



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 23, 2004

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

Attention: Mr. Steve Lund
NCDOT Coordinator

Subject: **Request for Permit Modification** for Condition 16 of Section 404 IP,
Stanly County, NC 24/27 from SR 1142 (Browns Hill Road) to SR 1253
(Sam Road) at and east of Locust; State Project No. 6.689002T; TIP No.
R-0967 CA; USACE Action ID No. 200331135 ; NCDWQ No. 030891.

Dear Sir:

The U.S. Army Corps of Engineers (USACE) issued a Section 404 Individual Permit (IP) to the North Carolina Department of Transportation (NCDOT) on October 20, 2003 for construction of NC 24/27, from SR 1142 (Browns Hill Road) to SR 1253 (Sam Road) at and east of the town Locust. The purpose of this letter is to request a modification of Condition 16, which requires a detailed schedule of construction for the mitigation site.

In accordance with Condition 16, the NCDOT attached a detailed schedule for mitigation construction and planting of Back Creek Mitigation Site to the approved permit application; the agreed upon construction completion date is December, 2004. The NCDOT advertised the project for construction once during the summer of 2004. Unfortunately, the received bid prices were 20 to 30 percent higher than the Engineer's estimate. The NCDOT plans to advertise the project again in early 2005 and complete the project, including planting, by March 15, 2006. The NCDOT requests that the USACE modify the referenced permit to reflect this completion date.

Randy Griffin from the Office of Natural Environment has had telephone conversations with David Franklin of the USACE and Suzanne Klimek of EEP. Both are in agreement that DOT should continue with stream mitigation until March 15, 2006.

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

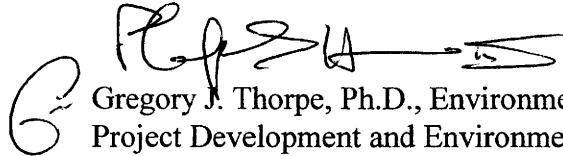
TELEPHONE: 919-733-3141
FAX: 919-733-9794

WEBSITE: WWW.DOT.ORG

LOCATION:
TRANSPORTATION BUILDING
1 SOUTH WILMINGTON STREET
RALEIGH NC

If you have any questions about this request, please contact Mr. Phillip Todd of my staff at (919) 715-1467.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. J. Thorpe', with a long horizontal flourish extending to the right.

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

- cc: Mr. John Hennessy, Division of Water Quality
Ms. Marella Buncick, USFWS
Ms. Marla Chambers, NCWRC
Dr. David Chang, P.E., Hydraulics
Mr. Greg Perfetti, P.E., Structure Design
Mr. B.G. Payne, P.E., Division Engineer
Mr. Jay Bennett, P.E., Roadway Design
Mr. Omar Sultan, Programming and TIP
Mr. Art McMillian, P.E., Highway Design
Mr. Mark Staley, Roadside Environmental
Mr. David Franklin, USACE
Ms. Tawana Brooks, P.E., NCDOT Division 10
Mr. Larry Thompson, RS, PWS, NCDOT Division 10 DEO
Ms. Suzanne Klimek, EEP
Mr. Randy Griffin, P.E., ONE
Mr. Marc Morgan, P.E., Division 10 DDC