



DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS

P.O. BOX 1890  
WILMINGTON, NORTH CAROLINA 28402-1890

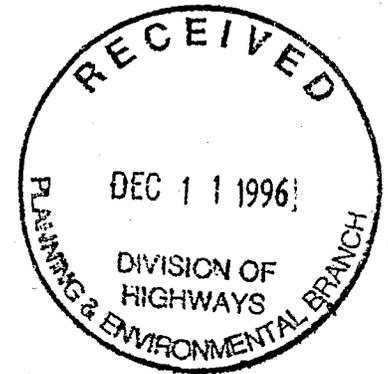
December 9, 1996

IN REPLY REFER TO

Regulatory Branch

Action ID No. 199301223

Mr. H. Franklin Vick, P.E., Manager  
Planning and Environmental Branch  
North Carolina Department of Transportation  
Post Office Box 25201  
Raleigh, North Carolina 27611-5201



Dear Mr. Vick:

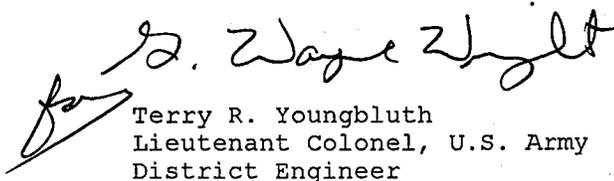
Please reference the Department of the Army (DA) permit issued to the North Carolina Department of Transportation (NCDOT) on November 15, 1996, to fill 4.72 acres of Section 404 wetlands located adjacent to the Neuse River, in order to construct a new connector over the Neuse River from State Road 1915, eastward to NC 111, in Goldsboro, Wayne County, North Carolina. Also reference the cease and desist directive to Dr. Larry Goode dated October 10, 1996, and your letters dated October 16, 1996, and November 25, 1996, concerning an after-the-fact permit modification for a temporary access road.

According to your letter dated November 25, 1996, the temporary access road is no longer necessary. A site visit conducted on November 26, 1996, by Mr. Tom Walker of the Washington Regulatory Field Office, revealed that all fill material associated with the unauthorized construction of the access road has now been removed. In order to complete the restoration of the area, your Department of the Army Permit is hereby modified to include the following permit special conditions:

- a. The impact area is to be immediately stabilized with a temporary crop of Wheat, to be followed, in the Spring of 1997, by a permanent mixture of native vegetation as requested by the North Carolina Wildlife Resources Commission.
- b. Tree species are to be planted in all areas outside the original permitted boundary which were impacted by the unauthorized temporary access road. Species to be planted include Bald Cypress (*Taxodium distichum*), Green Ash (*Fraxinus pennsylvanicus*), Willow Oak (*Quercus phellos*), and Black Gum (*Nyssa sylvatica*). Trees are to be planted on 6' center, random spacing, at a minimum rate of 320 trees/acre.
- c. All Construction authorized by this permit shall cease if the planting of all hardwoods is not completed by March 15, 1997.
- d. An as-built report for this restoration area will be submitted to the Corps of Engineers Washington Regulatory Field Office by April 30, 1997.
- e. The monitoring period for the restoration site will be three years from completion of planting. The permittee must attain and document an 80% survival rate for tree plantings at the end of the third monitoring year.

Thank you for your time and cooperation. Any questions regarding this correspondence may be directed to Mr. Michael Bell, NCDOT Coordinator and Regulatory Project Manager at the Washington Regulatory Field Office, telephone (919) 975-1616, extension 26.

Sincerely,

  
Terry R. Youngbluth  
Lieutenant Colonel, U.S. Army  
District Engineer

Copies Furnished:

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