



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

February 22, 2010

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

ATTN: Ms. Liz Hair
NCDOT Coordinator

Subject: **Withdrawal of Application for Section 404 Nationwide Permit 23 and Section 401 Water Quality Certification** for the proposed replacement of Bridge No. 145 over Wiley Branch Creek on SR 1121 (Cabarrus Station Road) in Cabarrus County, Federal Aid Project No. BRZ-1121(8); Division 10; WBS Element 33414.1.1; TIP No. B-4048.

Reference: November 5, 2009 Application for Section 404 Nationwide Permit 23 and Section 401 Water Quality Certification
December 4, 2009 On Hold Letter NCDWQ #09-1204

Dear Madam:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 145 over Wiley Branch Creek on SR 1121. The NCDOT submitted a permit application dated November 5, 2009 which stated that there would be 238 permanent stream impacts due to the installation of a culvert.

The Division of Water Quality issued an On Hold Letter dated December 4, 2009 while the DOT investigated a bottomless culvert. The DOT has determined that a bottomless culvert design is appropriate for this project. Due to design revisions, the Nationwide Permit 23 and Water Quality Certification are no longer required. NCDOT hereby requests the previous application and On Hold Letter to be withdrawn.

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If you have any questions or need additional information, please e-mail Jennifer Harrod at jwharrod@ncdot.gov.

Sincerely,



for Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA

W/attachment:

Mr. Brian Wrenn, NCDWQ (2 Copies)
Ms. Marella Buncick, USFWS
Ms. Marla Chambers, NCWRC

W/o attachment (see website for attachments):

Dr. David Chang, P.E., Hydraulics
Mr. Greg Perfetti, P.E., Structure Design
Mr. Victor Barbour, P.E., Project Services Unit
Mr. Mark Staley, Roadside Environmental
Mr. Barry Moose, P.E., Division 10 Engineer
Mr. Larry Thompson, Division 10 Environmental Officer
Mr. Jay Bennett, P.E., Roadway Design
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Art McMillan, P.E., Highway Design
Mr. Scott McLendon, USACE, Wilmington
Ms. Natalie Lockhart, Project Planning Engineer