



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JOSH STEIN  
GOVERNOR

DANIEL H. JOHNSON  
SECRETARY

February 10, 2026

MEMORANDUM TO: Division Environmental and Construction Units

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

SUBJECT: Environmental Permits for the Restoration of:  
McDowell Bridge 119 over North Fork Catawba River on US 221, Division 13,  
WBS DF18313.1059016

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-2004-30729 Dated February 6, 2026	March 14, 2026*
NC Division of Water Resources Section 401 Water Quality Certification	Individual Water Quality Certification ID: 20251636 Dated January 15, 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.

\*All 404 Nationwide Permits expire on March 14, 2026. Since new Nationwide Permits are not issued until the previous set expires, a one-year period exists between March 14, 2026, and March 14, 2027 to complete construction, or renew the permit under the new Nationwide Permit.

ECAP will coordinate with Division Environmental Staff to determine project completion timelines and initiate the renewal process, if necessary.

# 404 Permit (USACE)



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

February 6, 2026

Regulatory Division  
SAW-2004-30729

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](mailto: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 December 8, 2025, 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. 119** over the North Fork Catawba River on US 221 in McDowell County, North Carolina (35.8751, -81.9424) and has been assigned file number SAW-2004-30729. 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 (If)	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
<b>Site 1 (North Fork Catawba River)</b>	<u>NWP 3</u>					<b>296' / dewater and construction access</b>	
Impact Totals		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>296'</b>	<b>0</b>
Total Loss of waters of the U.S. (wetlands and/or open waters)			<b>0</b>	Total Loss of waters of the U.S.			<b>0</b>

Note that this project also includes 449' of relocation, to return the river to its pre-storm location, and 420' of bank stabilization along the relocated segment. This bank stabilization will not extend into the water further than the pre-existing bank did. As noted in Section II.B.3 of the document titled, "U.S. Army Corps of Engineers, Wilmington District's Information for Hurricane Helene Recovery and Repair Work Conducted by the North Carolina Department of Transportation in Waters of the U.S.", dated February 10, 2025, the relocation and stabilization activities are exempt from USACE permitting requirements.

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 14, 2026**, 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 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 #1-6 in the attached letter from the North Carolina Wildlife Resources Commission dated December 9, 2025.
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 does 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](mailto: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



## ☒ North Carolina Wildlife Resources Commission ☒

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M. Kyle Briggs, Executive Director

December 9, 2025

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 Application for Replacement of Bridge 119 over North Fork Catawba River, McDowell County. 18313.1059016, DWR 200251636v1**

The North Carolina Department of Transportation (NCDOT) applied for a 404 Permit and 401 Certification for the subject bridge replacement. 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 existing bridge was destroyed by Hurricane Helene flooding. It will be reconstructed on the pre-storm roadway alignment, and the downstream temporary structure and roadway will be removed. The work will also require channel relocation and reconstruction in the vicinity of the bridge to address storm caused and temporary repair impacts.

The North Fork Catawba River (B Tr) in the project area was severely degraded by floodwater from Hurricane Helene. There may still be some cold water refugia that hold some trout, but appreciable spawning by trout is not expected here based on the current habitat conditions. The trout moratorium should not apply to the repair work included in this application.

As reflected in scoping comments, the NCWRC requested that the bridge repair design include, where possible, an area of wide, unobstructed (no guardrail) road shoulder to provide opportunities for anglers to park and access the river. Parking at this bridge would be particularly beneficial since the North Fork Catawba River is designated by the NCWRC as public access trout water. It should be seasonally stocked with trout in the future. There is limited structure and grading detail in the permit drawings. However, it appears that there will be ample room for informal shoulder parking within the right-of-way that was acquired for the temporary bridge and roadway alignment.

The proposed cross-section of the channel change appears generally close to regional curve dimensions for bankfull. The floodplain bench will be approximately 3' high (per cross section) and create a bankfull channel width around 40 feet high. To promote sediment transport, as well as maintain design hydraulic capacity, it will be important that the bench heights and other dimensions be built to plan.

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. 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).
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. Rip rap should be avoided on the benches under the bridges or topped with available alluvial material to make a traversable surface for wildlife (See attached photo example - Stokes 8).
4. Where possible channel changes, such as sediment bar removal, should be excavated in the dry proceeding in an upstream direction to minimize the duration of in-water disturbance and downstream sedimentation.
5. Some large rocks should be retained or replaced in channel reconstruction areas for aquatic habitat.
6. Temporary impacted streambanks, such as within the temporary roadway alignment, should be restored and planted (reforested) with native trees.

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

Sincerely,



Dave McHenry, NCWRC Western DOT Coordinator

1. NCDOT shall ensure that the contractor(s) understands and follows the measures listed in the “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 areas to only the area necessary for the safe and successful implementation of the proposed actions.
3. NCDOT shall monitor and document any take numbers and the surrogate measures of take and report those to the Service in a batched format.

### 7.3 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. If this conference opinion is adopted as a biological opinion following a listing or designation, these terms and conditions will be non-discretionary.

1. NCDOT shall adhere to all measures as listed in the Avoidance and Minimization and Conservation Measures section as summarized in this Opinion.
2. The NCDOT will immediately inform the Service if the amount or extent of incidental take in the incidental take statement is exceeded.
3. 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 NDOT 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, per individual project (via Service Log # and NCDOT identifiers), the following for the preceding calendar year ending December 31:
    - i. Acreage and dates of tree removal (if any), if LAA for bats (excepting gray bat).
    - ii. Dates of structure removal (if any), if LAA for bats.
    - iii. List of implemented AMMs and BMPs [as listed in Section 2.3].

## 8. Conservation Recommendations

Section 7(a)(1) of the Endangered Species ESA directs Federal agencies to use their authorities to further the purposes of the Endangered Species ESA by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information.

- **Eastern Hellbender:** Proximity to eastern hellbender occurrence records was noted for the following crossing structures: Buncombe County structures 132, 135, and 139, and Yancey County structure 298. Ahead of work at this location, coordinate with the NCWRC and the Service to survey for/relocate any hellbender that may be within the action area and vulnerable to impacts from project work.
- **State Species of Concern:** Proximity to aquatic species with North Carolina designations was noted for Buncombe County crossing structures 132, 135, 175, and 200, Madison County crossing structure 042, McDowell County crossing structure 044, and Mitchell County crossing structure 123. While these species are not currently afforded legal protection under the ESA, we recommend the most

401

Certification  
(NCDWR)

**JOSH STEIN**  
*Governor*

**D. REID WILSON**  
*Secretary*

**RICHARD E. ROGERS, JR.**  
*Director*



**NORTH CAROLINA**  
*Environmental Quality*

January 15, 2026

DWR # 20251636  
McDowell County

North Carolina Department of Transportation  
Attn: Michael Turchy  
55 Orange Street  
Asheville, North Carolina, 28801

Delivered via email to: maturchy@ncdot.gov

**Subject: Approval of Individual 401 Water Quality Certification**  
Helene – Re-establishment of Bridge 119 over North Fork Catawba  
River on US 221, WBS 18313.1059016.PR

**Location:** 35.8751, -81.9424

Dear Mr. Michael Turchy:

Attached hereto is a copy of Certification No. WQC008552 issued to Michael Turchy and the North Carolina Department of Transportation, dated January 15, 2026. This approval is for the purpose and design described in your application.

This Water Quality Certification does not relieve 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.

Upon the presentation of proper credentials, the Division of Water Resources (Division) 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.



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

This approval and its conditions are final and binding unless contested [G.S. 143-215.5].

This Certification can be contested as provided in Chapter 150B of the North Carolina General Statutes by filing a Petition for a Contested Case Hearing (Petition) with the North Carolina Office of Administrative Hearings (OAH) **within sixty (60) calendar days**. Requirements for filing a Petition are set forth in Chapter 150B of the North Carolina General Statutes and Title 26 of the North Carolina Administrative Code. Additional information regarding requirements for filing a Petition and Petition forms may be accessed at <https://www.oah.nc.gov> or by calling the OAH Clerk's Office at (919) 431-3000.

A party filing a Petition must serve a copy of the Petition on:

Dan Hirschman, General Counsel  
Department of Environmental Quality  
1601 Mail Service Center  
Raleigh, NC 27699-1601

If the party filing the Petition is not the Permittee, then the party must also serve the recipient of the Certification in accordance with N.C.G.S. 150B-23(a).

This letter completes the Division's review under Section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Amy Annino at 828-296-4668 or [amy.annino@deq.nc.gov](mailto:amy.annino@deq.nc.gov) if you have any questions or concerns.

Sincerely,

Signed by:

  
3185423002EA45E...  
Faith Hardin, Supervisor  
401 & Buffer Transportation Permitting Branch

Electronic cc: Lori Beckwith, USACE Asheville Regulatory Field Office  
Mike Sanderson, Division 13 Environmental Officer  
Holland Youngman, USFWS  
Dave McHenry, NCWRC  
DWR 401 & Buffer Permitting Branch Electronic file

Filename: 20251636\_Helene Bridge 119 on US 221\_APPRV\_20260115.docx



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

## NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

**CERTIFICATION #WQC008552** 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. Michael Turchy and the North Carolina Department of Transportation, who have authorization for the impacts listed below, as described within your application received by the N.C. Division of Water Resources (Division) on December 8, 2025, and by Public Notice issued by the Division on December 8, 2025, 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 conditions hereinafter set forth.

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

### Stream Impacts in the Catawba River Basin

Site	Permanent Fill in Perennial Stream (linear feet)	Temporary Fill in Perennial Stream (linear feet)	Total Stream Impact (linear feet)	Stream Impacts Requiring Mitigation (linear feet)
Site 1: River Re-establishment	-	449 linear feet	449 linear feet	0
Site 2: Bank stabilization	420 linear feet	-	420 linear feet	0
Site 3: Workpad/causeway	-	296 linear feet	296 linear feet	
<b>Totals:</b>	<b>420 linear feet</b>	<b>745 linear feet</b>	<b>1165 linear feet</b>	<b>0</b>

**Total Stream Impact for Project: 420 linear feet permanent and 745 linear feet temporary**

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

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

#### Project Specific Conditions

1. The NCDOT Division Environmental Officer or Environmental Assistant will conduct a pre-construction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues with the stream at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]



2. The permittee shall use Design Standards in Sensitive Watersheds (15A NCAC 4B.0124[a]-[e]) in areas draining to Trout waters.
3. NCDOT shall be in compliance with the NCS00250 issued to the NCDOT, including the applicable requirements of the NCG01000. Please note the extra protections for the sensitive watersheds.
4. The post-construction removal of any temporary bridge structures must return the project site to its preconstruction contours and elevations. The impacted areas shall be revegetated with appropriate native species. [15A NCAC 02H .0506(b)(2)]
5. 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)]
6. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. To meet the requirements of NCDOT's NPDES permit NCS0000250, please refer to the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual for approved measures. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
7. 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 without prior written approval from the NCDWR first. [15A NCAC 02H .0506(b)(2)]
8. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly. [15A NCAC 02H .0506(b)(3)]
9. 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)]
10. A turbidity curtain will be installed in the stream if driving or drilling activities 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)]
11. Channel relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. The stream relocation area shall be constructed to ensure that the stream channel will be substantially similar in width and water depth as the



pre-storm channel. The channel shall be constructed such that the tie-in with the natural channel at each end shall ensure that upstream and downstream stream beds and stream banks are protected from erosion.

Stream banks shall be matted with coir-fiber matting. Vegetation used for bank stabilization shall be limited to native riparian vegetation, and should include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Also, rip-rap may be allowed if it is necessary to maintain the physical integrity of the stream, but the applicant must provide written justification and any calculations used to determine the extent of rip-rap coverage requested.

The permittee shall provide on-site supervision of the relocation work by an appropriately trained individual. Visual monitoring of the relocated channel tie-in locations shall be conducted at a minimum of quarterly for the first year or two bankfull events (whichever is longer), to confirm the site remains stable. Once the stream has been turned into the new channel, it may be necessary to relocate stranded fish to the new channel to prevent fish kills. [15A NCAC 02H .0506(b)(3) and 15A NCAC 02H .0506(b)(1) and (2)]

#### General Conditions

1. Unless otherwise approved in this certification, placement of culverts and other structures in open waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required. [15A NCAC 02H.0506(b)(2)]
2. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. 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. [15A NCAC 02B.0200]
3. For all streams being impacted due to site dewatering activities, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]
4. During the construction of the project, no staging of equipment of any kind is permitted in



waters of the state or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]

5. 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)]
6. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage. [15A NCAC 02H.0506(b)(2)]
7. 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)]
8. 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)]
9. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]
10. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]
11. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
12. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
13. The permittee and its authorized agents shall conduct its 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. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]



14. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
15. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
16. 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]
17. The Permittee shall report any violations of this certification to the Division of Water Resources within 24 hours of discovery. [15A NCAC 02B.0506(b)(2)]
18. 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]
19. 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)]
20. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]
21. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within jurisdictional wetlands. [15A NCAC 2H.0506; 15A NCAC 2H.0507]
22. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards [15A NCAC 02H.0506(b)(3)]:
  - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the North



Carolina Sediment and Erosion Control Planning and Design Manual.

- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the North Carolina Sediment and Erosion Control Manual. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
- c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the North Carolina Surface Mining Manual.
- d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.

23. Sediment and erosion control measures shall not be placed in wetlands or surface waters without prior approval from DWR. [15A NCAC 02H.0506(b)(3)]

24. 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.

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.

This, the 15th day of January 2026

Signed by:



3185423002EA45E...

Faith Hardin, Supervisor  
401 & Buffer Transportation Permitting Branch



# Permitted Drawings



## North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN  
FOR NCDOT PROJECTS

(Version 3.02; Released April 23, 2024)

WBS Element: DF18313.1059016.F TIP/Proj No: DF18313.1059016.PR

County(ies): McDowell

Page 1 of 2

## General Project Information

WBS Element:	DF18313.1059016.PR	TIP Number:	DF18313.1059016.PR	Project Type:	Bridge Replacement	Date:	11/11/2025	
NCDOT Contact:	Byron Kyle		Contractor / Designer:	Sungate Design Group, PA				
	Address:	1020 Birch Ridge Drive Raleigh, NC 27610		Address:	905 Jones Franklin Rd Raleigh NC, 287606			
	Phone:	919-707-6621		Phone:	919-710-8459			
	Email:	<a href="mailto:btkyle@ncdot.gov">btkyle@ncdot.gov</a>		Email:	<a href="mailto:belam@sungatedesign.com">belam@sungatedesign.com</a>			
City/Town:	Ashford		County(ies):	McDowell				
River Basin(s):	Catawba		CAMA County?	No				
Wetlands within Project Limits? No								
Project Description								
Project Length (lin. miles or feet):	0.11	Surrounding Land Use:	Rural, Agricultural, Residential, Camground					
Project Built-Upon Area (ac.)	Proposed Project			Existing Site				
Typical Cross Section Description:	0.7	ac.		0.5	ac.			
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	2,900	Year:	N/A	Existing:	2,900	Year:	2025
General Project Narrative: (Description of Minimization of Water Quality Impacts)	The North Carolina Department of Transportation proposes to rebuild McDowell bridge #580119 after the existing structure was destroyed by Hurricane Helene flooding (September 2024). The existing structure was a 1@36', 1@37.6' concrete deck on concrete deck girders with concrete vertical abutments. The proposed structure is a 1@105', 39" box beam bridge with vertical concrete abutments. No deck drains are proposed over open water. Existing drainage patterns have been maintained to the maximum extent practical. Further, rip rap will be utilized to stabilize stormwater outfalls and existing stream banks that may be disturbed during construction.							



(Version 3.02; Released April 23, 2024)

North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN  
FOR NCDOT PROJECTS



WBS Element: DF18313.1059016.F TIP/Proj No.: DF18313.1059016.PR

County(ies): McDowell

Page 2 of 2

General Project Information

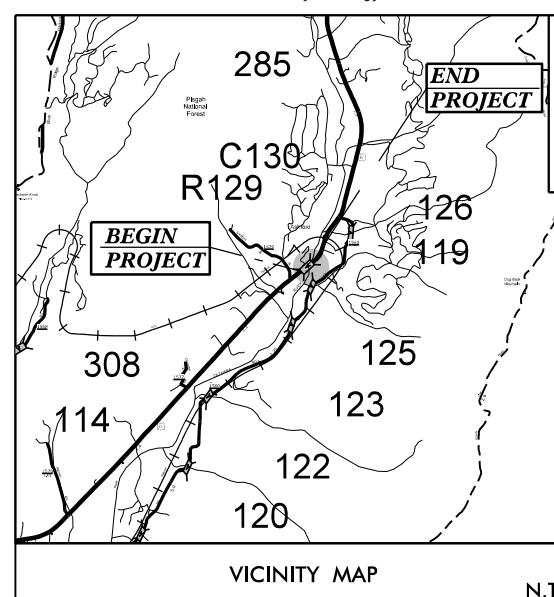
Waterbody Information

Surface Water Body (1):	North Fork Catawba River		NCDWR Stream Index No.:	11-24-(2.5)		
NCDWR Surface Water Classification for Water Body		Primary Classification:	Class B			
		Supplemental Classification:	Trout Waters (Tr)			
Other Stream Classification:						
Impairments:	None					
Aquatic T&E Species?		Comments:				
NRTR Stream ID:	N/A		Buffer Rules in Effect:	N/A		
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No	Dissipator Pads Provided in Buffer?	No	
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
Surface Water Body (2):			NCDWR Stream Index No.:			
NCDWR Surface Water Classification for Water Body		Primary Classification:				
		Supplemental Classification:				
Other Stream Classification:						
Impairments:						
Aquatic T&E Species?		Comments:				
NRTR Stream ID:			Buffer Rules in Effect:			
Project Includes Bridge Spanning Water Body?		Deck Drains Discharge Over Buffer?		Dissipator Pads Provided in Buffer?		
Deck Drains Discharge Over Water Body?		(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
Surface Water Body (3):			NCDWR Stream Index No.:			
NCDWR Surface Water Classification for Water Body		Primary Classification:				
		Supplemental Classification:				
Other Stream Classification:						
Impairments:						
Aquatic T&E Species?		Comments:				
NRTR Stream ID:			Buffer Rules in Effect:			
Project Includes Bridge Spanning Water Body?		Deck Drains Discharge Over Buffer?		Dissipator Pads Provided in Buffer?		
Deck Drains Discharge Over Water Body?		(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		

CONTRACT. C.205020

PROJECT: DE18313 1059016 PR

DATE \$



STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**PERMIT DRAWING  
SHEET 1 OF 8**

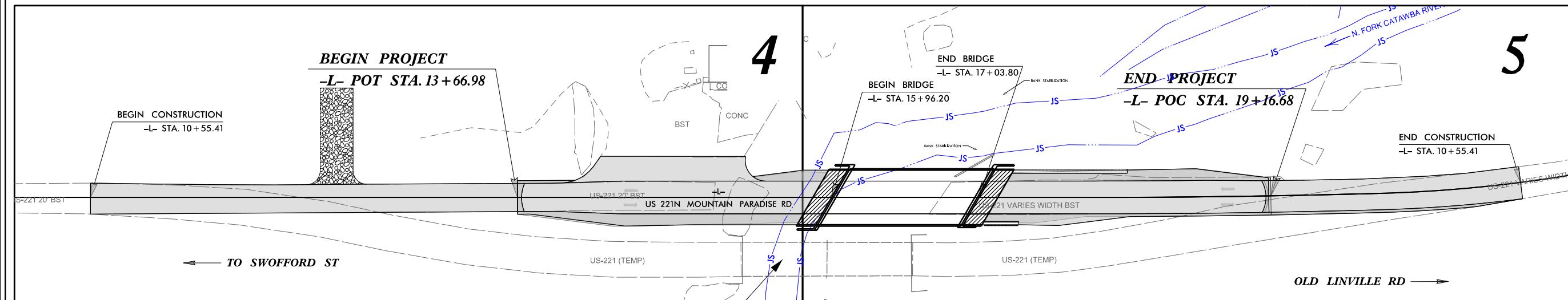
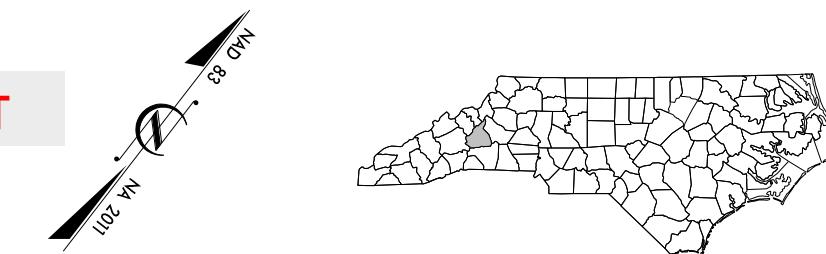
DATE: 12/2/2023

# *MCDOWELL COUNTY*

**LOCATION: BRIDGE No. 580119 OVER NORTH FORK CATAWBA RIVER  
ON US 221**

**TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURE**

## WETLAND AND SURFACE WATER IMPACTS PERMIT

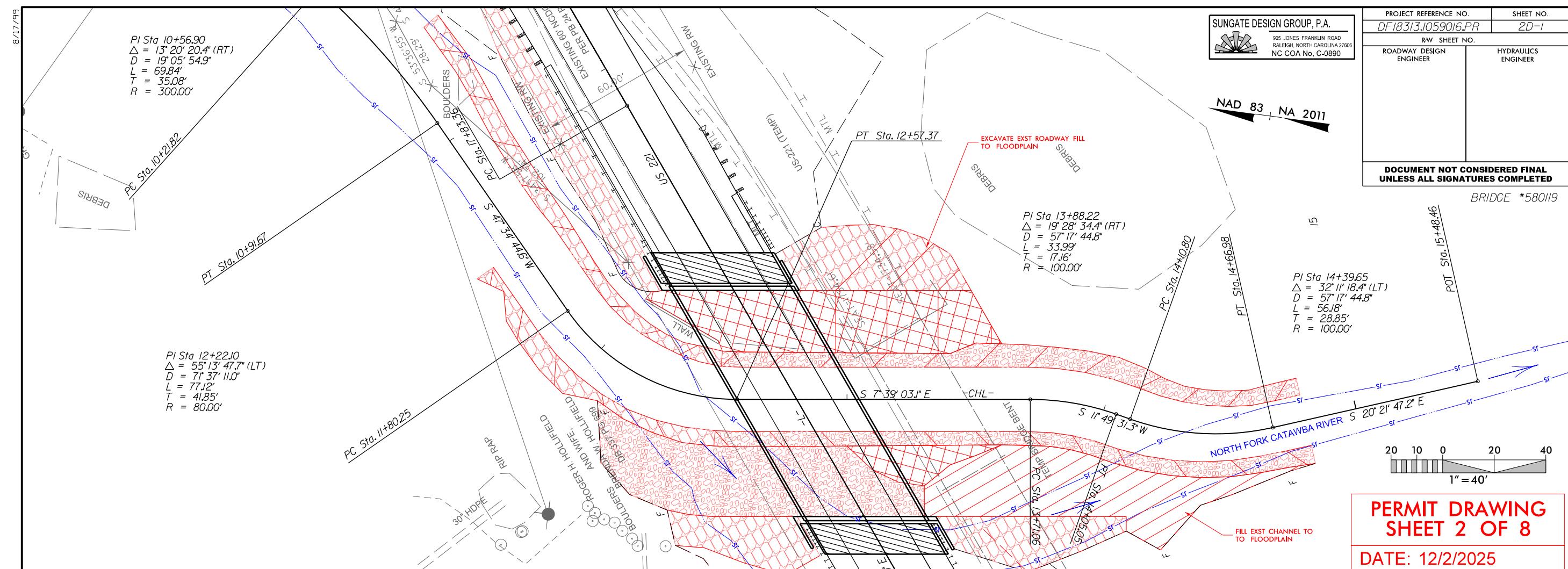


## **DESIGN EXCEPTION REQUIRED FOR HORIZONTAL STOPPING SIGHT DISTANCE**

**INCOMPLETE PLANS**  
DO NOT USE FOR B/W ACQUISITION

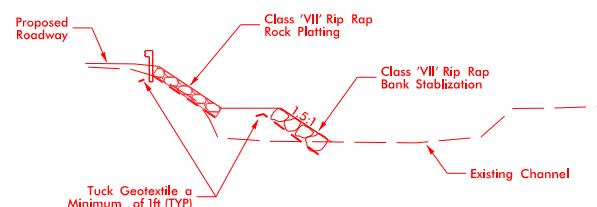
**DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED**

<b>GRAPHIC SCALES</b>		<b>DESIGN DATA</b>		<b>PROJECT LENGTH</b>		<b>PLANS PREPARED FOR THE NCDOT BY:</b> <b>STV ENGINEERS, INC.</b> 2151 Hawkins St., 14th Floor, Charlotte NC, 28203 NC License Number F-0991		<b>HYDRAULICS</b> <b>ENGINEER</b>	
 <b>ADT 2025</b> = 2900 <b>PLANS</b>  <b>DHV</b> = <u>N/A</u>  <b>D</b> = <u>N/A</u>  <b>T</b> = %  <b>V</b> = 55 MPH		<b>FUNC. CLASSIFICATION:</b> <b>PRINCIPAL ARTERIAL RURAL</b> <b>REGIONAL TIER</b>		<b>LENGTH OF ROADWAY PROJECT DFI8313.22059031.PR</b> = 0.095 MILES <b>LENGTH OF STRUCTURE PROJECT DFI8313.22059031.PR</b> = 0.019 MILES <b>TOTAL LENGTH OF PROJECT DFI8313.22059031.PR</b> = 0.114 MILES		<b>2018 STANDARD SPECIFICATIONS</b> <b>RIGHT OF WAY DATE:</b> <u>JANUARY 19, 2025</u> <b>LETTING DATE:</b> <u>JANUARY 19, 2025</u>		<b>PATRICK A. LIVINGSTON, PE</b> <i>PROJECT ENGINEER</i> <b>DANIEL GUEVARA</b> <i>PROJECT DESIGNER</i>	
				<b>NCDOT CONTACT:</b> <u>BYRON T. KYLE, PE</u> <b>ALTERNATIVE DELIVERY UNIT</b>				<b>SIGNATURE:</b> <u>P.E.</u> <b>ROADWAY</b> <b>DESIGN</b> <b>ENGINEER</b>	
								<b>SIGNATURE:</b> <u>P.E.</u>	

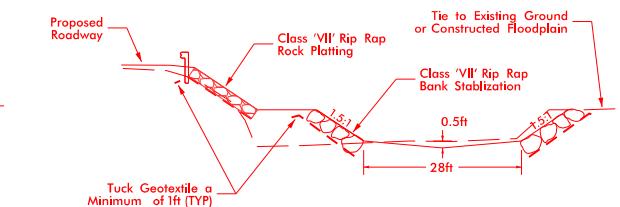


**PERMIT DRAWING  
SHEET 2 OF 8**

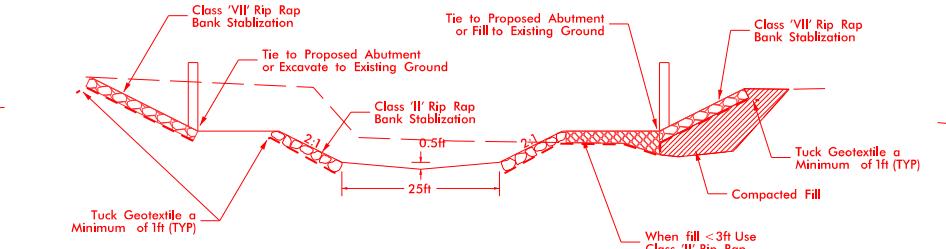
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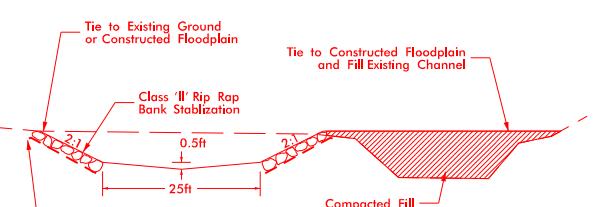
**TYPICAL SECTION NO. 1**



**TYPICAL SECTION NO.**

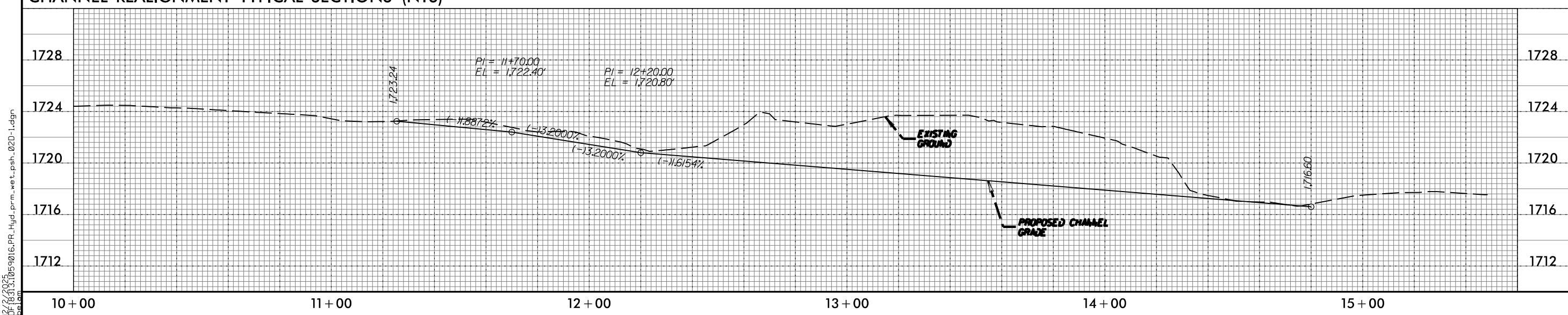


**TYPICAL SECTION NO**

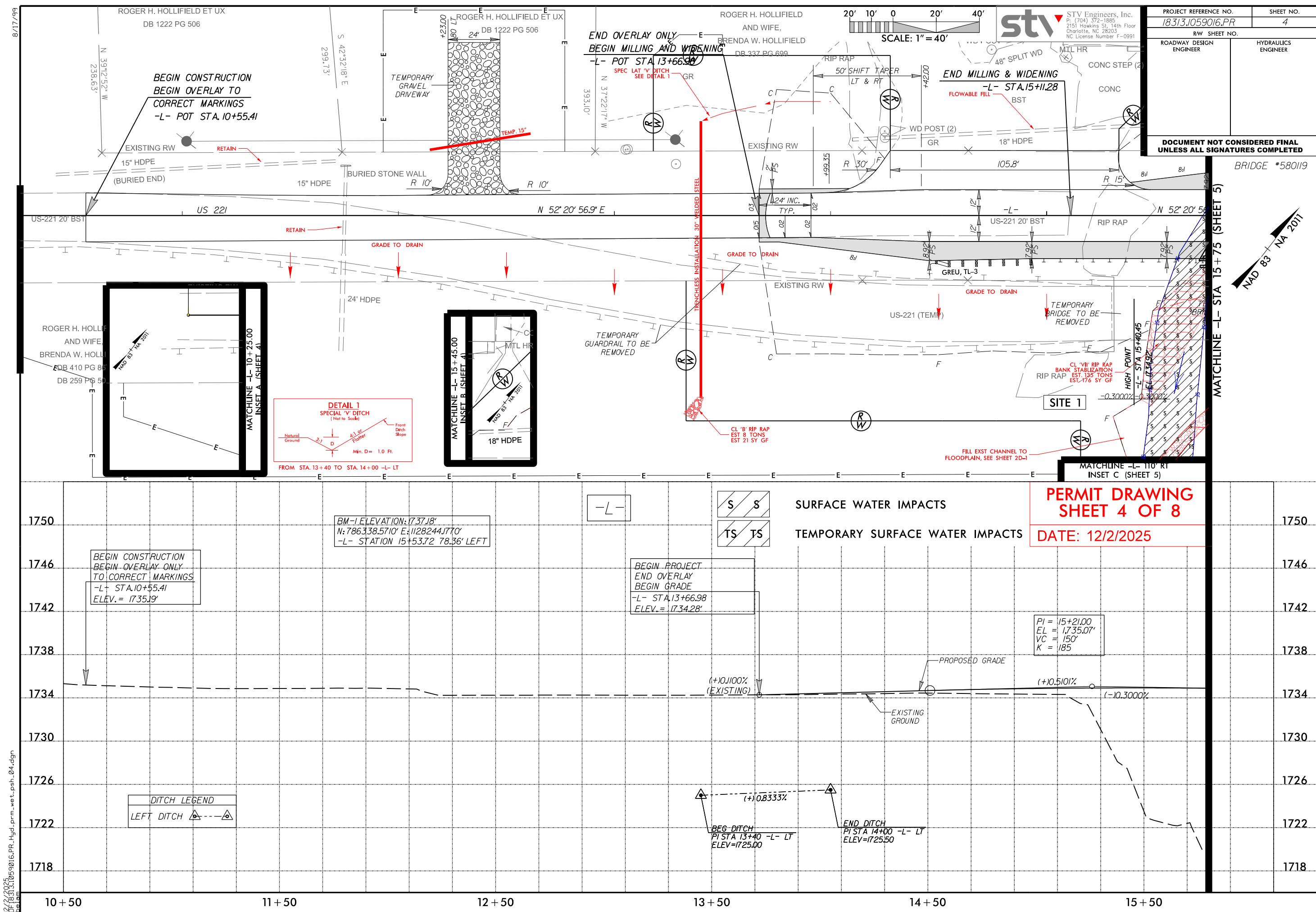


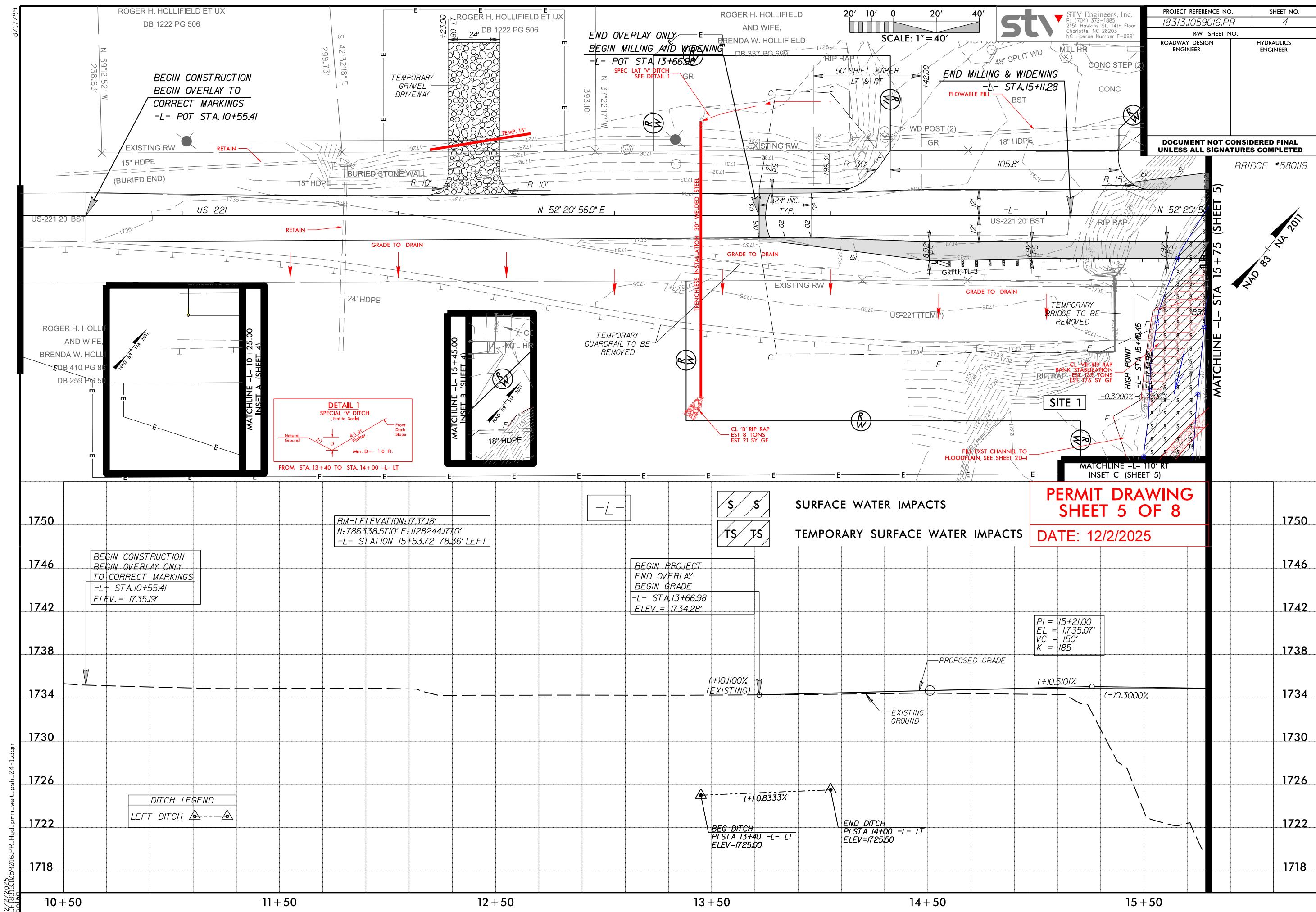
**TYPICAL SECTION NO. 4**

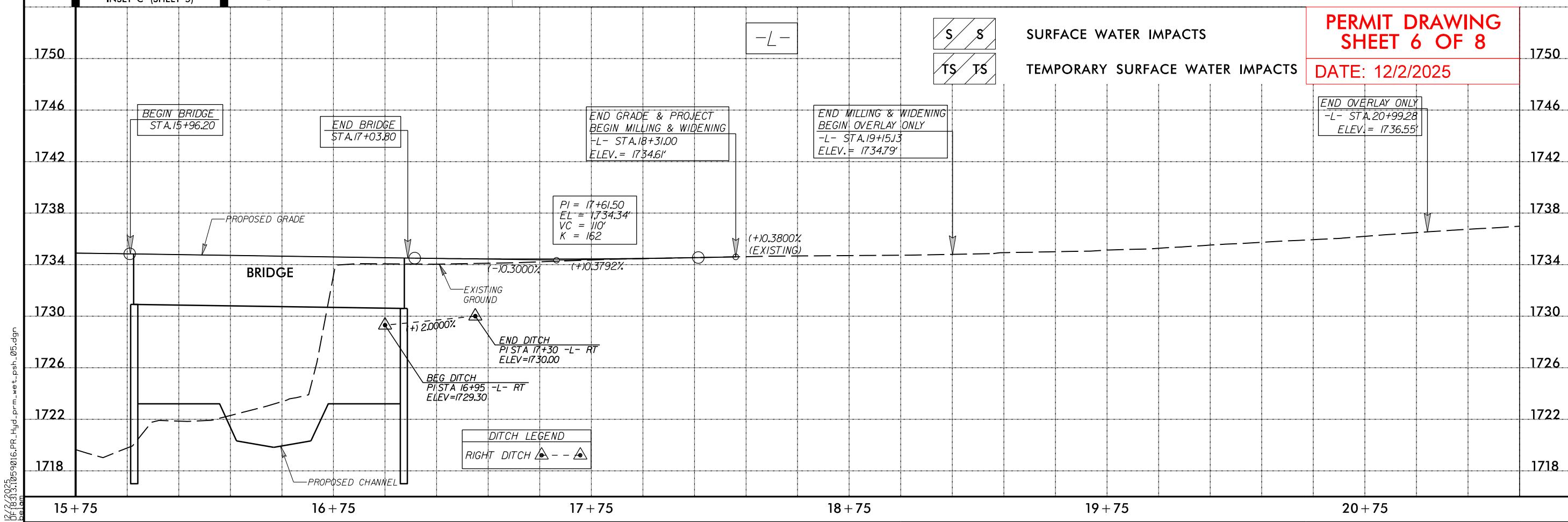
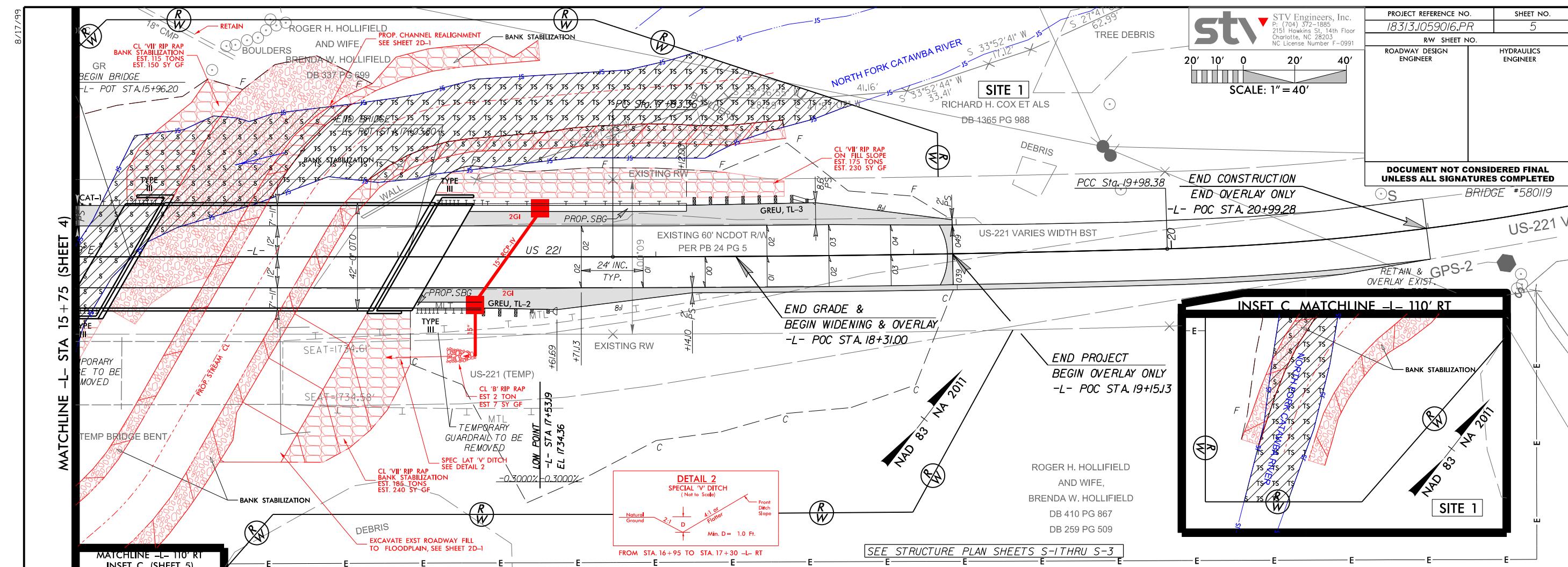
## CHANNEL REALIGNMENT TYPICAL SECTIONS (NTS)

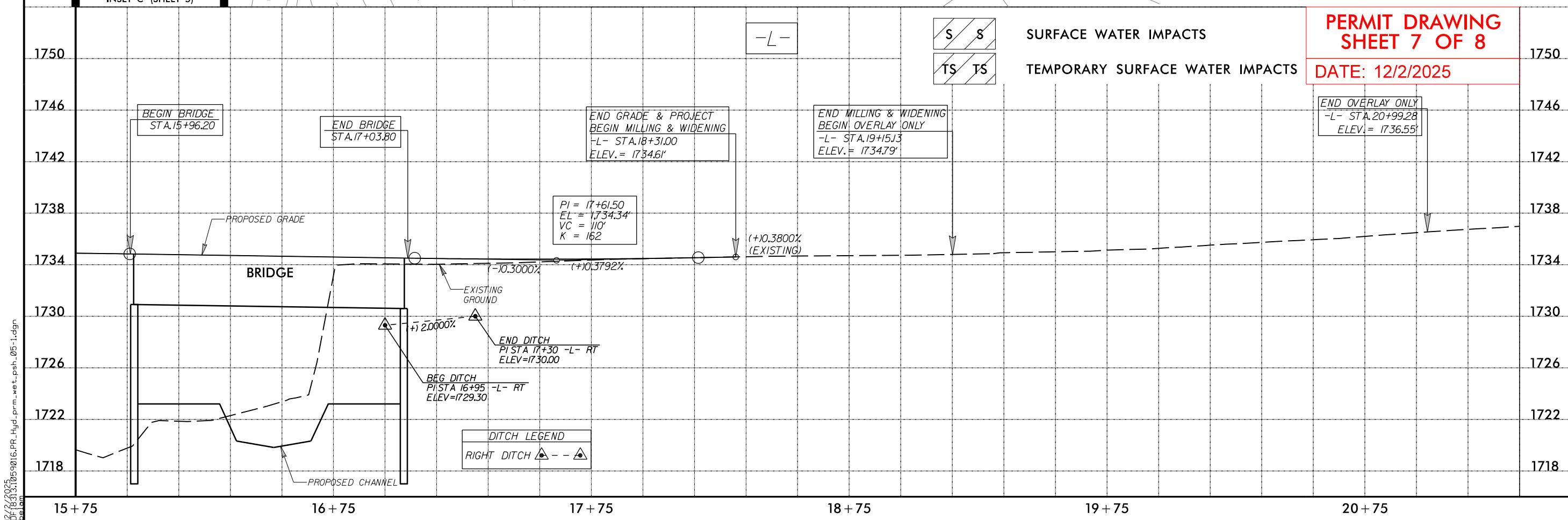
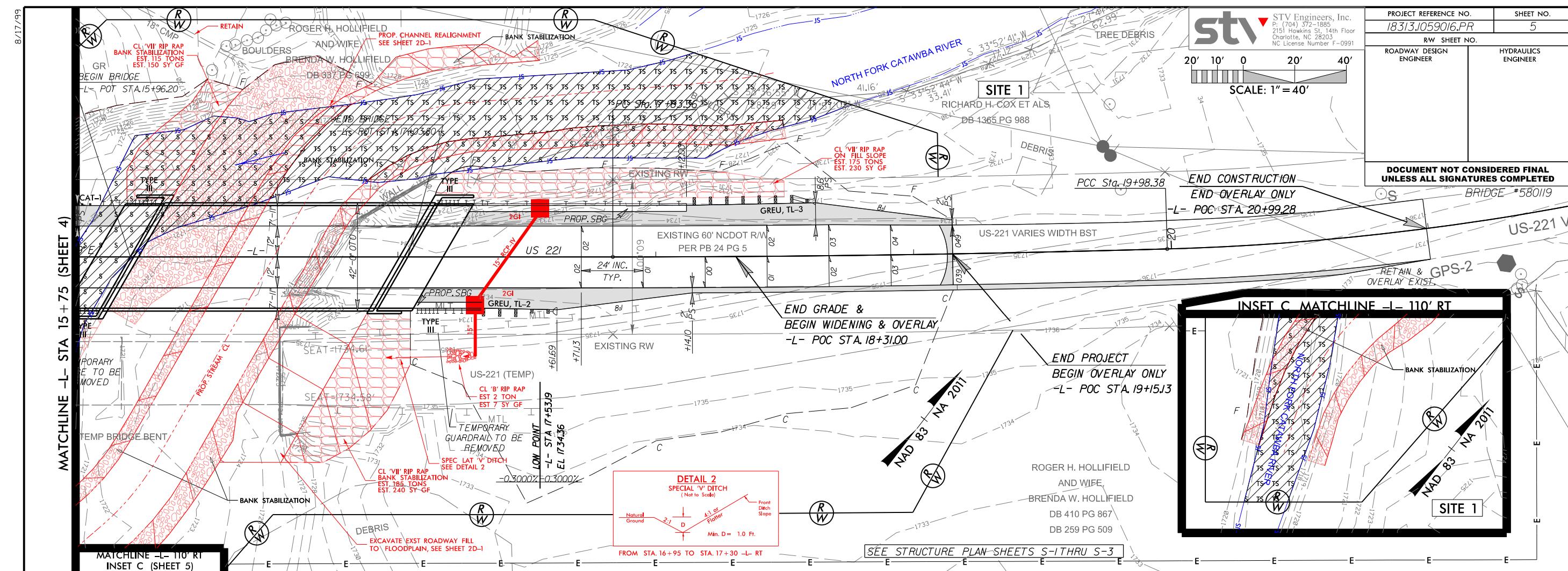












## WETLAND AND SURFACE WATER IMPACTS SUMMARY

\*Rounded totals are sum of actual impacts

## NOTES:

## Bridge Open Area

Existing = 583.2 SF

Proposed = 724.5 SF

246 LF of temporary impacts are coincident to the permanent impacts.

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
12-02-25  
McDOWELL COUNTY  
DE18313.1059016.PR