



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

August 10, 2012

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

ATTN: Ms. Sarah Elizabeth Hair
NCDOT Coordinator

Dear Madam:

Subject: **Withdrawal of Application for Section 404 General Permit No. 31 and Section 401 Water Quality Certification; Notice of Use for Nationwide 13** for the proposed replacement Bridge 118 over Lanes Creek on SR 1937 (Old Pageland- Marshville Rd) in Union County, Federal Aid No. BRZ-1937(2); Division 10; TIP B-4652.

Reference: April 13, 2012 Application for Section 404 General Permit No. 31 and Section 401 Water Quality Certification.

The North Carolina Department of Transportation (NCDOT) has re-designed the above referenced project and avoided the impact requiring excavation at the edge of Lanes Creek. Due to this impact avoidance, the remaining 9 linear feet of bank stabilization where a v- ditch will enter Lanes Creek can be authorized under a Nationwide 13. As the 9 linear feet falls below the notification threshold for a Nationwide 13, written authorization is no longer required for this project.

The Department hereby withdraws the written authorization request for **Section 404 General Permit No. 31 and Section 401 Water Quality Certification dated April 13, 2012.**

This letter also serves as NCDOT's Notice of use of a Nationwide 13 and corresponding Water Quality Certification.

If you have any questions or need additional information, please contact Michael Turchy at maturchy@ncdot.gov or (919) 707-6157.

Sincerely,

fej Gregory J. Thorpe, Ph.D., Manager
Project Development and Environmental Analysis Unit

"cc " List: NCDOT Permit Application Standard Distribution List

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