



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

January 21, 2005

MEMORANDUM TO: Mr. Terry R. Gibson, PE  
Division 6 Engineer

FROM: Philip S. Harris, III, P.E., CPM, Manager   
Office of the Natural Environment  
Project Development and  
Environmental Analysis Branch

SUBJECT: Bladen County, Widening of NC 87 ; Federal Aid Project No.  
NHF-17(7); State Work Order No. 6439001T; T.I.P. No.  
R-2562C and D

Attached is the modification of the U. S. Army Corps of Engineers 404 Individual Permit. All environmental permits have been received for the construction of this project.

PSH/gyb

Attachment

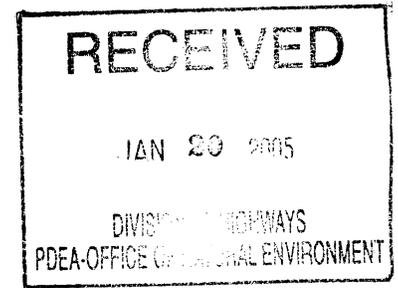
cc: Mr. Art McMillan, P.E.  
Mr. Jay Bennett, P.E.  
Mr. David Chang, P.E.  
Mr. Randy Garris, P.E.  
Mr. Greg Perfetti, P.E.  
Mr. Mark Staley  
Mr. Omar Sultan  
Mr. John F. Sullivan, FHWA  
Mr. Jim Rerko, Division 6 DEO



REPLY TO  
ATTENTION OF:

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

January 18, 2005



Regulatory Division

Subject: Action ID No. 2002-00048, TIP No. R-2562, NC 87 Widening, Bladen Counties, North Carolina.

Dr. Gregory J. Thorpe, Ph.D.  
Environmental Management Director  
Project Development & Environmental Analysis  
1548 Mail Service Center  
Raleigh, N.C. 27699-1548

Dear Dr. Thorpe:

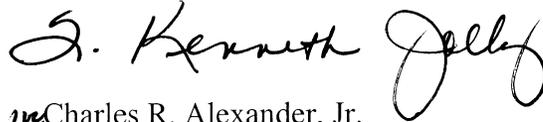
On 16 November 2004, the Corps of Engineers received additional information from the State Historic Preservation Office concerning the potential effects the highway construction would have on the W.H. White House, a potentially eligible historic property located adjacent to the proposed highway improvement project. It was ascertained that if the evergreen hedgerows that are currently located at the front of the property, are removed or disturbed, a visual effect would occur as a result of the highway construction. This potential effect was discussed with Ms. Mary Pope Furr, Ms. Elizabeth Lusk and Mr. Brett Feulner of your office. As a result of this discussion, your office redesigned the road improvements so that construction would avoid any disturbance to the vegetation in front of the property. This revision would eliminate the highway's visual affect on the W.H. White House. Therefore, to comply with Section 106 of the Historic Preservation Act the permit is hereby modified. This modification reflects the redesign of the roadway, as shown on the attached plan and avoidance of the potential visual effect to the W.H. White House. I have determined that the redesign as described above is not contrary to the public interest and therefore, the DA permit is hereby modified as follows:

Special Condition 6 shall read – *The permittee shall maintain the existing right-of-way (ROW) in front of the W.H. White House, Robeson House (Walnut Grove Plantation), Purdie Methodist Church and Porter-Allen House Historic properties. No construction encroachment into these properties shall occur outside of the existing ROW. The 60-inch Oak and evergreen trees currently located in front of the W.H. White House and within the current NCDOT ROW shall be protected from disturbance by the use of an erected barrier fence. None of this vegetation along the front of the W.H. White House shall be disturbed or removed in order to maintain a visual barrier from the NC 87 roadway.*

Furthermore, please note that all unmodified terms and conditions of your original Department of the Army permit shall remain in effect and the original permit expiration date shall remain the same.

Should you have any questions, please contact Mr. Richard Spencer, Wilmington Field Office, Regulatory Division, at telephone (910) 251-4172.

Sincerely,



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

Enclosures

Copies Furnished (with enclosures):

Sarah McBride  
N.C. State Historic Preservation Office  
4617 Mail Service Center  
Raleigh, NC 27699-4617

Mr. John Hennessy  
NCDENR-DWQ  
Wetlands Section  
1650 Mail Service Center  
Raleigh, NC 27699-1650

Mr. Chris Militcher  
United States Environmental Protection Agency  
Raleigh Office/Office of Environmental Assessment  
310 New Bern Avenue, Room 206  
Raleigh, NC 27601

Mr. Art King  
Division Environmental Officer, Division 8  
North Carolina Department of Transportation  
P.O. Box 1067  
Aberdeen, North Carolina 28315

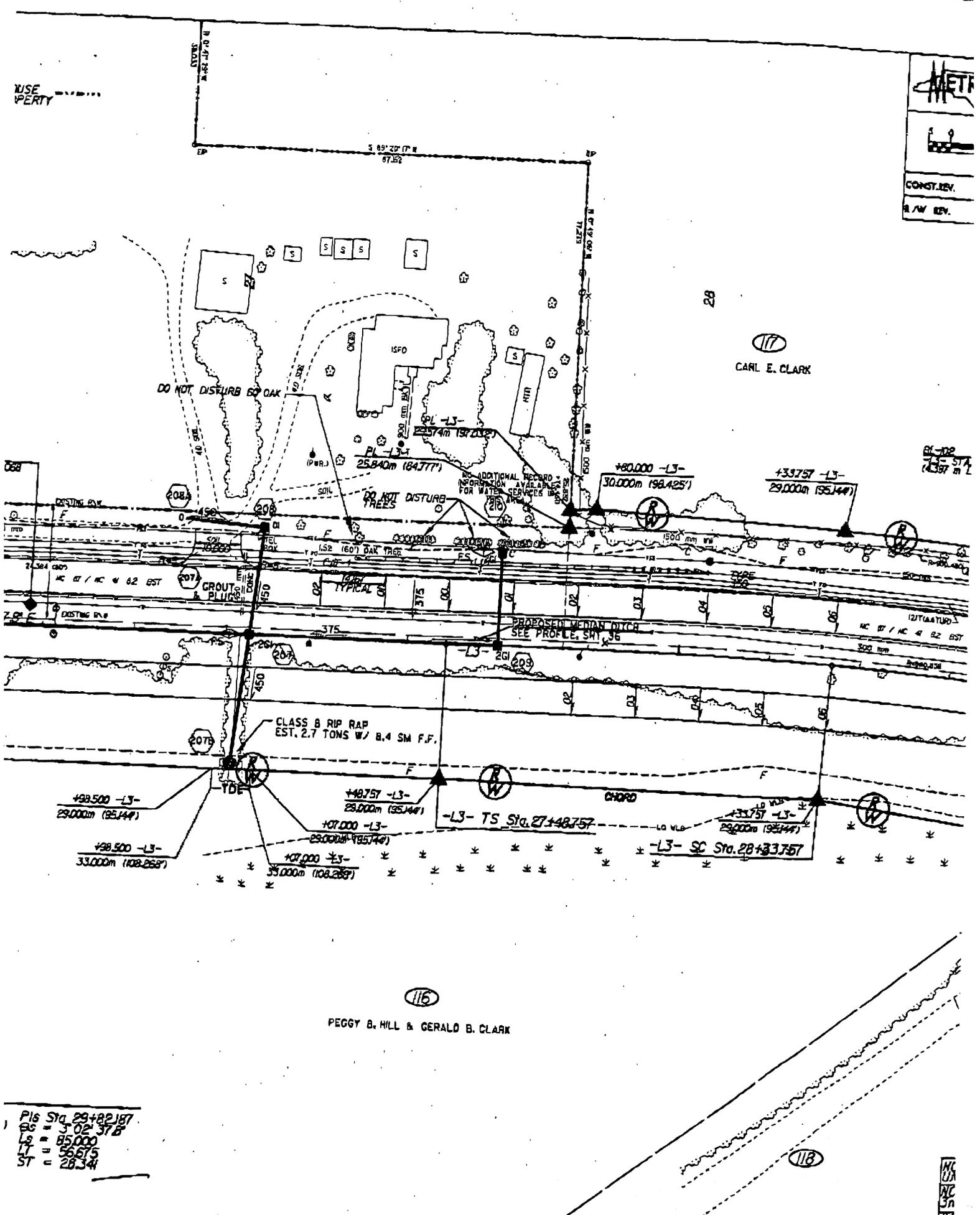
Mr. James J. Rerko, PWS  
Division Environmental Officer  
North Carolina Department of Transportation  
Division 6  
P.O. Box 1150  
Fayetteville, North Carolina 28302-1150



USE  
PROPERTY



CONST. REV.  
R/W REV.



117  
CARL E. CLARK

116  
PEGGY B. HILL & GERALD B. CLARK

Pls Sta. 29+82.87  
PG = 3'02'37.8  
Ls = 85.000  
LT = 56.675  
ST = 28.34

INC  
OR  
SR  
INC

**Project Commitments**  
**NC 87**  
**WIDENING OF NC 87, BLADEN COUNTY**  
**Federal Aid Project No. NHF-17(7)**  
**State Project Nos. 6439001T**  
**TIP Project No. R-2562C and D**

In addition to the standard Section 404 Individual Permit (IP) General Conditions and Section 401 Water Quality Certification (WQC) Conditions, the following special commitments have been agreed to by NCDOT:

**Commitments Developed through Project Development**

1. Construction related impacts of the proposed action on water resources will be minimized through erosion and sedimentation control measures as set forth in NCDOT's Best Management Practice for the Protection of Surface Waters
2. To reduce storm water runoff and the potential to introduce low levels of pollutant concentrations into surface water, grass swales will be used where practical.
3. Large fills and drainage features will be designed to preserve the natural environment.
4. The proposed project will be designed so the flood way can carry the 1 00-year flood without increasing the floodwater elevation more than one foot.
5. All unnecessary construction activity will be kept out of wetland areas.
6. A wetland mitigation plan for the project will be developed in conjunction with the permit application.
7. In consultation with SHPO, NCDOT committed to the following during final design phase of the project:
  - Walnut Grove Plantation -Any landscape material between the house and the right-of-way will not be removed. A median crossover near the Beth Carr Presbyterian Church will be investigated during final design;
  - W.H. White House -The removal of any trees within the temporary construction easement will be avoided. Any landscaping materials removed by the temporary construction easement will be replaced. A median crossover in the vicinity of the property will be investigated during final design;
  - DeVane MacQueen House -A median crossover in the vicinity of the house will be investigated during final design;
  - Purdie Methodist Church -A median crossover between SA 1344 and SA 1342, and as close as possible to the church, will be investigated during final design

**Commitments Developed through Permitting**

Division 6 Construction

The permittee shall maintain the existing right-of-way (ROW) in front of the W.H. White House, Robeson House (Walnut Grove Plantation), Purdie Methodist Church and Porter-Allen House Historic properties. No construction encroachment into these properties shall occur outside of the existing ROW. The 60-inch Oak and evergreen trees located in front of the WH White House and within the current NCDOT ROW shall be protected from disturbance by the use of an erected barrier fence. None of this vegetation along the front of the WH White House shall be disturbed or removed in order to maintain a visual barrier from the NC 87 Roadway.

### PDEA- Office of Natural Environment, Division 6 Construction, Roadside Environmental

The permittee shall mitigate for 189 linear feet of unavoidable impact to streams with important aquatic function, associated with this project, by completing 189 linear feet of onsite stream restoration, as described in the permit application. The stream restoration shall be constructed by removal of the perched box culvert at Site 2, Section D and construct a new culvert that will be depressed to allow for fish passage.

The permittee shall mitigate for 0.27 acres of unavoidable impact to riverine wetlands, associated with this project, by removing the existing culvert at Site 7, Section C and constructing a 210 foot long bridge, thereby restoring 0.27 acres of riverine marsh wetlands in the Lumber River Basin. This restoration shall be constructed as described in the permit application. The permittee shall complete an as-built survey of the mitigation site within sixty days of completion of the site construction. The permittee shall document the final grade elevations as compared to the existing undisturbed marsh grades, water surface elevations, vegetation plantings, and any structures installed. The permittee shall also include in the as-built survey: photo documentation at representative segments and structures; and a plan view diagram. The permittee shall photo monitor the mitigation site for one year following completion of the highway project. Success shall be determined by comparing vegetation and hydrology in the restored site with the adjacent undisturbed wetland. If after one year the hydrology and vegetation do not mimic the reference site, remediation may be necessary and monitoring of the mitigation site extended.

Compensatory mitigation for the unavoidable impacts to 1.92 acres of riverine wetlands, 2.39 acres of non-riverine wetlands, and 440 linear feet of stream associated with the proposed project shall be provided by the Ecosystem Enhancement Program (EEP), as outlined in the letter dated 5 August 2004 from William D. Gilmore, EEP Transition Manager. The EEP will provide 19.2 acres of preservation of riverine wetlands, 23.9 acres of non-riverine wetlands, and 4,400 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 1.92 acres (1.01 acres in the Cape Fear Basin, 0.91 acres in the Lumber River Basin) of restoration of riverine wetlands, 2.39 acres (0.36 acres in the Cape Fear Basin, 2.03 acres in the Lumber River Basin) of restoration of non-riverine wetlands, and 440 linear feet (223 linear feet in the Cape Fear Basin, 217 linear feet in the Lumber River Basin) of restoration of Warm water stream channel in the Cape Fear River basin (Hydrologic Cataloging Unit 03030005) and in the Lumber River Basin (Hydrologic Cataloging Unit 03040203), respectively, by July 22, 2005 and half of the proposed preservation mitigation would be available at that time for mitigation for other project impacts. 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.

### Division 6 Construction

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 (#9) 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 (#9). 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.

The permittee shall maintain the existing right-of-way (ROW) in front of the W.H. White House, Robeson House (Walnut Grove Plantation), Purdie Methodist Church and Porter-Allen House Historic properties. No construction encroachment into these properties shall occur outside of the existing ROW. The 60-inch Oak located on the W.H. White House shall be protected from disturbance by the use of an erected barrier fence. All removed vegetation along the front of the W.H. White House shall be replaced in kind after final grading is completed to maintain a visual barrier from the roadway.

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 clearing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.