



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

September 8, 2005

U. S. Army Corps of Engineers
Asheville Regulatory Field Office
151 Patton Avenue Room 208
Asheville, North Carolina 28801-5006

Attention: Mr. Steve Lund
NCDOT Coordinator

Subject: **Request for Permit Modification** for TIP No. R-2224 A, Jackson
County, Construction of climbing lanes along NC 107 between Cashiers
and East Laporte; State Project No. 6.961013, Division 14.

Reference: Individual Permit, USACE Action ID No. 200230408, issued on February
19, 2002. Major Certification, DWQ Project No. 000536, issued on
February 28, 2002.

Dear Sir:

The U.S. Army Corps of Engineers (USACE) issued a Section 404 Nationwide permit to the North Carolina Department of Transportation (NCDOT) on February 19, 2002 for construction of climbing lanes along NC 107 between Cashiers and East Laporte, Jackson County. The purpose of this letter is to request a modification of Permit Site No. 3 in regards to pipe size and bank remediation.

We are requesting that the existing 24-inch diameter pipe at Permit Site No. 3 be replaced with a 42-inch diameter pipe. The replacement pipe will have a flat bottom and will be the same length as the existing pipe. This change is requested due to the pipe backing up during recent storm events because it is not of adequate size.

Additionally, approximately 150 feet of streambank on the west side of the stream are in need of repair due to sloughing. The bank at the waters edge is stable. The bank will be repaired without dropping any material into the water, then the bank will be seeded, mulched, and covered with coir fiber matting to prevent erosion. The stream bank will then be staked with the appropriate species this winter.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-733-3141
FAX: 919-733-9794

WEBSITE: WWW.DOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

The revised design does not compromise NCDOT's compliance with the existing permit conditions. The new impact site has been evaluated for compliance with the avoidance/minimization criteria and is in compliance with all previous Individual Permit conditions, including:

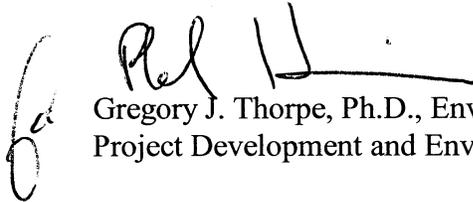
- Protected Species
- Cultural Resources
- Aquatic Life passage
- FEMA compliance
- Utilities

Regulatory Approval

The NCDOT respectfully requests that the referenced 404 Individual Permit be modified to reflect the revisions outlined in this letter. In compliance with Section 143-215.3 of the NCAC, we will provide \$475.00 to act as payment for processing the Section 401 permit modification previously noted in the application (see Subject line).

If you have any questions about this request, please contact Megan Willis of my staff at (919) 715-1341.

Sincerely,



Gregory J. Thorpe, Ph.D., Environmental Management Director
Project Development and Environmental Analysis Branch

cc: w/attachment

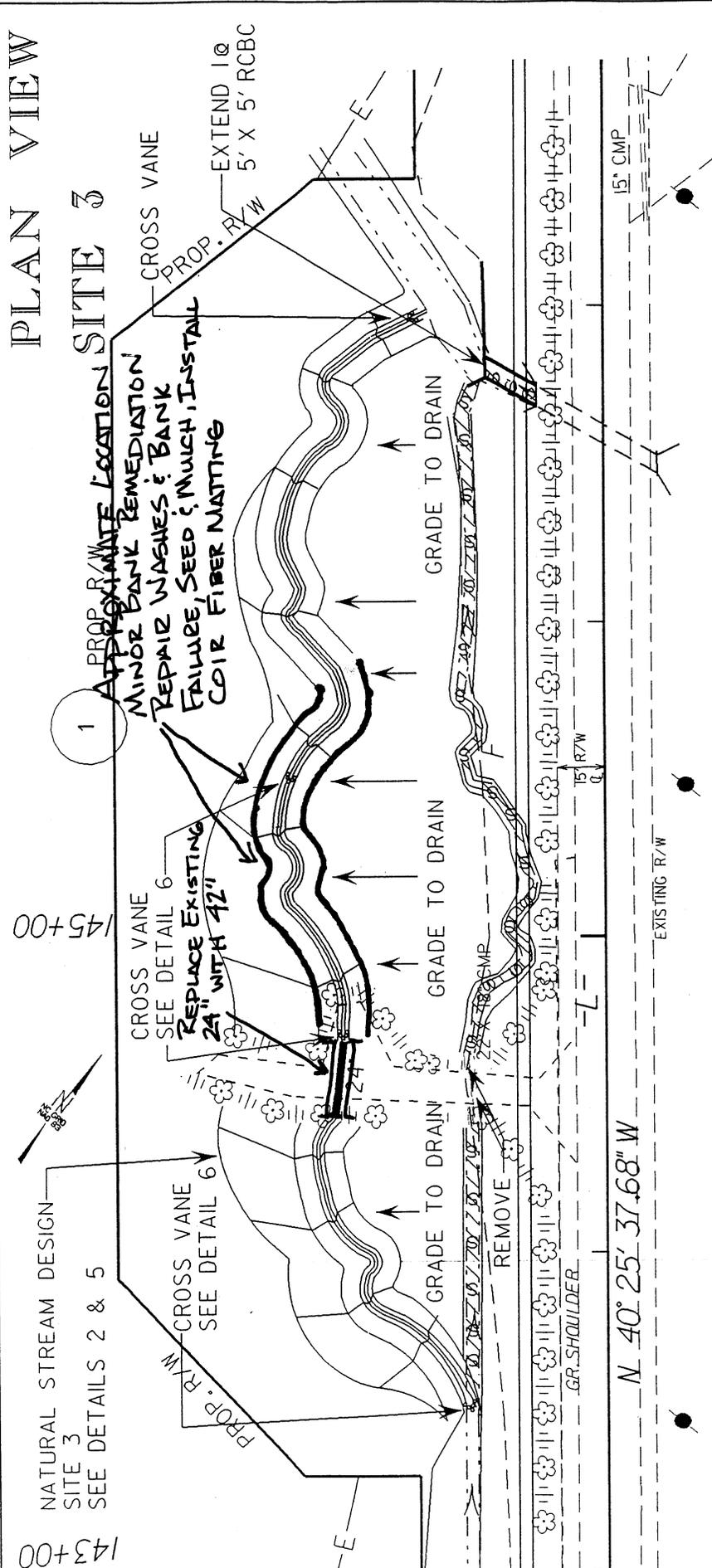
- Mr. John Hennessy, NCDWQ (7 copies)
- Ms. Marella Buncick, USFWS
- Ms. Marla Chambers, NCWRC
- Dr. David Chang, P.E., Hydraulics
- Mr. Greg Perfetti, P.E., Structure Design
- Mr. Mark Staley, Roadside Environmental
- Mr. J. B. Setzer, P.E., Division 14 Engineer
- Mr. Mark Davis, Division 14 Environmental Officer

w/o attachment

- Mr. Jay Bennett, P.E., Roadway Design
- Mr. Omar Sultan, Programming and TIP
- Mr. Art McMillan, P.E., Highway Design
- Mr. Scott McLendon, USACE, Wilmington

PLAN VIEW

APPROXIMATE LOCATION SITE 3

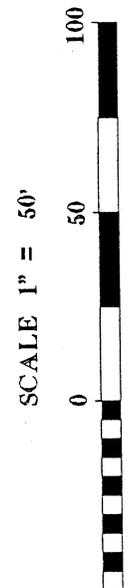


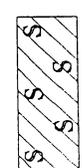
NATURAL STREAM DESIGN
SITE 3
SEE DETAILS 2 & 5

143+00

145+00

N. C. DEPT. OF TRANSPORTATION
DIVISION OF HIGHWAYS
JACKSON COUNTY
PROJECT: 6.961023 (R-2224A)
NC 107, FROM 1.9 MI. NORTH OF
CASHIERS TO 1.2 MI. SOUTH OF
SR 1120.
JANUARY 9, 2002
SHEET 8 OF 28



 DENOTES FILL SURFACE WATER