



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 27, 2007

U. S. Army Corps of Engineers
Regulatory Field Office
PO Box 1890
Wilmington, NC 28402-1890

ATTENTION: Mr. Richard Spencer
NCDOT Coordinator, Division 8

Dear Sir:

SUBJECT: **Rescinding Section 404 Nationwide Permit 23 Application.**
Replacement of Bridge No. 257 on SR 2824 (Pinehill Rd.) over Vestal Creek, Randolph County, North Carolina. Federal Aid Project No. BRZ-2824(4), State Project No. 8.2573901, WBS Element 33588.1.1, TIP No. B-4245.

This memo serves to rescind the previously submitted USACE Nationwide 23 Permit Application dated August 1, 2007. Per conversations on October 24, 2007 with Ashley Cox, it has been determined that the impacts associated with this project prompting the permit application are no longer applicable. Original designs at the time of the application included placing a rip rap out-fall in the channel of Vestal Creek, functioning to decrease storm water velocities and scour along the bank. The new design plans include a rip rapped channel just as before, however the rip rap is now proposed to end outside of the top of bank. With this design there will be no impacts to surface waters, prompting the No Permit Required determination. Please disregard the aforementioned permit application package.

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

TELEPHONE: 919-715-1334 or
919-715-1335

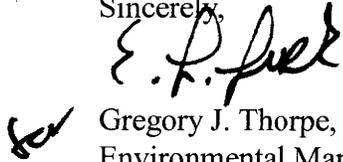
FAX: 919-715-5501

WEBSITE: WWW.NCDOT.ORG

LOCATION:
2728 CAPITAL BLVD. SUITE 240
RALEIGH NC 27604

If you have any questions or need additional information, please contact Ashley Cox at 919-715-5534 or acox@dot.state.nc.us.

Sincerely,

Handwritten signature of Gregory J. Thorpe in black ink, appearing as 'G. J. Thorpe'.

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

Cc

Mr. John Hennessy, NCDWQ
Mr. Travis Wilson, NCWRC
Mr. Gary Jordan, USFWS
Dr. David Chang, P.E., Hydraulics
Mr. Mark Staley, Roadside Environmental
Mr. Greg Perfetti, P.E., Structure Design
Mr. Victor Barbour, Project Services Unit
Mr. Tim Johnson, P.E, Division 8 Engineer
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. Terry Harris, P.E., PDEA
Mr. Art King, Division 8 Environmental Officer