



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

February 5, 2010

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

ATTN: Mr. David Baker  
NCDOT Coordinator

Subject: **Withdrawal of Application for Section 404 Nationwide Permit 12** for the proposed replacement of Bridge No. 82 over Jacktown Creek on NC 226 in McDowell County, Federal Aid Project No. BRSTP-226(10); Division 13; WBS Element 33538.1.1; TIP No. B-4191.

Reference: December 16, 2009 Application for Section 404 Nationwide Permit 12

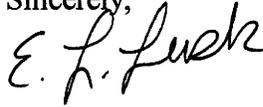
Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 82 over Jacktown Creek on NC 226. The NCDOT submitted a permit application dated December 16, 2009 which stated that there would be <0.01 acre (9 linear feet) of potential temporary stream impacts due to the installation of a 12-inch waterline. Subsequently, a Nationwide 12 Permit (Action ID: SAW-2009-0707) was issued for the project.

Since the permit was issued, the decision was made to relocate the waterline across the top of the culvert, then remove or abandon the existing line. Due to this revision, the Nationwide 12 Permit is no longer required. NCDOT hereby requests the application and Nationwide 12 Permit be withdrawn.

If you have any questions or need additional information, please e-mail Jennifer Harrod at [jwharrod@ncdot.gov](mailto:jwharrod@ncdot.gov).

Sincerely,



*GT* 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. J.J. Swain, P.E., Division 13 Engineer  
Mr. Roger Bryan, Division 13 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  
Mr. Vincent Rhea, PDEA Project Planning Engineer  
Mr. Ronald Wilkins, Utilities Squad Leader  
Mr. Ricky Tipton, Division 13 Construction Engineer  
Mr. Brian Skeens, Division 13 Resident Engineer  
Mr. Yates Allen, Division 13 Environmental Specialist  
Mr. Roger Worthington, Utilities Section Engineer