



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

July 28, 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:
Buncombe Bridge 139 over North Fork Ivy Creek on SR 2171 (Poverty Ranch Road) Division 13, WBS DF18313.2011356.PR.

Please find enclosed the following permits for this project:

Agency	Permit Type	Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Nationwide Permit 3 Action ID: SAW-2026-00850 Dated: July 21, 2026	March 14, 2031
NC Division of Water Resources Section 401 Water Quality Certification	Water Quality Certification No. 8562 ID: 20260580v1 <i>Written authorization not required.</i>	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.

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 21, 2026

Regulatory Division
SAW-2026-00850

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 May 7, 2026, for a Department of the Army general permit verification to replace a bridge that was destroyed by **Hurricane Helene**. This project will replace **Bridge No. 139** over North Fork Ivy Creek on SR 2171 in Buncombe County, North Carolina (35.7788, -82.4556) and has been assigned file number SAW-2026-00850. In order to perform this work, NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

Impact ID #	NWP / GP #	Open Water (ac)		Wetland (ac)		Stream (lf)	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Site 1 (North Fork Ivy Creek)	<u>NWP 3</u>					93' (0.03 ac) / dewater	72' (0.02 ac) / bank stabilization
Impact Totals		0	0	0	0	93' (0.03 ac)	72' (0.02 ac)

We have reviewed the proposed activities in waters of the U.S. and have determined that these activities are authorized by Nationwide Permit (NWP) 3 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 terms, general conditions, and regional conditions of NWP 3
- special conditions of the verification letter (see below)
- information in the PCN and attachments
- enclosed plans

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 **March 15, 2031**, unless the subject NWP is suspended, revoked, or is modified prior to that date such that the activity no longer complies with the terms and conditions of the NWP.

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 U.S. Fish and Wildlife Service (USFWS) issued a document titled, “Biological and Conference Opinions and Informal Consultations – Batch Format, Replace Multiple Crossing Structures Destroyed by Tropical Storm Helene in Buncombe, Madison, McDowell, Mitchell, and Yancey Counties, North Carolina, Service Log #25-276 through 25-299” on September 4, 2025. 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 comply with conditions #1-4 in the attached letter from the North Carolina Wildlife Resources Commission dated request dated May 8, 2026.

3. 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,

A handwritten signature in black ink that reads "M. Scott Jones". The signature is written in a cursive, flowing style.

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

Enclosures

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-2026-00850 Permit Type: General Permit General Permit Number and Name (if applicable): NWP 3 Name of Permittee: NCDOT, Division of Highways Project Name: NCDOT/Hurricane Helene/DF18313.2011356.PR/Br 139/SR 2171/Buncombe Div 13 Project Location (physical address): Bridge 139, North Fork Ivy Creek on SR 2171 Buncombe Co. 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



◻ North Carolina Wildlife Resources Commission ◻

M. Kyle Briggs, Executive Director

May 8, 2026

Loretta 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 Application for Replacement of Bridge 139 over North Fork Ivy Creek,
Buncombe County (**DF18313.2011356.PR**).

The North Carolina Department of Transportation (NCDOT) applied for a 404 Permit and 401 Certification for the subject project. 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 replace a bridge over North Fork Ivy Creek (WS-II Tr HQW) that collapsed because of flooding from Hurricane Helene. The new structure will be a 55-foot bridge with vertical abutments. The NCWRC appreciates the design which will maintain some rip rap free benching under the right side of the bridge. It appears from aerial imagery that the bridge has been replaced already, perhaps with a similar timber structure.

Wild Rainbow Trout (*Oncorhynchus mykiss*) and Brown Trout (*Salmo trutta*) have been documented in this part of North Fork Ivy Creek. In January 2026, I sampled this creek upstream of the bridge and captured Rainbow Trout. Therefore, as noted in scoping comments for this bridge project, the upcoming

moratoria for Rainbow Trout and Brown Trout (October 15, 2026 to April 15, 2027, and subsequent moratorium periods), should be adhered to for instream disturbance from the bridge work.

In addition to trout, this creek may support Hellbenders (*Cryptobranchus alleganiensis*). They have been captured not far downstream of this bridge. The NCWRC may want to survey the bridge shortly before construction to relocate any hellbenders away from instream disturbance, if possible. Therefore, we would appreciate an invitation to the preconstruction meeting for the work, or similar advance notice, to facilitate our planning.

The NCWRC requests that the following conditions be included in authorizations to help conserve trout and other aquatic resources affected by the project:

1. The combined Rainbow Trout and Brown Trout moratoriums (October 15 to April 15) should be adhered to for instream disturbance.
2. Applicable measures from the current NCDOT Erosion and Sediment Control Design and Construction Manual should be adhered to ([ECM2024_Manual_12-16-25_with_Bookmarks.pdf](#)). *Design Standards in Sensitive Waters* should be incorporated into design and construction to help ensure protection of trout spawning and good quality habitats. Where basins are not practical, comparable 25-year performance should be accommodated with other measures (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. Sandbags, rock berms, cofferdams, or other diversion structures should be used whenever possible to isolate flowing water from in-channel construction.
5. Additional rip rap on streambanks should only extend to the ordinary high water elevation and matting and vegetation should be used above the ordinary high water elevation.

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: Yates Allen and Mike Sanderson, NCDOT Division 13 Environmental
Michael Turchy, NCDOT ECAP

401 Certification (NCDWR)

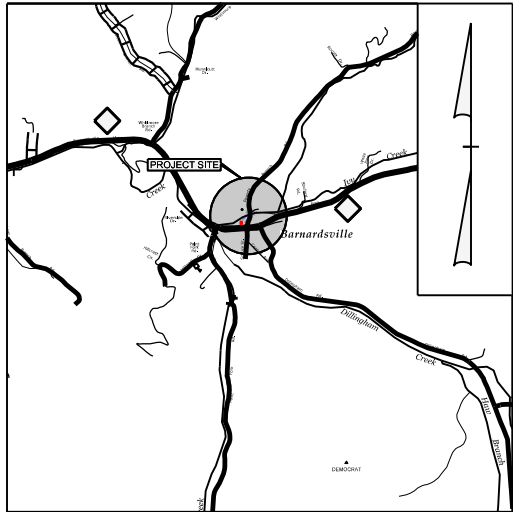
*Written
Authorization
Not Required*

Permitted Drawings

TIP PROJECT: DF18313.2011356.PR

CONTRACT:

See Sheet 1A For Index of Sheets



VICINITY MAP (NTS)

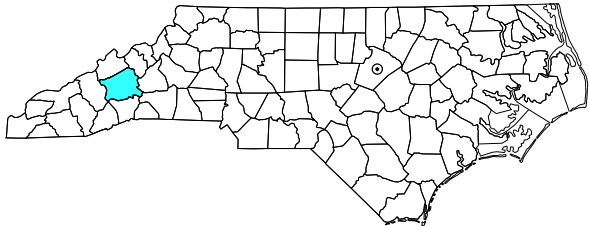
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

BUNCOMBE COUNTY

LOCATION: *REPLACE BRIDGE #100139 OVER NORTH FORK
IVY CREEK ON NC 197 (N FORK RD)*

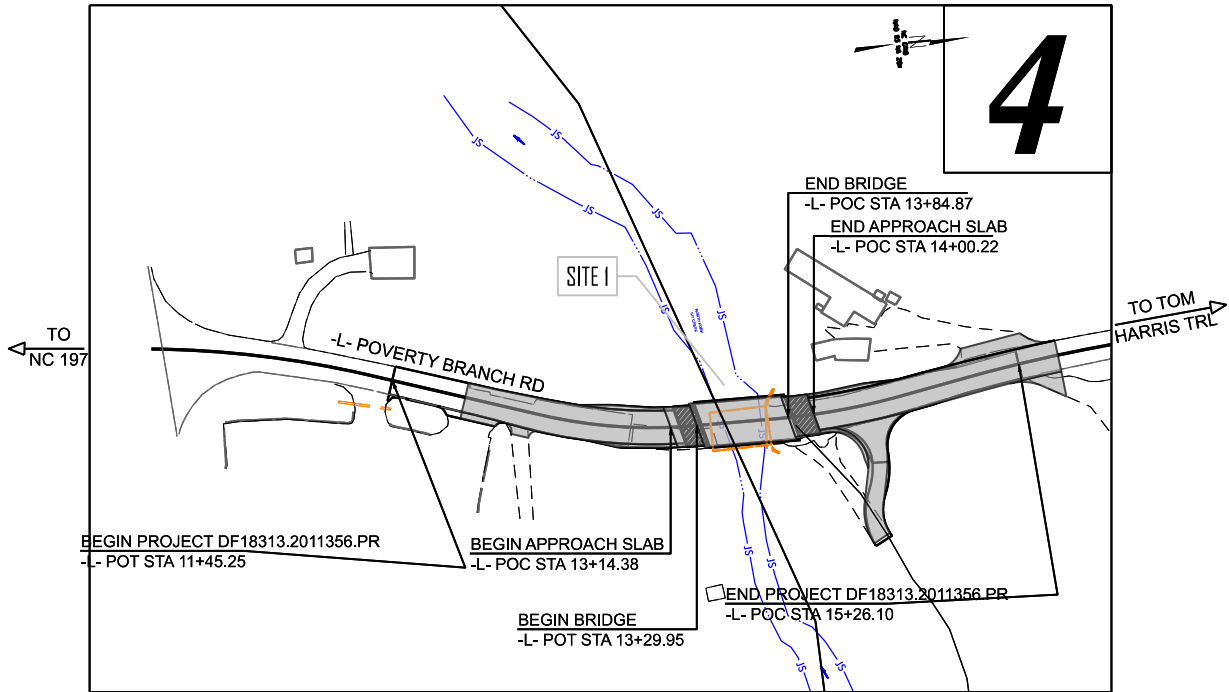
TYPE OF WORK: *GRADING, PAVING, DRAINAGE, & BRIDGE*

WETLAND AND SURFACE WATER IMPACTS PERMIT



NCDOT CONTACT:
DAN DUFFIELD
DCDUFFIELD@NCDOT.GOV

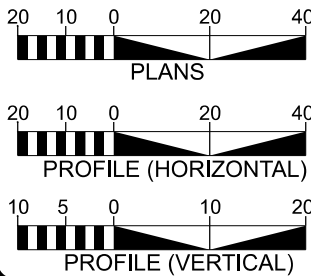
NOTES:
THIS PROJECT IS WITHIN THE MUNICIPAL LIMITS OF
BARNARDSVILLE
CLEARING ON THIS PROJECT SHALL BE PERFORMED
TO THE LIMITS ESTABLISHED BY METHOD II



4

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION
INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION
DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES



DESIGN DATA

ADT 2025 = 590
ADT 2045 = 800
K = %
D = %
T = % *
V = 25 MPH
* TTST = DUAL
FUNC CLASS =
RURAL LOCAL
SUBREGIONAL TIER

PROJECT LENGTH

LENGTH OF ROADWAY = 0.055 MILES
LENGTH OF STRUCTURE = 0.013 MILES
TOTAL LENGTH = 0.068 MILES

PREPARED IN
THE OFFICE OF:
FOR NCDOT



SUNGATE DESIGN GROUP, P.A.
5605 ETTA BURKE CT., STE. 100
RALEIGH, NORTH CAROLINA 27609
TEL: (919) 880-2143
ENG. FIRM LICENSE NO. C-409

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:

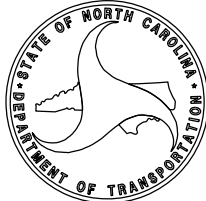
LETTING DATE:

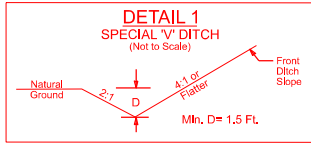
ALLISON C. JOHNSON, PE
PROJECT ENGINEER
BENJAMIN C. PICKERING II, PE
PROJECT DESIGN ENGINEER
DAN DUFFIELD
NCDOT CONTACT

HYDRAULICS ENGINEER

SIGNATURE: P.E.
ROADWAY DESIGN ENGINEER

SIGNATURE: P.E.



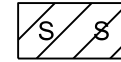
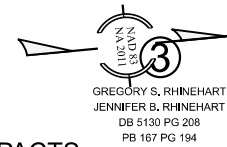


FROM STA. 14+54 TO STA. 14+80 -L- RT.
FROM STA. 20+32 TO STA. 20+72 -DR1- LT

0' 10' 40'
Scale: 1"= 40'

PERMIT DRAWING
SHEET 2 OF 5

DATE: 4/21/2026



SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS

DF18313.2011356.PR

004

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
BUNCOMBE COUNTY

ROADWAY DESIGN UNIT
ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

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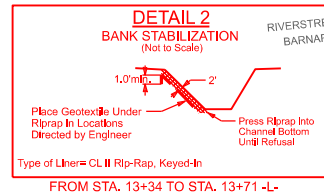
PREPARED BY

AMERICAN
Engineering
11525 N. Community House Road, Suite 325
Charlotte, NC 28277 / 704.375.2438

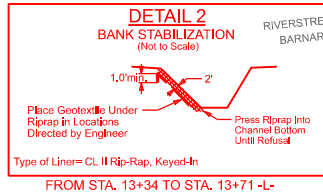
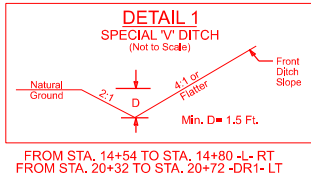
SUNGATE DESIGN GROUP, P.A.

DAVID B. BURKE, C.E., P.E., D.B.
100 S. BURNING TREE DRIVE, SUITE 100
SUNGATE DESIGN GROUP, P.A.
SUNGATE DESIGN GROUP, P.A.

REVISIONS



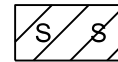
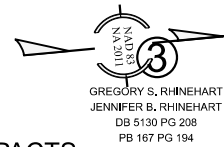
FROM STA. 13+34 TO STA. 13+71 -L-



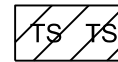
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Scale: 1"= 40'

PERMIT DRAWING
SHEET 3 OF 5

DATE: 4/21/2026



SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS

DF18313.2011356.PR

004

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
BUNCOMBE COUNTY

ROADWAY DESIGN UNIT
ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

INCOMPLETE PLANS
DO NOT USE FOR CONSTRUCTION

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PREPARED BY



REVISIONS

FOR -CHAIN-PROFILE, SEE SHEET 22

DF18313.2011356.PR
005

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
BUNCOMBE COUNTY



ROADWAY DESIGN UNIT
ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

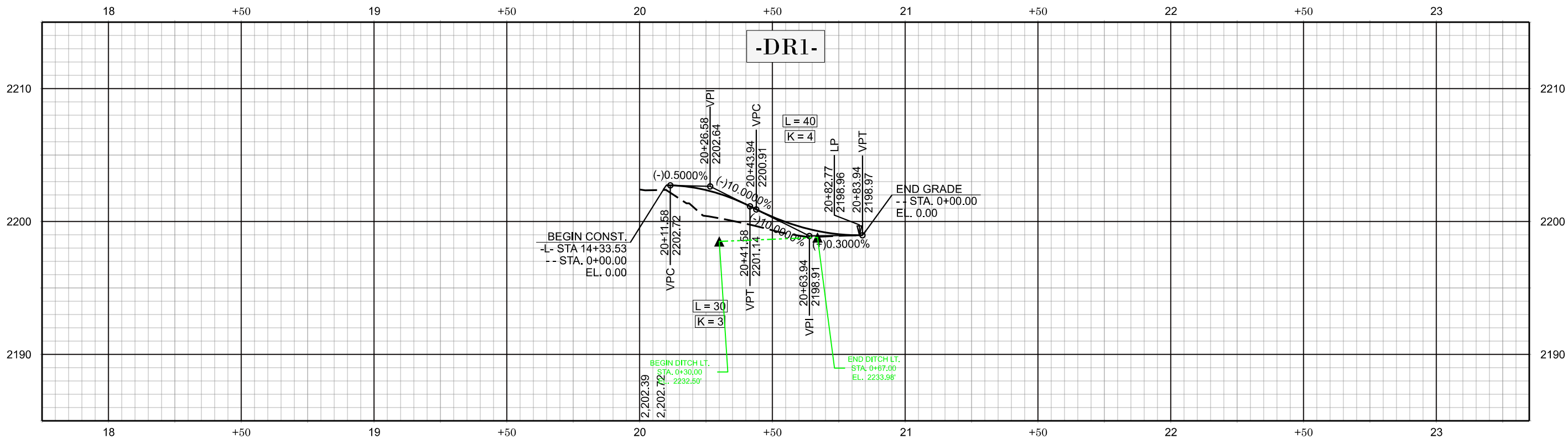
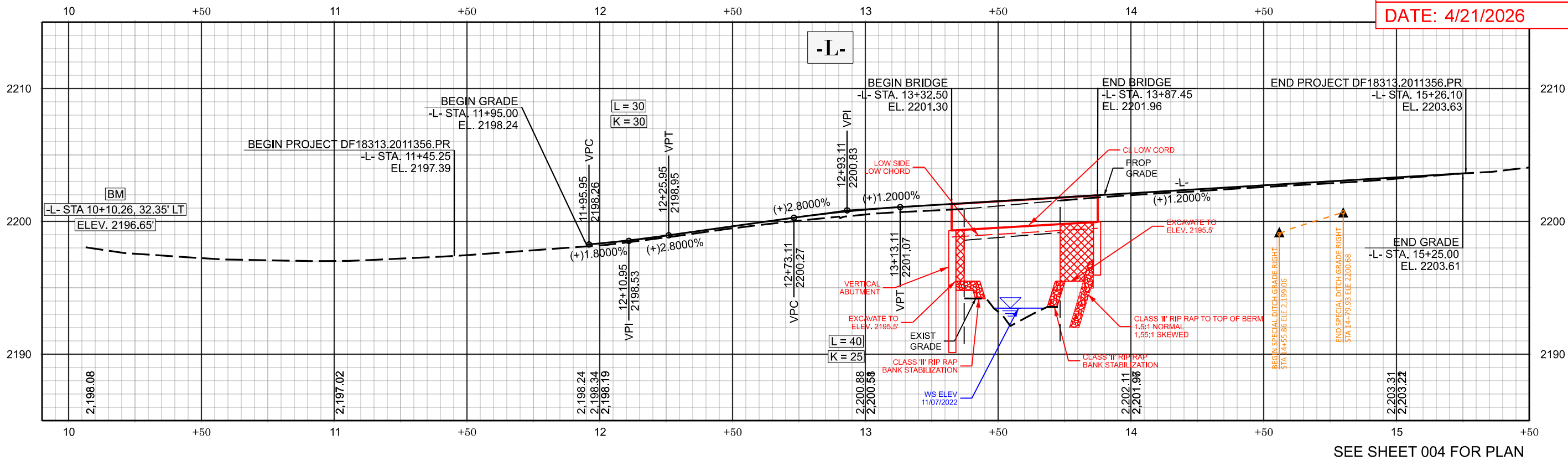
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PREPARED BY

AMERICAN
Engineering
11525 N. Community House Road | Suite 325
Charlotte, NC 28277 | 704.375.2438

SUNGATE DESIGN GROUP, P.A.

SUNGATE DESIGN GROUP, P.A.
100 SOUTH MAIN STREET, SUITE 100
FAYETTEVILLE, NC 28404
SUNGATE DESIGN GROUP, P.A.
SUNGATE DESIGN GROUP, P.A.
SUNGATE DESIGN GROUP, P.A.



REVISIONS

WETLAND AND SURFACE 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)
1	13+18 to 13+70-L-	BANK STABILIZATION						0.017		72		
		TEMP. CONST. ACCESS							0.026		93	
TOTALS*:			0.00	0.00	0.00	0.00	0.00	0.02	0.03	72	93	0

*Rounded totals are sum of actual impacts

NOTES:

Bridge Open Area

Existing = **185.7 SF**

Proposed = **243.7 SF**

Temporary Channel Impacts

72 LF of Temporary Channel Impacts are coincident to the Permanent Impacts

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
04-21-2026
BUNCOMBE COUNTY
DF18313.2011356.PR