



June 3, 2004
Mecklenburg County
DWQ # 04-0500

WAIVER of 401 Water Quality Certification

Ms. LeiLani Paugh
NC Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

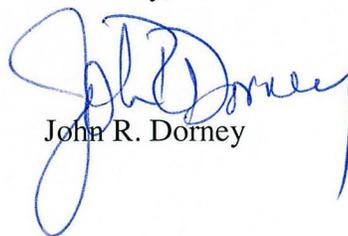
Dear Ms. Paugh:

Your application for a 401 Water Quality Certification was received in the Central Office on March 30, 2004 for a Nationwide Permit 27 application for Back Creek Stream Mitigation Site in Mecklenburg County. According to our rules [15A NCAC 2H .0507 (A)], if final action is not taken within 60 days, the Certification is waived unless DWQ has objected in writing to your application. Therefore, DWQ has waived the requirement for a 401 Water Quality Certification for your plans to impact 4135.5 feet of streams for stream mitigation as described in your application.

However if additional impact occurs or your development plans change, this waiver is no longer valid and a 401 Water Quality Certification will be required.

If you have any questions, please telephone John Dorney at 919-733-1786.

Sincerely,



John R. Dorney

Cc: Mooresville DWQ Regional Office
Asheville Field Office Corps of Engineers
Central Files
File Copy

