



REPLY TO
ATTENTION OF

Regulatory Branch
Applications Section I

DEPARTMENT OF THE ARMY
PHILADELPHIA DISTRICT, CORPS OF ENGINEERS
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

OCT 29 2007

SUBJECT: CENAP-OP-R-200300700-11

RECEIVED

OCT 31 2007

Ms. Terry Fulmer
Delaware Department of Transportation
800 South Bay Road
P.O. Box 778
Dover, Delaware 19903

RUMMEL, KLEPPER & KAHL, LLP

Dear Ms. Fulmer:

Reference is made to Department of the Army permit CENAP-OP-R-200300700 dated February 26, 2007 authorizing the Delaware Department of Transportation to perform work, including the discharge of dredged or fill material, in waters of the United States, including wetlands, to facilitate construction of the Delaware Turnpike (Interstate 95) Mainline/SR 1 Interchange Project within and adjacent to the Christina River, New Castle County, Delaware.

In accordance with an October 17, 2007 request made on your behalf by Rummel, Klepper & Kahl, Special Condition 22 of the referenced permit is modified as follows:

Special Condition 22: The applicant shall compensate for the unavoidable loss of waters of the United States, including wetlands, by implementing a compensatory mitigation program in accordance with project plans identified as: Plans prepared by Rummel, Klepper & Kahl, LLP, dated October 2007, entitled "The State of Delaware Department of Transportation, Specification and Construction Plans for Delaware Turnpike Improvements, I 95 Mainline Widening, Cathcart Mitigation Site", 12 Sheets AND by creating new intermittent stream channels in accordance with project plans referenced in Special Condition 1 above.

All other conditions to which the permit was made subject remain in full force and effect.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Frank J. Cianfrani
Chief, Regulatory Branch

for: Gwen E. Baker
Lieutenant Colonel, Corps of Engineers
District Commander

Copies Furnished:

DDNREC – Wetlands and Subaqueous Lands (Dover, DE)

S&E

Single Copy File

Joseph Volk

Delaware River and Bay Authority

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✓ Consultant: Justin Reel

RK&K

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