STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

August 6, 2026

MEMORANDUM TO: Division Environmental and Construction Units

FROM: Michael A. Turchy, ECAP Group Leader
Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of:
Bridge 44 over Cane River on US 19W;
Repairs to Bridge 134 over Cane River on SR1379 (Whittington Road);
Extension of Culvert E4024 carrying an Unnamed Tributary to Cane River on US 19W in **Yancey County**, Division 13, WBS 18313.1100998.

Please find enclosed the following permits for this project:

Agency	Permit Type	Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Regional General Permit 50 Action ID: SAW-2026-00609 Dated July 28, 2026	May 25, 2030
NC Division of Water Resources Section 401 Water Quality Certification	Individual Water Quality Certification Project ID: 20260537v1 Dated June 1, 2026	expires with above Permit

Work is authorized by the above-referenced documents and must be accomplished in strict accordance with the permitted plans.

The Environmental Coordination and Permitting Group (ECAP) or the Division Environmental Office must be consulted if any deviation from the permit(s) or accompanying drawings is required.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

Telephone: (919) 707-6000
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH NC 27610

404 Permit (USACE)

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

July 28, 2026

Regulatory Division
SAW-2026-00609

North Carolina Department of Transportation
Attn: Mr. Michael A. Turchy
Environmental Coordination and Permitting Group Leader
1598 Mail Service Center
Raleigh, North Carolina 27699-1598
Sent Via Email: maturchy@ncdot.gov

Dear Mr. Turchy,

This letter is in response to the application you submitted to the U.S. Army Corps of Engineers (USACE), Wilmington District, WRDA/Transportation Branch on April 29, 2026, for a Department of the Army general permit verification to replace three structures that were damaged by **Hurricane Helene**. This project will replace **Bridge No. 44,** repair **Bridge No. 134,** and repair and extend **Culvert No. E4024** in Yancey County, North Carolina (center coordinates 35.9496, -82.3786) and has been assigned file number SAW-2026-00609. In order to perform this work, NCDOT proposes to conduct activities in waters of the U.S. as described on page 2 of this letter.

We have reviewed the proposed activities in waters of the U.S. and have determined that the activities are authorized by Regional General Permit (RGP) 50 pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C § 1344). The proposed work must be accomplished in strict accordance with the following:

- enclosed permit general and special conditions
- special conditions of the verification letter for this project (see below)
- project plans
- information in the PCN and attachments

If the extent of the project area and/or nature of the authorized impacts to waters are modified, a request detailing the proposed changes must be submitted to this office for written approval before work is initiated. Any deviation from the terms and conditions of the permit, the special conditions of this letter, the information contained in the PCN, or your submitted plans, may subject the permittee to enforcement action.

This verification is valid until **May 25, 2030**, unless the subject RGP is suspended, revoked, or is modified prior to that date such that the activity no longer complies with the terms and conditions of the RGP.

Summary of Proposed Impacts

Impact ID #	NWP / GP #	Open Water (ac)		Wetland (ac)		Stream (lf)	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Bridge 44 (Cane River) Sites 32-1, 32-2, and 33-1	RGP 50					63' (0.18 ac) / removal of damaged bridge / dewater 455' (0.22 ac) / causeways/ work pads 540' (0.45 ac) / channel relocation to maintain 50% river flow during construction 43' (0.01 ac) / dewater	
Bridge 134 (Cane River) Site 7-1	RGP 50					110' (0.08 ac) / dewater 53' (0.05 ac) / access and dewatering	100' (0.02 ac) / bank stabilization
Box Culvert E4024 (UT to Cane River) Site 15-1	RGP 50					41' (0.01 ac) / dewater	25' (0.01 ac) / outlet stabilization 18' (0.01 ac) / culvert extension
Impact Totals		0	0	0	0	1,305' (1 ac)	143' (0.04 ac)
Total Loss of waters of the U.S. (wetlands and/or open waters)			0	Total Loss of waters of the U.S.			18' (0.01 ac)
Required wetland compensatory mitigation			0	Required stream compensatory mitigation			0

Project Specific Special Conditions:

1. This verification letter does not authorize you to take a federally listed species. In order to legally take a federally listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with "incidental take" provisions with which you must comply). The USFWS issued a doucment titled, "Biological and Conference Opinion, Repair Portions of U.S. Highway 19 West – North & South Sections and Portions of Intersecting Roadways Damaged by Tropical Storm Helene in Yancey County, North Carolina, Service Log #25-130, 25-131" on March 20, 2026. This document contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with incidental take for this project. Your authorization under this verification letter and RGP 50 is conditional upon your compliance with the mandatory terms and conditions associated with incidental take listed in this document for this project. Failure to comply with the terms and conditions associated with incidental take detailed in this document, where a take of a federally listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your verification letter and RGP 50. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its Opinion and with the ESA.

2. The permittee shall ensure that no more than 50% of river flow is constricted at any one time.

3. The permittee shall implement all reasonable and practicable measures to ensure that equipment, structures, work, and operations associated with this project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, flooding, and/or riverbank erosion. The permittee shall routinely monitor for these effects, cease all work when detected, take initial corrective measures to correct actively eroding areas, and notify this office immediately. Permanent corrective measures may require additional authorization the U.S. Army Corps of Engineers.

4. The permittee shall ensure that any equipment that is placed on the causeways/work pads is removed when either of the following situations are forecasted or anticipated: (1) the water level will rise to a point where the equipment could be flooded (even during work days), and (2) the water level is expected to rise overnight, or over a non-work period of time, to a point where the equipment could be flooded.

5. Upon completion of work that requires the causeways/work pads to be in the river, the permittee shall remove all readily detectible causeway/work pad material, to the extent practicable, while removing as little of the original riverbed as possible.

6. The permittee shall comply with conditions #1-3, 5, and 6 of the letter from the North Carolina Wildlife Resources Commission dated May 1, 2026.

7. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this authorization letter in the construction and maintenance of this project and shall provide each of its contractors and/or agents associated with the construction or

maintenance of this project with a copy of this authorization letter, all conditions, and any authorized modifications. A copy of this authorization letter, all conditions, and any authorized modifications, shall be available at the project site during construction and maintenance of this project.

This general permit verification and any associated authorizations do not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Lori Beckwith, Regulatory Project Manager of the WRDA/Transportation Branch at 828-230-0483, by mail at the above address, or by email at loretta.a.beckwith@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerely,

M. Scott Jones, PWS
WRDA / Transportation Branch Chief
USACE, Wilmington District

Enclosures

USACE Condition No 1: Excerpted from Biological Opinion

7.5 Reasonable and Prudent Measures

The Service believes the following reasonable and prudent measure(s) are necessary and appropriate to minimize take of gray bat, Indiana bat, northern long-eared bat, and tricolored bat. These non-discretionary measures reduce the level of take associated with project activities.

1. NCDOT shall ensure that the contractor(s) understands and follows the measures listed in the "Avoidance, Minimization, and Conservation Measures", "Reasonable and Prudent Measures," and "Terms and Conditions" sections of this Opinion.
2. NCDOT shall minimize the area of disturbance within the action area to only the area necessary for the safe and successful implementation of the proposed actions.
3. NCDOT shall monitor and document the surrogate measures of take and report those to the Service. Any observed covered species, regardless of condition, shall be included in monitoring and documentation.

7.6 Terms and Conditions

In order to be exempt from the prohibitions of section 9 of the ESA, the Applicant must comply with the following terms and conditions, which implement the reasonable and prudent measures described above and outline required reporting and/or monitoring requirements. When incidental take is anticipated, the terms and conditions must include provisions for monitoring project activities to determine the actual project effects on listed fish or wildlife species (50 CFR §402.14(i)(3)). These terms and conditions are nondiscretionary for the listed species. If this conference opinion for tricolored bat and/or eastern hellbender is adopted as a biological opinion following a listing designation, these terms and conditions would be non-discretionary for tricolored bat and/or eastern hellbender.

1. NCDOT shall adhere to all measures as listed in the Avoidance, Minimization, and Conservation Measures section as summarized in this Opinion.
2. NCDOT shall work with the design engineers and construction contractors to ensure that project design boundaries and construction zones are minimized to what's necessary for safe and effective project implementation.
3. The NCDOT shall immediately inform the Service if the amount or extent of incidental take in the incidental take statement is exceeded.
4. When incidental take is anticipated, the Terms and Conditions must include provisions for monitoring project activities to determine the actual project effects on listed fish or wildlife species (50 CFR §402.14(i)(3)). In order to monitor the impact of incidental take, the NCDOT must report the action impacts on the species to the Service according to the following:
    a. The NCDOT will submit a report each year not later than September 30 identifying the following for the preceding calendar year ending December 31:
        i. Acreage of in-water impacts at river re-establishment locations, linear feet of bank stabilization activities, linear feet of in-water work associated with bank stabilization, and locations for all, if LAA for Appalachian elktoe and/or eastern hellbender.
        ii. Acreage and dates of tree removal (if any), if LAA for bats (excepting gray bat).
        iii. Dates of structure removal (if any), if LAA for bats.
        iv. List of implemented CMs and AMMs [as listed in Section 2.3].

North Carolina Wildlife Resources Commission

M. Kyle Briggs, Executive Director

May 1, 2026

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

Amy Annino
401 and Buffer Transportation Permitting Branch
North Carolina Department of Environmental Quality
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211

SUBJECT: Comments on Replacement of:

- Bridge 44 over Cane River on US 19W;
- Repairs to Bridge 134 over Cane River on SR1379 (Whittington Road); and
- Extension of Culvert E4024 carrying an Unnamed Tributary to Cane River

on US 19W in Yancey County, Division 13. **DF18313.1110998, DWR 20260537.v1**

The North Carolina Department of Transportation (NCDOT) applied for a 404 Permit and 401 Certification for the subject bridge replacement and structure repairs. The North Carolina Wildlife Resources Commission's (NCWRC) comments are offered to help conserve the wildlife resources affected by the project and to promote wildlife-based recreation in accordance with applicable provisions of the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

The project will address damage caused by Hurricane Helene flooding. Yancey bridge 44 was damaged and will be replaced. Yancey bridge 134 and culvert E4024 will be repair, with an extension also proposed on the culvert.

Mailing Address: Habitat Conservation • 1721 Mail Service Center • Raleigh, NC 27699-1721
Telephone: (919) 707-0220 • **Fax:** (919) 707-0028

The Cane River (C Tr) in the project area is a cool-water habitat that was severely impacted by floodwater from Hurricane Helene. There may still be some cold water refugia that hold some trout, but generally the thermal habitat in this part of the river is not suitable for trout populations year-round. Appreciable spawning by trout is not expected near the bridges based on the current habitat conditions. The trout moratorium should not apply to the repair work included in this application.

The NC Natural Heritage Program rates the Cane River in the project areas as a very high conservation priority. The river may still support rare and sensitive species such as Eastern Hellbender (*Cryptobranchus alleganiensis*, NC Special Concern), Wavyrayed Lampmussel (*Lampsilis fasciola,* NC Special Concern), and Appalachian Elktoe (*Alasmindonta raveneliana*, US Endangered), though abundance of these species should be markedly lower than before the storm. The river is designated as a critical habitat for Appalachian Elktoe. The NCWRC would appreciate being apprised of the construction schedule, once available, so that biologists can assess the impacts areas and possibly relocate animals that may be found.

The Cane River supports a Smallmouth Bass (*Micropterus dolomieu*) fishery that was severely impacted by the flooding. NCWRC sampling in 2025 found that fish were still present, though abundance was reduced by about 80%. The Cane River historically was one of the best Smallmouth Bass fisheries in the state and should recover over time.

As reflected in scoping comments, The NCWRC requested that the bridge designs include, where possible, areas of wide, unobstructed (no guardrail) road shoulders to provide and often reestablish opportunities for anglers to park and access the river. There is limited structure and grading detail in the permit drawings. However, some shoulder parking should be possible at Yancey 44 due to the bridge shift and right-of-way retention, if applicable.

The NCWRC requests that the following conditions, most of which were recommended in the NCWRC's scoping comments, be considered for inclusion in authorizations to help conserve the habitats affected by the project:

1. The temporary channel change should be restored to reference conditions following construction as directed by a qualified engineer. Large rocks should not be permanently removed from the river. Large rocks should be replaced during restoration.
2. Applicable measures from the current *NCDOT Erosion and Sediment Control Design and Construction Manual* should be adhered to. *Design Standards in Sensitive Waters* should be incorporated into the project's erosion control (see part (d) of 15A NCAC 04B .0124).
3. In accordance with standard GC conditions, matting used in riparian areas should not contain nylon mesh because it entangles and kills wildlife. Coir matting should be used on disturbed stream banks that are steep or susceptible to high water. Matting should be anchored with wooden stakes according to NCDOT specifications.
4. Rip rap used for channel changes and elsewhere on streambanks that are beyond abutment protection areas should only extend vertically to or near the ordinary high level and coir matting should be used above that elevation.

5. Rip rap should be avoided on benches under the bridges or topped with available alluvial material to make a traversable surface for wildlife (See attached photo example - Stokes 8).
6. Sandbags, rock berms, cofferdams, or other diversion structures should be used to isolate flowing water from in-channel construction such as drilling, and, where practical, excavation. Channel changes should be excavated in the dry to the extent possible by first excavating material outside of direct flow.

Thank you for the opportunity to review and provide recommendations on this project. Please contact me at david.mchenry@ncwildlife.gov or (828) 476-1966 if you have any questions about these comments.

Sincerely,

Dave McHenry, NCWRC Western DOT Coordinator

cc: Michael Turchy, NCDOT ECAP, Environmental Analysis Unit
Karina Clough, NCDOT Division 13 PDEA Engineer
Yates Allen, NCDOT Division 13 Environmental Specialist II
Mike Sanderson, NCDOT Division 13 Environmental Officer

Rip rap free benches under Stokes 8 on NC 742 over Dan River.

U.S. Army Corps of Engineers (USACE)

CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

Form Approved - OMB No. 0710-0003 Expires 2027-10-31

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.

Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, Wilmington District, Regulatory Office.

The certification can be submitted by email at loretta.a.beckwith@usace.army.mil or by mail at the below address:

U.S. Army Corps of Engineers, Wilmington District
Asheville Field Office
Street Address: 151 Patton Avenue, Room 208
Asheville, North Carolina 28801-5006

Corps Action Number: SAW-2026-00609

Permit Type: General Permit

General Permit Number and Name (*if applicable*): RGP 50

Name of Permittee: NCDOT, Division of Highways

Project Name: NCDOT/HH/DF18313.1100999.1.1/Br 44, 134 and E4024/US 19 SR 1381/Yancey/Div 13

Project Location (*physical address*): ~~Br 44, 134 and E4024 Cane River and UT US 19W Yancey NC~~

PERMITTEE'S CERTIFICATION

Date Work Started: _____

Date Work Completed: _____

Enclose photographs showing the completed project (*if available*).

I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.

Name	Date	Signature

401 Certification (NCDWR)

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director

NORTH CAROLINA
Environmental Quality

June 1, 2026

DWR #20260537
Yancey County

Michael Turchy ECAP Group Leader
North Carolina Department of Transportation Division 13
253 Webster Road
Sylva, NC 28779

Delivered via email to: maturchy@ncdot.gov

Subject: **Approval of Individual 401 Water Quality Certification**
Helene Permanent Repairs US 19W South-Replace Bridge 990044, Repair Bridge 990134, and Repair Box Culvert E4024

Location: Lat: 35.9496577 Long: -82.3786167

Dear Mr. Turchy:

Attached hereto is a copy of Certification No. WQC008951 issued to North Carolina Department of Transportation (NCDOT) Division 13, dated June 1, 2026. This approval is for the purpose and design described in your application.

This Water Quality Certification does not relieve the recipient of the certificate (or the Permittee) of the responsibility to obtain all other required federal, state, or local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer regulations. An individual certification is required for this work because of heavy equipment use within the stream channel. Work under this certification must follow all conditions listed in the certification below including conditions 6 and 7 for best practices in stream channels.

Upon the presentation of proper credentials, the Division of Water Resources (Division or DWR) may inspect the property.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth may result in revocation of this Water Quality Certification for the project and may also result in criminal and/or civil penalties.

Notice regarding the right to contest this 401 Water Quality Certification decision is attached to this letter.

This letter completes the DWR's review under Section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Chris Sheldon at 704-235-2193 or chris.sheldon@deq.nc.gov if you have any questions or concerns.

Sincerely,

Signed by:
Faith Hardin
3185423002EA45E...

Faith Hardin, Supervisor
401 & Buffer Permitting Branch / RO
Division of Water Resources, NCDEQ

Electronic cc:
Karina Clough, Division PDEA Engineer (kaclough@ncdot.gov)
Mike Sanderson, Environmental Program Supervisor (jmsanderson@ncdot.gov)
Lori Beckwith, USACE Asheville Regulatory Field Office (loretta.a.beckwith@usace.army.mil)
David McHenry, NCWRC (dave.mchenry@ncwildlife.gov)
DWR 401 & Buffer Permitting Branch Electronic file

NOTICE REGARDING THE RIGHT TO CONTEST A DWR 401 WATER QUALITY CERTIFICATION DECISION

Right of Persons Aggrieved to File a Contested Case for the Issuance of a 401 Water Quality Certification: Pursuant to 15A NCAC 02H .0507(f), the Division's decision on a 401 Water Quality Certification application is subject to review under NCGS 150B-23.

Rights of Persons Aggrieved to File a Contested Case: Pursuant to NCGS 150B, Article 3, a party or person aggrieved may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 60 days after the Division provides notice of its decision on a certification application, as provided in NCGS 150B-23(f). If no contested case is commenced within the required time, the Division's decision is final and is not subject to review.

General Filing Instructions: A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at https://www.oah.nc.gov/hearings-division/filing/hearing-forms. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

Service Instructions: A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

Daniel Hirschman, General Counsel
North Carolina Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the recipient of the certificate (or the Permittee), the party **must also** serve the Permittee in accordance with NCGS 150B-23(a).

Be aware that other rules or laws may apply to the filing of a petition for a contested case. Additional information is available at https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case. Please contact the Office of Administrative Hearings at (984) 236-1850 with all questions regarding the filing fee and/or the details of the filing process.

NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

CERTIFICATION #WQC008951 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to North Carolina's Regulations in 15 NCAC 02H .0500 and 15A NCAC 02B .0200, to Mr. Turchy and NCDOT Division 13, who have authorization for the impacts listed below, as described within your application received by the N.C. Division of Water Resources (DWR) on April 30, 2026 with fee received on April 30, 2026 and subsequent information on April 30, 2026, and by Public Notice issued by the DWR on April 30, 2026, and within the *Reasonable Period of Time* pursuant to 40 CFR Part 121.6.

The State of North Carolina certifies that this activity will comply with water quality requirements and the applicable portions of Sections 301, 302, 303, 306, 307 of the Public Laws 92-500 and PL 95-217 if conducted in accordance with the application, the supporting documentation, and the conditions hereinafter set forth.

The following impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]

Type of Impact	Amount Approved Permanent	Amount Approved Temporary	Mitigation Amount Required
Perennial Streams			
Site 7-1 Bank Stabilization	100 linear feet	110 linear feet	0 credits
Site 7-1 Bridge Rehabilitation	0 linear feet	53 linear feet	0 credits
Site 15-1 Culvert Extension	18 linear feet	0 linear feet	0 credits
Site 15-1 Culvert tie-in	25 linear feet	41 linear feet	0 credits
Site 32-1 Bridge Removal	0 linear feet	63 linear feet	0 credits
Site 32-2 Causeway	0 linear feet	455 linear feet	0 credits
Site 32-2 Temporary Diversion	0 linear feet	540 linear feet	0 credits
Site 33-1 Culvert Outlet	0 linear feet	43 linear feet	0 credits
Totals:	***143 linear feet***	***1305 linear feet***	***0 credits***

This approval requires you to follow the conditions listed in the Certification below.

CONDITIONS OF CERTIFICATION [15A NCAC 02H .0507(c)]:

1. The plans and specifications for this project are incorporated by reference as part of this Water Quality Certification. Any final construction plans for a project must include or reference the application and plans submitted to the DWR. The Permittee must evaluate all other acquired permits to ensure that they are consistent with the plans submitted to the DWR, and all relative impacts are accounted for and shown on the final construction plans. Any modifications or additional impacts to streams and/or wetlands and/or waters within the project require the permittee to notify the DWR and may require submission of a new application package with the appropriate fee.

   Citation: 15A NCAC 02H .0506(b)(2) and (3); 15A NCAC 02H .0507(c)

2. If the property is sold, the Permittee shall provide the new owner with a copy of this Certification and all plans and specifications incorporated by reference. The Permittee may transfer a Certification to the new owner by submitting a letter to the Division with the following statement: *"At the time the property is transferred, the terms and conditions of this 401 Individual Water Quality Certification, including the responsibility to ensure compliance, are binding on the new owner(s) of the property."* The letter shall be signed and dated by both the transferee and the new owner. *Citation: 15A NCAC 02H .0507(d)(2)*

3. The Permittee shall allow the Director, or an authorized representative (including an authorized contractor acting as a representative of the Director), upon the presentation of credentials and other documents as may be required by law, to: *Citation: 15A NCAC 02H .0502(e); 15A NCAC 02H .0507(c)*

   a. Enter, at reasonable times, upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this certificate;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this certificate;
   c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this certificate; and
   d. Sample or monitor at reasonable times, for the purposes of assuring certificate compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location

4. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]

5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]

6. Heavy equipment may be operated within the stream channels however; its usage shall be minimized.
   Citation: 15A NCAC 02H.0506(b)(3)

7. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication, and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

8. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.

9. Native riparian vegetation (i.e., herbaceous, trees, and shrubs native to your geographic region) must be reestablished in the riparian areas within the construction limits of the project by the end of the growing season following completion of construction. [15A NCAC 02B.0506(b)(2)]

10. As a condition of this 401 Water Quality Certification, the bridge demolition and construction must be accomplished in strict compliance with the most recent version of NCDOT's Best Management Practices for Construction and Maintenance Activities. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]

11. All bridge construction shall be performed from the existing bridge, temporary work bridges, temporary causeways, or floating or sunken barges. If work conditions require barges, they shall be floated into position and then sunk. The barges shall not be sunk and then dragged into position. Under no circumstances should barges be dragged along the bottom of the surface water. [15A NCAC 02H .0506(b)(3)]

12. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]

13. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization, including all non-commercial borrow and waste sites associated with the project, shall be clearly marked by highly visible fencing prior to any land disturbing

activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification. [15A NCAC 02H.0501 and .0502]

14. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer (or whomever is the authorized agent if a non-NCDOT project) shall complete and return the "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0507]

15. A turbidity curtain will be installed in the stream for any construction activities that occur within the stream channel, on the stream bank, or within 5 feet of the top of bank, or during the removal of bents from an old bridge. This condition can be waived with prior approval from the NCDWR. [15A NCAC 02H .0506(b)(3)]

16. Tall fescue shall not be used in the establishment of temporary or permanent groundcover within riparian areas. For the establishment of permanent herbaceous cover, erosion control matting shall be used in conjunction with an appropriate native seed mix on disturbed soils within the riparian area and on disturbed steep slopes with the following exception. Erosion control matting is not necessary if the area is contained by perimeter erosion control devices such as silt fence, temporary sediment ditches, basins, etc. Matting should be secured in place with staples, stakes, or wherever possible, live stakes of native trees. Erosion control matting placed in riparian areas shall not contain a nylon mesh grid, which can impinge and entrap small animals. For the establishment of temporary groundcover within riparian areas, hydroseeding along with wood or cellulose based hydro mulch applied from a fertilizer- and limestone-free tank is allowable at the appropriate rate in conjunction with the erosion control measures. Discharging hydroseed mixtures and wood or cellulose mulch into surface waters in prohibited. Riparian areas are defined as a distance 25 feet landward from top of stream bank.

17. DWR approves the stormwater drainage design as shown in the 401 application, under the assumption that it meets the requirements of the NCDOT NPDES permit #NCS000250. These plans are enforceable by DWR. Changes to the approved plans are prohibited without prior approval from DWR. If sediment or other pollutants are found to be discharged from the stormwater outfalls, DWR may take enforcement action. NCDOT and DWR shall assess the damage to water quality standards and implement an appropriate action plan to address the impacts. The action plan shall provide an appropriate timeline for implementation as agreed upon by both DWR and NCDOT. This may require NCDOT to obtain a modification to its current 401 and 404 permits.

18. Sediment and erosion control measures shall not be installed in wetlands or waters except within the footprint of temporary or permanent impacts authorized by this Certification. If placed within authorized impact areas, then placement of such measures shall not be conducted in a manner that results in dis-equilibrium of any wetlands, streambeds, or streambanks. Any silt fence installed within wetlands shall be removed from wetlands and the natural grade restored

and revegetated within two months of project completion. [15A NCAC 2H.0506(b); 15 A NCAC 2H.0507(c)]

19. For all projects that include multiple parcels and/or lots, including transportation and/or utility-related projects installed as infrastructure for multiple parcels and/or lots, deed notifications or similar mechanisms shall be placed on all lots/parcels that include jurisdictional wetlands, streams, open waters, and state-regulated riparian buffers within the overall project boundaries. These mechanisms shall be put in place at the time of recording of the property or individual parcels, whichever is appropriate.

    Citation: 15A NCAC 02H .0502(a); 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

20. All wetlands, streams, and surface waters located within the limits of disturbance and within 50 feet of the limits of disturbance/construction area on the project site shall be clearly marked (example- orange fabric fencing) prior to any land disturbing activities. The marking/fencing shall be maintained until the project or project phase is completed. Impacts to areas within the marked area/fencing are prohibited unless otherwise authorized by this certification.

    Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c)

21. When requested by DWR, the Permittee and/or authorized agent shall schedule a pre-construction meeting with DWR, shall contact the appropriate DWR Regional Office upon project commencement of construction, shall submit a Certificate of Completion and/or shall provide as-built documentation.

    Citation: 15A NCAC 02H .0502(e); 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

22. The permittee shall report to the appropriate DWR Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200], including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

23. No additional temporary or permanent impacts from waste, spoil, solids, fill, excavation, or staging of equipment, shall occur in wetlands or waters beyond the footprint of the impacts (including temporary impacts) identified in this Certification.

    Citation: 15A NCAC 02H .0506; 15A NCAC 02H .0507(c)

24. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

25. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sedimentation Pollution Control Act of 1973). Regardless of applicability of the Sedimentation Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur.

    Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Erosion and Sediment Control Planning and Design Manual*, or the *North Carolina Department of Transportation Erosion and Sediment Control Design and Construction Manual*.

    Appropriate measures should be installed prior to any land clearing activities to protect wetlands, streams, and/or buffers from turbidity and/or sedimentation. These measures should be routinely inspected and properly maintained, and excavated materials should be contained outside wetland, stream, and/or buffer boundaries.

    For installation of bridges that involve driving or drilling activities within stream channels, open waters, or along streambanks turbidity curtains shall be installed within the surface water.

    All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

    For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

    Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

26. Sediment and Erosion Control Measures (S&EC) in wetlands or waters should be avoided to the maximum extent possible and any S&EC occurring in wetlands or waters shall be restored to pre-existing conditions upon completion of the project. The Permittee shall utilize sediment and erosion control measures that avoid and minimize the need for the placement of silt fence along streams at the normal water level. Where measures are placed within authorized impact areas then placement of such measures shall not be conducted in a manner that results in a loss of function of any wetlands, streambeds, or streambanks. Any erosion control measures, including silt fence, installed within wetlands shall be removed from wetlands and the natural grade restored and revegetated within two (2) months of the date the appropriate sediment and erosion control program has released the specific area within the project to ensure wetland standards are maintained upon completion of the project.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

27. Erosion control matting shall not be placed within a stream bed. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

28. If the project is covered by NPDES Construction Stormwater Permit Number NCG010000 or NPDES Construction Stormwater Permit Number NCG250000, full compliance with permit conditions including the erosion and sedimentation control plan, inspections and maintenance, self-monitoring, record keeping and reporting requirements is required.

    Citation: 15A NCAC 02H .0506(b) and (c); 15A NCAC 02H .0507(c)

29. The North Carolina Department of Transportation (NCDOT) shall maintain full compliance with the conditions related to construction activities and post construction stormwater design, construction and maintenance, within the most recent version of their Individual NPDES Stormwater Permit Number NCS000250.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

30. All work in or adjacent to streams, ponds, lakes, and reservoirs shall be conducted so that the work area is isolated from surface waters. Approved best management practices from the most current version of the DEMLR *NC Erosion and Sediment Control Planning and Design Manual*, or the *NC Department of Transportation Best Management Practices For Construction and Maintenance Activities Manual*, such as sandbags, rock berms, cofferdams, pump-arounds, and other diversion structures shall be used to minimize excavation in flowing water. Water that comes in contact with the work area shall be treated through an appropriate sediment/erosion control measure (sediment basin, filter bag, etc.) prior to discharging to a surface water. All temporarily disturbed areas for the purpose of isolation/dewatering shall be restored to original grade, including each stream's original cross-sectional dimensions, planform pattern, and longitudinal bed profile. All temporarily impacted sites shall be restored and stabilized with native vegetation as practicable. *Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200*

31. Bridge piles and bents shall be constructed using driven piles (hammer or vibratory) or drilled shaft construction methods. More specifically, jetting or other methods of pile driving are prohibited under this Certification.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

32. Unless already approved by an NPDES permit, bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means to the maximum extent practicable (e.g. grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. This condition may be waived with prior written approval from the NCDWR.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

33. Demolition of existing structures, such as culvert or bridge removal, shall be conducted to ensure water quality standards are maintained. NCDOT activities shall adhere to NCDOT's *Best Management Practices for Construction and Maintenance Activities*.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

34. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allows for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. If the width of the culvert is wider than the stream channel, the culvert shall include multiple boxes/pipes, baffles, benches and/or sills to maintain the natural width of the stream channel. If multiple culverts/pipes/barrels are used, low flows shall be accommodated in one culvert/pipe and additional culverts/pipes shall be installed such that they receive only flows above bankfull.

    Placement of culverts and other structures in streams shall also meet one of the following requirements:

    a. For structures less than 72" in diameter/width and in area where topographic constraints dictate culvert slopes will be greater than 2.5%, culverts shall be installed "at grade" such that low flow conditions in the stream are maintained provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross-vanes, sills, baffles etc.); or
    b. When bedrock is present in culvert locations, culvert burial is not required, provided that there is documentation of the presence of bedrock.
    c. For all other culverts:
        i. Culverts with a diameter greater than 48 inches shall be below the elevation of the streambed by one foot
        ii. Culverts with diameter less than or equal to 48 inches shall be below the streambed by 20% of the culvert diameter

    If a culvert outlet is submerged within a pool or scour hole and designed to provide for aquatic passage, then culvert burial into the streambed is not required.

Documentation such as a location map of the culvert, culvert profile drawings, slope calculations, geotechnical reports, photographs, etc. shall be provided to DWR upon written request.

For culvert replacements within the same location/footprint, and of similar length, culverts shall be designed and installed to meet the above requirements of this Condition unless prohibited by existing conditions on site, such as existing infrastructure or topographic constraints.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native woody vegetation and other soft stream bank stabilization techniques shall be used where practicable instead of rip-rap or other bank hardening methods.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

35. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231

36. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in, or adjacent to, surface waters is prohibited.

    Citation: 15A NCAC 02H.0506(b)

37. If concrete is used during construction (including bulkhead components, such as deadman anchors, tie-back systems and concrete caps), then all necessary measures shall be taken to isolate the concrete from waters of the state by maintaining a dry work area to prevent direct contact between curing concrete and surface waters. Drill slurry and water that inadvertently contacts uncured concrete shall not be discharged to waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. Any water that contacts uncured concrete shall be captured, treated, and disposed of properly.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

38. All temporary pipes, culverts, rip-rap pads etc. in streams shall be installed so as not to restrict stream flow or installed in such a manner that restricts aquatic life movement during low flow conditions. All temporary pipes and/or culverts shall be installed as outlined in the most recent edition of the *North Carolina Erosion and Sediment Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* or the *North Carolina Department of Transportation Best Management Practices for Construction and Maintenance Activities*.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

39. All temporary fill and temporary culverts shall be removed, and the impacted area shall be returned to natural conditions, within 60 calendar days after the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross-sectional dimensions, planform pattern, and longitudinal bed profile. All temporarily impacted sites shall be restored and stabilized with native vegetation when practicable. For all areas where wetlands are impacted by temporary roads constructed by temporary fill material, the Permittee shall remove the fill material and conduct activities necessary to restore preconstruction hydrology by addressing soil compaction. When temporary fill has been added to wetlands, or heavy equipment has been placed within a wetland, the Permittee shall ensure restoration of preconstruction soil conditions when restoring wetland areas. Upon restoration of the wetland, the Permittee shall inspect the area quarterly for a minimum of two years to document successful restoration. The Permittee shall provide documentation of inspections to DWR when requested. The monitoring requirement can be relieved with review and written approval by DWR. If the area is not restored to preconstruction conditions the impacts shall be considered permanent, and the Permittee shall request a modified Certification from DWR. With prior written approval from DWR, removal of temporary fill and temporary culverts and restoration of the impacted area may be postponed to accommodate moratorium periods.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

40. Any rip-rap or other armoring materials required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the construction activity covered by this Certification. All rip-rap or other non-natural armoring material placed in streams shall be placed such that the original streambed elevation and streambank contours are restored, and that the finished elevation of the rip rap shall not exceed that of the original stream bed. All rip-rap or other armoring materials shall consist of clean rock or masonry material free of debris or toxic pollutants. Placement of rip-rap or other armoring materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or be installed in a manner that precludes aquatic life passage.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

41. Any rip-rap or other non-natural armoring material (i.e. gabion baskets, revetments, bulkheads, seawalls, retaining walls) used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows, and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap or other armoring materials shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. Any rip-rap or other armoring materials placed in the streambed shall be such that the finished elevation of the rip rap or other armoring materials shall not exceed that of the original stream bed.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0201

42. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication, and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

43. Heavy equipment working in wetlands shall be placed on mats or non-impact equipment shall be used to ensure no disturbance and/or compaction of soil from equipment except within the footprint of the impacts covered by this Certification. Heavy equipment necessary for in stream activities shall be operated from the banks to the maximum extent practical and in no cases shall cause unstable stream banks or a violation of water quality standards.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231

44. In accordance with G.S. 143-215.85(b), the Permittee shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.

    Citation: 15A NCAC 02H .0507(c); N.C.G.S 143-215.85(b)

45. The Permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

46. A copy of this Certification shall be retained on site during the construction and maintenance of this project, or with the project manager, and be available for inspection at all times. The Permittee shall require its contractors and/or agents to comply with the terms and conditions of this Certification in the construction and maintenance of this project and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this Certification. If the Permittee becomes aware of any inability to comply with any of the conditions of this Certification, they must notify the appropriate Regional Office within 24 hours (or the next business day if a weekend or holiday) from the time the Permittee becomes aware of the circumstances.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

47. This Water Quality Certification neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Water Quality Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and does not create any prescriptive right or any right of priority regarding any usage of water. This Water Quality Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Water Quality Certification to possess any prescriptive or other right of priority with respect to any other consumptive user.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Upon completion of the proposed project, the applicant shall submit a Certificate of Completion and/or shall provide as-built documentation. Certificates of Completion and/or as-built documentation can be submitted via the DWR website: https://edocs.deq.nc.gov/Forms/Certificate-of-Completion.

This, the 1st day of June 2026

Signed by:
Faith Hardin
3185423002EA45E...

Faith Hardin, Supervisor
401 & Buffer Permitting Branch / RO
Division of Water Resources, NCDEQ

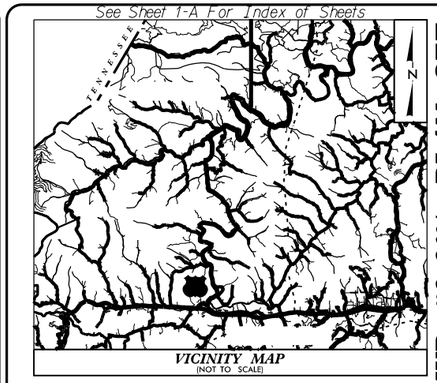
Permitted Drawings

09/08/99

TIP PROJECT: M-0572F (WP 3)

CONTRACT:

See Sheet 1-A For Index of Sheets



WP #3 30% PLAN SET

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

YANCEY COUNTY

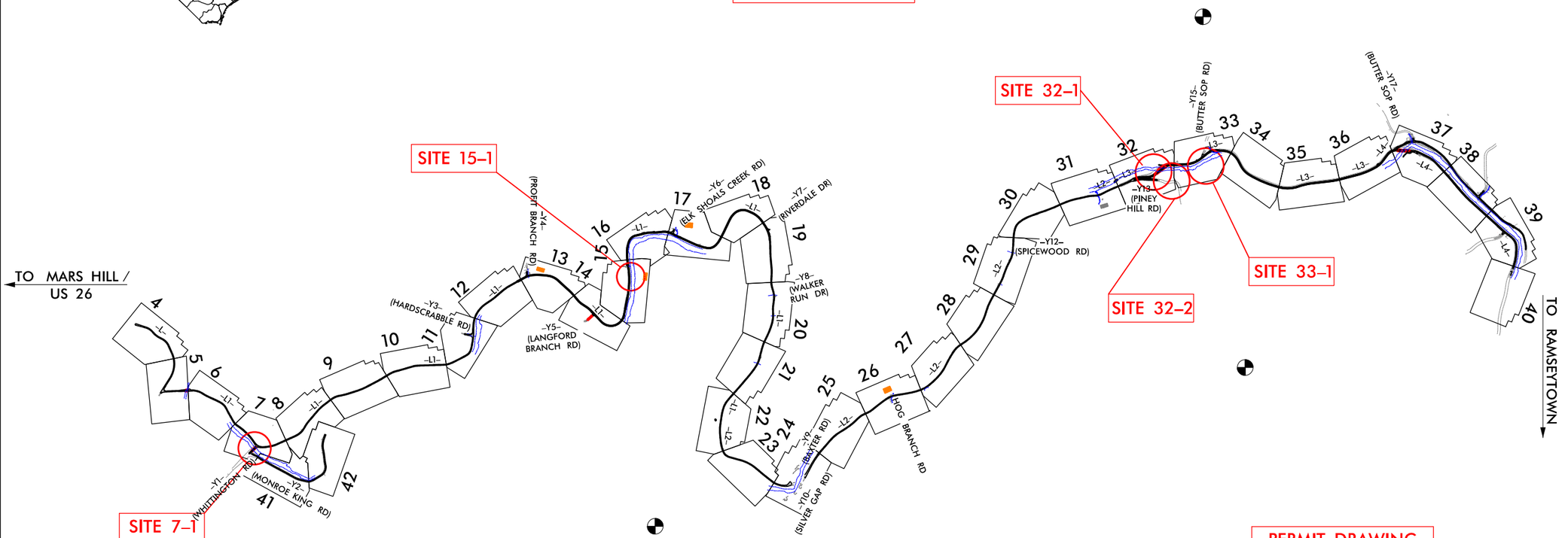
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	M-0572F (WP 3)	1	
STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION	
18313.1101		EM. REPAIR	

LOCATION: US 19 W FROM CANE RIVER SCHOOL ROAD (SR 1454) TO NORTH OF PINEY HILL ROAD (SR 1386)

TYPE OF WORK: DESIGN-BUILD AS SPECIFIED IN THE SCOPE OF WORK CONTAINED IN THE REQUEST FOR PROPOSALS

NAD 83/2011

STREAM IMPACTS



NOTES:
CLEARING ON THIS PROJECT SHOULD BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II.

PERMIT DRAWING SHEET 1 OF 15

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES

PLANS: 50 25 0 50 100

PROFILE (HORIZONTAL): 50 25 0 25 100

PROFILE (VERTICAL): 10 5 0 10 20

DESIGN DATA

ADT EXISTING = 2,200
V = 50 MPH
FUNC CLASS =
MAJOR COLLECTOR
RURAL
REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY -L- (US 19W) = 9.139 MILES

LENGTH STRUCTURES -L- (US 19W) = 0.061 MILES

TOTAL LENGTH -L- (US 19W) M-0572F (WP-3) = 9.200 MILES

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:

LETTING DATE:

PAUL A. ROBBINS, P.E.
PROJECT ENGINEER

ALEXANDER D. SNIDER, P.E.
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: *P.E.*

ROADWAY DESIGN ENGINEER

SIGNATURE: *P.E.*

STATE OF NORTH CAROLINA • DEPARTMENT OF TRANSPORTATION •

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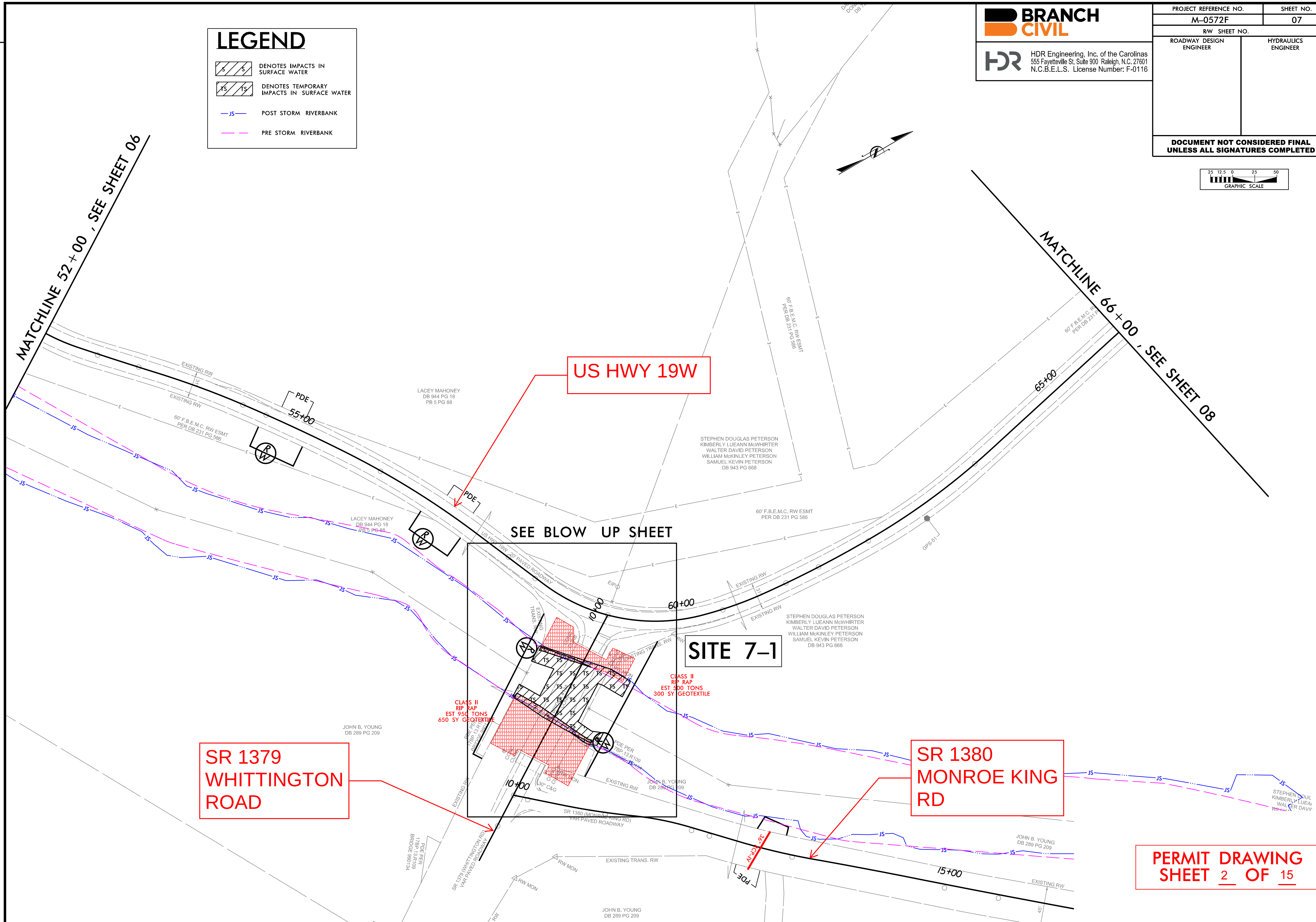
REVISIONS



LEGEND

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- POST STORM RIVERBANK
- PRE STORM RIVERBANK

MATCHLINE 52+00 , SEE SHEET 06

MATCHLINE 66+00 , SEE SHEET 08

US HWY 19W

SEE BLOW UP SHEET

SITE 7-1

SR 1379 WHITTINGTON ROAD

SR 1380 MONROE KING RD

CLASS II RIP RAP EST. 950 TONS 650 SY GEOTEXTILE

CLASS II RIP RAP EST. 700 TONS 300 SY GEOTEXTILE

PERMIT DRAWING SHEET 3 OF 15

BRANCH CIVIL

HDR Engineering, Inc. of the Carolinas
555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M-0572F	07
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

25 12.5 0 25 50
GRAPHIC SCALE

REVISIONS

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BRANCH CIVIL

HDR Engineering, Inc. of the Carolinas
555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

12.5 0 12.5 25
GRAPHIC SCALE

LEGEND

- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- JS — POST STORM RIVERBANK
- PRE STORM RIVERBANK

US HWY 19W

SITE 7–1

LACEY MAHONEY
DB 944 PG 18
PB 5 PG 88

JOHN B. YOUNG
DB 289 PG 209

STEPHEN DOUGLAS PETERSON
KIMBERLY LUEANN McWHIRTER
WALTER DAVID PETERSON
WILLIAM McKINLEY PETERSON
SAMUEL KEVIN PETERSON
DB 943 PG 668

US HWY 19W 20' PAVED ROADWAY

EXISTING RW

EXISTING TRANS. RW

CLASS II
RIP RAP
EST 950 TONS
650 SY GEOTEXTILE

CLASS II
RIP RAP
EST 500 TONS
300 SY GEOTEXTILE

PDE PER 17BP.13.R109 BRIDGE 990134

SR 1379
WHITTINGTON
ROAD

SR 1380
MONROE KING
RD

SR 1380 (MONROE KING RD)
VAR PAVED ROADWAY

SR 1379 (WHITTINGTON RD)
VAR PAVED ROADWAY

10+00

60+00

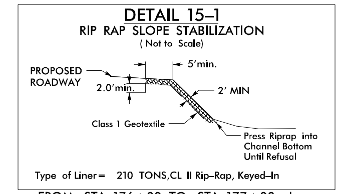
PERMIT DRAWING
SHEET 4 OF 15

REVISIONS

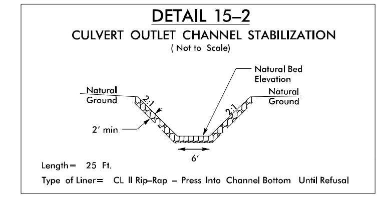
PLOT DRIVER: NCDOT_pdf_color-eng.100.plt
USER: JMASSROC
FILE: Branch_Civil\Branch_US_19W_South_PDB\6.0_CAD_BIM\6.2_WIP\Hydraulics\PERMITS_Environmental\Drawings\WP2\US 19 W South_HYD_PSH07 Blow Up.dgn
DATE: 4/2/2026
TIME: 12:54:20 PM
PENTABLE: US 19_PRM_NOCON.tbl

LEGEND

Symbol	Description
S	DENOTES IMPACTS IN SURFACE WATER
TS	DENOTES TEMPORARY IMPACTS IN SURFACE WATER
—JS—	POST STORM RIVERBANK
– – –	PRE STORM RIVERBANK



FROM STA. 176+00 TO STA. 177+00 –L–



STA. 176+50 –L– RT

BRANCH CIVIL

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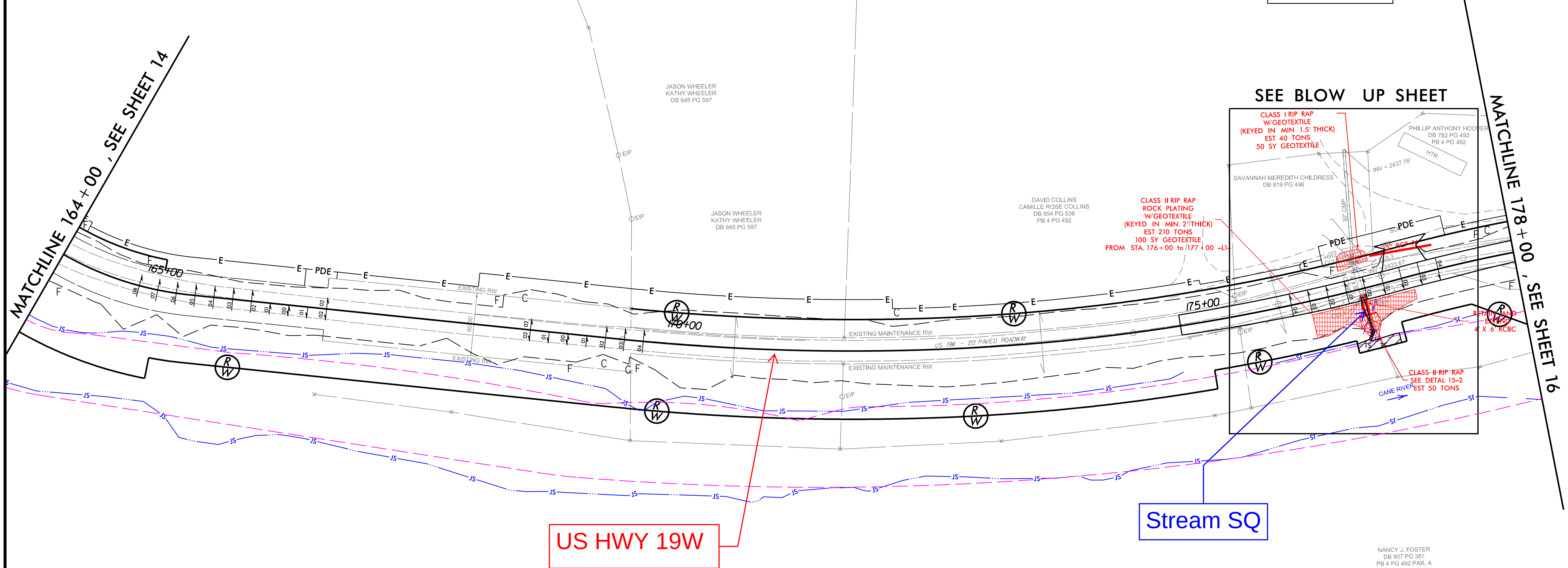
555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M–0572F	15
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALE: 25 12.5 0 25 50

SITE 15–1



CULVERT 4024 - ONE BARREL			
Description	Northing	Easting	Elevation
CUL1	815955.93	995321.82	2432.80
CUL2	815955.84	995318.13	2432.76
CE1	815955.23	995319.92	2438.87
HW1	815955.61	995320.06	2440.48
CUL3	815922.30	995317.55	2433.56
CUL4	815922.25	995321.30	2433.52
CE2	815922.54	995319.53	2439.68
HW2	815922.22	995319.47	2441.34

PERMIT DRAWING
SHEET 5 OF 15

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng_100.plt PENTABLE: US 19_PRM_NOCON.tbl
USER: JMASSROC DATE: 4/2/2026 TIME: 12:48:39 PM
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PROJECT REFERENCE NO.	SHEET NO.
M-0572F	15

R/W SHEET NO.

ROADWAY DESIGN ENGINEER

HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

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N.C.B.E.L.S. License Number: F-0116

LEGEND

S — DENOTES IMPACTS IN SURFACE WATER

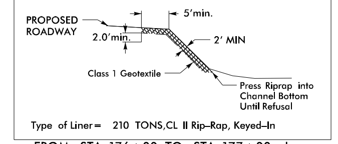
TS — DENOTES TEMPORARY IMPACTS IN SURFACE WATER

—JS— POST STORM RIVERBANK

— — PRE STORM RIVERBANK

DETAIL 15–1

RIP RAP SLOPE STABILIZATION
(Not to Scale)

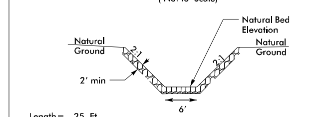


Type of Liner= 210 TONS,CL II Rip–Rap, Keyed–In

FROM STA. 176+00 TO STA. 177+00 –L–

DETAIL 15–2

CULVERT OUTLET CHANNEL STABILIZATION
(Not to Scale)

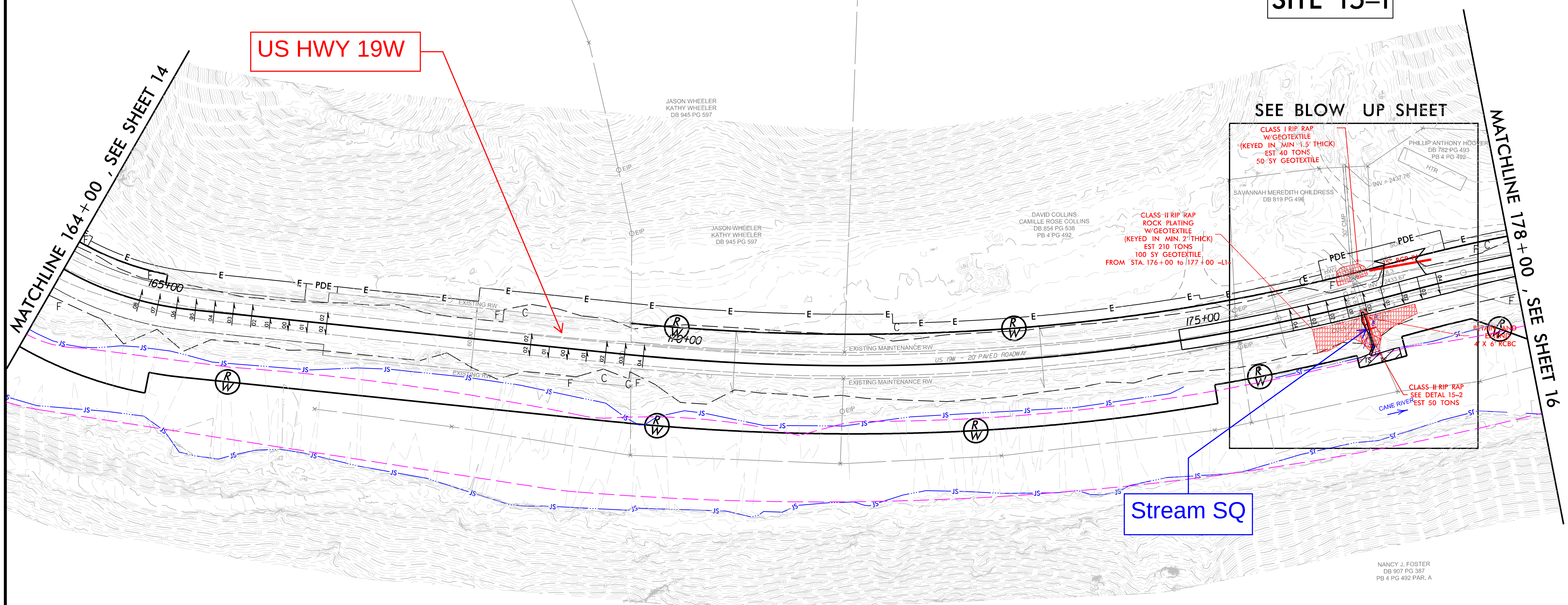


Length= 25 Ft.
Type of Liner= CL II Rip–Rap – Press Into Channel Bottom Until Refusal

STA. 176+50 –L– RT

GRAPHIC SCALE 25 12.5 0 25 50

SITE 15–1



CULVERT 4024 - ONE BARREL			
Description	Northing	Easting	Elevation
CUL1	815955.93	995321.82	2432.80
CUL2	815955.84	995318.13	2432.76
CE1	815955.23	995319.92	2438.87
HW1	815955.61	995320.06	2440.48
CUL3	815922.30	995317.55	2433.56
CUL4	815922.25	995321.30	2433.52
CE2	815922.54	995319.53	2439.68
HW2	815922.22	995319.47	2441.34

PERMIT DRAWING
SHEET 6 OF 15

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng_100.plt PENTABLE: US 19_PRM_CON.tbl
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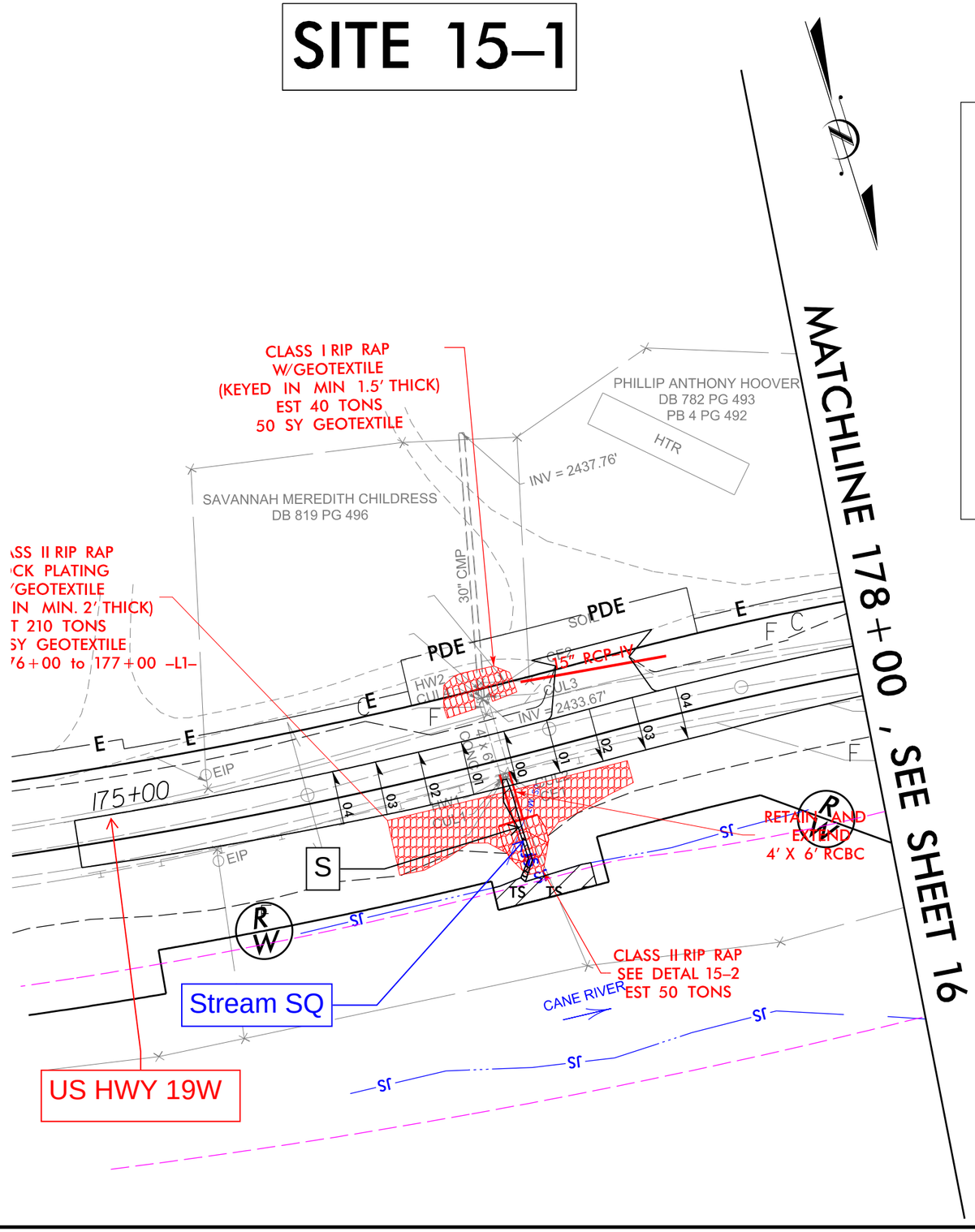
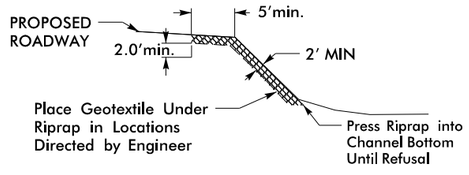
SITE 15–1



LEGEND

S / S	DENOTES IMPACTS IN SURFACE WATER
TS / TS	DENOTES TEMPORARY IMPACTS IN SURFACE WATER
—JS—	POST STORM RIVERBANK
— — — —	PRE STORM RIVERBANK

DETAIL 15–1
RIP RAP SLOPE STABILIZATION
(Not to Scale)



Type of Liner = 210 TONS,CL II Rip–Rap, Keyed–In

FROM STA. 176+00 TO STA. 177+00 –L–

PERMIT DRAWING
SHEET 7 OF 15

BRANCH CIVIL

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555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M–0572F	
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

12.5 0 12.5 25
GRAPHIC SCALE

REVISIONS

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PROJECT REFERENCE NO.	SHEET NO.
M-0572F	

ROADWAY DESIGN ENGINEER

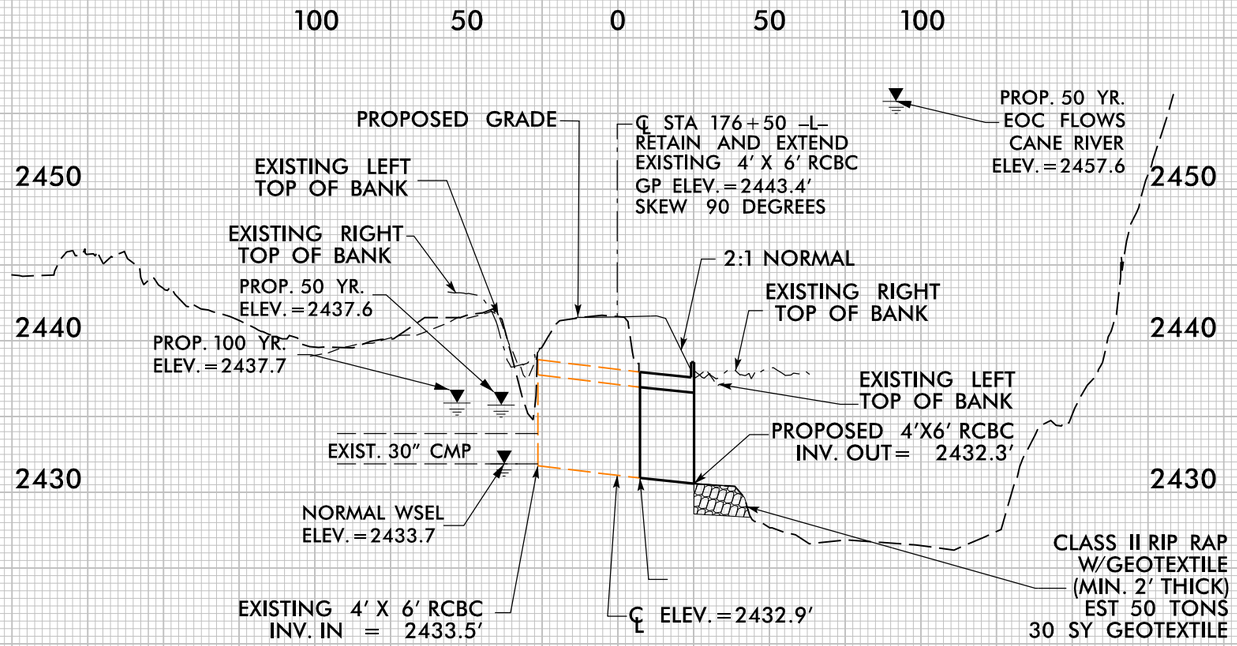
HYDRAULICS ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SITE 15–1



PROFILE ALONG CULVERT

PERMIT DRAWING
SHEET 8 OF 15

REVISIONS

5/14/99

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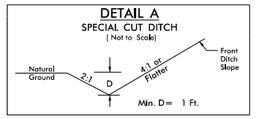
DATE: 1/15/2026
PENTABLE: NCDOT_PFL_XSc.tbl
TIME: 12:44:31 PM

LEGEND

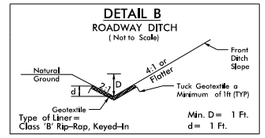
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- TB — POST STORM TOP OF BANK
- JS — POST STORM RIVERBANK
- PRE STORM RIVERBANK
- TEMPORARY CAUSEWAY

DETAIL A
SPECIAL CUT DITCH
(Not to Scale)



FROM STA. 415+00 TO STA. 419+00 –L3– LT

DETAIL B
ROADWAY DITCH
(Not to Scale)



FROM STA. 407+10 TO STA. 412+05 –L3–

BRANCH CIVIL

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N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M–0572F (WP–2)	32
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

25 12.5 0 25 50
GRAPHIC SCALE

US HWY 19W

SITE 32–1

SW Impact

TEMPORARY CAUSEWAY

SITE 32–2

Piney Hill Rd (SR 1385)

TEMPORARY CAUSEWAY

TEMPORARY STREAM RELOCATION

*Note: Temporary stream relocation needed due to causeway required for the proposed bridge construction. Relocation needs to be a minimum of 30' wide and tie into the existing stream at the beginning and end of the relocation.

PERMIT DRAWING SHEET 9 OF 15

REVISIONS

PLOT DRIVER: NCDOT_pdf-color_eng_100.plt PENTABLE: US 19_PRM_NOCON.tbl
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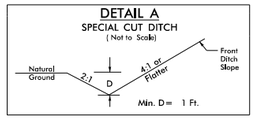
LEGEND

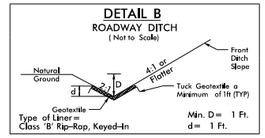
- DENOTES IMPACTS IN SURFACE WATER
- DENOTES TEMPORARY IMPACTS IN SURFACE WATER
- TB — POST STORM TOP OF BANK
- JS — POST STORM RIVERBANK
- PRE STORM RIVERBANK
- TEMPORARY CAUSEWAY

DETAIL A
SPECIAL CUT DITCH
(Not to Scale)



FROM STA. 415+00 TO STA. 419+00 –L3– LT

DETAIL B
ROADWAY DITCH
(Not to Scale)



FROM STA. 407+10 TO STA. 412+05 –L3–

BRANCH CIVIL

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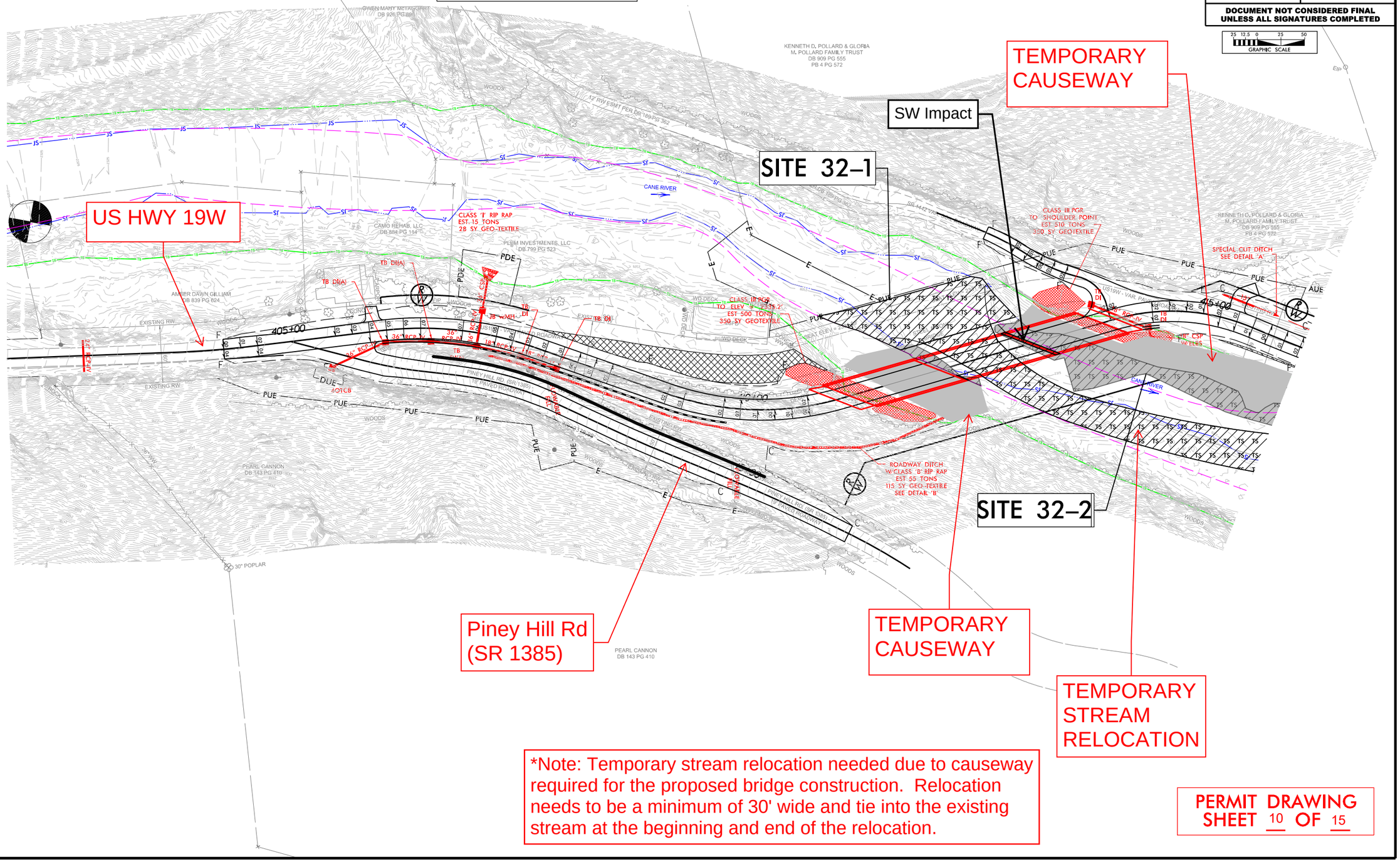
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M-0572F (WP-2)	32
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

25 12.5 0 25 50
GRAPHIC SCALE



*Note: Temporary stream relocation needed due to causeway required for the proposed bridge construction. Relocation needs to be a minimum of 30' wide and tie into the existing stream at the beginning and end of the relocation.

PERMIT DRAWING SHEET 10 OF 15

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng_100.pit PENTABLE: US 19_PRM_CON.tbl
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N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M-0572F	

ROADWAY DESIGN ENGINEER

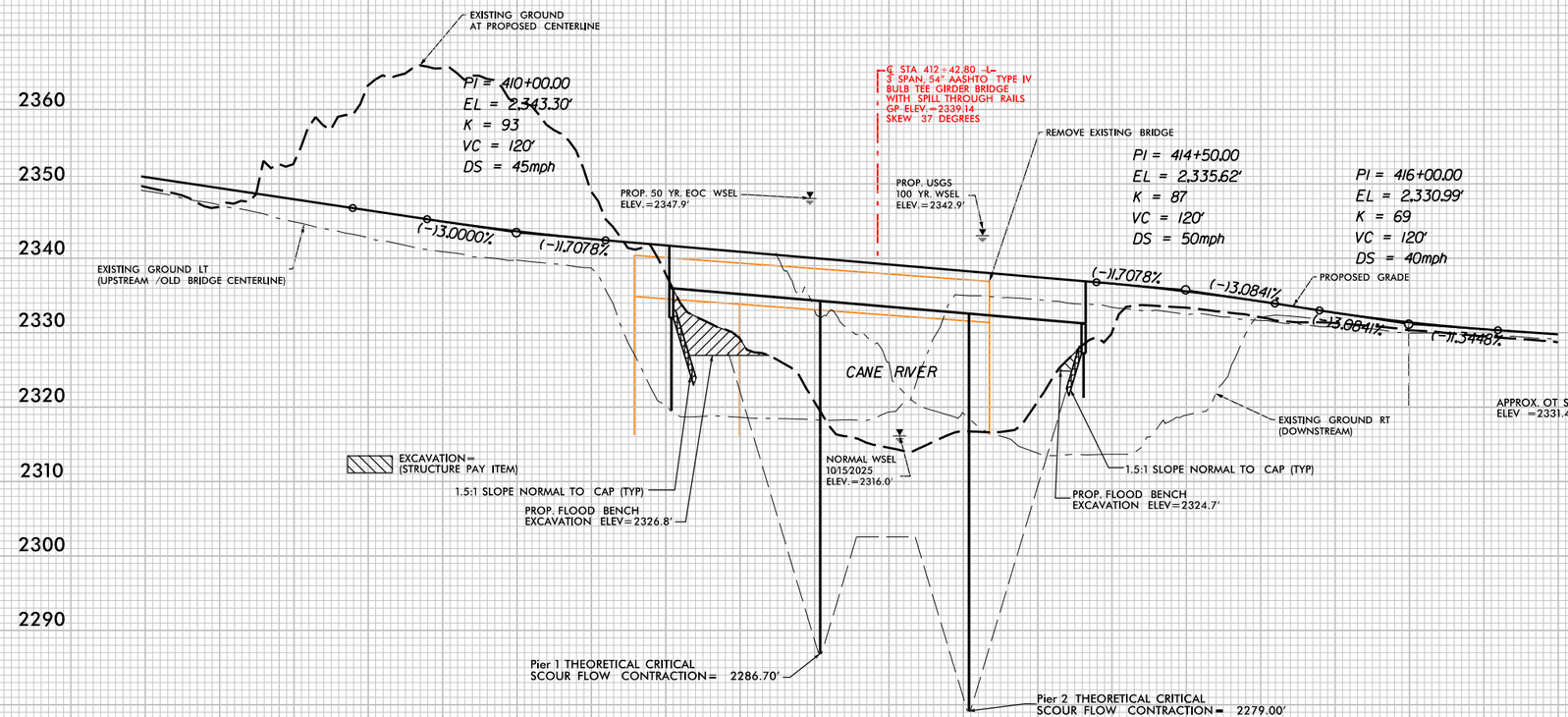
HYDRAULICS ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SITE 32-1



PERMIT DRAWING SHEET 11 OF 15

REVISIONS 5/14/99

PLOT DRIVER: NCDOT_pdf_color_eng_100.plt
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TIME: 9:06:38 AM

BRANCH CIVIL

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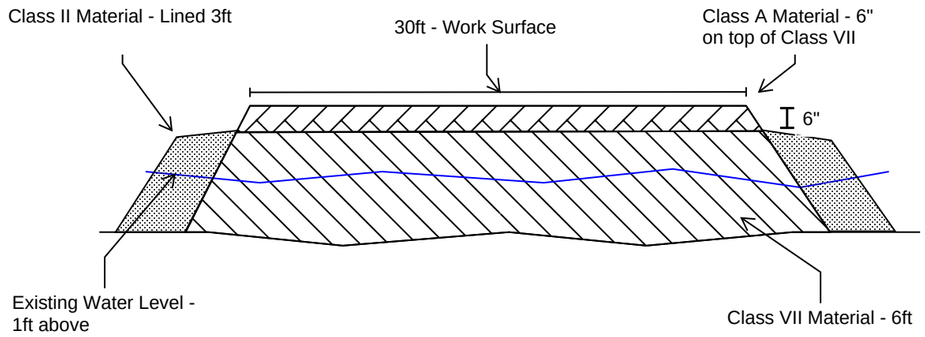
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M–0572F	
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

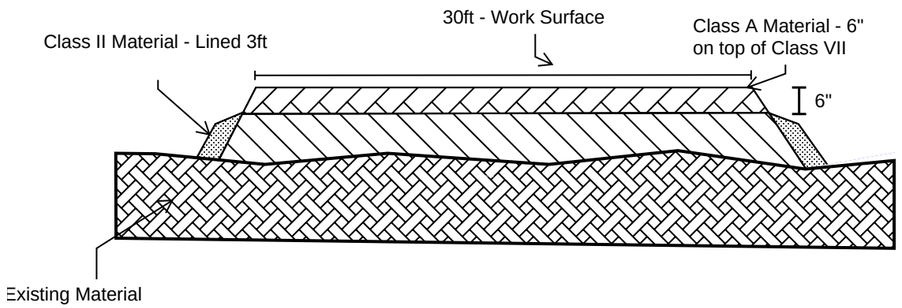
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SITE 32–1

N. Side Causeway Cross Section
Not To Scale



S. Side Causeway Cross Section
(Crane Pick Location) Not To Scale



PERMIT DRAWING SHEET 12 OF 15

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng.100.plt
USER: CMYERS
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DATE: 1/15/2026
TIME: 11:16:25 AM
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BRANCH CIVIL

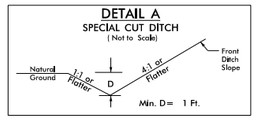
HDR Engineering, Inc. of the Carolinas
555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M-0572F (WP-2)	33
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

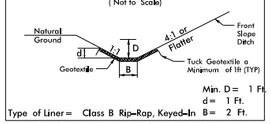
25 12.5 0 25 50
GRAPHIC SCALE

DETAIL A
SPECIAL CUT DITCH
(Not to Scale)



FROM STA. 415+00 TO STA. 419+00 –L3– LT
FROM STA. 420+88 TO STA. 421+50 –L3– LT

DETAIL B
SPECIAL BASE DITCH
(Not to Scale)



FROM STA. 420+00 TO STA. 420+88 –L3– LT

LEGEND

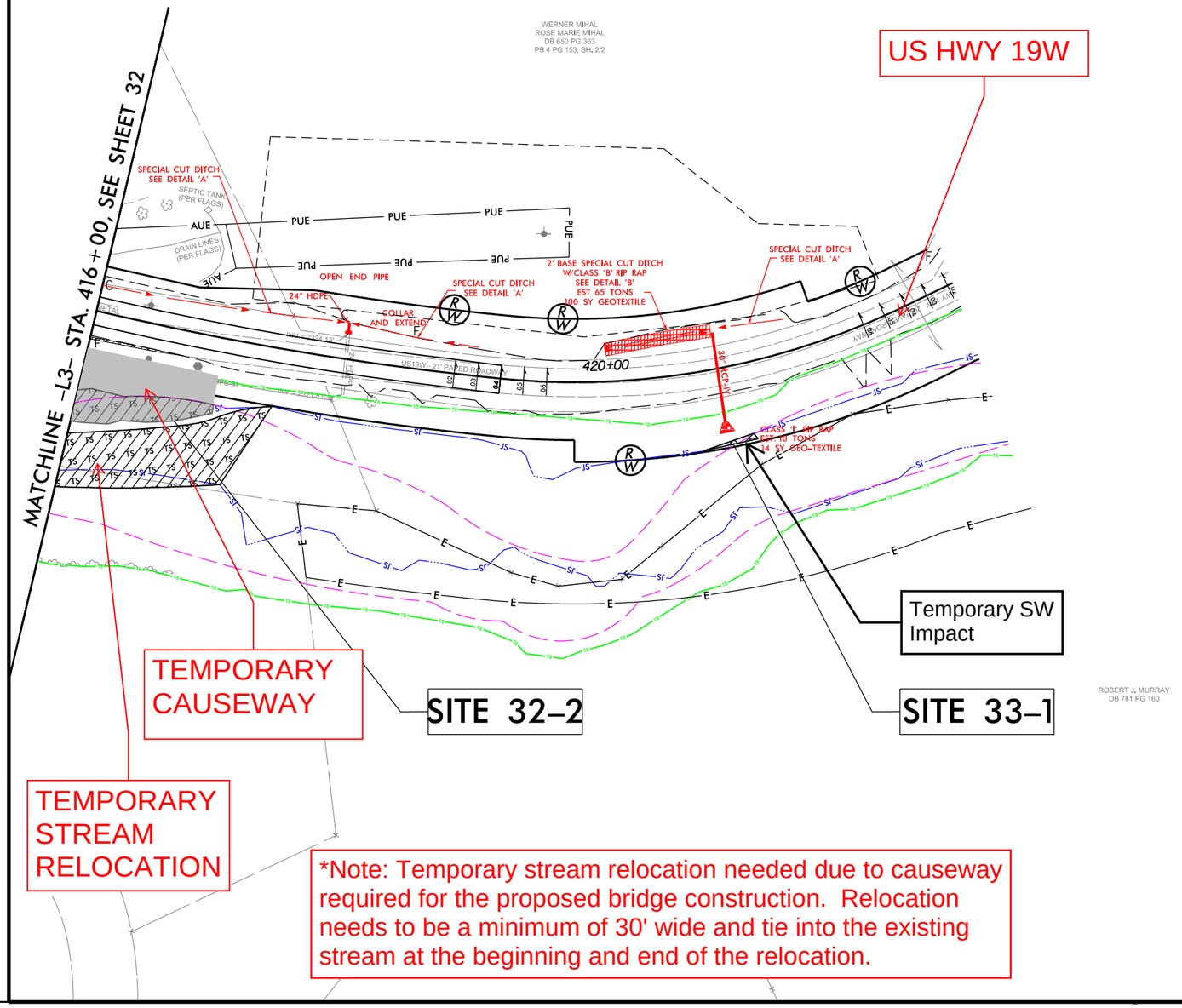
TS TS — DENOTES TEMPORARY IMPACTS IN SURFACE WATER

TB TB — POST STORM TOP OF BANK

JS — POST STORM RIVERBANK

— — — PRE STORM RIVERBANK

TEMPORARY CAUSEWAY



*Note: Temporary stream relocation needed due to causeway required for the proposed bridge construction. Relocation needs to be a minimum of 30' wide and tie into the existing stream at the beginning and end of the relocation.

PERMIT DRAWING SHEET 13 OF 15

SEE SHEETS 57 & 58 FOR –L3– PROFILE VIEW
SEE SHEET 66 FOR –Y15– PROFILE VIEW

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng_100.plt
USER: JMASSROC
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PENTABLE: US 19_PRM_NOCON.tbl
DATE: 4/15/2026
TIME: 10:37:52 AM

BRANCH CIVIL

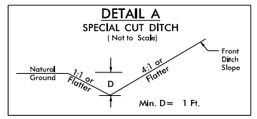
HDR Engineering, Inc. of the Carolinas
555 Fayetteville St, Suite 900 Raleigh, N.C. 27601
N.C.B.E.L.S. License Number: F-0116

PROJECT REFERENCE NO.	SHEET NO.
M-0572F (WP-2)	33
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

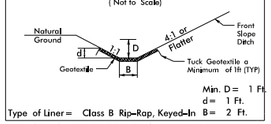
25 12.5 0 25 50
GRAPHIC SCALE

DETAIL A
SPECIAL CUT DITCH
(Not to Scale)



FROM STA. 415+00 TO STA. 419+00 –L3– LT
FROM STA. 420+88 TO STA. 421+50 –L3– LT

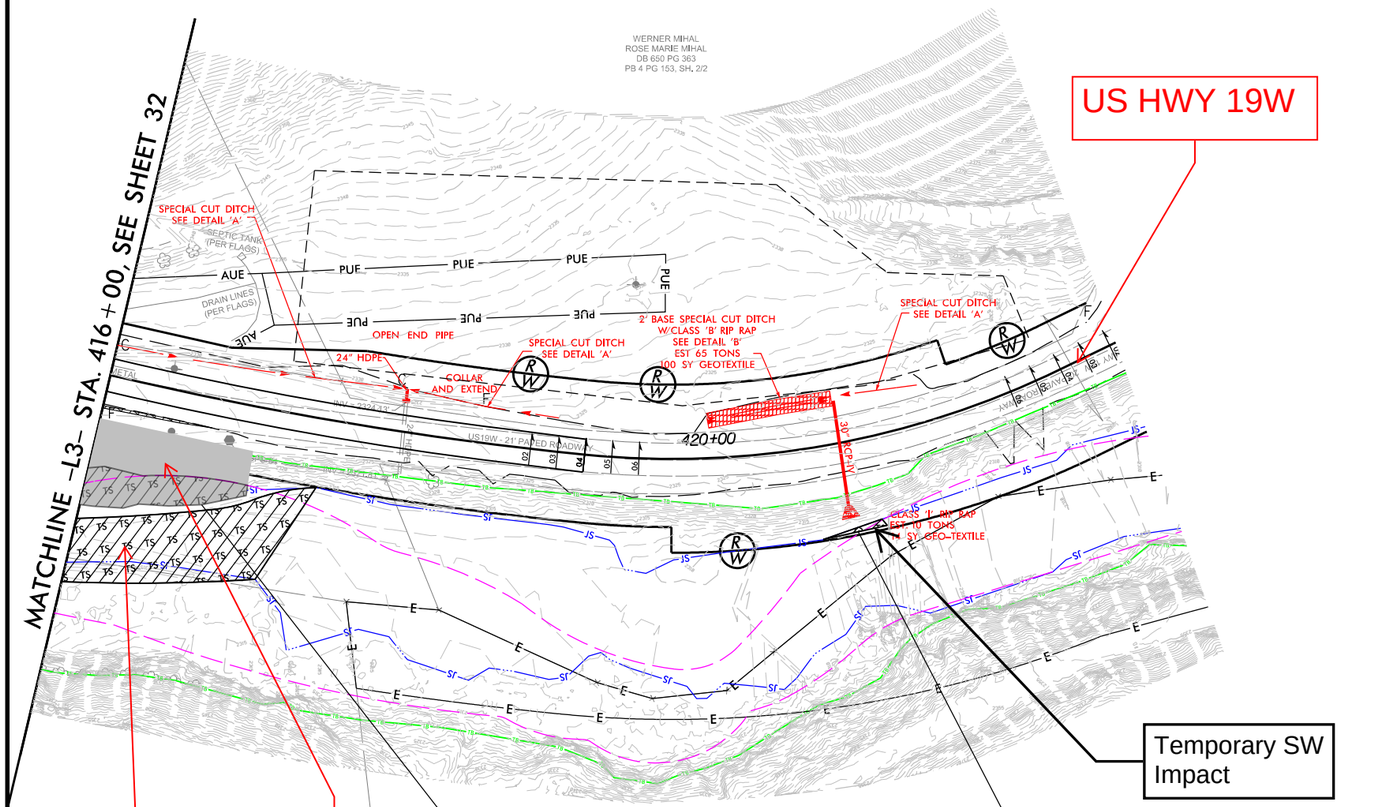
DETAIL B
SPECIAL BASE DITCH
(Not to Scale)



Type of Liner= Class B Rip-Rap, Keyed-In
FROM STA. 420+00 TO STA. 420+88 –L3– LT

LEGEND

TS / TS	DENOTES TEMPORARY IMPACTS IN SURFACE WATER
TS TS	POST STORM TOP OF BANK
JS	POST STORM RIVERBANK
	PRE STORM RIVERBANK
	TEMPORARY CAUSEWAY



TEMPORARY CAUSEWAY

TEMPORARY STREAM RELOCATION

*Note: Temporary stream relocation needed due to causeway required for the proposed bridge construction. Relocation needs to be a minimum of 30' wide and tie into the existing stream at the beginning and end of the relocation.

PERMIT DRAWING SHEET 14 OF 15

SEE SHEETS 57 & 58 FOR –L3– PROFILE VIEW
SEE SHEET 66 FOR –Y15– PROFILE VIEW

REVISIONS

PLOT DRIVER: NCDOT_pdf_color_eng_100.plt PENTABLE: US 19_PRM_CON.tbl
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FILE: Branch_Civil\Branch_US_19W_South_PDB\6.0_CAD_BIM\6.2_WIP\Hydraulics\PERMITS_Environmental\Drawings\WP2\US 19 W South_PRM_PSH33.dgn

WETLAND AND SURACE WATER IMPACTS SUMMARY

			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
7-1	10+60/10+80 -Y1-	Bank Stabilization						0.02	0.08	100	110	
		Bridge Rehabilitation							0.05		53	
15-1	176+50 -L-	EXTEND EX. 4'X6 RCBC						< 0.01		18		
		Stream Outlet Channel						< 0.01	< 0.01	25	41	
32-1	410+96 to 422+09 -L-	Exist Bridge 44 Removal							0.18		63	
32-2	411+44 to 422+09 -L-	Proposed Bridge/Causeway							0.22		455	
	412+30 to 417+46 -L-	Temp. Channel Shift							0.45		540	
33-1	420+85	30" RCP Outlet							< 0.01		43	
TOTALS*:								0.02	0.99	143	1305	0

*Rounded totals are sum of actual impacts

NOTES:

Permit Site 7-1: Bank stabilization impacts account for dewatering to install keyed -in rip rap.

Permit Site 15-1: Stream outlet impacts are taken from the end of the proposed culvert to the tie in and includes dewatering.

Permit Site 32-1: Avoidance and minimization by lengthening proposed bridge.
Existing bridge length = 240', Proposed bridge length = 280'.

Permit Site 32-2: Interior bents will be surface water impacts as they are located within the pre-storm stream

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
4/15/2026
Yancy County
US 19W South