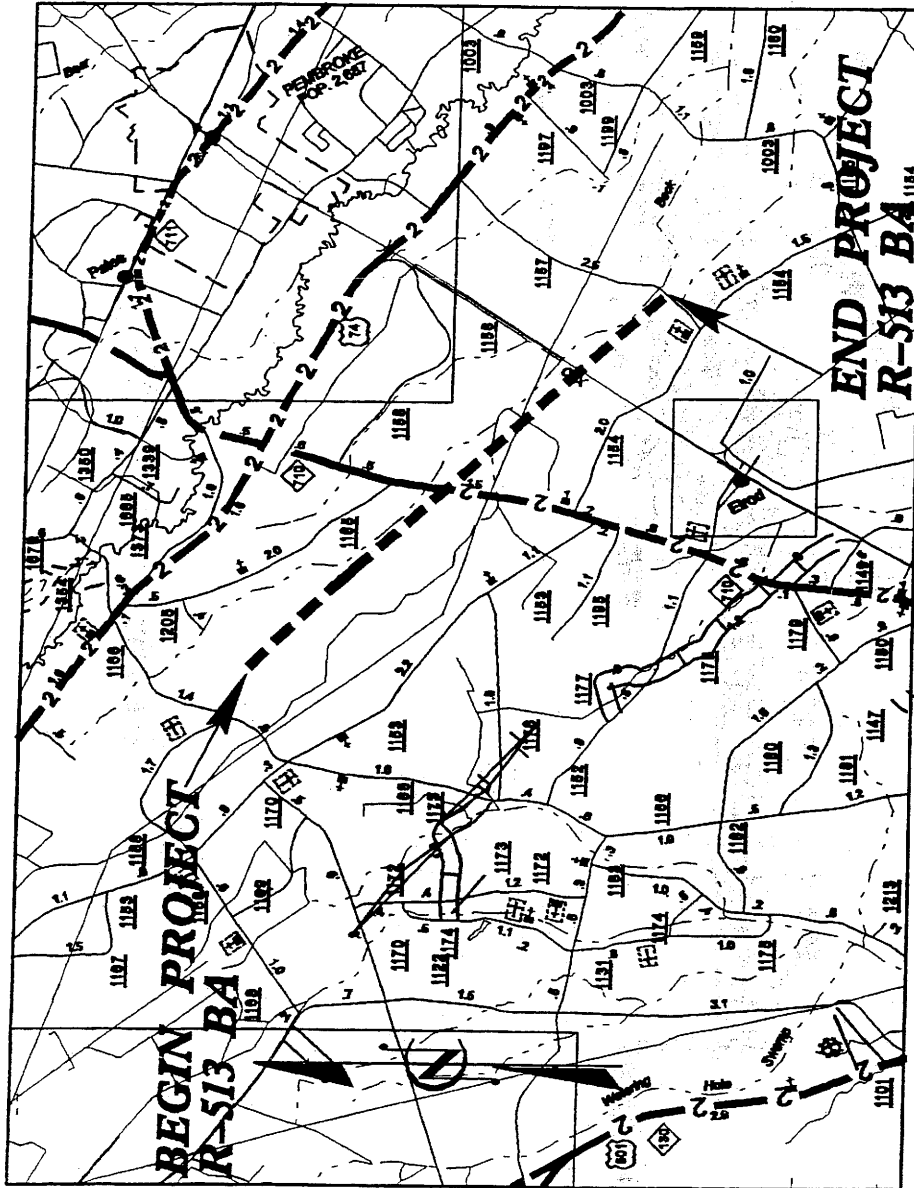
PROJECT: 6.469002T (R-513BA)

MAXTON-LUMBERTON

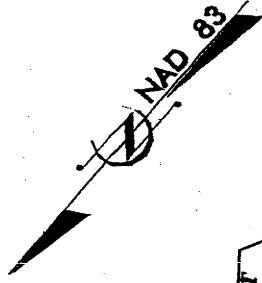
US 74 FROM EAST OF SR 1166

TO WEST OF SR 1157

SHEET 2 OF 23 9/18/03

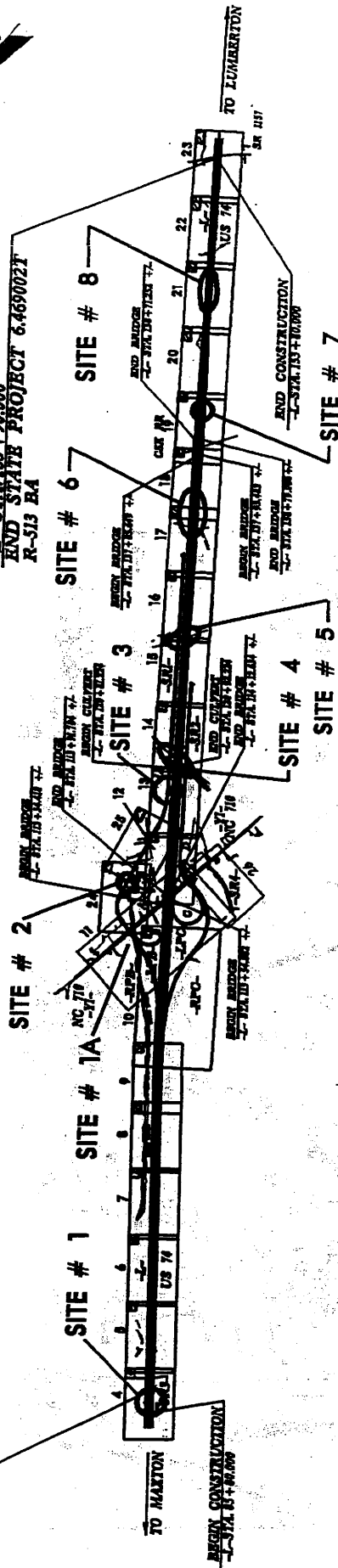


VICINITY MAP



— STA. 87+00.000
BEGIN STATE PROJECT 6.469002T
R-513 BA


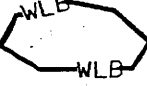
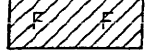


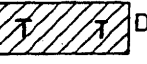
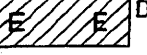



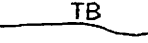
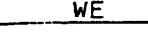
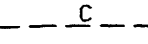
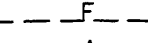

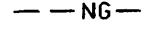
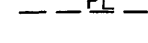

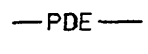


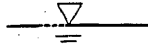
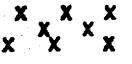


— STA. 133+90.000
END STATE PROJECT 6.469002T
R-513 BA

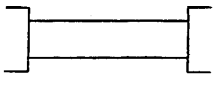
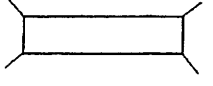

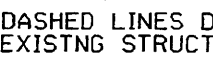




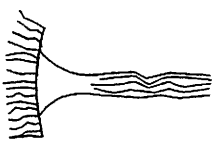
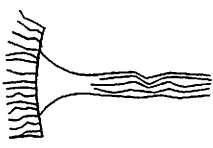
NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513 BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157
 SHEET 3 OF 23 9/18/03




SITE LOCATION

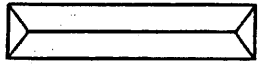
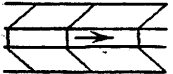
WETLAND LEGEND

-  WETLAND BOUNDARY
-  WETLAND
-  DENOTES FILL IN WETLAND
-  DENOTES FILL IN SURFACE WATER
-  DENOTES FILL IN SURFACE WATER (POND)
-  DENOTES TEMPORARY FILL IN WETLAND
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES TEMPORARY FILL IN SURFACE WATER
-  DENOTES MECHANIZED CLEARING
-  FLOW DIRECTION
-  TOP OF BANK
-  EDGE OF WATER
-  PROP. LIMIT OF CUT
-  PROP. LIMIT OF FILL
-  PROP. RIGHT OF WAY
-  NATURAL GROUND
-  PROPERTY LINE
-  TEMP. DRAINAGE EASEMENT
-  PERMANENT DRAINAGE EASEMENT
-  EXIST. ENDANGERED ANIMAL BOUNDARY
-  EXIST. ENDANGERED PLANT BOUNDARY
-  WATER SURFACE
-  LIVE STAKES
-  BOULDER
-  CORE FIBER ROLLS

-  PROPOSED BRIDGE
-  PROPOSED BOX CULVERT
-  PROPOSED PIPE CULVERT
12"-48" PIPES
54" PIPES & ABOVE
-  (DASHED LINES DENOTE EXISTING STRUCTURES)

-  SINGLE TREE
-  WOODS LINE
-  DRAINAGE INLET
-  ROOTWAD

-  RIP RAP
-  ADJACENT PROPERTY OWNER OR PARCEL NUMBER IF AVAILABLE
-  PREFORMED SCOUR HOLE

-  LEVEL SPREADER (LS)
-  DITCH / GRASS SWALE

NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T (R-513BA)

MAXTON-LUMBERTON

US 74 FROM EAST OF SR 1166

TO WEST OF SR 1157

SHEET OF 23

9/18/03

PLAN VIEW
SITE # 1

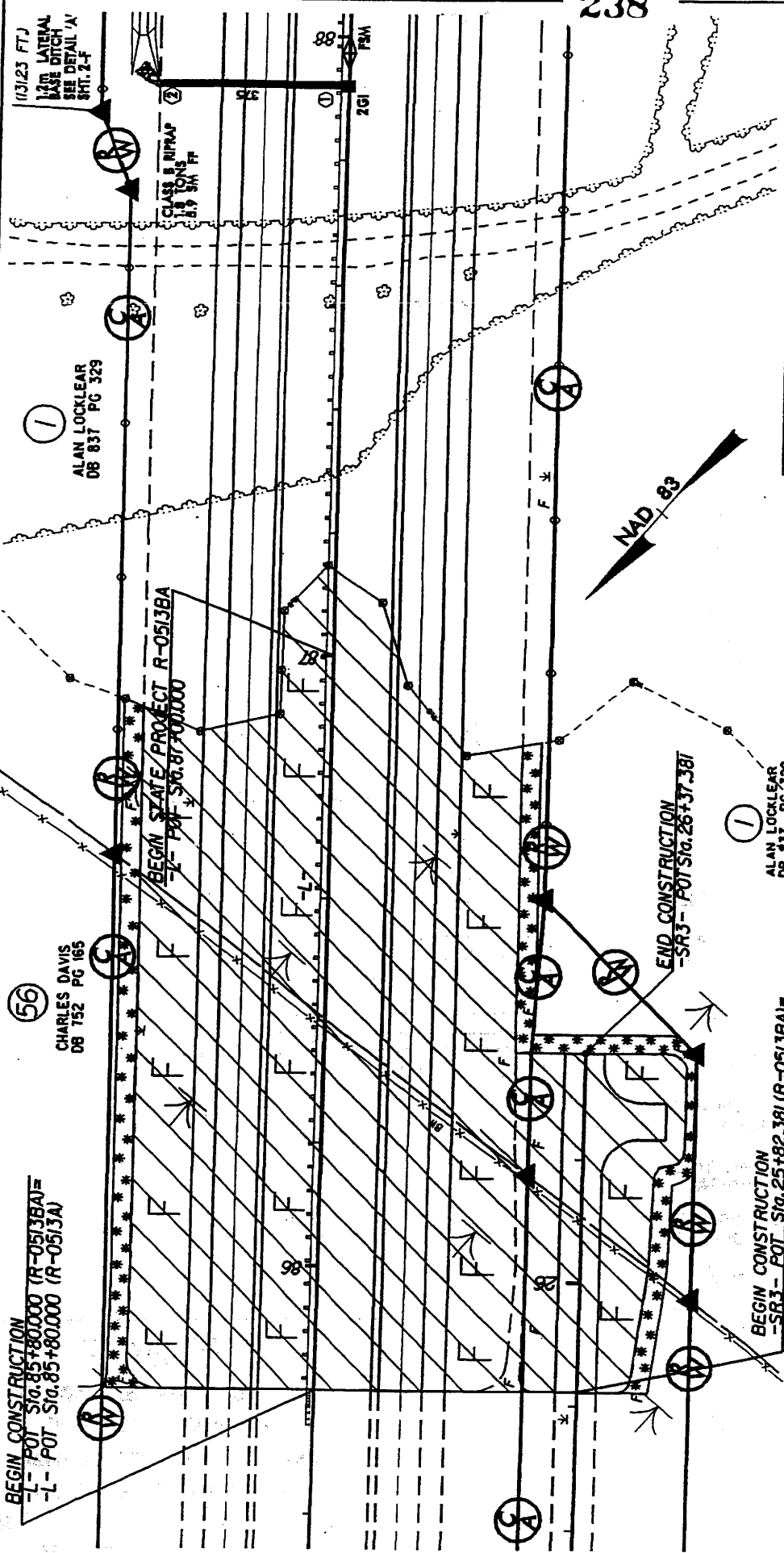
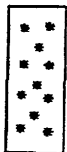
HORIZONTAL SCALE



DENOTES FILL IN
WETLAND



DENOTES MECHANIZED
CLEARING



BEGIN CONSTRUCTION
-L- POT Sta. 85+80.000 (R-0513BA)=
-L- POT Sta. 85+80.000 (R-0513A)

CHARLES DAVIS
DB 752 PG 165

56

ALAN LOCKLEAR
DB 837 PG 329

(13123 FT.)
1.2M LATERAL
BASE DITCH
SEE DETAIL 'A'
SHT. 2-F

BEGIN STATE PROJECT R-0513BA
-L- POT Sta. 87+00.000

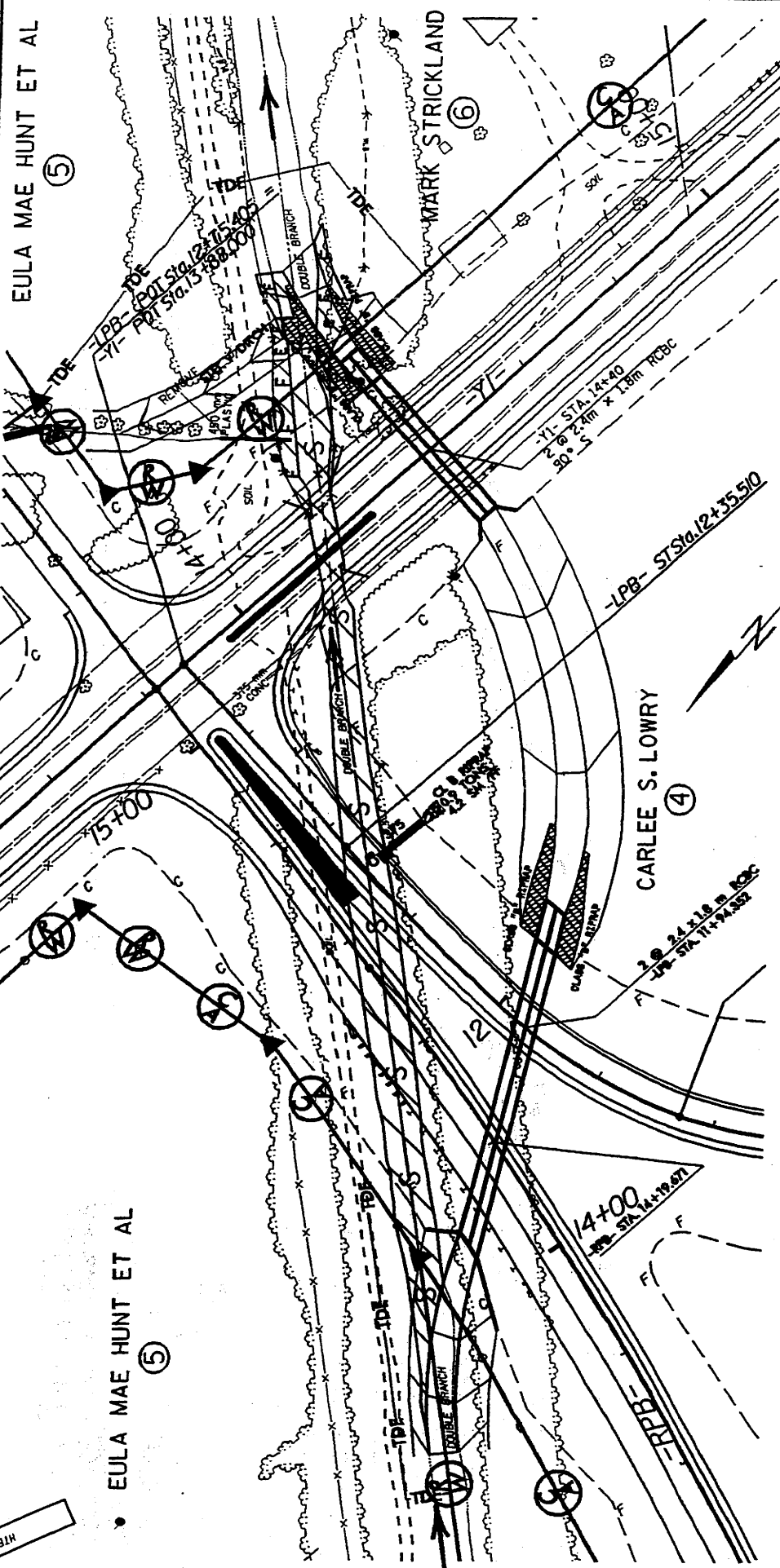
END CONSTRUCTION
-SR3- POT Sta. 26+37.381

BEGIN CONSTRUCTION
-SR3- POT Sta. 25+82.381 (R-0513BA)-
-SR3- POT Sta. 25+82.381 (R-0513A)

ALAN LOCKLEAR
DB 837 PG 329


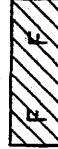
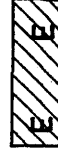
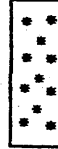
NAD 83

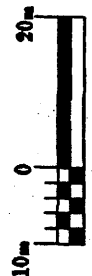
EULA MAE HUNT ET AL



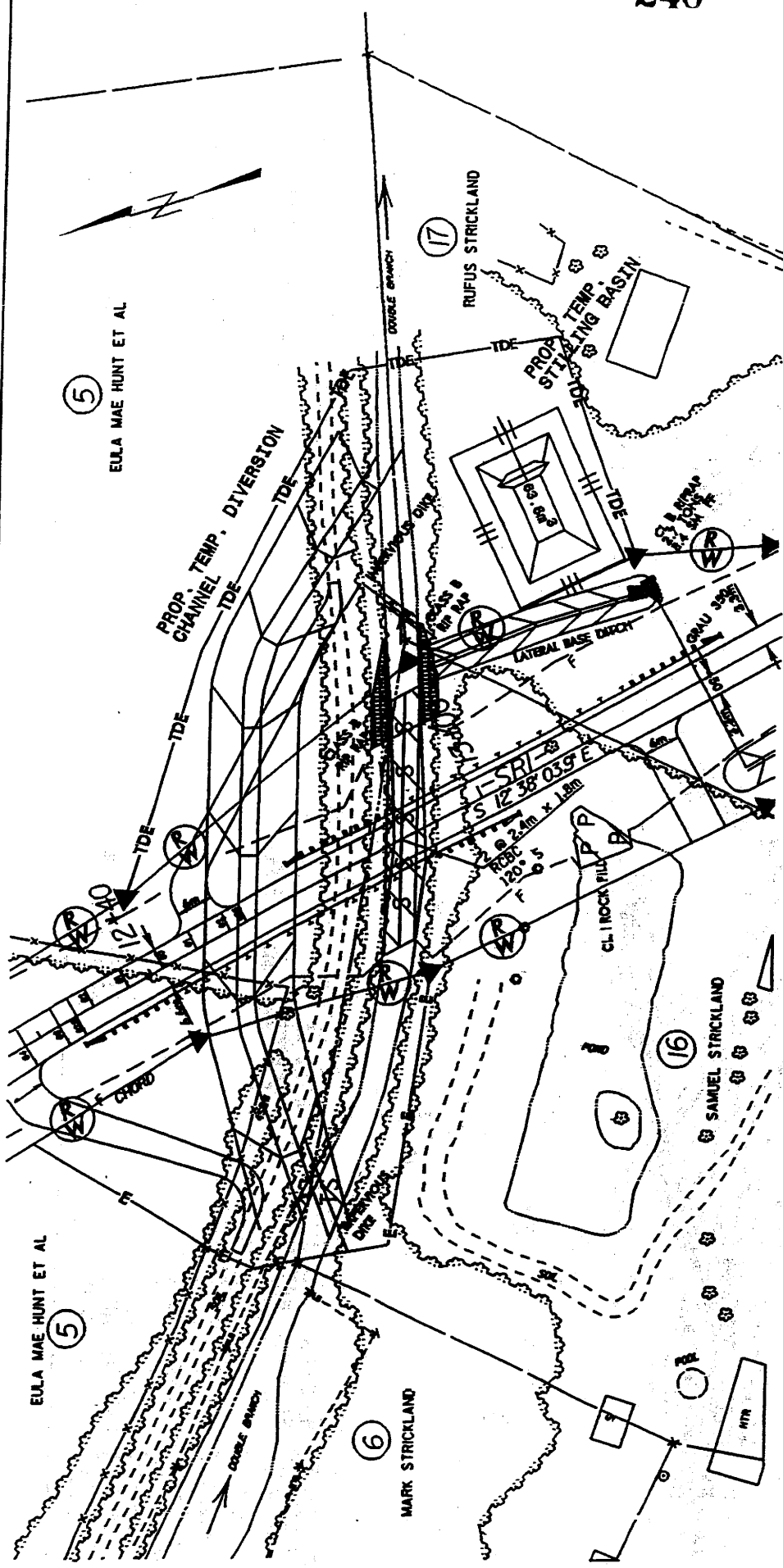
NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157
 SHEET 6 OF 23 9/18/03

PLAN VIEW
SITE # 1A

-  DENOTES FILL IN SURFACE WATER
-  DENOTES FILL IN WETLAND
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES MECHANIZED CLEARING



HORIZONTAL SCALE








NCDOT
DIVISION OF HIGHWAYS
ROBESON COUNTY
PROJECT: 6.469002T (R-513BA)
MAXTON-LUMBERTON
US 74 FROM EAST OF SR 1166
TO WEST OF SR 1157
SHEET 7 OF 23 9/18/03

PLAN VIEW
SITE # 2



HORIZONTAL SCALE

-  DENOTES FILL IN SURFACE WATER (POND)
-  DENOTES FILL IN SURFACE WATER
-  DENOTES TEMPORARY FILL IN SURFACE WATER
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES TEMPORARY FILL IN WETLAND

EULA MAE HUNT ET AL

EULA MAE HUNT ET AL

5

5

6

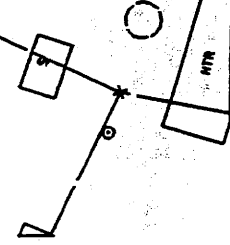
MARK STRICKLAND

RUFUS STRICKLAND

17

16

SAMUEL STRICKLAND



SRI
 S 12° 38' 03.9" E
 DIST. 2.4m x 1.8m

ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

CL. ROCK FILL

STA. 12 + 86.5 -SR1- CULVERT CONSTRUCTION SEQUENCE



CONST.REV.

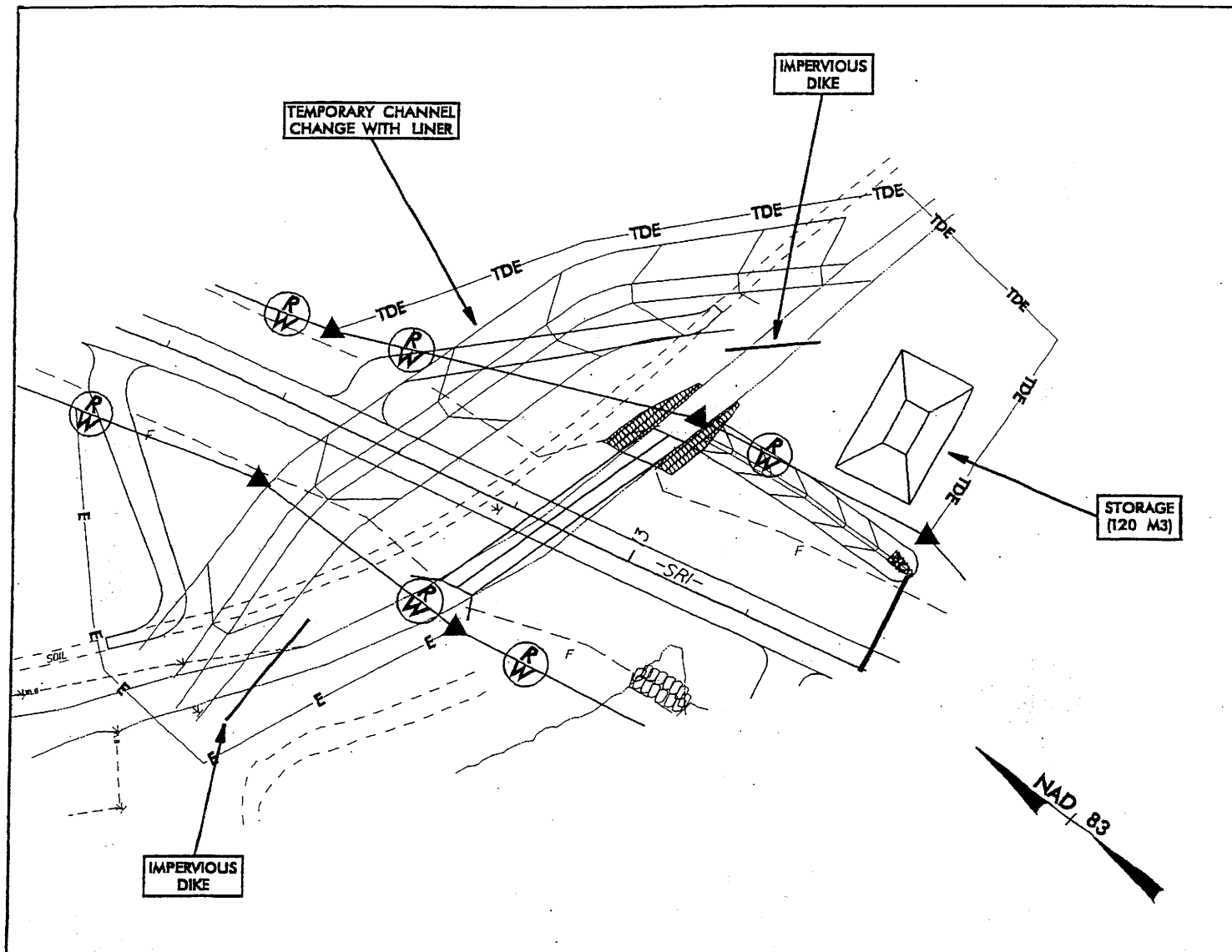
R/W REV.

PROJECT REFERENCE NO.

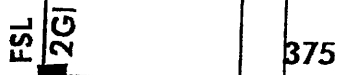
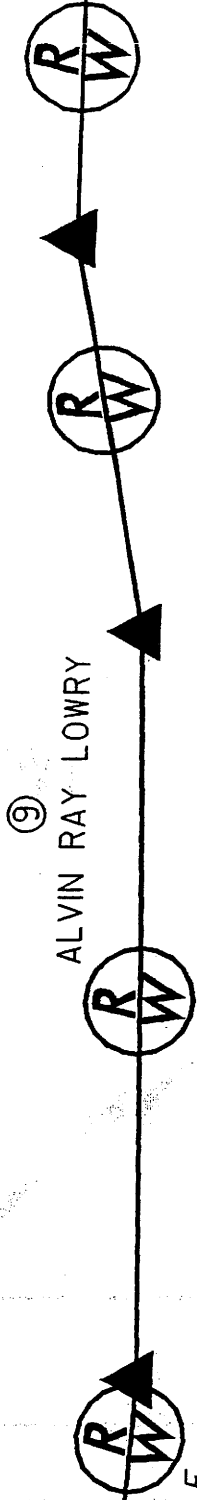
SHEET NO.

R-0513BA

R/W SHEET NO.

ROADWAY DESIGN
ENGINEERHYDRAULICS
ENGINEER

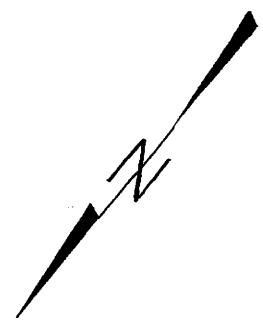
1. CONSTRUCT STILLING BASIN (120 M3).
2. CONSTRUCT TEMPORARY CHANNEL CHANGE WITH LINER (3:1 SIDE SLOPES, 2M BASE, 1.5M DEEP).
3. CONSTRUCT IMPERVIOUS DIKES, DIVERTING FLOW THROUGH TEMPORARY CHANNEL CHANGE.
4. CONSTRUCT CULVERT.
5. CONSTRUCT ANY NECESSARY CHANNEL IMPROVEMENTS AND DIVERT FLOW THROUGH CULVERT.
6. COMPLETE ROADWAY.



PLAN VIEW
SITE # 3

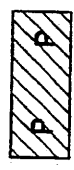
NCDOT
DIVISION OF HIGHWAYS
ROBESON COUNTY
PROJECT: 6.469002T (R-513BA)
MAXTON-LUMBERTON
US 74 FROM EAST OF SR 1166
TO WEST OF SR 1157

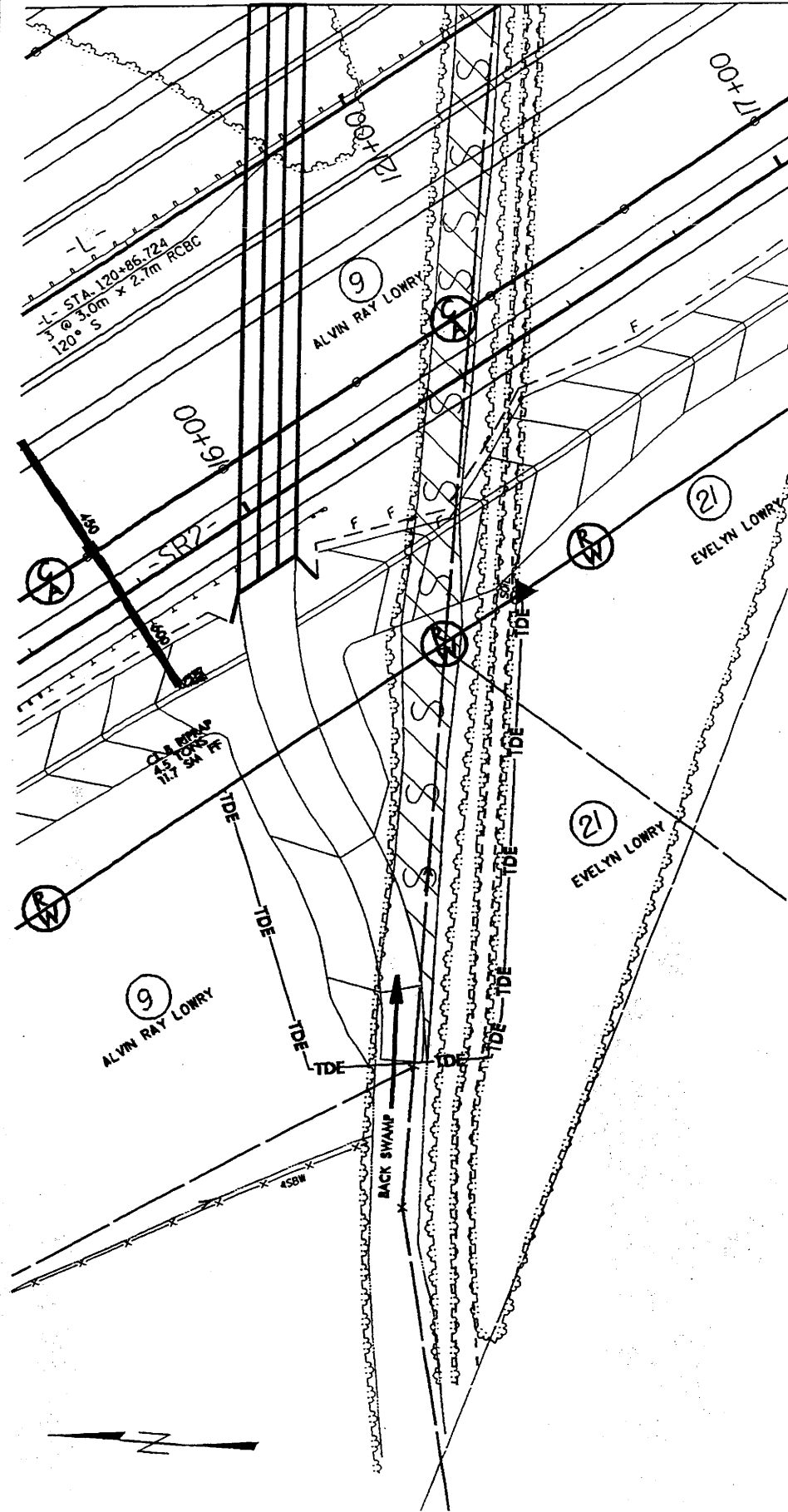
SHEET 9 OF 23 9/18/03



HORIZONTAL SCALE

DENOTES FILL IN
SURFACE WATER
(POND)





NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157
 SHEET 10 OF 23 9/18/03

**PLAN VIEW
 SITE # 4**

DENOTES FILL IN
 SURFACE WATER



HORIZONTAL SCALE

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T (R-513BA)

MAXTON-LUMBERTON

US 74 FROM EAST OF SR 1166

TO WEST OF SR 1157

SHEET 11 OF 23

9/18/03

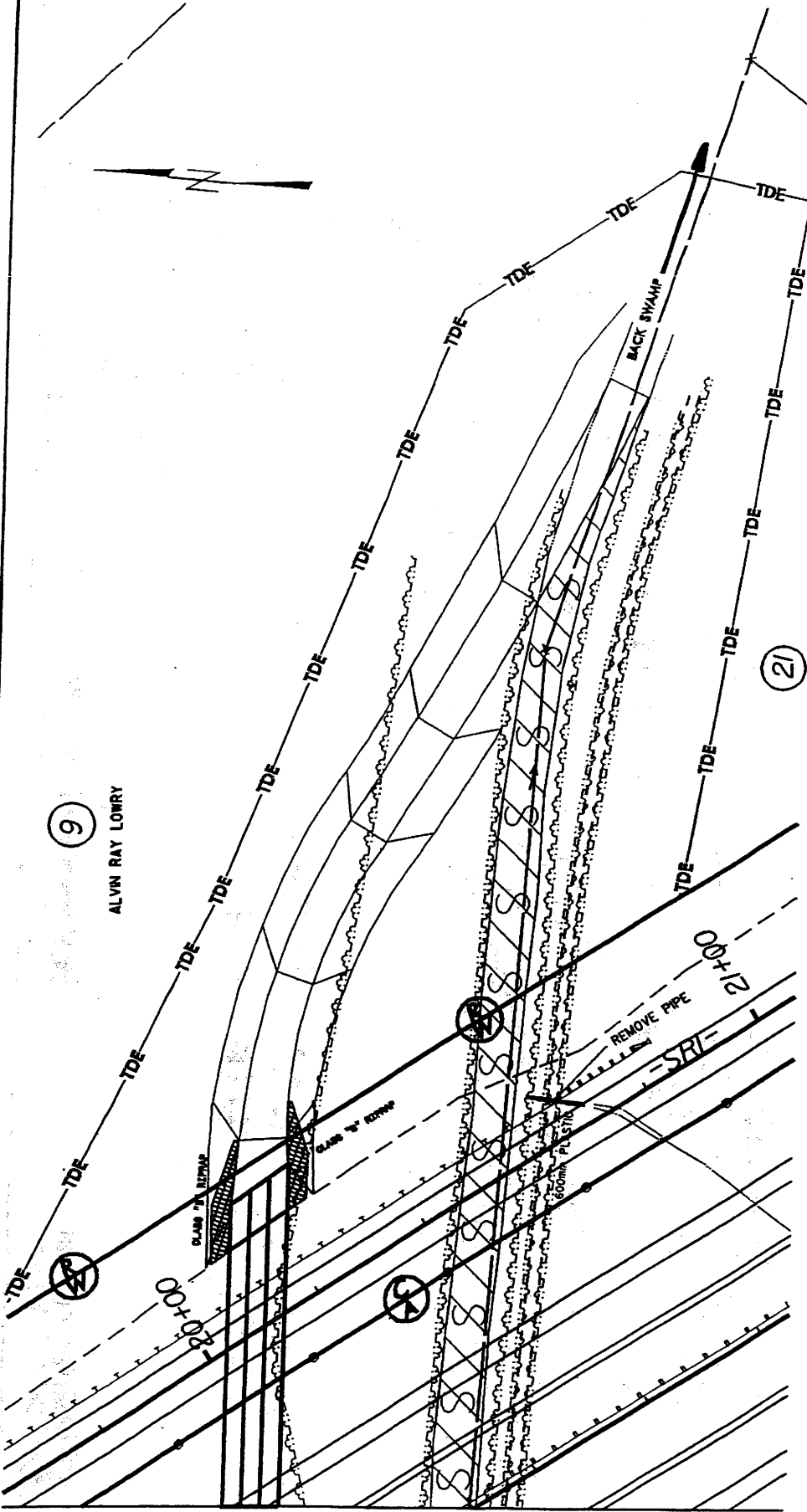
PLAN VIEW
SITE # 4

□ S S DENOTES FILL IN SURFACE WATER



HORIZONTAL SCALE

EVELYN LOWRY



MATCH LINE A - A

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

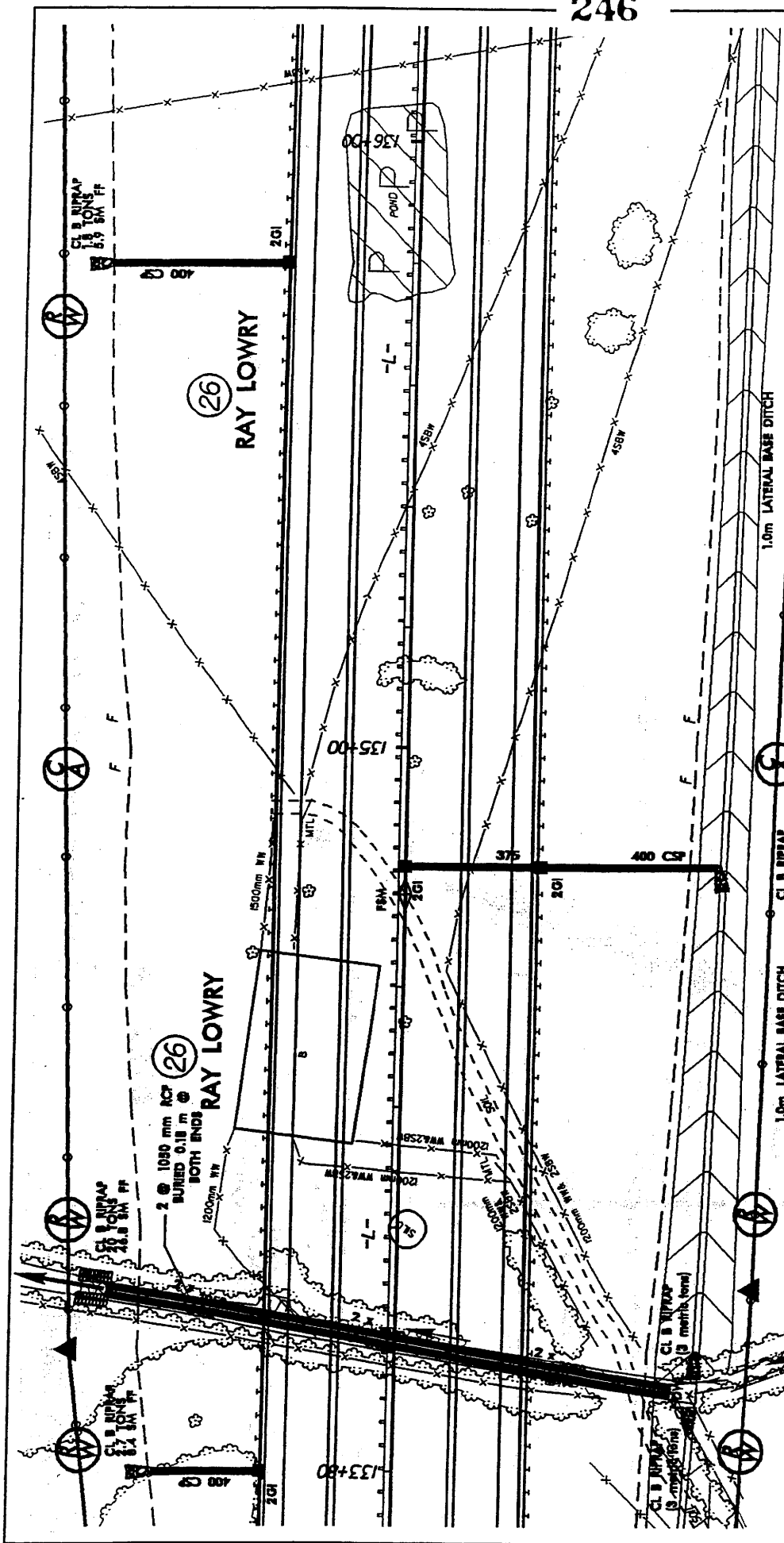
PROJECT: 6.469002T (R-513BA)

MAXTON-LUMBERTON

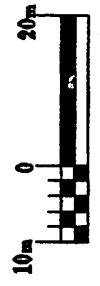
US 74 FROM EAST OF SR 1166

TO WEST OF SR 1157

SHEET 1/3 OF 23 9/18/03




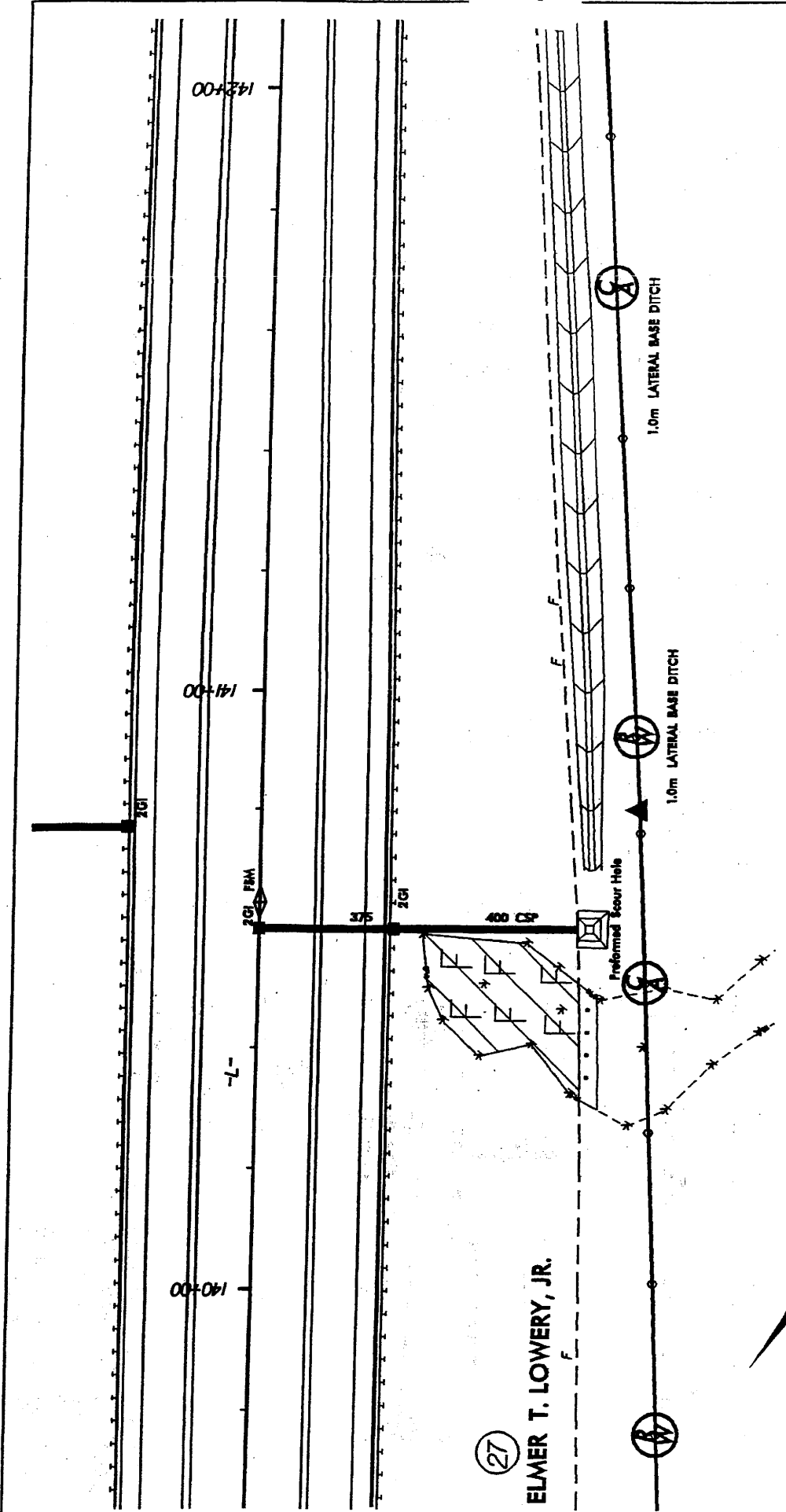
RAY LOWRY
 PLAN VIEW
 SITE # 6



HORIZONTAL SCALE

 DENOTES FILL IN SURFACE WATER (POND)

 DENOTES FILL IN SURFACE WATER



(27)

ELMER T. LOWERY, JR.

PLAN VIEW

SITE # 7

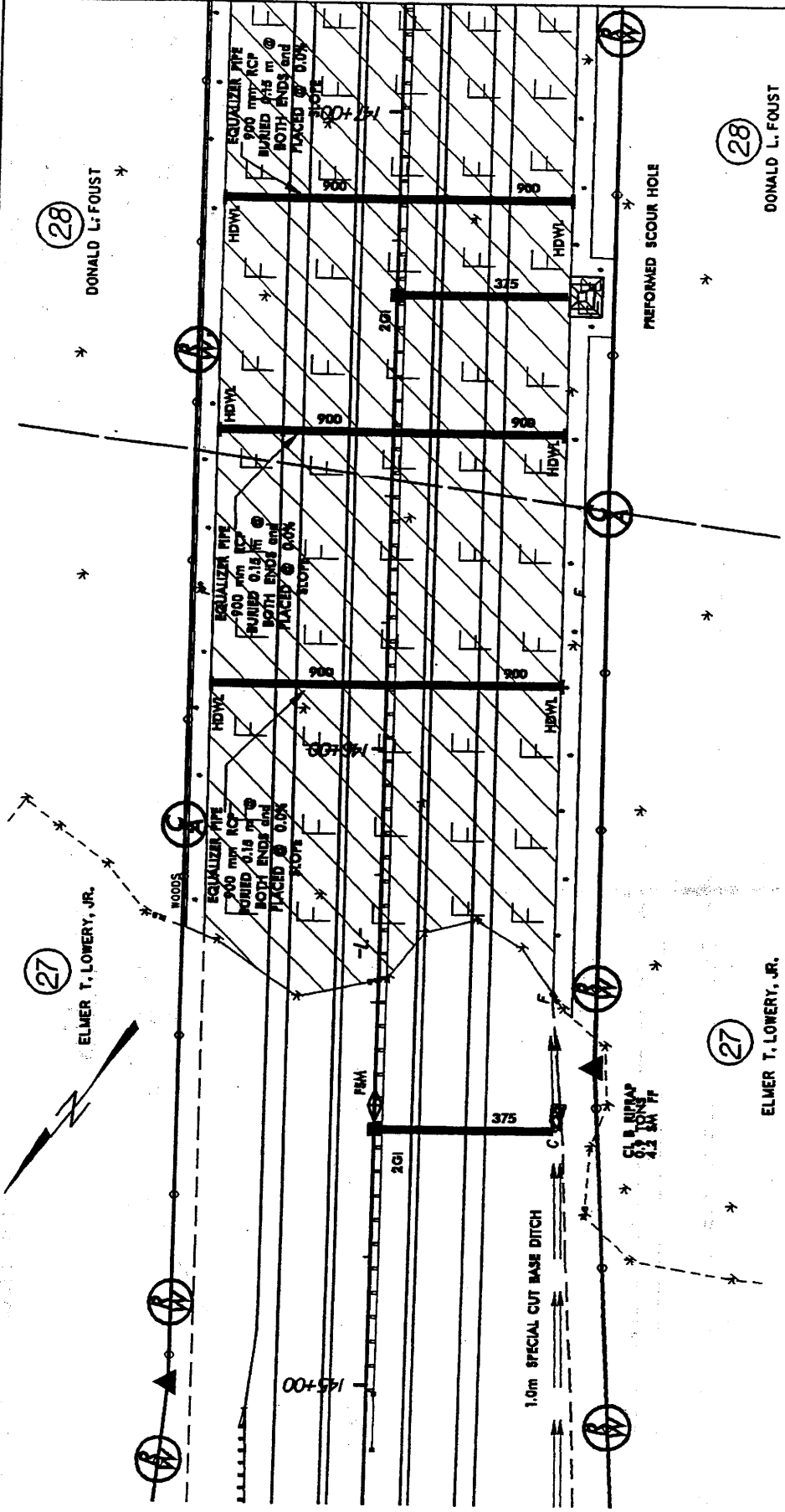
-  DENOTES FILL IN WETLAND
-  DENOTES MECHANIZED CLEARING





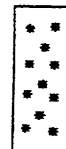
HORIZONTAL SCALE

NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157
 SHEET 1/4 OF 23 9/18/03

MATCH LINE B - B



PLAN VIEW
SITE # 8

-  DENOTES FILL IN WETLAND
-  DENOTES EXCAVATION IN WETLAND
-  DENOTES MECHANIZED CLEARING



HORIZONTAL SCALE

NCDOT
 DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT: 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FRPM EAST OF SR 1166
 TO WEST OF SR 1157

SHEET 15 OF 23 9/18/03

(28) DONALD L. FOUST

(28) DONALD L. FOUST

(27) ELMER T. LOWERY, JR.

(27) ELMER T. LOWERY, JR.

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T (R-513BA)

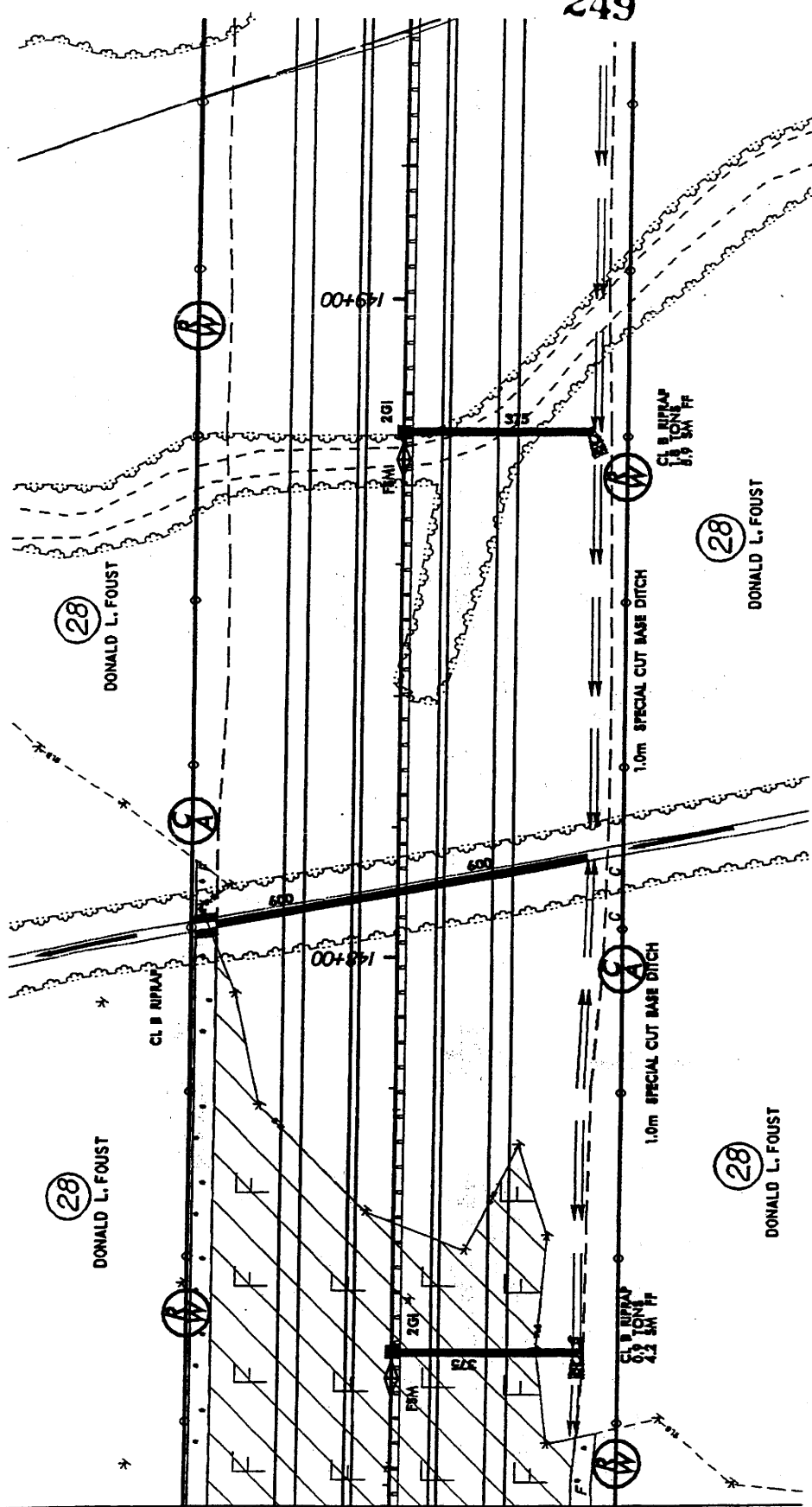
MAXTON-LUMBERTON

US 74 FROM EAST OF SR 1166

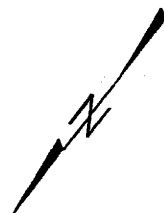
TO WEST OF SR 1157

SHEET 16 OF 23

9/18/03



PLAN VIEW
SITE # 8



DENOTES FILL IN WETLAND



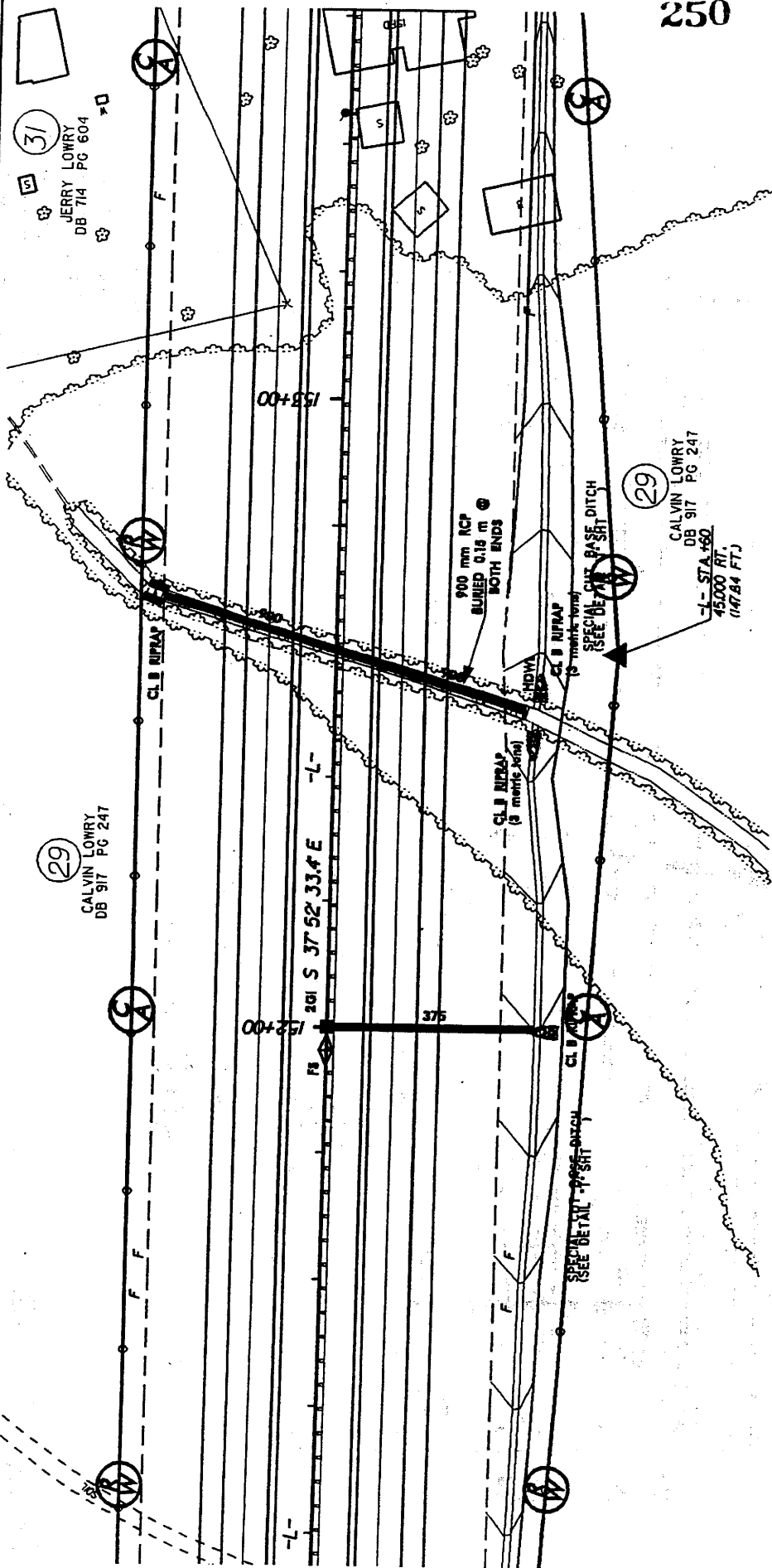
DENOTES MECHANIZED CLEARING



HORIZONTAL SCALE

MATCH LINE B - B

NCDOT
DIVISION OF HIGHWAYS
ROBESON COUNTY
PROJECT: 6.469002T (R-513BA)
MAXTON-LUMBERTON
US 74 FROM EAST OF SR 1166
TO WEST OF SR 1157



(29)
 CALVIN LOWRY
 DB 917 PG 247

(31)
 JERRY LOWRY
 DB 714 PG 604

(29)
 CALVIN LOWRY
 DB 917 PG 247
 -L- STA +60
 45,000 FT.
 (14784 FT.)

PLAN VIEW
SITE # 9



 DENOTES FILL IN
 SURFACE WATER

HORIZONTAL SCALE

WETLAND PERMIT IMPACT SUMMARY

| Site No. | Station (From/To) | Structure Size / Type | WETLAND IMPACTS | | | | SURFACE WATER IMPACTS | | | | Natural Stream Design (ft) | |
|----------|------------------------------|--|-----------------------|-----------------------------|-----------------------------|---------------------------------------|---------------------------|------------------------|-----------------------|--------------------------------|----------------------------|------|
| | | | Fill In Wetlands (ac) | Temp. Fill In Wetlands (ac) | Excavation In Wetlands (ac) | Mechanized Clearing (Method III) (ac) | Fill In SW (Natural) (ac) | Fill In SW (Pond) (ac) | Temp. Fill In SW (ac) | Existing Channel Impacted (ft) | | |
| 1 | 85+80 to 87+14.77 -L- | NONE | 2.009 | | | 0.18 | | | | | | |
| 1A | 14+19.67 -RPB- 14+40 -Y1- | 2 @ 2.4 m. x 1.8 m. RCBC 2 @ 2.4 m. x 1.8 m. RCBC | 0.03 | | 0.012 | | | | 0.24 | | | 640 |
| 2 | 12+86 -SR1- | 2 @ 2.4 m. x 1.8 m. RCBC | | 0.002 | 0.002 | | | 0.049 | 0.015 | 0.017 | | 135 |
| 3 | 18+28 to 18+78 -SR1- | POND | | | | | | | 0.133 | | | |
| 4 | 120+86 -L- | 3 @ 3.0 m. x 2.7 m. RCBC | | | | | | 0.524 | | | | 1132 |
| 5 | 128+01 -L- | 2 @ 1050 mm RCP | | | | | | 0.082 | | | | 341 |
| 6 | 134+00 to 136+00 -L- | 2 @ 900 mm RCP and POND | | | | | | 0.079 | 0.126 | | | 338 |
| 7 | 140+30 to 140+60 -L- | NONE | 0.109 | | | 0.015 | | | | | | |
| 8 | 145+58 to 148+15 -L- | 3 @ 750 mm and 600 mm | 2.265 | | 0.007 | 0.304 | | | | | | |
| TOTALS: | | | 4.413 | 0.002 | 0.021 | 0.499 | 0.974 | 0.274 | 0.017 | 2586 | | 0 |

NCDOT

DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157

WETLAND PERMIT IMPACT SUMMARY

| Site No. | Station (From/To) | Structure Size / Type | WETLAND IMPACTS | | | | SURFACE WATER IMPACTS | | | | | | | |
|----------|------------------------------|--|-----------------------|-----------------------------|-----------------------------|---------------------------------------|---------------------------|------------------------|-----------------------|-------------------------------|---------------------------|-----|--|--|
| | | | Fill In Wetlands (ha) | Temp. Fill In Wetlands (ha) | Excavation In Wetlands (ha) | Mechanized Clearing (Method III) (ha) | Fill In SW (Natural) (ha) | Fill In SW (Pond) (ha) | Temp. Fill In SW (ha) | Existing Channel Impacted (m) | Natural Stream Design (m) | | | |
| 1 | 85+80 to 87+14.77 -L- | NONE | 0.813 | | | 0.073 | | | | | | | | |
| 1A | 14+19.67 -RPB- 14+40 -Y1- | 2 @ 2.4 m. x 1.8 m. RCBC 2 @ 2.4 m. x 1.8 m. RCBC | 0.012 | | 0.005 | | | 0.097 | | | | 195 | | |
| 2 | 12+86 -SR1- | 2 @ 2.4 m. x 1.8 m. RCBC | | 0.001 | 0.001 | | | 0.02 | 0.006 | 0.007 | | 41 | | |
| 3 | 18+28 to 18+78 -SR1- | POND | | | | | | | 0.054 | | | | | |
| 4 | 120+86 -L- | 3 @ 3.0 m. x 2.7 m. RCBC | | | | | | 0.212 | | | | 345 | | |
| 5 | 128+01 -L- | 2 @ 1050 mm RCP | | | | | | 0.033 | | | | 104 | | |
| 6 | 134+00 to 136+00 -L- | 2 @ 900 mm RCP and POND | | | | | | 0.032 | 0.051 | | | 103 | | |
| 7 | 140+30 to 140+60 -L- | NONE | 0.044 | | | 0.006 | | | | | | | | |
| 8 | 145+58 to 148+15 -L- | 3 @ 750 mm and 600 mm | 0.917 | | 0.003 | 0.123 | | | | | | | | |
| TOTALS: | | | 1.786 | 0.001 | 0.009 | 0.202 | 0.394 | 0.111 | 0.007 | 788 | 0 | | | |

NCDOT

DIVISION OF HIGHWAYS
 ROBESON COUNTY
 PROJECT 6.469002T (R-513BA)
 MAXTON-LUMBERTON
 US 74 FROM EAST OF SR 1166
 TO WEST OF SR 1157

PROPERTY OWNERS

NAMES AND ADDRESSES

| PARCEL NO. | NAMES | ADDRESSES |
|------------|----------------------|--|
| 56 | CHARLEA DAVIS | 149 NELSON DR. MAXTON, NC 28364 |
| 1 | ALAN LOCKLEAR | 1306 OLD BAKER RD. MAXTON, NC 28364 |
| 4 | CARLEE S. LOWRY | 2252 HENRY BERRY RD. ROWLAND, NC 28383 |
| 5 | EULA MAE HUNT, ET AL | 1217 NC HWY 710 S. ROWLAND, NC 28383 |
| 6 | MARK STRICKLAND | 1457 NC HWY 710 S. ROWLAND, NC 28383 |
| 16 | SAMUEL STRICKLAND | 77 RUBY ROAD ROWLAND, NC 28383 |
| 17 | RUFUS STRICKLAND | RT. 3 BOX 251 A1 ROWLAND, NC 28383 |
| 9 | ALVIN RAY LOWRY | 1565 NC HWY 710 S. ROWLAND, NC 28383 |
| 21 | EVELYN LOWRY | 2129 NC HWY 710 S. ROWLAND, NC 28383 |
| 23 | EVELYN ROWLAND | 7811 DOGWOOD TRAIL HAUGHTON, LA 71037 |
| 24 | PERRY C. LOWRY | 16620 MUSIC GROVE CT. ROCKVILLE, MD 20853 |
| 26 | RAY LOWRY | 1565 NC HWY 710 S. ROWLAND, NC 28383 |
| 27 | ELMER T. LOWERY, JR. | RT. 3 BOX 137 ROWLAND, NC 28383 |
| 28 | DONALD L. FOUST | 3676 UNION SCHOOL ROAD ROWLAND, NC 28383 |

NCDOT

DIVISION OF HIGHWAYS

ROBESON COUNTY

PROJECT: 6.469002T (R-513BA)

MAXTON-LUMBERTON

US 74 FROM EAST OF SR 1166

TO WEST OF SR 1157

SHEET 22 OF 23

9/18/03

