

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY GOVERNOR LYNDO TIPPETT Secretary

September 3, 2004

MEMORANDUM TO:	Mr. Terry R. Gibson, PE Division 6 Engineer
FROM:	Philip S. Harris, III, P.E., CPM, Manager CPS A Office of the Natural Environment Project Development and Environmental Analysis Branch
SUBJECT:	Robeson County, US 74 from Maxton Bypass in Maxton to NC 41 in Lumberton; State Work Order Number 6.469012T; T.I.P. No. R-0513

Attached is the U. S. Army Corps of Engineers 404 Individual Permit and the Division of Water Quality 401 Water Quality Certification for the above referenced project. All environmental permits have been received for the construction of this project.

PSH/mka

Attachment

cc: Mr. Art McMillan, P.E. Mr. Jay Bennett, P.E. Mr. David Chang, P.E. Mr. Randy Garris, P.E. Mr. Greg Perfetti, P.E. Mr. Mark Staley Mr. Omar Sultan Mr. John F. Sullivan, FHWA Mr. Jim Rerko, Division 6 DEO

TELEPHONE: 919-733-3141 FAX: 919-733-9794 LOCATION: TRANSPORTATION BUILDING 1 SOUTH WILMINGTON STREET RALEIGH NC

PROJECT COMMITMENTS

US 74 from Maxton Bypass in Maxton To NC 41 In Lumberton, Robeson County State Project Nos. 6.469002T, 6.469012T WBS Nos. 34336.3.4, 34336.3.8 TIP Project No. R-0513

Compliance is required with all conditions of Individual Permit No. 200300999 issued by the U.S. Army Corps of Engineers (USACOE). This includes the General Conditions listed on pages 1 and 2 of the permit, as well as all Special Conditions (4 pages). Compliance is also required with all conditions of 401 Water Quality Certification No. 3468 issued by the N.C. Division of Water Quality. In addition to these conditions, the following special commitments have been agreed to by the NCDOT.

Current status, changes, or additions to the project commitments as shown in the environmental documents for the project are printed in *italics*.

Conditions Developed Through Project Development

Division 6 Construction

The NCDOT will follow the HQW/Sensitive Watershed Guidelines for R-0513A.

Erosion control measures were designed to meet the requirements due to the water quality classification for the applicable section of the Lumber River.

Conditions Developed Through Permitting

As mentioned above, all conditions of the USACOE Permit and Water Quality Certification must be met. Highlighted below are conditions that require action before construction can commence:

Design

USACOE permit Special Condition 1 requires written verification that the permit drawings match the construction plans before any active construction in waters of the United States, including wetlands.

Division 6

USACOE Special Condition 2 requires that the Corps of Engineers representative receive 30 days notice of a preconstruction meeting which must be held prior to any work in waters or wetlands.

USACOE Special Conditions 5 & 6 will affect the borrow and fill activities of the contractor. Water Quality Certification Conditions 1, 2 and 5 also affect waste and borrow activities.

Water Quality Certification Condition 4 requires marking wetland or water boundaries with orange fabric fencing prior to land disturbing activities.

PDEA/Ecosystem Enhancement Program (EEP)

Before construction can commence, EEP must provide written confirmation that they will provide the mitigation, and NCDOT must certify that sufficient funds have been provided to EEP.

Green Sheet R-0513

PROJECT COMMITMENTS

US 74 from Maxton Bypass in Maxton To NC 41 In Lumberton, Robeson County State Project Nos. 6.469002T, 6.469012T WBS Nos. 34336.3.4, 34336.3.8 TIP Project No. R-0513

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Erosion control measures were designed to meet the requirements due to the water quality classification for the applicable section of the Lumber River.

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Division 6

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Green Sheet R-0513



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

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 Franklen

E. David Franklin. Chief, NCDOT Team

Enclosures

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NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

App	licant: NCDOT/TIP R-513 (U.S. 74)	File Number: 2003-0-0999	Date: September 2, 2004
Atta	iched is:		See Section below
X	INITIAL PROFFERED PERMIT (Standa	rd Permit or Letter of permission)	А
PROFFERED PERMIT (Standard Permit or Letter of permission)			В
PERMIT DENIAL			С
APPROVED JURISDICTIONAL DETERMINATION			D
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 <u>http://www.usace.army.mil/inet/functions/cw/cecwo/reg</u> 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

٦ ک REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons 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:				
If you have questions regarding this decision and/or the appeal	If you only have questions regarding the appeal process you may			
process you may contact:	also contact:			
Mr. Richard K. Spencer, Regulatory Project Manager	Mr. Arthur Middleton, Administrative Appeal Review Officer			
U.S. Army Corps of Engineers, Wilmington District	CESAD-ET-CO-R			
Wilmington Regulatory Field Office	U.S. Army Corps of Engineers, South Atlantic Division			
69 Darlington Avenue	60 Forsyth Street, Room 9M15			
Wilmington, North Carolina 228402 Atlanta, Georgia 30303-8801				
RIGHT OF ENTRY: Your signature below grants the right of entr	ry 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.

	Date:	Telephone number:
Signature of appellant or agent.		

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

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North Carolina Department of Environment and Natural Resources

Division of Water Quality

August 5, 2004

Michael F. Easley, Governor

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

Dear Dr. Thorpe:

Attachments

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.

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

Transportation Permitting Unit 1650 Mail Service Center, Raleigh, North Carolina 27699-1650 2321 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604 Phone: 919-733-1786 / FAX 919-733-6893 / Internet: http://h2o.enr.state.nc.us/ncwetlands

Wil Alan W. Klimek, P.E., Director





Sincere In C. Hermiss

Alan W. Klimek, P.E.

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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.

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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+	0.04	0
	40 -Y1 -		
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	3.62	0
	12+23-14+03-Y8-		
2A	6+50-RP"D"-	0.13	0
3	285+59-287+09	4.25	0
	15+85-18+27-Y8-		
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	341
		Canal	
6	134+00-136+00	UT to Back Swamp	338
		Canal	
Site R-513BB	Station Number	Stream Name	Impact (feet)
6	200+21	UT to Little Back	246
		Swamp	
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	230
		Swamp	
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.

NCDOT TIP No. R-513 Page 3 August5, 2004

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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

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- 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

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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-QF WATER QUALITY

Alan W. Klimek, P.E.

WQC No. 3468

DWO 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

_____, hereby state that, to the best of my abilities, due care I, ___ 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:_____

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Agent's Certification

_____, hereby state that, to the best of my abilities, due care I,_____ 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

_____, as a duly registered Professional Engineer in the State I, __ 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 _____

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

September 10, 2004

Regulatory Division

Action ID. 200300999



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

Dear Dr. Thorpe:

In accordance with the written request of May 5, 2004, and the ensuing administrative record, enclosed is a 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).

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

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

a. You must complete construction before December 31, 2007.

b. You must notify this office in advance as to when you intend to commence and complete work.

c. You must allow representatives from this office to make periodic visits to your worksite as deemed necessary to assure compliance with permit plans and conditions.

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

Sincerely,

G. Kenneth

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

Enclosures

Copy Furnished with enclosures:

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

Copies Furnished with special conditions and plans:

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

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

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

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

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

Mr. William D. Gilmore, P.E. EEP Transition Manager Ecosystem Enhancement Program 1652 Mail Service Center Raleigh, NC 27699-1652

DEPARTMENT OF THE ARMY PERMIT

NC Department of Transportation

Permittee____

Issuing Office _

200300999 Permit No. _____

USAED, Wilmington

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 <u>December 31, 2007</u>. 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.

ENG FORM 1721, Nov 86

EDITION OF SEP 82 IS OBSOLETE.

(33 CFR 325 (Appendix A))



RECEIVED

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.

snoitibnoJ laisag

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 suthorize 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

NC DEPARTMENT OF TRANSPORTATION

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

(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)



North Carolina Department of Environment and Natural Resources

Division of Water Quality

August 5, 2004

Michael F. Easley, Governor

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

RECEIVED

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

PEGULATORY

AUG 1 0 2004

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.

Sincerel Im C. Herman Álan 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+	0.04	0
	40 -Y1 -	\ 	
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	3.62	0
	12+23-14+03-Y8-		
2A	6+50-RP"D"-	0.13	0
3	285+59-287+09	4.25	0
	15+85-18+27-Y8-		
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	341
		Canal	
6	134+00-136+00	UT to Back Swamp	338
		Canal	
Site R-513BB	Station Number	Stream Name	Impact (feet)
6	200+21	UT to Little Back	246
		Swamp	
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	230
		Swamp	
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.

NCDOT TIP No. R-513 Page 3 August5, 2004

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-QF WATER QUALITY

mess

// Alan W. Klimek, P.E.

WQC No. 3468

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

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1. All work authorized by this permit must be preformed 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 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.

2

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.





	LEGEND
WLB WETLAND BOUNDARY	X X LIVE STAKES
WLB WETLAND	BOULDER
DENOTES FILL IN WETLAND	COIR FIBER ROLLS
DENOTES FILL IN SURFACE WATER	5 ADJACENT PROPERTY OWNER OR PARCEL NUMBER
DENOTES FILL IN SURFACE WATER (POND)	PROPOSED BRIDGE
DENOTES TEMPORARY FILL IN WETLAND	PROPOSED BOX CULVERT
DENOTES EXCAVATION IN WETLAND	PROPOSED PIPE CULVERT
DENOTES TEMPORARY FILL IN SURFACE WATER	(DASHED LINES DENOTE EXISTNG STRUCTURES)
DENOTES MECHANIZED	SINGLE TREE
← ← FLOW DIRECTION	And the the the woods LINE
WE TOP OF BANK	DRAINAGE INLET
^{WE} EDGE OF WATER ^C PROP.LIMIT OF CUT	ROOTWAD
F PROP.LIMIT OF FILL	
PROP.RIGHT OF WAY	VANE VANE
	RIP RAP
PL - PROPERTY LINE	
TDE TEMP. DRAINAGE EASEMENT PDE PERMANENT DRAINAGE EASEMENT	RIP RAP ENERGY DISSIPATOR BASIN
- EAB- EXIST. ENDANGERED ANIMAL BOUNDARY	
- EPB - EXIST. ENDANGERED PLANT BOUNDARY	
WATER SURFACE	
	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 APRIL, 2002



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Same and Same















, , , , , , , , , , , , , , , , , , ,			PACTS Equation													2 0	PORTATION HWAYS	NTY	- R-513 A Rev 4/2004	Rev 3/2004 APRIL, 2002
			DITCH IMPACTS Boussinesq Equation	0.87			-	:								0 0.87	N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS	ROBESON COUNTY	PROJECT: 6.469002T - R-513 A Rev 4	15
			Enclosed Channel (ft)	230						79						308	N.C. DE DIV		PROJE	Sheet (3 of
			Relocated Channel													0	L		•	<u> </u>
		2	R IMPACTS Existing III Channel Impacted (ff)	1715						164	-					1879				
			SURFACE WATER Fill In SW Temp. Fill (Pond) In SW (ac) (ac)			REAM							<u>.</u>			•				
			SURFAC Fill In SW Fill In SW (Natural) (Pond) (ac) (ac)	┢		CTIONAL ST				07						0.46 0				
		SUMMARY	Clearing Fill Ir Mech Clearing Fill Ir (Method III) (Nat	┢		NON-JURISDICTIONAL STREAM	90.0	3	0.01	0.07	0 53	3			+	0.60				
		IMPACT S	AND IMPACTS M Excavation Cle In Wetlands (Meti (ac) (Ž		^						S	\bot	0.23				
•				ŀ							_			EGULATIONS			•			
			Fill In Temp. Fill Wetlands In Wetland (ac) (ac)				1 01		0.02		8 01			BUFFER R		9.18 0				
			Me Ei							E				RIVER) NC						
			Structure Size	1650mm		900mm		-		2 - 2.4m x 2.1m				SIN (LUMBER						
			Station (From/To)	13+00 TO 16+60 -L-	13+60 TO 14+20 RPBY1	28+10 -L-	33+38 to 33+75		12+78 Rp 'B'	12+42 -72-	82+00 TO 25+50			PEE DEE RIVER BASIN (LUMBER RIVER) NO BUFFER REGUI		TOTALS				
	· .		Site No.	1		2	е С	+	4	5	9	+		PE		_				

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• •		CTS	uation									0	RTATION AYS	 >	R-513 A Rev 4/2004	Rev 3/2004 APRIL, 2002		•		
		DITCH IMPACTS	Boussinesq Equation	0.353								0.353	N.C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS	ROBESON COUNTY	PROJECT: 6.469002T - R-513 A Rev					
												0	.C. DEPT. O	ROBES	PROJECT: 6	4 OF 75				
			d Enclosed Channel	<u>1</u> 02				24				94	z			SHEET # OF				
		S	Relocated Channel							-		0								
		IMPACT		523				20				573								
		SURFACE WATER IMPACTS	Temp. Fill In SW		MM							0								
		SURFAC	Fill In SW (Pond) (ha)		NAL STRE							0								
	ARY		Fill In SW (Natural) (ha)		NON-JURISDICTIONAL STREAM			0.029				0.186								
	SUMMARY	TS	Mech Clearing (Method III) (ha)		NON-JUR	0.026	0.003		0.215			0.244					•			
	IMPACT	WETLAND IMPACTS	Excavation In Wetlands (ha)								 TIONS	 ·0.094								- - -
		METL	Fill In Temp. Fill Wetlands In Wetland (ha) (ha)									0		•	•		•			
			Fill In Wetlands (ha)	0.058		0.409	0.007		3.242			 3.716								
			Structure Size	1650mm 0DV4	900mm			2 - 2.4m x 2.1m			PEE DEE RIVER BASIN (LUMBER RIVER)									
			Station (From/To)	13+60 TO 16+60 -L-	28+10 -L-	33+38 to 33+75	12+78 Rp 'B'	12+42 -72-	82+00 TO 85+50	÷	PEE DEE RIVER B	TOTALS								
			Site No.	-	2	m	4	S	9											

PROPERTY OWNER

•	5 7		PROPERTY OWN	JER	
	SITE	PARCEL	OWNER'S NAM	E	ADDRESS
	1	1	A.F. HORNE, Jr		202 US 74 Bus. W
		2, ∢	MARY H. HORNE		Maxton, NC 28364 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 M	IcALLUM	P.O. Box 205 Rockwell, NC 28138
~	4	3	ALEX STRICKLANI)	754 Cabinet Shop Rd Maxton, NC 28364
	5	7	CLINT HOWARD H	UNT	Rt 4 Box 47 Maxton, NC 28364
		8	KIMBERLY L. HUNT	A	Rt 4 Box 47 Maxton, NC 28364
		9	SENDORIAL C.CHA	VIS	Rt 2 Box 80A Pembroke, NC 28372
	6	53	ANTHONY & LIND FAYE DIAL	A	1766 Gaddys Mill Rd. Rowland, NC 283834
			CHARLES DAVIS		Rt 34 Box 80 149 Nealson Rd. Maxton, NC 28364
					OF TRANSPORTATION DN OF HIGHWAYS
				ROB	ESON COUNTY
				PROJEC	T:6.469002 - R-513 A
					M MAXTON BY-PASS AST OF SR 1166
L				SHEET 15 OF	15 APRIL, 2002















STA. 12 + 86.5 – CULVERT INSTRUCTION SE	5 0 10 CONST.REV. R /W REV.	ROADWAY DESIGN ENGINEER	HYDRAUL ENGINE
TEMPORARY CHANNEL CHANGE WITH LINER			
	TDE 4		
TOP		TOR TOR	
		/	
		STORA (120)	
	~ 1		
	\searrow		
IMPERVIOUS DIKE		Atto B3	
		Aug es	•
		Aug B3	

4. CONSTRUCT CULVERT. 5. CONSTRUCT ANY NECESSARY CHANNEL IMPROVEMENTS AND DIVERT FLOW THROUGH CULVERT. 6. COMPLETE ROADWAY.

8.4

Sheet

23









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IA 141957. RPB 2 @ 24 m x 18 m RCBC 0.012 0.012 0.024 0.015 0.017 135 0.01 2 11440.71. 2 @ 24 m x 18 m RCBC 0.002 0.002 0.015 0.017 135 0.01 1302 0.017 135 0.01 0.015 0.017 135 0.01 1302 0.01 0.016 0.016 0.016 0.016 0.016 0.01
IIS 74 FROM FAST OF SP 1166

	•	Natural Stream Design		5 13BA) 31166 3/2 ²⁰⁰⁴
	APACTS	Existing Channel Impacted	2586	NCDOT on of Highways eson county ct 6.4690027 (R-5 Nn-Lumberton from east of Sr St of Sr 1157
	SURFACE WATER IMPACTS	Temp. Fill In SW	0.017	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 19 OF 23 3/25/20
	SURFAC	Fill In SW (Pond)	0.274	DIV RC MAX US 7 US 7 V W SHEET
		Fill In SW (Natural)	0.974	
WETLAND PERMIT IMPACT SUMMARY		Mechanized Clearing (Method III)	0.499	
	IMPACTS	Excavation In Wetlands (ac)	0.021	
TLAND PER	WETLAND IMPACTS	Temp. Fill In Wetlands (ac)	0.002	
WE		Fill In Wetlands (ac)	4.413	
		Structure Size / Type		
		Station (From/To)	SUB-TOTAL SHEET #1 RAND TOTAL:	Form Revised 3/25/04
		Site No.	SUB-TOTAL S GRAND TOTAL:	Ľ

			Ĩ	WETLAND PERMIT IMPACT SUMMARY	RIT IMPAC	T SUMMARY					
				WETLAND IMPACTS	IMPACTS			SURFAC	SURFACE WATER IMPACTS	APACTS	
Site No.	Station (From/To)	Structure Size / Type	Fill In Wetlands (ha)	Temp. Fill In Wetlands (ha)	Excavation In Wetlands	Mechanized Clearing (Method III)	Fill In SW (Natural)	Fill In SW (Pond)	Temp. Fill In SW	Existing Channel Impacted	Natural Stream Design
-	85+80 to	NONE	0.813	(511)	1119	0.073	(114)	(na)	(na)	(E)	(E)
	87+14.77 -L-					C 10.0				-	
14	14+19.67 -RPR_	3@34m ×18m DCDC	0,00								
	14+40 - 71-	2 @ 2.4 m. x 1.0 m. RCBC	0.012		0.005		0.097			195	
7	12+86 -SR1-	2 @ 2.4 m. x 1.8 m. RCBC		0.001	0.001		0.02	0.006	0.007	41	
r.	18+28 tn	CIVOD									
	18+78 -SR1-							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	
										-	
9	134+00 to	2 @ 900 mm RCP and					0.032	0.051		103	
	120100	LUND									
7	140+30 to	NONE	0.044		-	900.0					-
	140+60 -L-					0000					
			1								
ω	145+58 to 148+15 1	3 @ 750 mm and 600 mm	0.917		0.003	0.123				-	
TOTALS			1.786	0.001	600.0	0 202	0.394	0 111	0.007	788	6
				1.0000	1 000.0	0.202			1 /00.0	00/	>
									NCDOT	DOT	
								IVID	DIVISION OF HIGHWAYS	HIGHWAVS	
								R	ROBESON COUNTY	OUNTY	
			-				•	PRO,	PROJECT 6.469002T (R-513BA)	9002T (R-5	13BA)
							-	US 7 TO W	TO WEST OF SR 1157	AST OF SR R 1157	1166
								 J	; ; ; ;	->	
	Form Revised 3/25/04							SHEET	20 OF 23	3	3/25/2004

		am Bm gn															_		104
	,	Natural Stream Design	Ê					 					0	0		S	513BA)	R 1166	3/25/2004
	APACTS	Existing Channel Impacted	(ш)										788	788	NCDOT	HIGHWAY	9002T (R-	AST OF S R 1157	۲ ۲
	SURFACE WATER IMPACTS	Temp. Fill In SW	(114)										0.007	0.007	NCI	DIVISION OF HIGHWAYS ROBESON COUNTY	PROJECT 6.469002T (R-513BA) MAXTON-LIIMBERTON	TO WEST OF SR 1157	ZI OF
	SURFAC	Fill In SW (Pond)	(114)										0.111	0.111		DIVI R(PRO. MAX	US 7 TO W	SHEET ZI
		Fill In SW (Natural) (ha)	0.011										0.394	0.405	L				
F SUMMARY		Mechanized Clearing (Method III) (ha)	(114)										0.202	0.202					
MIT IMPACT	IMPACTS	Excavation In Wetlands (ha)	(min)										0.009	0.009					
WETLAND PERMIT IMPACT SUMMARY	WETLAND IMPACTS	Temp. Fill In Wetlands (ha)	(211)				-				-		0.001	0.001					
W		Fill In Wetlands (ha)	12.11										1.786	1.786					
		Structure Size / Type	900 mm RCP																
		Station (From/To)	152+50.86 to	152+68.61 -L-									SUB-TOTAL SHEET #1	IUIAL:					Form Revised 3/25/04
		Site No.	σ										SUB-T	GRAND					Ľ

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		PROPERTY	
•		NAMES AND AI	- · · · · · · · · · · · · · · · · · · ·
	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

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	NAMES AND	ADDRESSES
PARCEL NO.	NAMES	ADDRESSES
2 9	CALVIN LOWRY	2252 HENRY BERRY ROAD
		ROWLAND, NC 28383
31	JERRY LOWRY	2252 HENRY BERRY ROAD
		ROWLAND, NC 28383
1		
		NCDOT
		DIVISION OF HIGHWAYS
		ROBESON COUNTY
		PROJECT: 6.469002T (R-513BA)
		MAXTON-LUMBERTON
		US 74 FROM EAST OF SR 11 TO WEST OF SR 1157

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		· Natural Stream Design																		0			1388)	1167	1011 1	0/18/2003
	PACTS	Existing Channel Impacted	1										75			-			83	138	OT	IIGHWAYS	DUNTY	BERTON	R 1164	0/
	SURFACE WATER IMPACTS	Temp. Fill In SW	(114)																	0	NCDOT	DIVISION OF HIGHWAYS	ROBESON COUNTY PRO.IF.CT 6 4690027 (R-513BB)	MAXTON-LUMBERTON	TO WEST OF SR 1164	ц С
	SURFAC	Fill In SW (Pond) (ha)	(2011)					0.005												0.005		DIVI	PRO.	MAX	TO W	aller 12
		Fill In SW (Natural) (ha)	/=/										0.009						0.019	 0.028	L					
UMMARY		Mechanized Clearing (Method III) (ha)	0.014		100	0.014		0.213	0.135			0.064			0.085		0.371			0.896						
T IMPACT SI	IMPÁCTS	Excavation In Wetlands (ha)						0.001	0.008						0.004		0.016			0.029						
WETLAND PERMIT IMPACT SUMMARY	WETLAND IMPACTS	Temp. Fill In Wetlands (ha)																		0						
WETL		Fill In Wetlands (ha)	0.121		0.088	0.00		1.283	1.079		0 564	400.0			/co.U		3.067			6.859						
		Structure Size / Type	NONE		NONE		1200 0.01		1200 mm & 900 mm RCP		1200 mm D/D		750 mm RCP				4 @ 1050 mm RCP		900 mm KCP							
		Station (From/To)	160+92.65 to	161+44.08 -L-	18+99.07 to	19+51.92 -SR5-	170+04 B0 to	172+15.80 -L-	188+99.69 to	191+93.48 -L-	194+51.36 to	195+93.06 -L-	200+20.89 -L-	214+40 EE +-	215+89.33 -L-		217+05.98 to	770.60.77	ZZ8+00.21 -L-							
		Site No.	+		7		6))	4	_	5		9	~	-		ω	c	ח	TOTALS:						

		Natural Stream Design																	0			3B)	157		9/18/2003
	PACTS	ng hed ted	(11)									 246						207	453	OT	JUNTY	PROJECT 6.469002T (R-513BB)	US 74 FROM WEST OF SR 1157	2 1164	
	SURFACE WATER IMPACTS	Temp. Fill In SW	(an)																0	NCDOT	ROBESON COUNTY	JECT 6.469	4 FROM WI	/EST OF SF	17 OF 18
	SURFAC	Fill In SW (Pond)	(96)				0.012												0.012		LVIU RC	PRO	MAA US 7	TO W	SHEET
		Fill In SW (Natural)	(44)									0.022						0.047	0.069		 				
UMMARY		Mechanized Clearing (Method III)	0.035	0.000	0.005	CCU.U	0.526	0.333		0.4.0	0.100			0.21		0.916			2.213						
WETLAND PERMIT IMPACT SUMMARY	IMPACTS	Excavation In Wetlands	62	4			0.002	0.02						0.01		0.04			0.072						
AND PERMI	WETLAND IMPACTS	Temp. Fill In Wetlands (ac)	()																0						
WETL		Fill In Wetlands (ac)	0 299		7100	117.0	3.169	2.665		1 202	Cer.			1.023		7.575			16.941						
		Structure Size / Type	NONE		NONE		1200 mm RCP	1200 mm & 900 mm RCP		1200 mm RCD		750 mm RCP				4 @ 1050 mm RCP		900 mm KCP							
		Station (From/To)	160+92.65 to	161+44.08 -L-	18+99.07 to	19+51.92 -SR5-	1/0+04.90 to 172+15.80 -1-	188+99.69 to	191+93.48 -L-	194+51.36 to	195+93.06 -L-	200+20.89 -L-	214+40 EE 4-	010000110	Z12+89.33 -L-	217+05.98 to		ZZ9+6U.Z/ -L-							Form Revised 3/22/01
		Site No.	+		2		n	4		5		ဖ	~	-		ω	6	ת	TOTALS:						For

PROPERTY OWNERS NAMES AND ADDRESSES

PARCEL NO.	NAMES	ADDRESSES
5	ETHEL LOWRY	3030 UNION SCHOOL RD.
		ROWLAND, N.C. 28383
6	LOIS OXENDINE	153 DIVINE STREET
		ROWLAND, N.C. 28383
18	JERRY FRANKLIN STONE	RT.1 BOX 221
		ROWLAND, N.C. 28383
2 4	FRANCES WATTS BRITT	422 E.JONES STREET
		RALEIGH, N.C. 27601
2 5	WILLIAM DANIEL PATE	307 SERPENTINE DRIVE
		SOUTHERN PINES, N.C. 28387
28	WILLIAM A. McCORMICK, JR.	P.O. BOX 223
		ROWLAND, N.C. 28383
30	DAVID H. FULLER	1705 N.WALNUT STREET
		LUMBERTON, N.C. 28358
31	JOHN W. BRADLEY, JR.	105 W.26TH STREET
		LUMBERTON, N.C. 28358
902	E. W. STONE	3802 US HWY 301
		ROWLAND, N.C. 28383

NCDOT DIVISION OF HIGHWAYS ROBESON COUNTY PROJECT: 6.469002T (R-513BB) MAXTON-LUMBERTON US 74 FROM WEST OF SR 1157 TO WEST OF SR1164

SHEET / & OF / 8 9/ 18/ 03







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				IMPACT 8	SUMMARY						
			WETL	10	S			SURFACE V	SURFACE WATER IMPACTS	ACTS	
Station	Structure	Eill In	Temp. Fill	Excavation	Boussinesq Equation	Mechanized Clearing	Fill In SW	Fill In SW	Existing Channel	Relocated	Fuctosed
(From/To)	Size	Wetlands	In Wetlands	In Wetlands	ā	E	(Natural)	(Pond)	Impacted	Channel	Channel (#)
250+34 TO 253+07 -L-	8' x 6'	3.60	(22)	0.35	(22)	0.05	(22)	(op)	()	()))	()
	RCBC										
282+14 TO 282+72 -L-		2.57		0.12		0.93					
12+23 TO 14+03 -Y8-											
285+59 TO 287+09 -L-	2@42"	3.93		0.05		0.27	0.15		827		781
15+85 TO 18+27 -Y8-	RCP										
32+42 TO 33+42 -Y3-		1.17									
51+63 TO 53+56 -Y8-		1.08		0.09	0.01	0.25					
756±00 1 1 T 0 DT											
20+00 -L- LI & KI								40.0			
272+90 -L- LT & RT						0.01	0.25		1056	476	777
290+85 -L-	42" RCP						0.12		413		403
							100				
308+00-L-							GU.U		230		216
252+00 TO 257+00 -1 -	66" RCP						0.54		2217		213
11+80 TO 13+50 -Y1-											
6+50 -RP"D"-		0.09				0.04					
									!		
TOTALS		12.44	0	0.61	0.01	1.55	1.10	0.54	4/43	4/6	2391
SITE 1: Wetlands considered total take	d total take							N.C. I	DEPT. OF TR	N.C. DEPT. OF TRANSPORTATION	NO
Total fill, exc., bousinnesq,	mechanized	mechanized clearing impacts=	cts=	4.00	acres				DIVISION OF	DIVISION OF HIGHWAYS	
Additional wetlands for total take=	take=			4.47 0.47	acres				RORESON COLINTY		
				0.47	acies						
									PROJECT: 6	PROJECT: 6.469200T R-513C	3C
Total R-513C Impacts = (12.44 + 4.47 + 0.61 + 0.01+ 1.55)	44 + 4.47 + 0.1	61 + 0.01+ 1.{	55) =	19.08	acres						Rev 4/2004 Rev 3/2004

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•			ļ		Channel (m)					238						237		123	66	6K	8		729	ATION	(S		16420	۲-2130 Rev 4/2004	Rev 3/2004
		ACTS		Relocated	Channel (m)											145							145	ANSPORT/	F HIGHWAY	COUNTY		0.4092UUI K	
		WATER IMPACTS	Existing	Channel	Impacted (m)					252						322		126	20	676	200		1446	N.C. DEPT. OF TRANSPORTATION	DIVISION OF HIGHWAYS	ROBESON COUNTY		PRUJEUT: 0.4092001 R-2130 Rev	
		SURFACE V		Fill In SW	(Pond) (ha)	//								0 247	117:0								0.217	N.C. I					
				Fill In SW	(Natural) (ha)					0.061						0.1		0.047	0.019	0.248	017.0		0.445						
			Mechanized	Clearing	(Method III) (ha)	0.019		0.377		0.11			0.101			0.005						0.016	0.628						
	SUMMARY	S		Equation	Uitch Impacts (ha)								0.004				-						0.004						
	IMPACT S	WETLAND IMPACTS			In Wetlands ((ha)	0.14		0.047		0.02			0.036										0.243						
		WETLA		Temp. Fill	In Wetlands (ha)														-				0						
					Wetlands (ha)	1.457		1.039		1.589		0.472	0.438									0.038	5.033						
				Structure	Size	2.4 x 1.8	RCBC			2@1050	RCP							1050 RCP											
				Station	(From/To)	250+34 TO 253+07 -L-		282+14 TO 282+72 -L-	12+23 TO 14+03 -Y8-	285+59 TO 287+09 -L-	15+85 TO 18+27 -Y8-	32+42 TO 33+42 -Y3-	51+63 TO 53+56 -Y8-	266+00 -1 -1 T & DT	200-00 -E- EI G NI	272+90 -L- LT & RT		290+85 -L-	308+00-L-	753+00 TO 257+00 1	11+80 TO 13+50 -Y1-	6+50 -RP"D"-	TOTALS						
				Site	Ž	-		2		3		4	2	4	,	F		œ	6		<u>x</u>	2A							

بو د	PROPERTY OWNE	R
SITE	OWNER'S NAME	ADDRESS
1	H. B. Chavis	RT. 6 Box 376 Lumberton, NC 2835
	Wiley Ray Chavis	RT. 6 Box 364 A Lumberton, NC 2835
	John Jacobs	RT. 6 Box 335 Lumberton, NC 2835
	Dexter Locklear	102 Eagle Dr. Lumberton, NC 2835
	E. W. Stone	RT.1 Box 221 Rowland, NC 28383
1A	H.B. Chavis and wife Lillian	R t.6 Box 376. Lumberton, NC 28358
	Doris C. Aitson	Rt. 6 Box 375 Lumberton, NC 28358
	Marquerite Chavis	13414 Oakdale Southgate, MI 48195
	Robert Anthony Chavis and wife Connie	RT.1 Box 366 Lumberton, NC 28358
	Margarette Ako	RT. 1 Box 374 Lumberton, NC 28358
2	Maitland T. Clabaugh	35 Clairmont Ave 9N New York, NY 1002
	L. A. Musselwhite	RT.1 Box 382 Lumberton, NC 28358
	N.	C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS
		ROBESON COUNTY
		PROJECT: 6.469002 - R-513 C RELOCATION OF US 74 FROM WEST OF SR 1164
		TO EAST OF NC 41 T 34 OF 36 Oct. 2003

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PROPERTY OWNER	1
OWNER'S NAME	ADDRESS
N.C.DOT	
Robert L. Currie, Jr.	1311 West 5th St. Lumberton, NC 28358
L. A. Musselwhite	RT. 1 Box 382 Lumberton, NC 28358
Cecil Thompson	1403 Elm St. Lumberton, NC 28358
K. M. Biggs, INC.	PO Box 967 Lumberton, NC 28359
Robert Chavis	RT. 6 Box 366 Lumberton, NC 28358
Linda B. Alphin	4900 Independence Dr. Lumberton, NC 28358
Carolina Power and Light	347 Military Cutoff F Wilmington, NC 2840
Meryle Barnes Jackson	2418 Colgate Dr. Fayetteville, NC 2830
Avis Barnes Tedder	300 Martin St. Fairmont, NC 283408
	C. DEPT. OF TRANSPORTATION DIVISION OF HIGHWAYS ROBESON COUNTY
	PROJECT: 6.469002 - R-513 C RELOCATION OF US 74 FROM WEST OF SR 1164 TO EAST OF NC 41
	N. C. DOT Robert L. Currie, Jr. L. A. Musselwhite Cecil Thompson K. M. Biggs, INC. Robert Chavis Linda B. Alphin Carolina Power and Light Meryle Barnes Jackson Avis Barnes Tedder

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▲ ▲	PROPERTY OWN	ER
SITE	OWNER'S NAME	ADDRESS
8	L. A. Musselwhite	RT.1 Box 382 Lumberton, NC 28358
	Bonnie I. Rhodes	1171 West 8th St. Lumberton, NC 28358
9	Cecil Thompson	1403 Elm St. Lumberton, NC 28358
		N. C. DEPT. OF TRANSPORTATIO DIVISION OF HIGHWAYS
		ROBESON COUNTY PROJECT: 6.469002 - R-513 C
		RELOCATION OF US 74 FROM WEST OF SR 1164 TO EAST OF NC 41
	SH	EET 36 OF 36 Oct, 2003