



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

March 7, 2011

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 an Individual Section 404 and Section 401 Water Quality Certification for the I-40 & I-77 interchange in Statesville including I-40 from west of SR 2003 (Radio Road) to SR 2158 (Old Mocksville Road) and I-77 from south of SR 2321 (East Broad Street) to south of SR 2171 (Jane Sower Road) in Iredell County. Federal Aid Project No. IMS-40-2, Division 12, WBS Element 34192.1.2, TIP No. I-3819A.

Reference: Application for an Individual Section 404 Permit and Section 401 Water Quality Certification, dated September 24, 2010

The North Carolina Department of Transportation (NCDOT) proposes to make improvements to the I-40 and I-77 Interchange in Statesville. The NCDOT submitted a permit application dated September 24, 2010 which stated that there would be 1.36 acres of permanent wetland impacts, 2,326 linear feet of permanent stream impacts, 135 linear feet (0.04 acre) of temporary stream impact, and no utility relocation impacts.

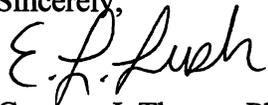
Since submitting the permit application, the intersection of US 21 and I-40 has been undergoing a design change to a diverging diamond interchange. In addition, there have been multiple small changes to the project including an adjustment of the on-site mitigation plan,

addition of a temporary crutch bent and impacts to streams and wetlands from utility relocations. Due to these design revisions of the project, the let date is March 20, 2012.

It has been decided that the best course of action would be to rescind the current application and submit a new application which incorporates all of the changes once the new interchange has been designed. Therefore, NCDOT hereby requests the September 24, 2010 application be withdrawn.

If you have any questions or need additional information, please contact Erin Cheely at ekcheely@ncdot.gov or (919) 707-6108.

Sincerely,


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

CC (hard copy)

Mr. Brian Wrenn, NCDWQ

CC (electronic copy)

Ms. Marella Buncick, USFWS
Ms. Marla Chambers, NCWRC
Ms. Jennifer Derby, USEPA
Dr. David Chang, P.E., Hydraulics
Mr. Greg Perfetti, P.E., Structure Design
Mr. Dewayne Sykes, P.E., Utilities Unit
Mr. Mark Staley, Roadside Environmental
Mr. M.L. Holder, P.E., Division Engineer
Ms. Trish Simon, DEO
Mr. Jay Bennett, P.E., Roadway Design
Mr. Art McMillan, P.E., Highway Design
Mr. Scott McLendon, USACE, Wilmington
Ms. Beth Harmon, EEP
Mr. Clarence W. Coleman, P.E., FHWA
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