



United States
Department of
Agriculture

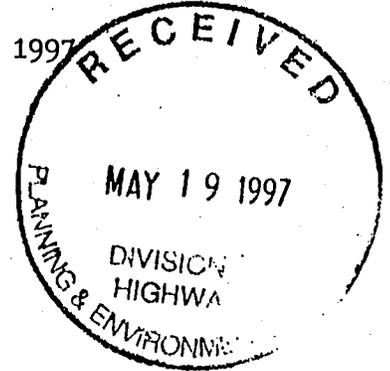
Forest
Service

National Forests
in North Carolina

160A Zillicoa Street
P.O. Box 2750
Asheville, NC 28802

File Code: 2730/5400

Date: May 15, 1997



Calvin W. Leggett, P.E.
Director, Planning and Programming
State of North Carolina
Department of Transportation
Division of Highways
P.O. Box 25201
Raleigh, NC 27611-5201

Dear Mr. Leggett:

In Response to your March 19, 1997 letter and as discussed during the meeting held on May 5, 1997, we concur with the exchange and transfer of lands as part of the mitigation for the US 70, Havelock Bypass, project.

Your proposal indicates that approximately 1,300 acres of lands would be exchanged to mitigate the effects to National Forest System lands and the remaining acres (approximately 2,900 acres) would be retained by the State as a wetland mitigation bank. Upon demonstration of success, the mitigation site would be donated to the U.S. Forest Service for perpetual management.

Our authority to enter into this transfer is limited to exchanging lands of equal value based on appraised fair market value or donation. To minimize the cost in processing this transaction (re-survey of tract into two parcels, title insurance, etc...) we would like you to consider transferring the entire tract as one parcel. In this, your agency would reserve the right within the deed to complete the wetlands restoration to meet Corps of Engineers (COE) mitigation requirements.

Prior to this, appraisals will have to be conducted to establish the fair market value of the exchange tracts so we can transfer ownership of the fragmented lands to the State of North Carolina based on equal values. This will not effect COE wetlands restoration requirements as we would be willing to stipulate within the deed that the identified areas could be restored to wetlands on the entire tract regardless of the actual acres involved in the exchange and donation.

Thank you for the efforts both you and your staff have placed in the coordination of this project on National Forest System lands. Should you have any questions regarding this, please call Ray Johns at 704-257-4859.

Sincerely,

John F. Ramey

JOHN F. RAMEY
Forest Supervisor

