



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

October 14, 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 199 over Beetree Creek on SR 2427 (Summer Haven Road)
Division 13, WBS DF18313.2011267.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-2026-01496 Dated October 13, 2026	March 14, 2031
NC Division of Water Resources Section 401 Water Quality Certification	Water Quality Certification No. 8562 [3] Project ID: 2026-1102 Dated August 19, 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.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at:
https://xfer.services.ncdot.gov/pdea/EnvironmentalPermits/_General_Conditions_and_Certifications/

404 Permit (USACE)



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

October 13, 2026

Regulatory Division
SAW-2026-01496

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 August 18, 2026, for a Department of the Army general permit verification to replace a bridge that was damaged by **Hurricane Helene**. This project will replace **Bridge No. 199** over Beetree Creek on SR 2427 in Buncombe County, North Carolina (35.6360, -82.3996) and has been assigned file number SAW-2026-01496. 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 (Beetree Creek)	<u>NPW 3</u>					253' / dewater	72' / bank stabilization
							73' / scour hole repair
Impact Totals		0	0	0	0	253'	145'
Total Loss of waters of the U.S. (wetlands and/or open waters)			0	Total Loss of waters of the U.S.			0
Required wetland compensatory mitigation			0	Required stream compensatory mitigation			0

We have reviewed the proposed activities in waters of the U.S. and have determined that the 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 NWP general conditions and regional conditions for NWP 3
- special conditions of the verification letter for this project (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, McDowell, Mitchell, Rutherford, and Yancey Counties, North Carolina, Service Log #25-249 through 25-263” on July 21, 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 NWP 3 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 NWP 3. 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 of the attached letter from the North Carolina Wildlife Resources Commission dated August 19, 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

The maximum estimate for tree clearing per structure replacement location is 0.10 acre. That amount will likely be less at most locations, given the variability in site conditions and the extreme scour (and resulting loss of riparian vegetation) during TS Helene flooding. The season during which clearing will occur is not known for each location but is assumed to occur during any time of year, including summer months. Clearing and grading will occur to allow for access roads and general construction functionality.

Where damaged structures or portions of damaged structures remain in place, demolition will occur. The details of demolition activities and seasonality of demolition will vary by project, with an assumption that these activities will occur during any time of year, including summer months.

2.3 Avoidance and Minimization and Conservation Measures

NCDOT will employ the following agency standards, guidelines, and best practices to avoid and minimize project-mediated activities that could negatively impact listed/proposed species or their habitat.

2.3.1 Avoidance and minimization measures (AMMs)

General (regardless of species): The following General AMMs will be implemented on all projects to minimize impacts to listed/proposed species and habitat:

- General AMM1 -NCDOT will ensure all operators, employees, and contractors working in areas of suitable habitat for federally listed/proposed species are aware of all NCDOT environmental commitments, including all applicable AMMs and all associated NCDOT guidance documents.
- General AMM2 - Best management practices (BMP) and sediment and erosion control (SEC) measures will be utilized to prevent non-point source pollution, control storm water runoff, and minimize sediment damage to avoid and reduce overall water quality degradation.
- General AMM3 - Areas of disturbance, such as tree clearing, grubbing, and grading, will be limited to the maximum extent possible.

Bats - General AMMs will minimize impacts to listed/proposed bats. **To the maximum extent possible**, the following AMMs will also be incorporated into project work – though implementation of all bat AMMs below cannot be guaranteed at the time of this consultation, given the scale, scope, and timeline constraints addressed previously:

- Bat AMM Noise - Percussive activities will occur only after the tree clearing within the action area has been completed, helping to reduce the exposure of any tree-roosting bats within the action area to high decibel noise.
- Bat AMM Lighting - No new permanent lighting will be added to the action area. Any lighting needed for night work will be directed at the work area and shielded from surrounding waters/landscape, only on when needed, no brighter than necessary, and blue light emissions will be limited.
- Bat AMM Riparian Planting – Disturbed riparian areas will be replanted with native, fast-growing tree and shrub species where feasible, with the understanding that plantings likely cannot be done in utility/drainage/construction easements.



◻ North Carolina Wildlife Resources Commission ◻

M. Kyle Briggs, Executive Director

August 19, 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 199 on Summer Haven Road (SR 2427) over Reems Creek, Buncombe County (**DF18313.2011267**), DWR 20261102 ver.1

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 timber deck on steel beam bridge over Beetree Creek that was damaged by flooding from Hurricane Helene. The new structure will be a 67' span bridge. The bridge will be stage constructed. The project also includes a channel shift and grading upstream of and under the new bridge.

In late 2025, NCWRC biologists sampled Beetree Creek at this bridge and only found one small wild Rainbow Trout (*Oncorhynchus mykiss*). Habitat was, and presumably still is, poor due to a combination of the effect of the water supply reservoir upstream on flow and water quality, the flood, and the channel excavation that has occurred since the storm. The NCWRC believes that impacts of this project should not appreciably harm trout spawning, so, consistent with earlier comments, the moratorium should still be waived.

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

1. Applicable measures from the current *NCDOT Erosion and Sediment Control Design and Construction Manual* should be adhered to.
2. 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.
3. Sandbags, rock berms, cofferdams, or other diversion structures should be used whenever possible to isolate flowing water from in-channel construction.
4. Following construction the area of channel shift and grading upstream of the bridge should be reforested to minimize long term trout habitat impacts.

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, NCDOT Division 14 Environmental Specialist II
Mike Sanderson, NCDOT Division 14 Environmental Supervisor
Rob Crowther, PWS, NCDOT ECAP

401

Certification (NCDWR)

JOSH STEIN
Governor

D. REID WILSON
Secretary

RICHARD E. ROGERS, JR.
Director



NORTH CAROLINA
Environmental Quality

August 19, 2026

DWR # 20261102
Buncombe County

Mr. Michael A. Turchy, ECAP Group Leader
NC DOT Environmental Analysis Unit
1598 Mail Service Center
Raleigh NC 27699
maturchy@ncdot.gov

Subject: Certificate of Coverage Approval under Water Quality General Certification No. 8562
NCDOT Project DF18313.2011267.PR: Replace Bridge 199 on SR 2427
Location: Lat 35.6360, Long -82.39964

Dear Mr. Turchy:

This Certificate of Coverage approval is issued to the North Carolina Department of Transportation, dated August 19, 2026. This Certificate of Coverage authorizes work under General Certification No. 8562 for the impacts listed below and described in your application which was received by the N.C. Division of Water Resources (Division or DWR) with fee August 18, 2026. This certificate is for the purpose and design described in your application. This approval requires you to follow all the conditions listed in the enclosed General Certification No. 8562.

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>.

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



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617
919.707.9000

Type of Impact	Amount Approved Permanent	Amount Approved Temporary
Perennial Streams		
Bridge & Bank Stabilization	72 linear feet	0 linear feet
Stream Repair	73 linear feet	0 linear feet
Dewatering	0 linear feet	253 linear feet
Totals:	145 linear feet	253 linear feet

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

This letter completes the Division's review under Section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Rob Ridings at rob.ridings@deq.nc.gov or 919-707-8786 if you have any questions or concerns.

Sincerely,

Signed by:

3185423002EA45E...

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

Enclosures: Notice Regarding The Right To Contest A DWR 401 Water Quality Certification Decision
GC 8562

Electronic cc:

Lori Beckwith, USACE Asheville Regulatory Field Office (loretta.a.beckwith@usace.army.mil)
Robert Crowther, NCDOT ECAP (recrowther@ncdot.gov)
Mike Sanderson, NCDOT Division 13 Environmental Supervisor (jmsanderson@ncdot.gov)
Dave McHenry, NCWRC (david.mchenry@ncwildlife.gov)
Amy Annino, NCDWR Transportation Permitting (amy.annino@deq.nc.gov)
DWR 401 & Buffer Permitting Branch Electronic file



**NOTICE REGARDING THE RIGHT TO CONTEST A DWR DECISION ON A 401 WATER QUALITY
CERTIFICATION AND/OR BUFFER AUTHORIZATION**

Right of Persons Aggrieved to File a Contested Case for the Decision on a 401 Water Quality Certification and/or Buffer Authorization:

The Division's decision 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 an 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 (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.



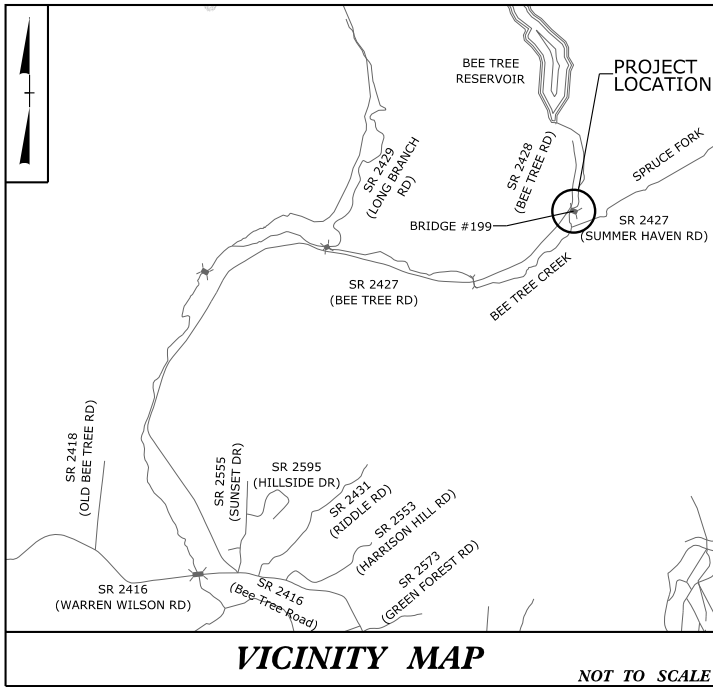
Permitted Drawings

K:\RAL_Roadway\012593016 - Division 13 Group 19\Hydraulics\PERMITS-Env\Inventor\00199\Drawings\00199_prm_1.tsdgn 7/30/2026

CONTRACT: C205123

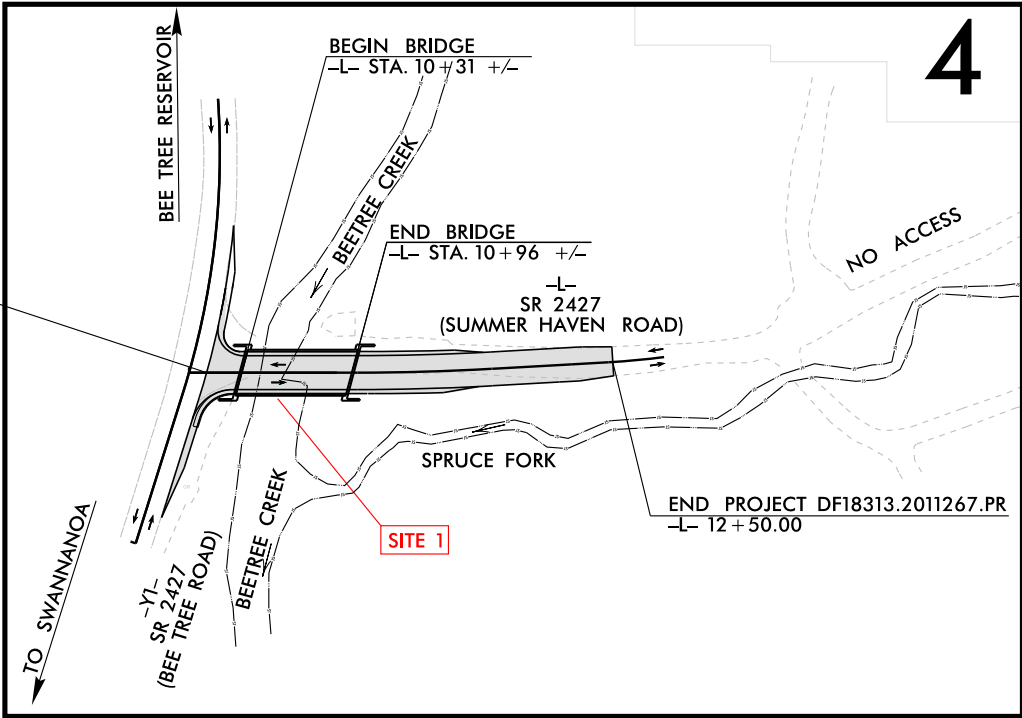
PROJECT: DF18313.2011267.PR

See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Symbols



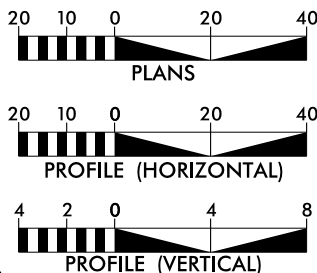
RIGHT-OF-WAY PLANS

BEGIN PROJECT DF18313.2011267.PR
-L- STA. 10+10.39



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II MODIFIED
THIS PROJECT HAS NO CONTROL ACCESS.
THIS PROJECT IS NOT WITHIN THE MUNICIPAL BOUNDARIES OF A TOWN OR CITY.

GRAPHIC SCALES



DESIGN DATA

ADT 2025 = 200 vpd
ADT 2045 = 200 vpd
V = 30 MPH
FUNC CLASS = LOCAL
SUB REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY PROJECT DF18313.2011267.PR
= 0.032 MILES
LENGTH STRUCTURE PROJECT DF18313.2011267.PR
= 0.013 MILES
TOTAL LENGTH PROJECT DF18313.2011267.PR
= 0.045 MILES

PLANS PREPARED FOR
THE NCDOT BY:

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
SEPT 16, 2025

LETTING DATE:
SEPT 16, 2025

Kimley »Horn

JACK R. CRINO, P.E.
PROJECT ENGINEER

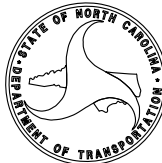
GERARD GASKIN
PROJECT DESIGN ENGINEER

DANIEL L. BAGLEY
NCDOT CONTACT

HYDRAULICS ENGINEER

SIGNATURE: P.E.
ROADWAY DESIGN ENGINEER

SIGNATURE: P.E.



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

BUNCOMBE COUNTY

LOCATION: BRIDGE NO. 100199 OVER BEETREE CREEK
ON SR 2427 (SUMMER HAVEN ROAD)
TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURE

SURFACE WATER IMPACTS PERMIT

PERMIT DRAWING
SHEET 1 OF 5

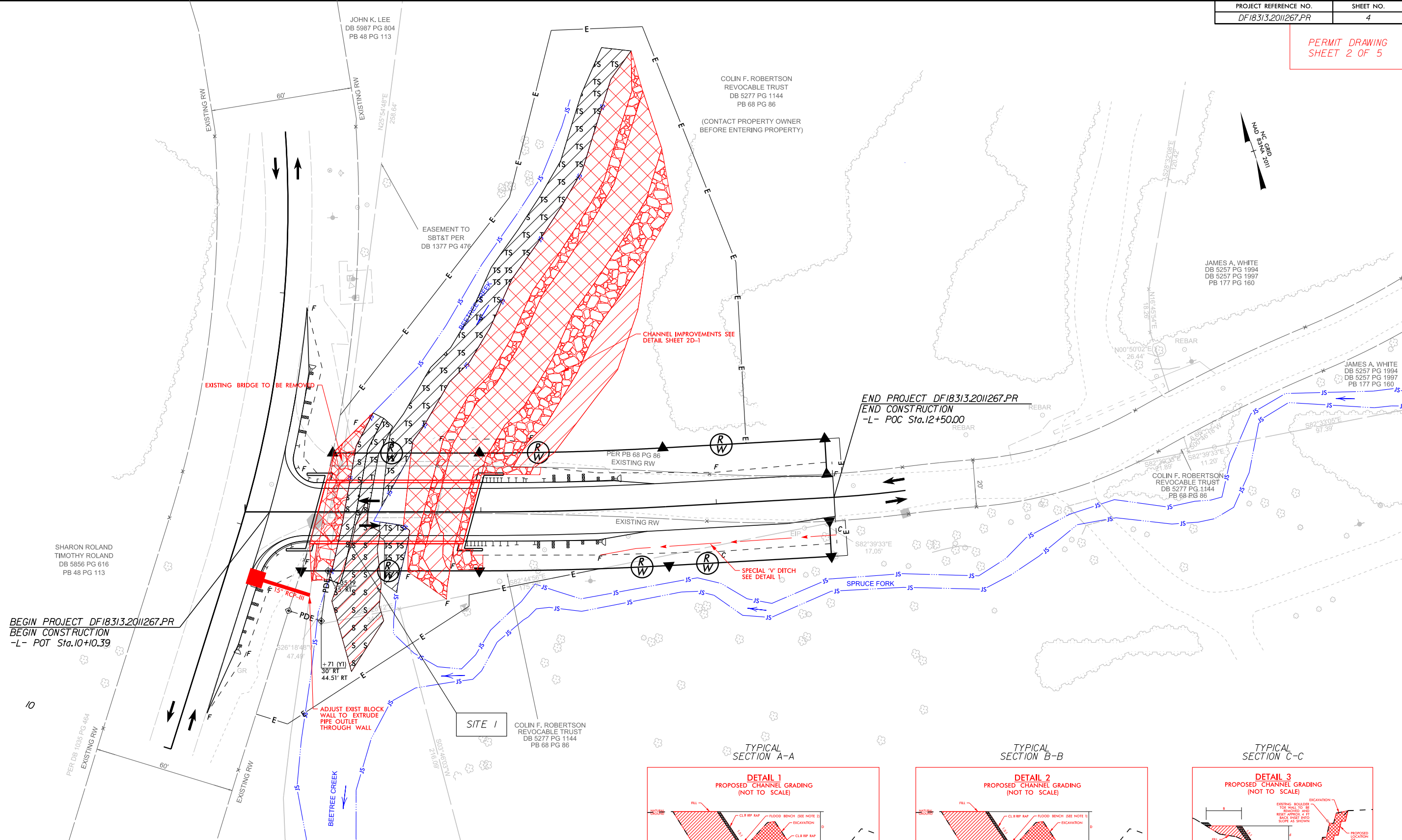
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	DF18313.2011267.PR	1	
STATE PROJ. NO.	P.A. PROJ. NO.	DESCRIPTION	
DF18313.2011267.PR	N.A.	P.E.	
DF18313.2011267.PR	N.A.	R/W & UTILITIES	
DF18313.2011267.PR	N.A.	CONSTRUCTION	

EXPRESS DESIGN BUILD: DIVISION 13 GROUP 19
BRIDGE # 100199
SUBMITTAL # S-0011
SUBMITTAL DATE: 05/29/26



REVISIONS

K:\PAL_Roadway\012593016 - Division 13 Group 19\Hydraulics\PERMITS\Environmental\001999\Drawings\001999.dwg - pm_pshdgn 7/30/2026



LEGEND



FILL



CLASS II
RIP RAP



EXCAVATION

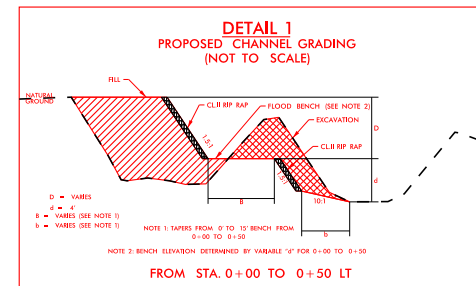


DENOTES IMPACTS
IN SURFACE WATER

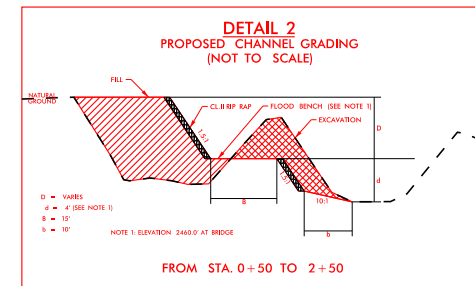


DENOTES TEMPORARY
IMPACTS IN SURFACE WATER

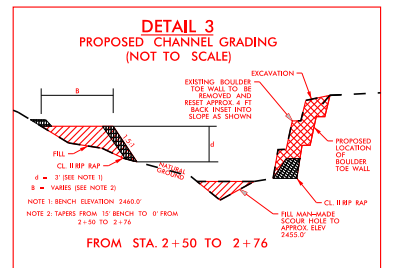
TYPICAL
SECTION A-A



TYPICAL
SECTION B-B

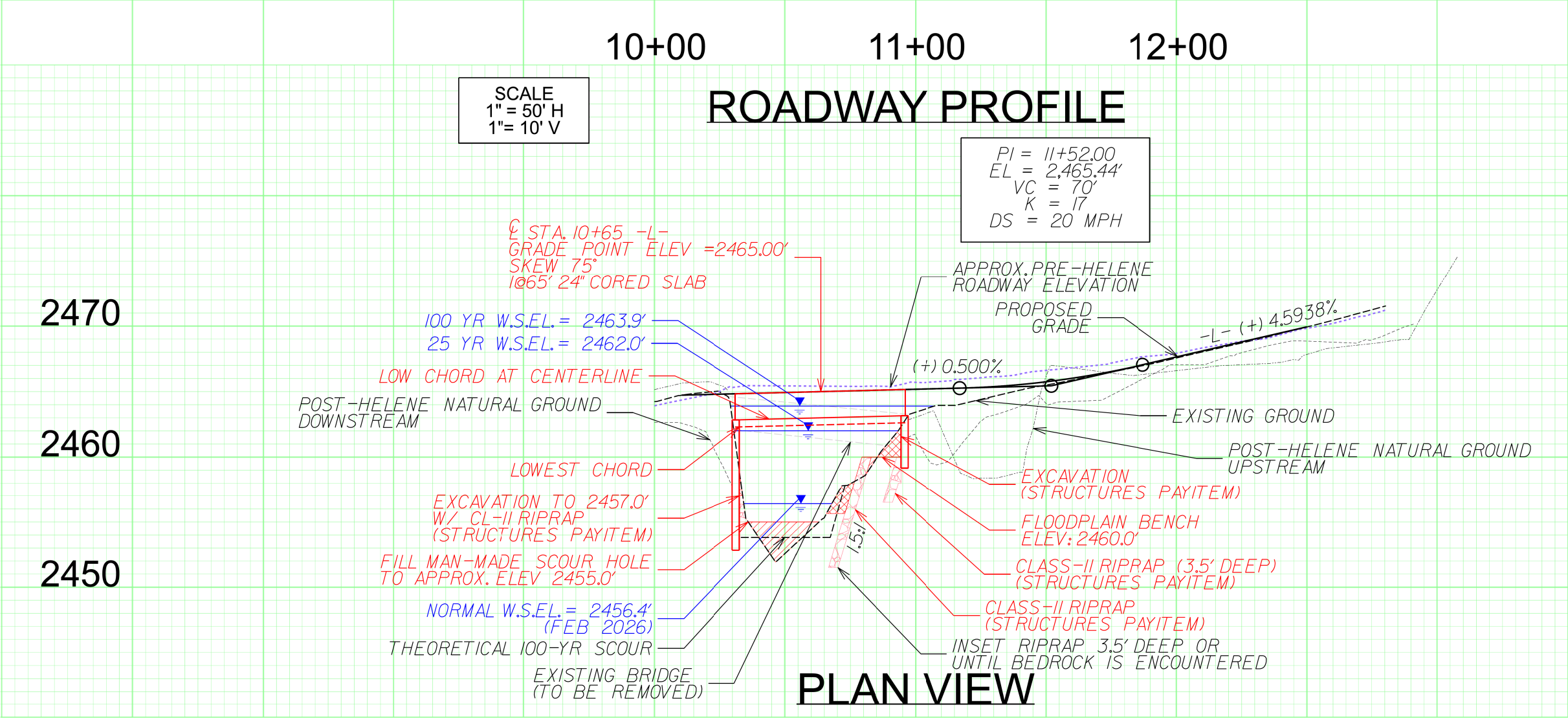


TYPICAL
SECTION C-C



REVISIONS

7/30/2026 K:\PAL_Roadway\012593016 - Division 13 Group 19\Hydraulics\PERMITS_Environmental\00099\Drawings\00099_drm_pfl.dgn



WETLAND AND SURFACE WATER IMPACTS SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			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	10+35.49/11+74.03 -L-	CORED SLAB BRIDGE (1@65')						< 0.01	0.06	72	253	
1	10+36.79/10+58.80 -L-	STREAM REPAIR						0.02		73		
TOTALS*:								0.03	0.06	*108	253	0

*Rounded totals are sum of actual impacts

NOTES:
*APPROXIMATELY 37 LINEAR FEET OVERLAP WITH PERMANENT IMPACTS BETWEEN STREAM REPAIR AND RIPRAP AT BRIDGE END BENT.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
05-14-2026
BUNCOMBE
STRUCTURE NO. 100199
DF18313.2011267.PR