




STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JOSH STEIN  
GOVERNOR

J.R. "JOEY" HOPKINS  
SECRETARY

September 18, 2025

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 Curtis Creek on US 70 (East Main Street) in McDowell County,  
Division 13, WBS DF18313.2059011.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-2025-01727 Dated September 18, 2025	March 14, 2026*
NC Division of Water Resources Section 401 Water Quality Certification	Individual Water Quality Certification, ID: 20251200 Dated September 15, 2025	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**  
**WRDA/TRANSPORTATION BRANCH**  
**151 PATTON AVENUE, ROOM 208**  
**ASHEVILLE, NORTH CAROLINA 28801-5006**

September 18, 2025

Regulatory Division  
SAW-2025-01727

Sent Via email: [maturchy@ncdot.gov](mailto:maturchy@ncdot.gov)

Michael Turchy  
NCDOT, Division of Highways  
North Carolina Department of Transportation  
1598 Mail Service Center  
Raleigh, NC 27699-1598

Dear Mr. Turchy:

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the Wilmington District, WRDA/Transportation Branch on September 8, 2025, for a Department of the Army Nationwide permit (NWP) verification. This project has been assigned the file number SAW-2025-01727 and is known as NCDOT / Hurricane Helene / DF18313.2059011.PR / Br 44 / US 70 / McDowell/ Div13. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include a bridge replacement (Project No. DF18313.2059011.PR – Hurricane Helene) with impacts as described in Table 1.

Table 1: Impacts

Aquatic Resource	Resource Type	Activity	Duration	Amount
Curtis Creek	Stream	Bank stabilization	Permanent	80 linear feet (lf)
Curtis Creek	Stream	Impervious dike and workpad	Temporary	80 lf; 0.04 acre
Curtis Creek	Stream	After the fact: temporary bank stabilization for emergency temporary replacement structure	Temporary	20 linear feet

The project area for this determination is illustrated on the enclosed permit drawings. The project/review area is located at Bridge No. 44 over Curtis Creek, on US 70, Main Street, at Latitude 35.645200 and Longitude -82.159000; northeast of Old Fort in McDowell County, North Carolina.

We have determined that the proposed work is authorized by Nationwide General Permit 3: Maintenance 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 general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised PCN must be submitted to this office for written approval before work is initiated. Any violation of permit conditions or deviation from your submitted plans may subject the permittee to enforcement action.

This verification is valid until March 14, 2026, unless prior to this date the subject NWP(s) is suspended, revoked, or is modified such that the activity no longer complies with the terms and conditions of this NWP. If you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

**Project Specific Special Conditions:**

1. NCDOT shall construct the rip rap-free bench under the west side of the new structure, permitting connectivity for small wildlife.
2. Erosion control matting placed in riparian areas shall not contain any nylon mesh grid, which can impinge and entrap small animals.
3. 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, 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 the Gray bat, Northern long-eared bat, and Tricolored bat. Your authorization under this verification letter and NWP 3 is conditional upon your compliance with all of the mandatory terms and conditions associated with incidental take listed in this document for the aforementioned species. 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.



This NWP verification 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 Eric Alsmeyer, Regulatory Project Manager of the WRDA/Transportation Branch at 919.817.1570, by mail at the above address, or by email at [eric.c.alsmeyer@usace.army.mil](mailto:eric.c.alsmeyer@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

Enclosures

<b>U.S. Army Corps of Engineers (USACE)</b> <b>CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT</b> 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.		<b>Form Approved -</b> <b>OMB No. 0710-0003</b> <b>Expires 2027-10-31</b>
<b>The Agency Disclosure Notice (ADN)</b>		
<p>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 <a href="mailto:whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil">whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil</a>. 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.</p>		
<p><b>PURPOSE:</b> This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions.</p> <p>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.</p>		
<p>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.</p> <p>The certification can be submitted by email at <a href="mailto:loretta.a.beckwith@usace.army.mil">loretta.a.beckwith@usace.army.mil</a> or by mail at the below address:</p> <div style="text-align: center; margin-top: 20px;"> <p>U.S. Army Corps of Engineers, Wilmington District</p> <p>Asheville Field Office</p> <p>Street Address: 151 Patton Avenue, Room 208</p> <p>Asheville, North Carolina 28801-5006</p> </div>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Corps Action Number:</div> <div style="width: 70%; border-bottom: 1px solid black;">SAW-2025-01727</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">Permit Type:</div> <div style="width: 70%; border-bottom: 1px solid black;">General Permit</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">General Permit Number and Name (if applicable):</div> <div style="width: 70%; border-bottom: 1px solid black;">Nationwide General Permit 3: Maintenance</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">Name of Permittee:</div> <div style="width: 70%; border-bottom: 1px solid black;">NCDOT, Division of Highways</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">Project Name:</div> <div style="width: 70%; border-bottom: 1px solid black;">NCDOT / Hurricane Helene / DF18313.2059011.PR / Br 44 / US 70 / McDowell/ Div13</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">Project Location (physical address):</div> <div style="width: 70%; border-bottom: 1px solid black;">northeast of Old Fort, McDowell County, NC</div> </div>		
<b>PERMITTEE'S CERTIFICATION</b>		
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Date Work Started:</div> <div style="width: 70%; border-bottom: 1px solid black;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 30%;">Date Work Completed:</div> <div style="width: 70%; border-bottom: 1px solid black;"></div> </div> <p>Enclose photographs showing the completed project (if available).</p> <p>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.</p>		
Name	Date	Signature

401

# Certification (NCDWR)

JOSH STEIN  
Governor

D. REID WILSON  
Secretary

RICHARD E. ROGERS, JR.  
Director



September 15, 2025

DWR #20251200  
McDowell County

Michael A. Turchy  
NCDOT Environmental Analysis Unit  
1598 Mail Service Center  
Raleigh NC 27699-1598  
maturchy@ncdot.gov

**Subject: Approval of Individual 401 Water Quality Certification**

Replacement of Bridge 44 over Curtis Creek on US 70.  
State Project #DF1813.2059011.PR

**Location:** 35.6452, -81.1590

Dear Mr. Turchy:

Attached hereto is a copy of Certification No. WQC8258 issued to the North Carolina Department of Transportation, dated September 15, 2025. 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.

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



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 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 Rob Ridings at 919-707-8786 or [rob.ridings@deq.nc.gov](mailto:rob.ridings@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  
Yates Allen, Division 13 Environmental Specialist  
Dave McHenry, NCWRC  
File Copy



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** #WQC008258 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 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 September 10, 2025 and by Public Notice issued by the Division on September 10, 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	Riprap Stabilization to Perennial Stream (linear feet)	Temporary Fill in Perennial Stream (linear feet)	Total Stream Impact (linear feet)
<b>Total:</b>	<b>80</b>	<b>100</b>	<b>180</b>

**Total Stream Impact for Project: 180 linear feet**

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 permittee shall use ***Design Standards in Sensitive Watersheds*** [15A NCAC 4B.0124] in areas draining to Trout waters. However, due to the size of the project, the NCDOT will not be required to meet 15A NCAC 4B .0124(a) regarding the maximum amount of uncovered acres.
2. 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.
3. 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)]



4. 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)]
5. 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)]
6. 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)]
7. 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)]
8. 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)]
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. For projects impacting waters classified by the NC Environmental Management Commission as Trout (Tr), stormwater shall be directed to vegetated buffer areas, grass-lined ditches or other means appropriate to the site for the purpose of pre-treating storm water runoff prior to discharging directly into streams. Mowing of existing vegetated buffers is strongly discouraged. [15A NCAC 2H.0506(b)(3) & (c)(3)]

#### General 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 stream impacts at the permitted site. NCDWR staff shall be invited to the pre-construction meeting. [15A NCAC 02H.0506(b)(2) and (b)(3)]





2. 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)]
3. 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]
4. For all streams being impacted due to site dewatering activities, or other temporary impacts, the site shall be graded to its preconstruction contours and revegetated with appropriate native species. [15A NCAC 02H.0506(b)(2)]
5. 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)]
6. 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)]
7. 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)]
8. 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)]





9. 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)]
10. 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)]
11. 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)]
12. 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)]
13. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
14. 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]
15. 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)]
16. 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)]
17. 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]



18. 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)]
19. 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]
20. 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)]
21. 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)]
22. 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]
23. 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.





24. 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)]
25. 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.
26. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and 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. [15A NCAC 02H .0506(b)(3) and (c)(3) and 15A NCAC 02B .0200]
27. 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 Sediment and Erosion Control Manual, or for linear transportation projects, the NCDOT Sediment and Erosion Control Manual.
- 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.
- If the project occurs in waters or watersheds classified Trout, then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*. [15A NCAC 02H.0506(b)(3) and (c)(3)]
28. Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed. [15A NCAC 02H.0506(b)(2)]



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 September 2025

Signed by:

*Faith Hardin*

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: 18313.1059015.PR TIP/Proj No: 580044 County(ies): McDowell Page 1 of 2

## General Project Information

WBS Element:		18313.1059015.PR		TIP Number:	580044		Project Type:	Bridge Replacement		Date:	6/3/2025	
NCDOT Contact:		Marc Shown, PE				Contractor / Designer:		Roger Weadon, PE				
	Address:	Hydraulics Unit					Address:	Moffatt & Nichol				
		1000 Birch Ridge Drive						4700 Falls of Neuse Rd, Suite 300				
	Raleigh, NC 27610				Raleigh, NC 27609							
	Phone:	(919)707-6751					Phone:	984-239-2773				
	Email:	<a href="mailto:mtshown@ncdot.gov">mtshown@ncdot.gov</a>					Email:	<a href="mailto:rweadon@moffattnichol.com">rweadon@moffattnichol.com</a>				
City/Town:		Old Fort				County(ies):		Mcdowell				
River Basin(s):		Catawba				CAMA County?		No				
Wetlands within Project Limits?		Yes										

## Project Description

Project Length (lin. miles or feet):	0.12	Surrounding Land Use:	RURAL, WOODS, COMMERCIAL				
	Proposed Project			Existing Site			
Project Built-Up Area (ac.)	0.6	ac.		0.4	ac.		
Typical Cross Section Description:	THE PROPOSED ROADWAY WILL BE A TWO-WAY ALIGNMENT WITH 12' TRAVEL LANES, 2' PAVED SHOULDERS, AND VARYING SLOPES. THE PROPOSED BRIDGE HAS AN OUT TO OUT OF 42' AND CLEAR ROADWAY OF 38'-9". THE BRIDGE WILL HAVE 12' TRAVEL LANES AND 7'-4 1/2" PAVED SHOULDERS.			THE EXISTING ROADWAY IS A TWO-WAY ALIGNMENT WITH 12' TRAVEL LANES, NO PAVED SHOULDER, AND 4:1 SLOPES. THE EXISTING BRIDGE HAS AN OUT TO OUT OF 35'-6".			
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	N/A	Year:	N/A	Existing:	7100	Year: 2025

General Project Narrative:  
(Description of Minimization of Water Quality Impacts)

The project consists of the replacement of bridge # 580044 in McDowell County. The existing bridge carries US 70 (Main St) Over Curtis Creek between SR 1227 (Greenlee Rd) and US 40.

The Creek is called Curtis Creek on the vicinity map, the final survey file, and at the NCDEQ Surface Waters Classification website and is referring to the same stream. The proposed structure for bridge # 580044 is 180.0' length x 42' width (2 Span - 90' Spans - 45" Fib Girders). The proposed alignment is at the same location as the existing alignment. The detour alignment is located to the south and on the downstream side of the project. The detour bridge typical is two 12' travel lane with 2' paved shoulders on both side.

## STORMWATER CONTROLS:

The proposed bridge does not utilize deck drains. Runoff from the bridge roadway and paved shoulders at the bridge approaches drains into inlets. The stormwater is then diffused at riprap pad outlets prior to discharging into Curtis Creek. Shoulders will be paved. Bank Stabilization is planned to prevent erosion of the steambanks.

## NOTE:

This is an emergency design bulid caused by Hurricane Helene.



## North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN  
FOR NCDOT PROJECTS

(Version 3.02; Released April 23, 2024)

WBS Element: 18313.1059015.PR TIP/Proj No.: 580044 County(ies): McDowell Page 2 of 2

## General Project Information

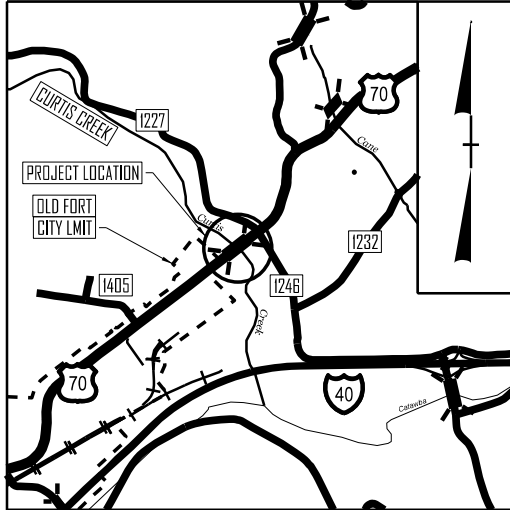
## Waterbody Information

Surface Water Body (1):	Curtis Creek	NCDWR Stream Index No.:	11-10
NCDWR Surface Water Classification for Water Body	Primary Classification:	Class C	
	Supplemental Classification:	Trout Waters (Tr)	
Other Stream Classification:			
Impairments:	None		
Aquatic T&E Species?	No	Comments:	
NRTR Stream ID:	Curtis Creek	Buffer Rules in Effect:	N/A
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No
Deck Drains Discharge Over Water Body?	No	(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	
(If yes, provide justification 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?	
Deck Drains Discharge Over Water Body?		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	
(If yes, provide justification 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?	
Deck Drains Discharge Over Water Body?		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)	
(If yes, provide justification in the General Project Narrative)			

TIP PROJECT: 580044

CONTRACT: C205021

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



VICINITY MAP (NTS)

# STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

## MCDOWELL COUNTY

LOCATION: *REPLACE BRIDGE 580044 OVER CURTIS CREEK  
ON US 70 (E MAIN ST)*

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

WETLAND AND SURFACE WATER IMPACTS PERMIT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	580044	11	
STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION	
18313.1059015.PR	N/A	PE	
18313.1059015.PR	N/A	RW	
18313.1059015.PR	N/A	UTIL	
18313.1059015.PR	N/A	CONST	

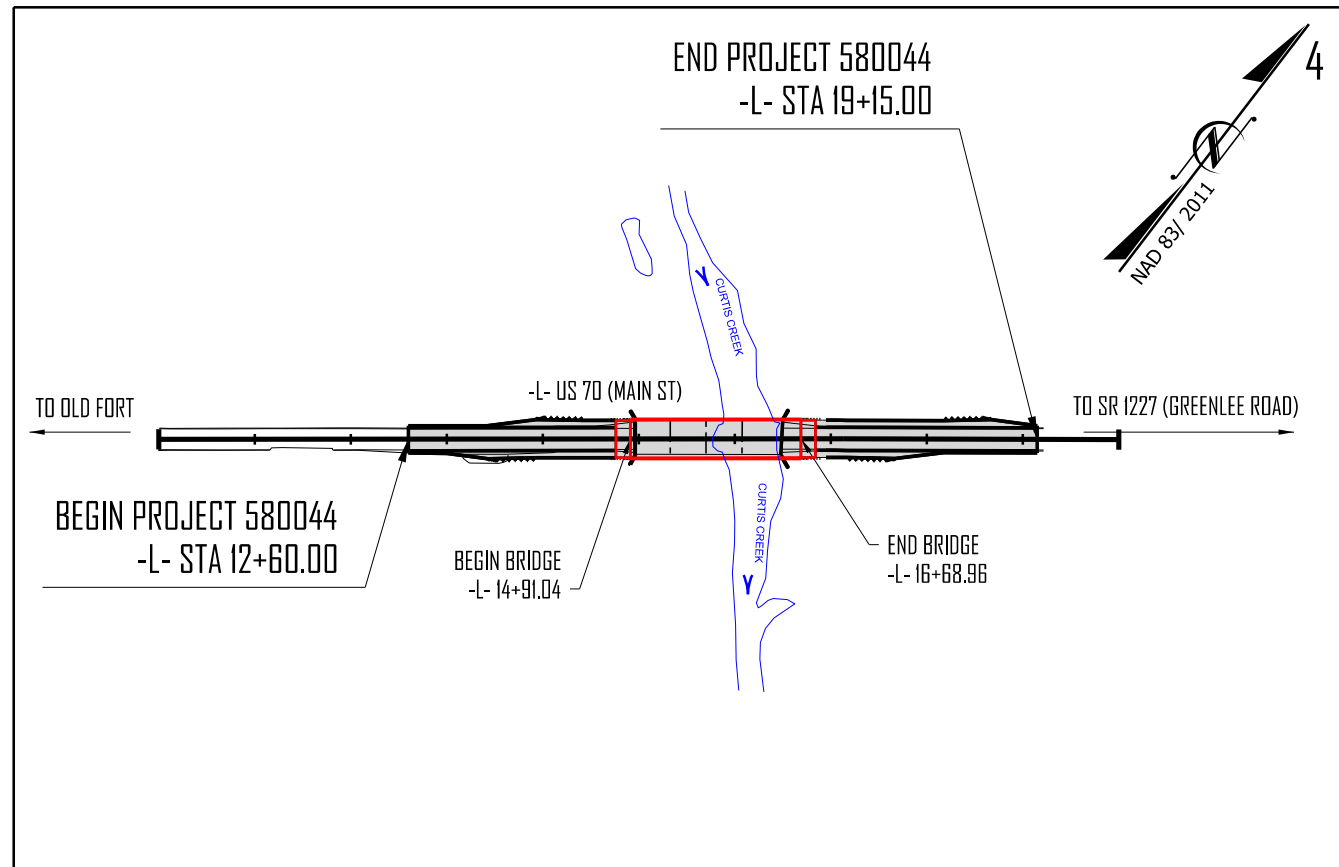


S.T. WOOTEN



moFFATT & nICHOL

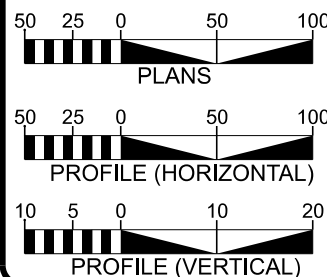
PERMIT DRAWING  
SHEET 1 OF 6



CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II  
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES

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

### GRAPHIC SCALES



### DESIGN DATA

ADT 2025 = 7,100  
  
T = 7 % \*  
V = 50 MPH  
\* TTST = 4% DUAL = 3%  
FUNC CLASS =  
MAJOR COLLECTOR  
REGIONAL TIER

### PROJECT LENGTH

LENGTH OF ROADWAY PROJECT 580044 = 0.090 MILES  
LENGTH OF STRUCTURE PROJECT 580044 = 0.034 MILE  
TOTAL LENGTH OF PROJECT 580044 = 0.124 MILES



Prepared in the Office of:  
**moFFATT & nICHOL**

4700 FALLS OF NEUSE ROAD, SUITE 300  
RALEIGH, NORTH CAROLINA 27609  
(919) 781-4826 VOICE (919) 781-4889 FAX  
NC LICENSE NO.: F-0105

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
JANUARY 9, 2025

LETTING DATE:  
JANUARY 9, 2025

TRENT HUFFMAN, PE  
PROJECT ENGINEER

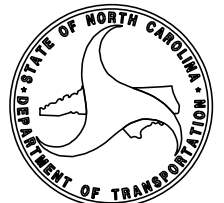
GRAY MODLIN, PE  
PROJECT DESIGN ENGINEER

BYRON KYLE, PE  
NCDOT CONTACT

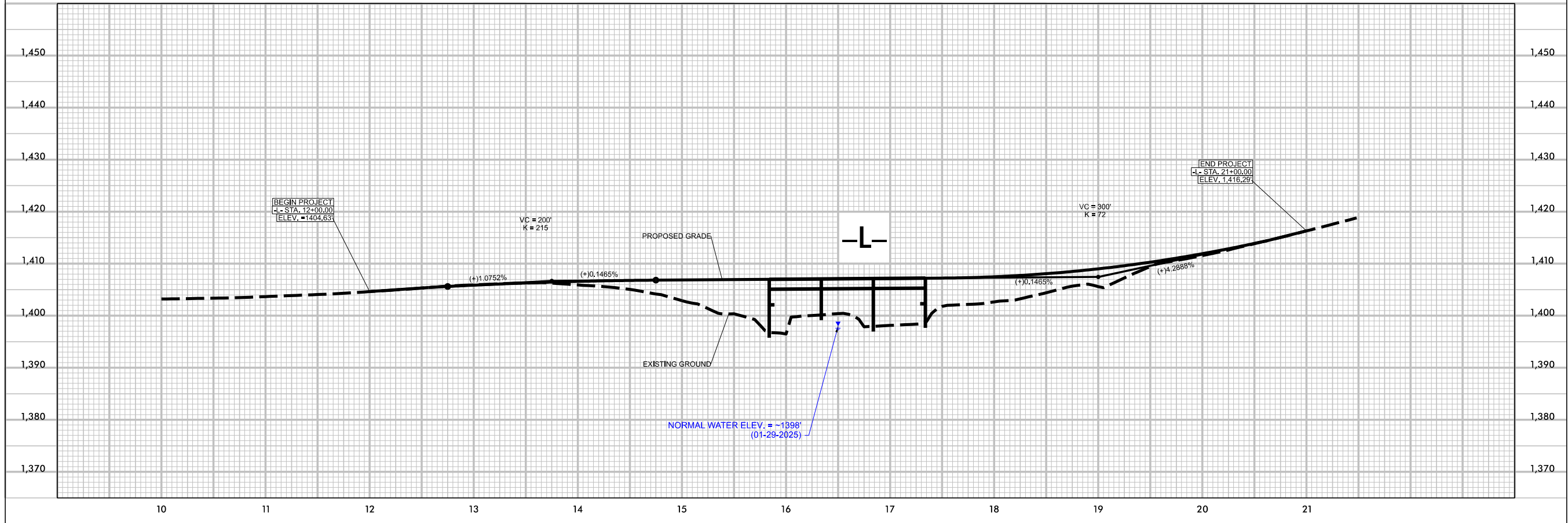
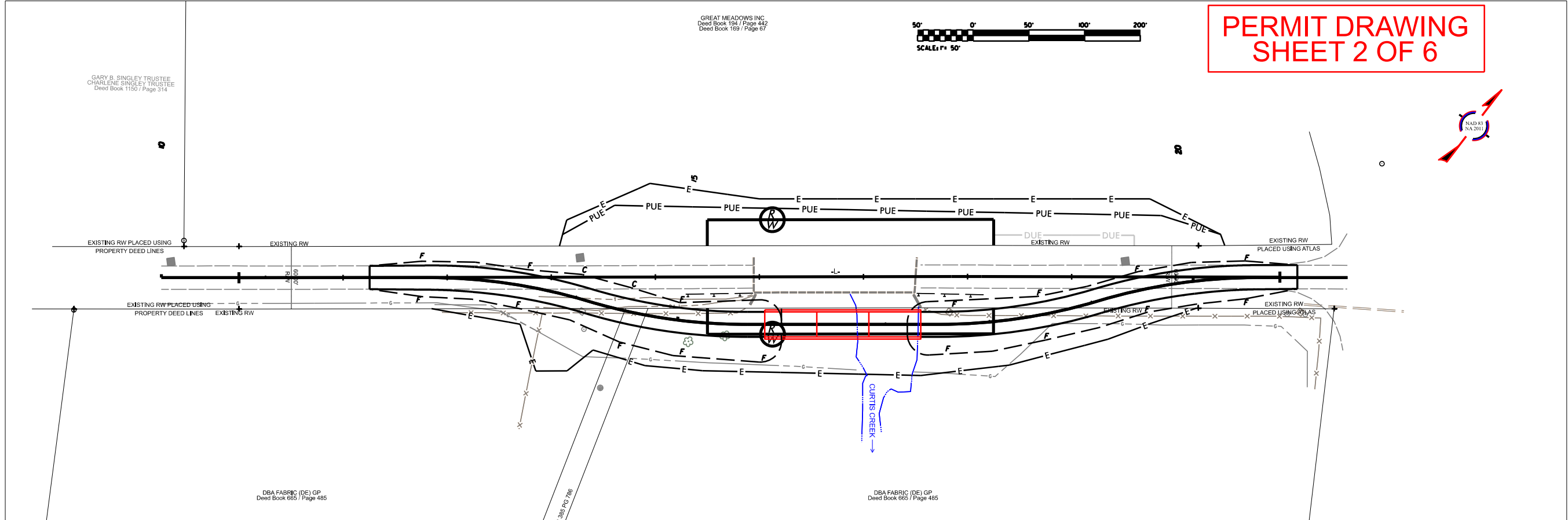
HYDRAULICS ENGINEER

SIGNATURE: \_\_\_\_\_  
ROADWAY DESIGN ENGINEER

SIGNATURE: \_\_\_\_\_  
P.E.







PERMIT DRAWING  
SHEET 2 OF 6

580044

DETOUR

NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
WAKE COUNTY



ROADWAY DESIGN UNIT

ROADWAY DESIGN  
ENGINEER

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UNLESS ALL SIGNATURES COMPLETED

HYDRAULICS  
ENGINEER

INCOMPLETE PLANS  
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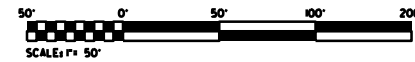
moftatt & nichol

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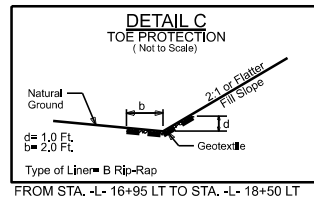
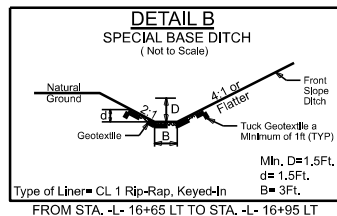
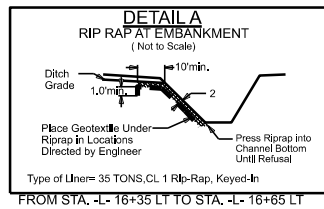
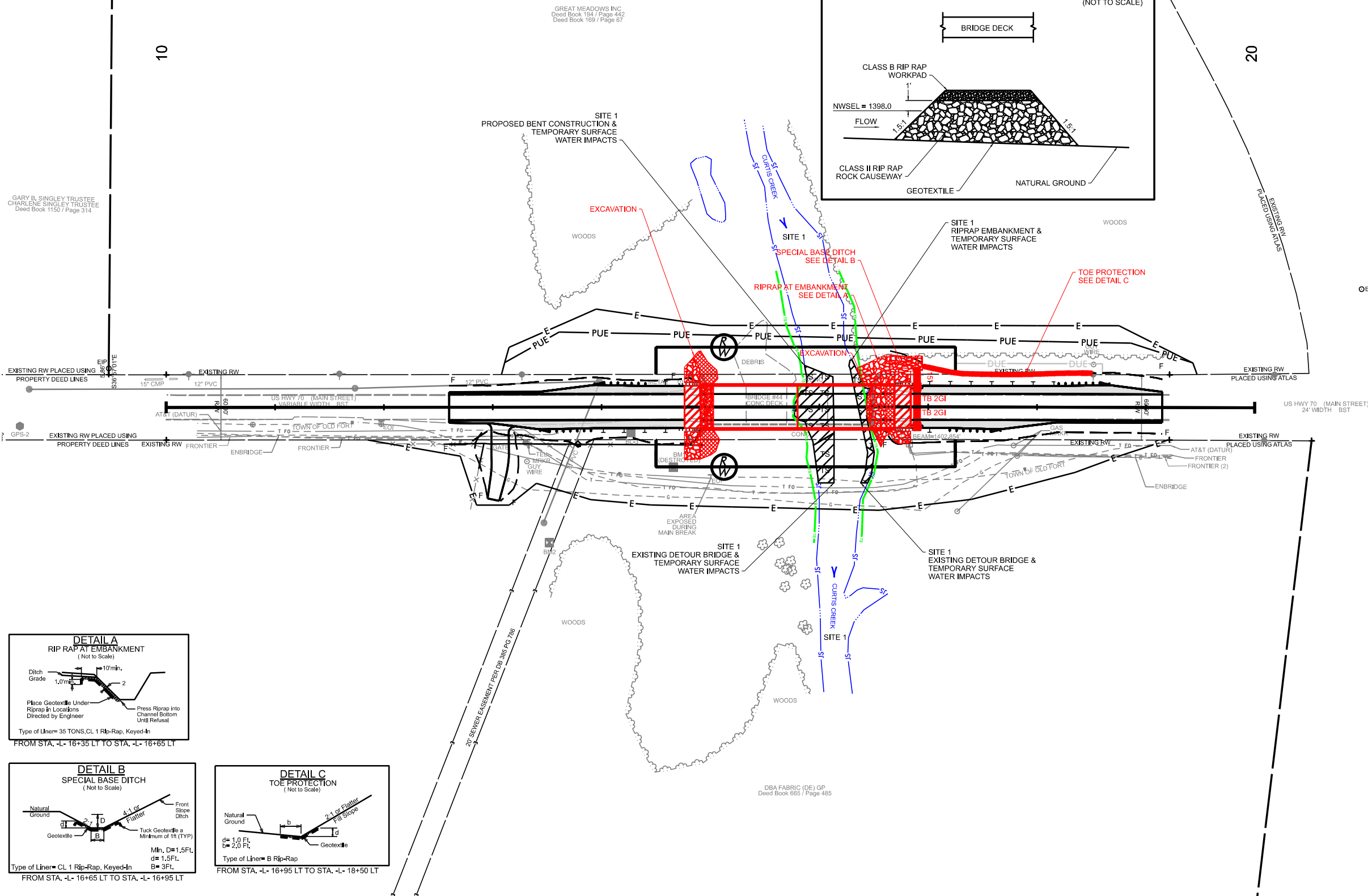
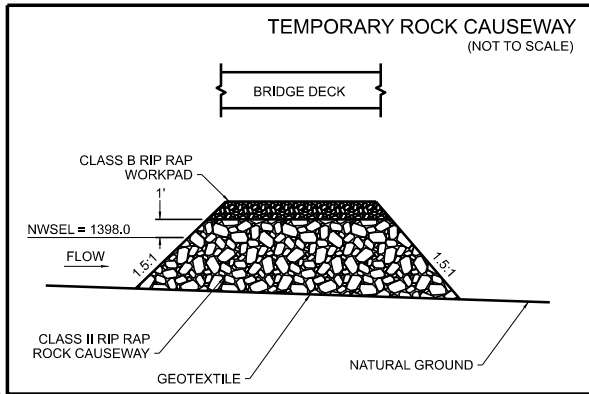


4700 FALLS OF NEURER ROAD, SUITE 300  
RALEIGH, NORTH CAROLINA 27609  
(919) 781-1000 FAX (919) 781-1001  
NC LICENSE NO. 1-10-103

REVISIONS



PERMIT DRAWING  
SHEET 3 OF 6



TEMPORARY SURFACE WATER IMPACTS

FOR PROFILE SEE SHEET 005

580044  
004

NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
WAKE COUNTY

ROADWAY DESIGN UNIT  
ROADWAY DESIGN  
ENGINEER

HYDRAULICS  
ENGINEER

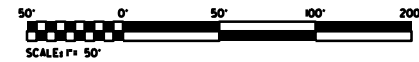
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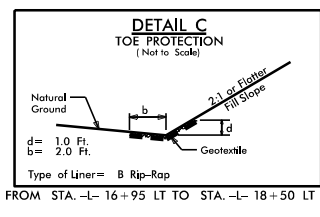
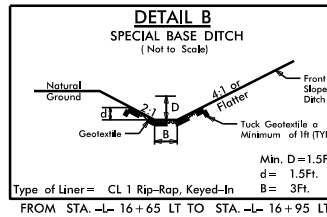
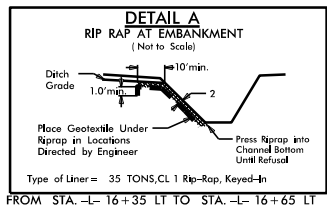
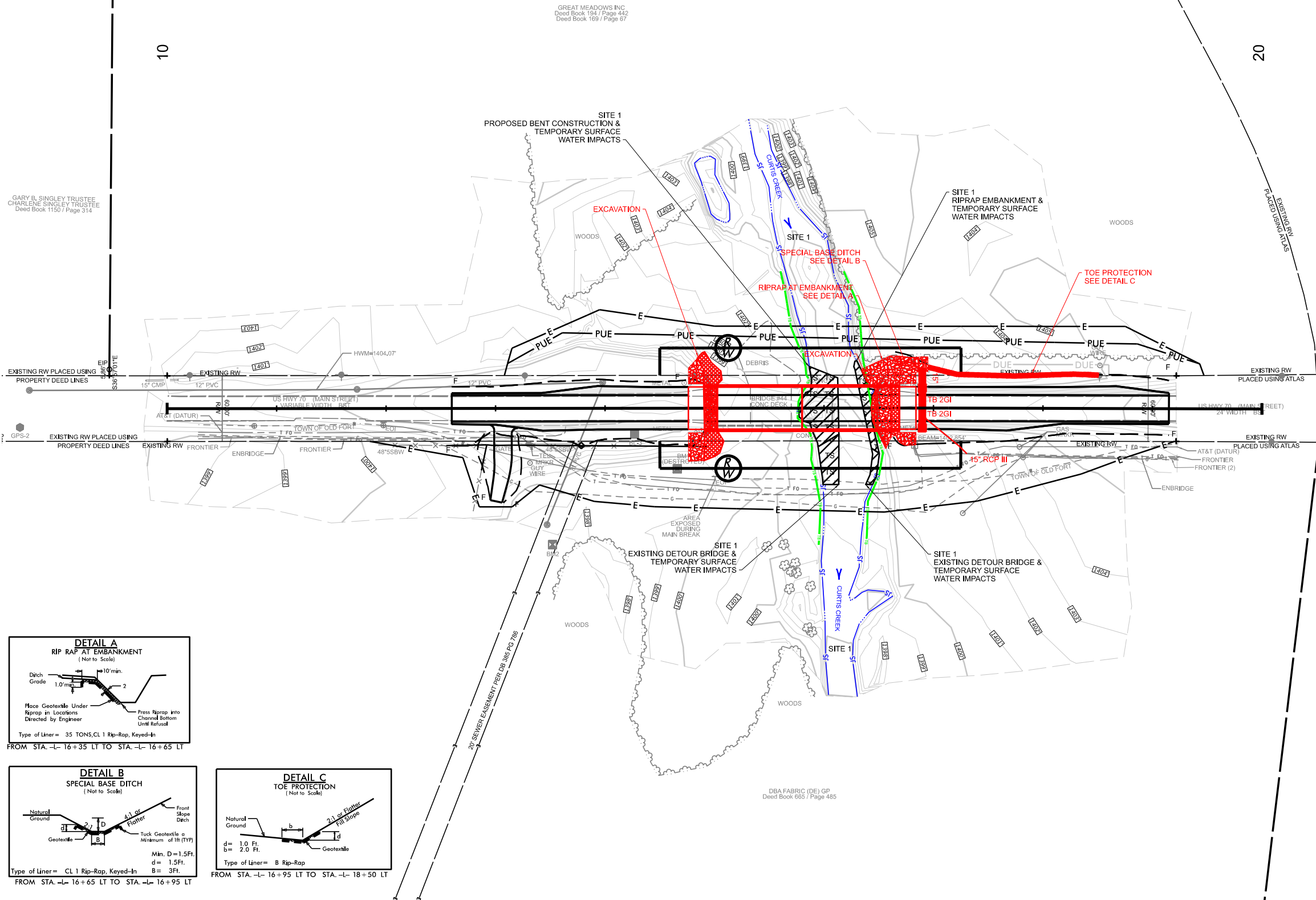
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4700 FALLS OF NEURER ROAD, SUITE 300  
RALEIGH, NORTH CAROLINA 27609  
(919) 781-0000 FAX (919) 781-0009  
NC LICENSE NO. 21403

REVISIONS



PERMIT DRAWING  
SHEET 4 OF 6



TEMPORARY SURFACE WATER IMPACTS

FOR PROFILE SEE SHEET 005

580044  
004

NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
WAKE COUNTY

ROADWAY DESIGN UNIT  
ROADWAY DESIGN  
ENGINEER

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HYDRAULICS  
ENGINEER

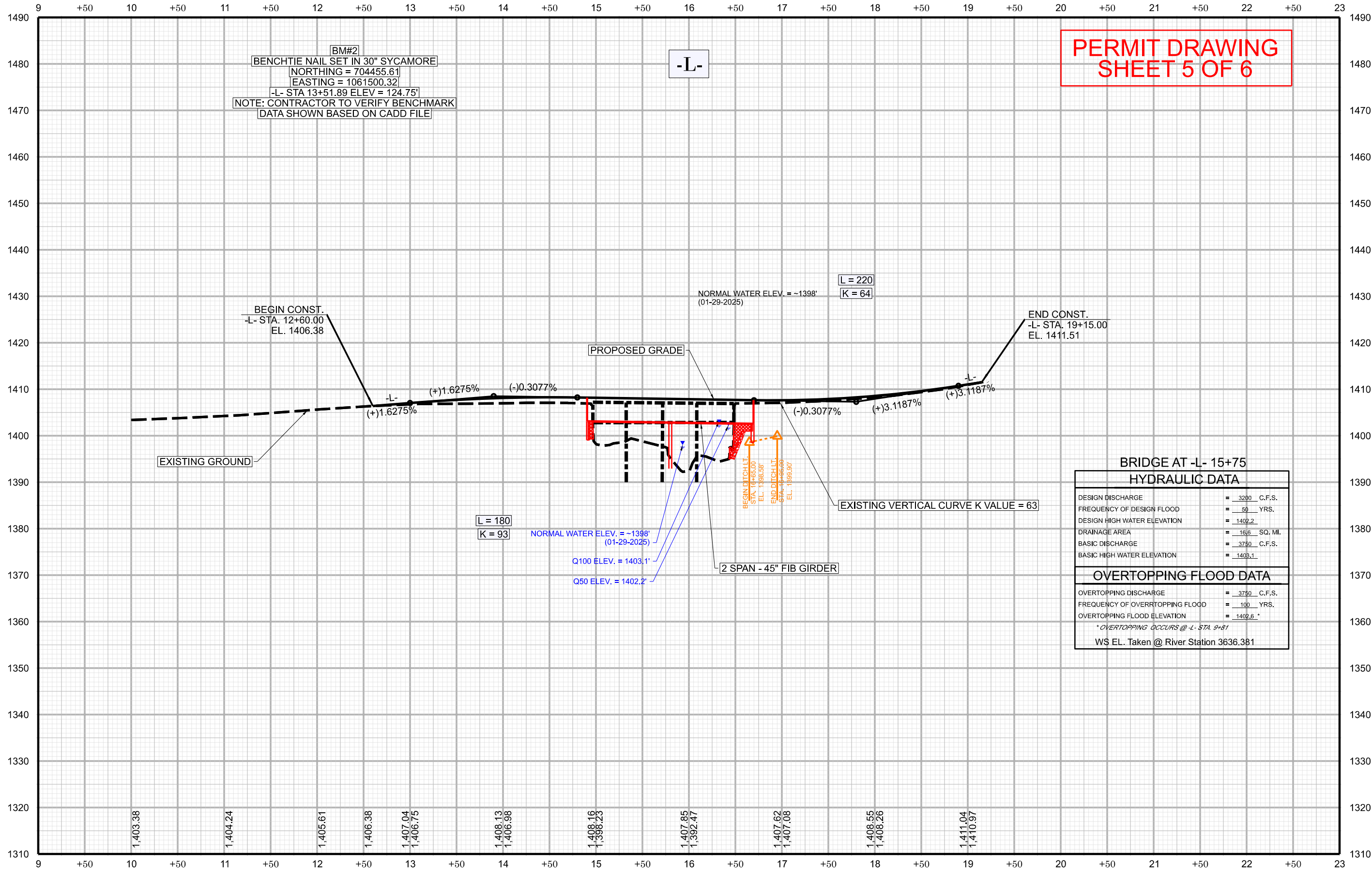
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DO NOT USE FOR CONSTRUCTION

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moftatt & nichol

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moftatt & nichol

4700 FALLS OF NEURER ROAD, SUITE 300  
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NC LICENSE NO. 174103

REVISIONS



PERMIT DRAWING  
SHEET 5 OF 6

BRIDGE AT -L- 15+75	
HYDRAULIC DATA	
DESIGN DISCHARGE	= 3200 C.F.S.
FREQUENCY OF DESIGN FLOOD	= 50 YRS.
DESIGN HIGH WATER ELEVATION	= 1402.2
DRAINAGE AREA	= 16.6 SQ. MI.
BASIC DISCHARGE	= 3750 C.F.S.
BASIC HIGH WATER ELEVATION	= 1403.1
OVERTOPPING FLOOD DATA	
OVERTOPPING DISCHARGE	= 3750 C.F.S.
FREQUENCY OF OVERTOPPING FLOOD	= 100 YRS.
OVERTOPPING FLOOD ELEVATION	= 1402.6 *
* OVERTOPPING OCCURS @ -L- STA. 9+81	
WS EL. Taken @ River Station 3636.381	

580044

005

NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
WAKE COUNTY

ROADWAY DESIGN UNIT  
ROADWAY DESIGN  
ENGINEER

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HYDRAULICS  
ENGINEER

INCOMPLETE PLANS  
DO NOT USE FOR R.F.T. ACQUISITION

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4700 FALLS OF NEUSE ROAD, SUITE 300  
RALEIGH, NORTH CAROLINA 27609  
(919) 781-0000 FAX (919) 781-0009

REVISIONS

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)
1	-L- 15+77 LT to 16+14 RT	Proposed Bent Construction and Existing Bent Removal - Impervoius dike and Work Pad(optional)							0.04		80	
1	-L- 16+26 LT to 16+50 RT	Riprap at Embankment							0.01	80		
1	-L- 15+77 RT to 16+50 RT	Existing Detour Bridge							0.02		20	
TOTALS*:									0.07	80	100	0

\*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
9/1/2025  
MCDOWELL COUNTY  
580044  
18313.1059015.PR  
SHEET 6 OF 6