

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

JOSH STEIN

GOVERNOR

DANIEL H. JOHNSON

SECRETARY

October 3, 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 Bridges 135, 136 and 287 on NC

197 South in Yancey County, Division 13, WBS DF18313.1100997.

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 and 14, Bridge 135: Action ID: SAW-2025-01553 Bridge 136: Action ID: SAW-2025-01554 Bridge 287: Action ID: SAW-2025-01552 Dated October 3, 2025	March 14, 2026*
NC Division of Water Resources Section 401 Water Quality Certification	Individual Water Quality Certification, ID: 20251054 v1 Dated September 11, 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 151 Patton Avenue, Room 208 Asheville, NC 28801-5006

October 3, 2025

Regulatory Division SAW-2025-01553

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: <u>maturchy@ncdot.gov</u>

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 12, 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. 135** over the Cane River on SR 1112 in Yancey County, North Carolina (35.8738, -82.3198) and has been assigned file number SAW-2025-01553. In order to perform this work, NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

		Odillii	iary or ric	pooda iiii	P4010		
Impact ID #	NWP /	Open W	ater (ac)	Wetlar	nd (ac)	Strea	m (lf)
Impact ID #	GP#	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
						38' (0.03 ac) / workpad	354' /
Site 1 (Cane River)	NWP 14					ATF 154' (0.05 ac) / temporary bridge / fill	bank stabilization
Impact To	otals	0	0	0	0	192' (0.08 ac)	354'
Total Loss of (wetlands a	of waters of and/or open		0	Total Lo	oss of waters	of the U.S.	0
Required we	etland comp mitigation	ensatory	0	Require	ed stream co 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) 14 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
- enclosed NWP regional conditions
- 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 <u>March 14, 2026</u>, 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. The permittee shall ensure that the workpad constricts no more than 50% of river flow at any one time.
- 2. The permittee shall ensure that any equipment that is placed on the workpad is removed when either of the following situations is forecasted or anticipated: (1) the water level will rise to a point where the equipment could be flooded (even during work days), and/or (2) the water level is expected to rise overnight, or over a non-work period of time, to a point where the equipment could be flooded.
- 3. Upon completion of work that requires the workpad to be in the river, the permittee shall remove all readily detectible workpad material, to the extent practicable, while removing as little of the original riverbed as possible.
- 4. The permittee shall comply with the following comments from the North Carolina Wildlife Resources (email dated August 14, 2025) as summarized below:
- Design Standards for Sensitive Watersheds shall be implemented
- Nylon mesh will not be used on the riverbanks or under the bridge.
- NCDOT has agreed to retain the existing informal pull off.
- NCWRC noted that a trout moratorium is not required for this project.

5. NCDOT 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. 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

Compliance Certification Form

File Number: SAW-2025-01553	County: Yancey
Permittee: NCDOT, Mr. Michael Turchy	
Project Name: NCDOT / Hurricane Helene / DF183 1112 / Yancey / Div 13	13.1100997 / Br 135 / SR
Date Verification Issued: October 3, 2025	
Project Manager: Lori Beckwith	
Upon completion of the activity authorized by this per the permit, sign this certification and return it to the fo	
US ARMY CORPS OF ENG Wilmington Distric Attn: Lori Beckwit 151 Patton Avenue, Roc Asheville, NC 28801-6 or loretta.a.beckwith@usace	ct h om 208 5006
Please note that your permitted activity is subject to a Army Corps of Engineers representative. Failure to coof this authorization may result in the USACE suspens authorization and/or issuing a Class I administrative pappropriate legal action.	omply with any terms or conditions ding, modifying or revoking the
I hereby certify that the work authorized by the above (if applicable), has been completed in accordance wit said permit and verification letter, including all application	h the terms and conditions of the
Date Authorized Work Started:	Completed:
Describe any deviations from permit (attach drawing(s) depicting the deviations):
*Note: The description of any deviations on this form does	not constitute approval by the USACE.

Date

Signature of Permittee



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

October 3, 2025

Regulatory Division SAW-2025-01554

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: <u>maturchy@ncdot.gov</u>

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 12, 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. 136** over the North Fork of Cattail Creek on SR 1102 in Yancey County, North Carolina (35.8261, -82.2815) and has been assigned file number SAW-2025-01554. In order to perform this work, NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

		Oann	mary or riv	pooda IIII	54010		
Impact ID #	NWP /	Open W	ater (ac)	Wetlar	nd (ac)	Stre	am (lf)
Impact ID #	GP#	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Site 1 (North Fork of Cattail Creek)	NWP 3						113' / bank stabilization
Impact T	otals	0	0	0	0	0	113'
Total Loss of (wetlands a		_	0	Total Los	s of waters	of the U.S.	0
Required we	etland com nitigation	pensatory	0	Required	stream com mitigation	pensatory	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
- enclosed NWP regional conditions
- 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 <u>March 14, 2026</u>, 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 USFWS issued a document titled, "Biological and Conference Opinions and Informal Consultations - Batch Format, Replace Multiple Crossing Structures on NC 197 Destroyed by Tropical Storm Helene in Yancey County, North Carolina, Service Log #25-174 through 25-176" 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 the Gray bat and Northern long-eared bat for this project. 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 doucment 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.
- 2. The permittee shall comply with the following comments from the North Carolina Wildlife Resources (email dated August 14, 2025) as summarized below:

- The permittee shall follow the trout moratorium"...for instream disturbance (examples include operation of piped flow diversions, installation or removal of dikes or pipes, excavation in or adjacent to flowing water). Other work that is not expected to cause sedimentation such as grading behind erosion control (EC) measures, forming, drilling behind EC measures...should be okay here during the moratorium."
- Design Standards for Sensitive Watersheds shall be implemented.
- Nylon mesh will not be used on the riverbanks or under the bridge.
- 3. The permittee shall comply with all environmental commitments listed on the 106 Historic Architecture and Landscapes Effects Assessment PA forms for this project.
- 4. NCDOT 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. 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

Compliance Certification Form

File Number: SAW-2025-01554 Co	ounty: Yancey
Permittee: NCDOT, Mr. Michael Turchy	
Project Name: NCDOT / Hurricane Helene / DF18313. 1102 / Yancey / Div 13	1100997 / Br 136 / SR
Date Verification Issued: October 3, 2025	
Project Manager: Lori Beckwith	
Upon completion of the activity authorized by this permit the permit, sign this certification and return it to the follow	, , ,
US ARMY CORPS OF ENGIN Wilmington District Attn: Lori Beckwith 151 Patton Avenue, Room Asheville, NC 28801-500 or loretta.a.beckwith@usace.ar	208 06
Please note that your permitted activity is subject to a co Army Corps of Engineers representative. Failure to comp of this authorization may result in the USACE suspending authorization and/or issuing a Class I administrative pena appropriate legal action.	oly with any terms or conditions g, modifying or revoking the
I hereby certify that the work authorized by the above ref applicable), has been completed in accordance with the permit and verification letter, including all applicable cond	terms and conditions of the said
Date Authorized Work Started: Co	ompleted:
Describe any deviations from permit (attach drawing(s) d	lepicting the deviations):
*Note: The description of any deviations on this form does not	constitute approval by the USACE.

Date

Signature of Permittee



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

October 3, 2025

Regulatory Division SAW-2025-01552

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: <u>maturchy@ncdot.gov</u>

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 12, 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. 287** over the Cane River on SR 1184 in Yancey County, North Carolina (35.8592, -82.3034) and has been assigned file number SAW-2025-01552. In order to perform this work, NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

			···· , · · · · ·	ppooda IIII			
Impact ID #	NWP /	Open W	ater (ac)	Wetlar	nd (ac)	Stre	am (lf)
impact iD #	GP#	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Site 1						73' (0.02 ac) / workpad	178' /
(Cane River)	NWP 14					ATF 37' (0.03 ac) / temporary bridge / fill	bank stabilization
Impact T	otals	0	0	0	0	110' (0.05 ac)	178'
Total Loss of (wetlands a		_	0	Total Los	s of waters	of the U.S.	0
Required we	etland com nitigation	pensatory	0	Required	stream com mitigation	pensatory	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) 14 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
- enclosed NWP regional conditions
- special conditions of the verification letter (see below)
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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 <u>March 14, 2026</u>, 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 USFWS issued a document titled, "Biological and Conference Opinions and Informal Consultations - Batch Format, Replace Multiple Crossing Structures on NC 197 Destroyed by Tropical Storm Helene in Yancey County, North Carolina, Service Log #25-174 through 25-176" 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 the Gray bat and Northern long-eared bat for this project. Your authorization under this verification letter and NWP 14 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 14. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its Opinion and with the ESA.

- 2. The permittee shall ensure that the workpad constricts no more than 50% of river flow at any one time.
- 3. The permittee shall ensure that any equipment that is placed on the workpad is removed when either of the following situations is forecasted or anticipated: (1) the water level will rise to a point where the equipment could be flooded (even during work days), and/or (2) the water level is expected to rise overnight, or over a non-work period of time, to a point where the equipment could be flooded.
- 4. Upon completion of work that requires the workpad to be in the river, the permittee shall remove all readily detectible workpad material, to the extent practicable, while removing as little of the original riverbed as possible.
- 5. The permittee shall comply with the following comments from the North Carolina Wildlife Resources (email dated August 14, 2025) as summarized below:
- Design Standards for Sensitive Watersheds shall be implemented.
- Nylon mesh will not be used on the riverbanks or under the bridge.
- NCWRC noted that a trout moratorium is not required for this project.
- 6. The permittee shall comply with all environmental commitments listed on the 106 Historic Architecture and Landscapes Effects Assessment PA forms for this project.
- 7. NCDOT 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. 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

Compliance Certification Form

File Number: SAW-2025-01552	County: Yancey
Permittee: NCDOT, Mr. Michael T	urchy
Project Name: NCDOT / Hurricand 1184 / Yancey / Div	e Helene / DF18313.1100997 / Br 287 / SR / 13
Date Verification Issued: October	3, 2025
Project Manager: Lori Beckwith	
Upon completion of the activity auth the permit, sign this certification and	norized by this permit and any mitigation required by d return it to the following address:
V A 151 Pa Ash	Y CORPS OF ENGINEERS Vilmington District Attn: Lori Beckwith atton Avenue, Room 208 eville, NC 28801-5006 or beckwith@usace.army.mil
Army Corps of Engineers represent of this authorization may result in the authorization and/or issuing a Class appropriate legal action. I hereby certify that the work authorization and a class appropriate legal action.	
	t (attach drawing(s) depicting the deviations):
	s on this form does not constitute approval by the USACE.

Date

Signature of Permittee

401 Certification (NCDWR)

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



September 11, 2025

DWR # 20251054 Yancey County

North Carolina Department of Transportation Attn: Michael Turchy 1598 Mail Service Center Raleigh, North Carolina, 27699-1598

Delivered via email to: maturchy@ncdot.gov

Subject: Approval of Individual 401 Water Quality Certification

NC 197 Priority Bridge Replacements 135, 136, 287; WBS

DF18313.1100997

Locations: 35.8738 /-82.3198, 35.8261/-82.2815, 35.8592/-82.3034

Dear Mr. Turchy:

Attached hereto is a copy of Certification No. WQC008153 issued to Mr. Michael Turchy and The North Carolina Department of Transportation (NCDOT) dated September 11, 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].

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

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 if you have any questions or concerns.

Sincerely,

Faith Hardin

-3185423002EA45E

Faith Hardin, Supervisor

401 & Buffer Transportation Permitting Branch

Electronic cc: Lori Beckwith, US Army Corps of Engineers, Asheville Field Office

Mike Sanderson, Division 13 Environmental Officer Holland Youngman, US Fish and Wildlife Service Dave McHenry, NC Wildlife Resources Commission Transportation Permitting Branch Electronic file

Filename: 20251054_ NC 197 Priority Bridges 135, 136, 287_Approval_20250911.docx



NORTH CAROLINA 401 WATER QUALITY CERTIFICATION

CERTIFICATION #WQC008153 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 August 12, 2025, and by Public Notice issued by the Division on August 12, 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 French Broad River Basin

Site	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
Bridge 287 on SR 1184 over				
Cane River	di			
S1: Bank stabilization	*178	-		
 S2: Temporary workpad 	-	73		
S3: Temporary Fill for	-	37		
Emergency Bridge				
			288	0
Bridge 135 on SR 1112				
Over Cane River				
 S4: Bank stabilization 	*354	-		
S5: Temporary	-	38		
workpad				
 S6: Temporary Fill for 	-	154		
Emergency Bridge				
			546	0



Bridge 136 on SR 1102 over Cattail Creek • S7: Bank stabilization	*113	-	113	0
Total	*645	302	947	0

^{*}Permanent impact, not permanent loss. Mitigation not required.

Total Stream Impact for Project: 947 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 NCDOT Division Environmental Officer or Environmental Assistant will conduct a preconstruction meeting with all appropriate staff to ensure that the project supervisor and essential staff understand the potential issues 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* in areas draining to Trout waters. [15A NCAC 4B.0124(a)-(e)]
- 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 permittee will need to adhere to all appropriate in-water work moratoria (including the use of pile driving or vibration techniques) prescribed by the NC Wildlife Resources Commission for Bridge 136 on SR 1102 over Cattail Creek. This condition does not apply to Bridge 135 or Bridge 287 over Cane River. No in-water work is permitted between October 15 and April 15, without prior approval from the NC Division of Water Resources and the NC Wildlife Resources Commission.
- 5. 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)]
- 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 NCS000250 [delete if non-DOT project], 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)The turbidity standard of 10 NTUs (Nephelometric Turbidity Units) shall not be exceeded as described in 15 A NCAC 02B .0200. Appropriate sediment and erosion control practices must be used to meet this standard. [15A NCAC 02B .0211 (21)]
- 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)

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]
- 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)]
- 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)]

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 11th day of September 2025

Signed by:

3185423002EA45E...

Faith Hardin, Supervisor

401 & Buffer Transportation Permitting Branch

Permitted Drawings



North Carolina Department of Transportation

Highway Stormwater Program STORMWATER MANAGEMENT PLAN



Version 3.02: Released April 23, 2024)

FOR NCDOT PROJECTS WBS Element: 18313.1100997 TIP/Proj No: County(ies): Yancey Page **General Project Information** WBS Element: 18313.1100997 TIP Number: Project Type: Bridge Replacement 8/1/2025 Date: NCDOT Contact: McCray Coates, PE Contractor / Designer: Jason Gorrie, PE Address: 402 Executive Park Address: 1001 Morehead Square Drive Asheville, NC 28801 Suite 610 Charlotte, NC 28203 Phone: 828-206-4511 Phone: 704-342-8463 Email: iason.gorrie@wsp.com Email: hmcoates@gftinc.com City/Town: Burnsville County(ies): Yancey River Basin(s): French Broad CAMA County? No Wetlands within Project Limits? No

			Project Desc	ription					
Project Length (lin. miles or feet):	0.78 mi.	Surrounding L	and Use:	Rural					
		Proposed Project				Exist	ing Site		
Project Built-Upon Area (ac.)		2.1	ac.			1.9	ac.		
	-L2-, 2-11' paved lanes					ed lanes w/1'-2' shoulders			
	'-Y6A, 2-11' paved lane	es w/ 2' grass shoulder, 30' out to	out bridge widt	th	'-Y6-, 2-8' pave	ed lanes w/1'-2' shoulders, 3	0'-4" out to out	bridge width	
		es w/ 2' grass shoulder, 30' out to				ved lanes w/1'-2' shoulders,			
	'-Y14-, 2-10' paved lane	es w/ 4' grass shoulder, 30' out to	out bridge wid	th	'-Y14-, 2-8' pav	ved lanes w/1'-2' shoulders,	20'-2" out to ou	t bridge width	
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	2080	Year:	2045	Existing:	1400		Year:	2025

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

The North Carolina Department of Transportation (NCDOT) has proposed replacement of three bridges (990135, 990136, and 990287) in the Concord, Murchison, and Cattail Creek communities along NC 197 South and Cattail Creek Road along with repairs to the associated approach roadways. The project is proposed in response to damage caused by Hurricane Helene (09/2024) which destroyed all three bridges.

Bridge 990287 carries Riverview Road (SR 1184) over the Cane River. The existing bridge was a 1@41', 2@40', 1@41' (OAL=162') cored slab with sill through abutments. The proposed bridge is a 2@60', 1@55 (OAL=175') cored slab bridge with spill-through abutments at 1.5:1 slope. The proposed bridge will have no direct discharge into the creek. Stormwater runoff from the bridge will flow to rip rap pads directly outside of the shoulders, where flow will be diffused. Permanent and temporary surface water impacts will be created by riprap bank stabilization under the bridge, drilled pier installation, and removal of temporary fill and the temporary bridge currently in place. Temporary rock workpads will be used to construct the proposed bridge. A rip rap-free bench will exist permitting connectivity for small wildlife along the river corridor. Bank stabilization is planned to prevent erosion of the stream banks.

Bridge 990135 carries Toodies Creek Road (SR 1112) over the Cane River. The existing bridge was a 1@41', 2@40', 1@41' (OAL=162') cored slab with spill-through abutments. The proposed bridge is a 2@70', 1@40' (OAL=180') cored slab bridge with spill-through abutments at 1.5:1 slope. The proposed bridge will have no direct discharge into the creek. Stormwater runoff from the bridge will flow to rip rap pads directly outside of the shoulders, where flow will be diffused. Permanent and temporary surface water impacts will be created by riprap bank stabilization under the bridge and along the adjacent roadway embankments, drilled pier installation, and removal of temporary fill and the temporary bridge currently in place. Temporary rock workpads will be used to construct the proposed bridge. A rip rap-free bench will exist permitting connectivity for small wildlife along the river corridor. Bank stabilization is planned to prevent erosion of the stream banks.

Bridge 990136 carries Cattail Creek Road (SR1102) over the North Fork of Cattail Creek. The existing bridge was a 1@14.9', 1@35.4' (OAL=50.3') steel I-beam with timber decking and vertical abutments. The proposed bridge is a 1@70' cored slab with vertical abutments and bank stabilization along the existing banks. The proposed bridge will have no direct discharge into the creek. Stormwater runoff from the bridge will flow to rip rap pads directly outside of the shoulders, where flow will be diffused. Note that a portion of the existing abutments will be removed using top down construction to provide a minimum of 4' of clearance underneath the new bridge. Pending structures and geotechnical evaluation, the lower portion of the existing abutments will be retained. An on-site detour upstream of the existing bridge will be used ot maintain access during construction. Bank stabilization is planned to prevent erosion of the stream banks.

Erosion and Sediment Control devices such as silt fence, special sediment control fence, rock checks, and impervious dikes are anticipated to be used to minimize sediment leaving the project site and aid in water management during construction. Rip rap pads will be utilized at pipe outlets to dissipate energy and reduce velocities.

Based on the upstream basin attributes and preliminary highway design characteristics, NCDOT SELDM simulation results suggest that highway runoff will not substantially impact downstream water quality conditions.

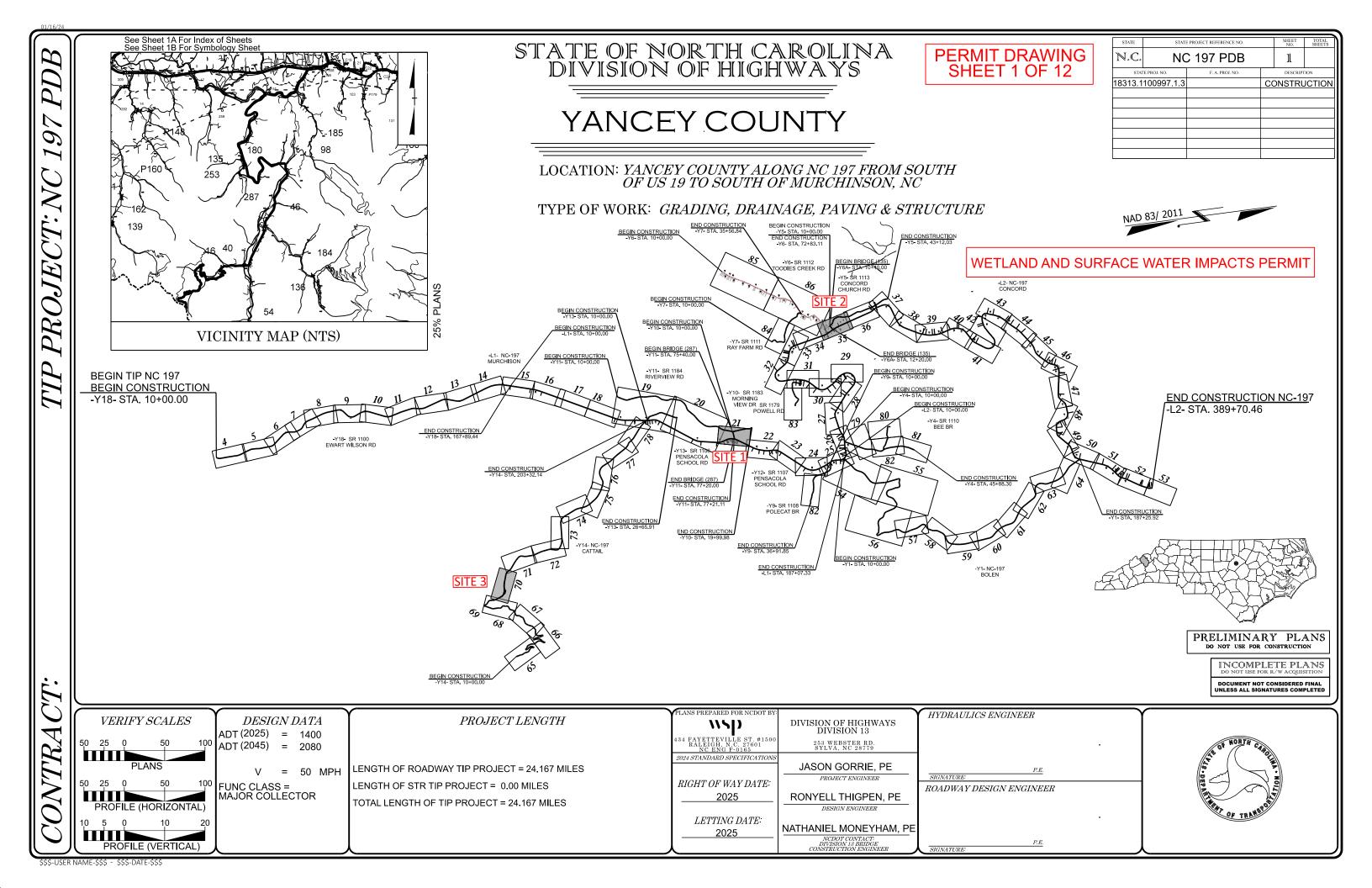


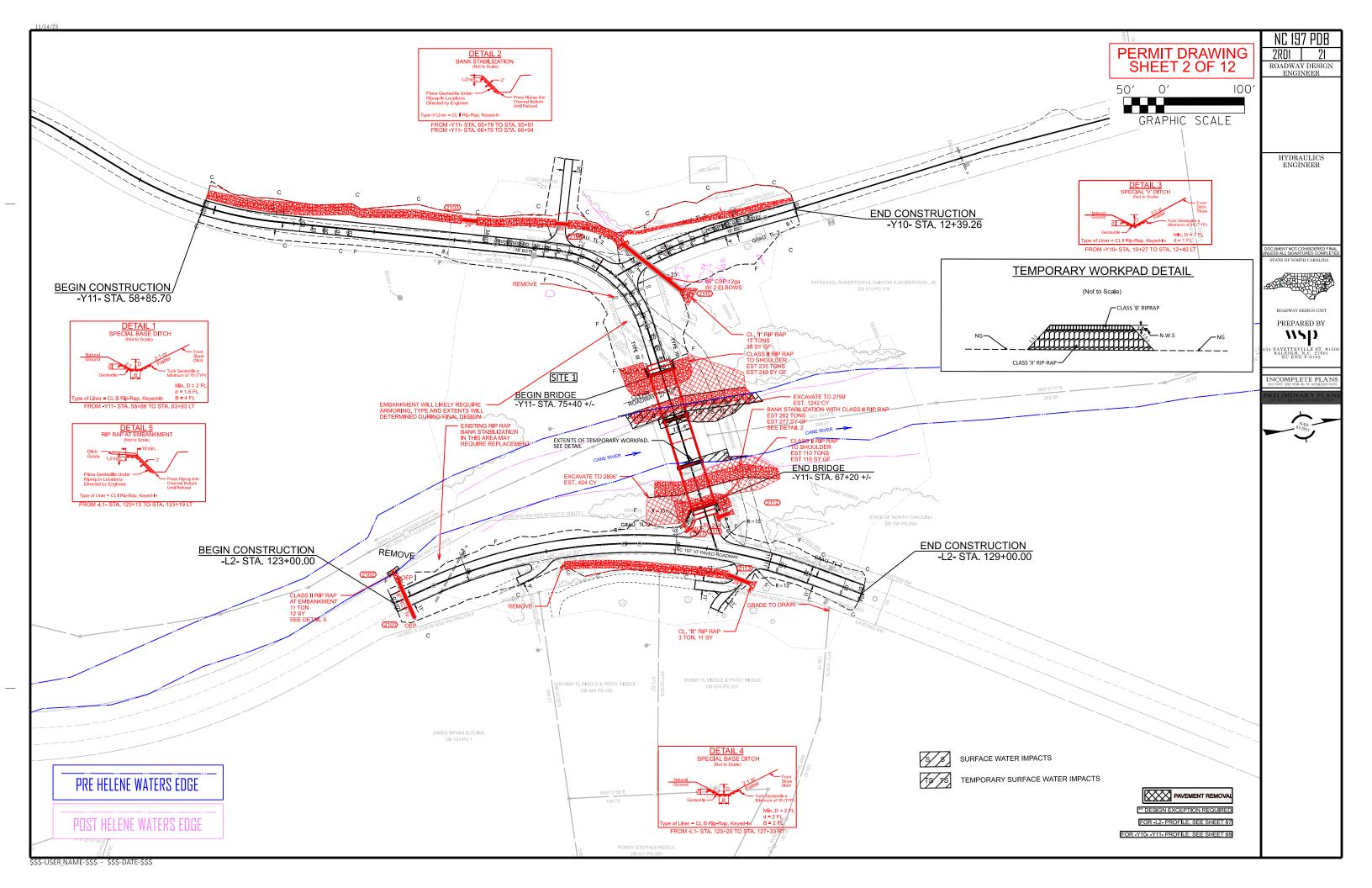
North Carolina Department of Transportation

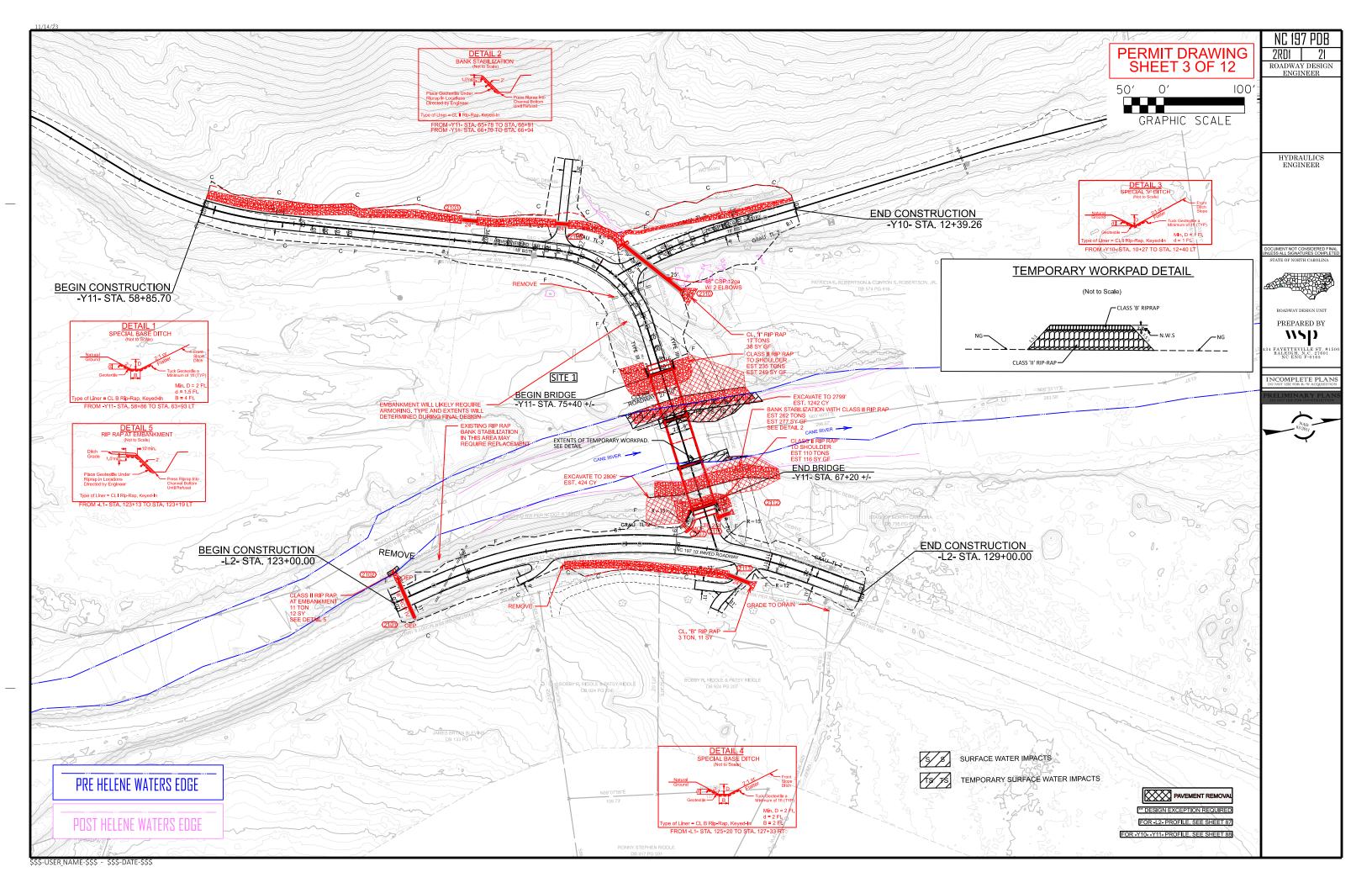


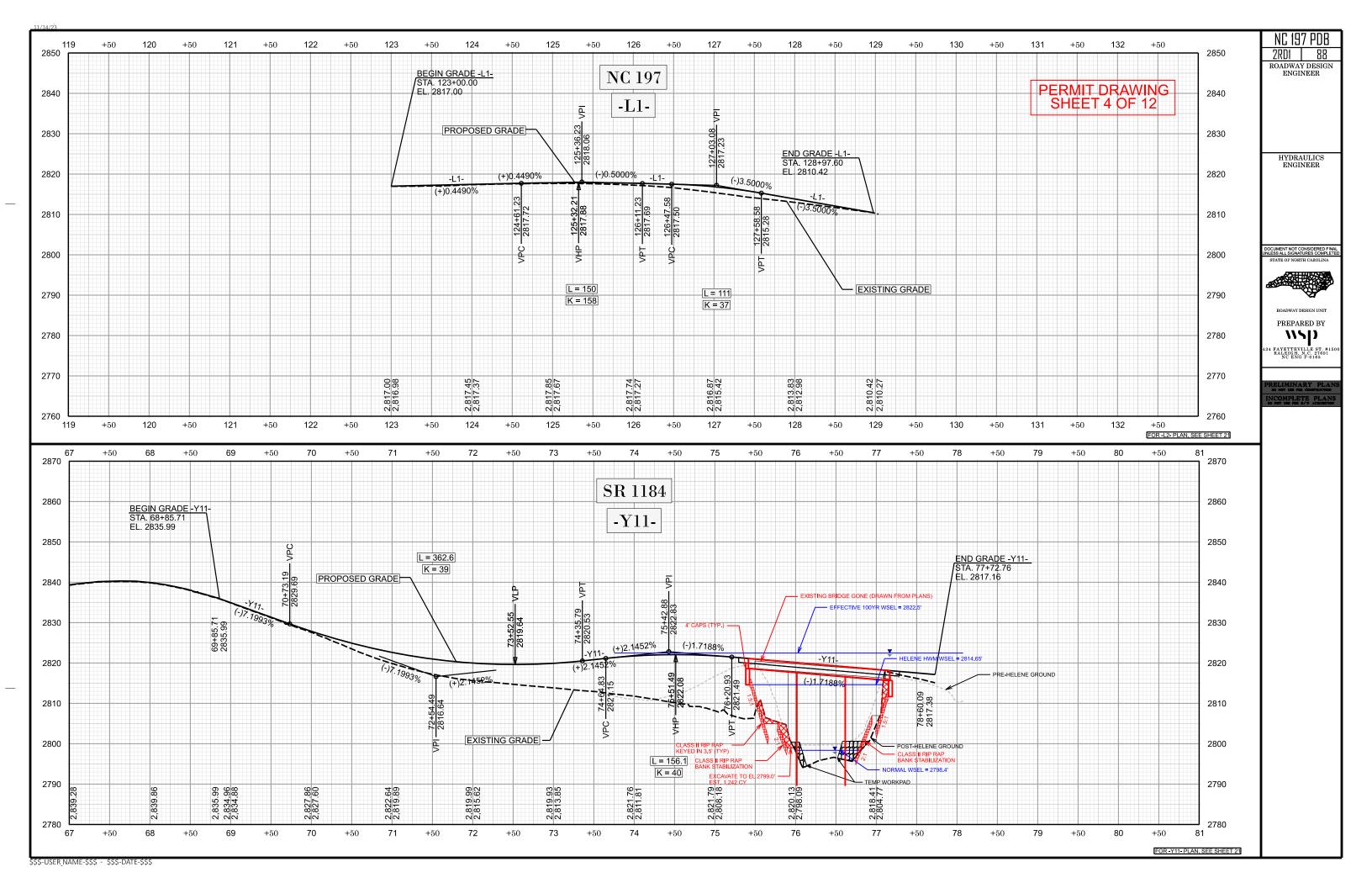
Highway Stormwater Program STORMWATER MANAGEMENT PLAN

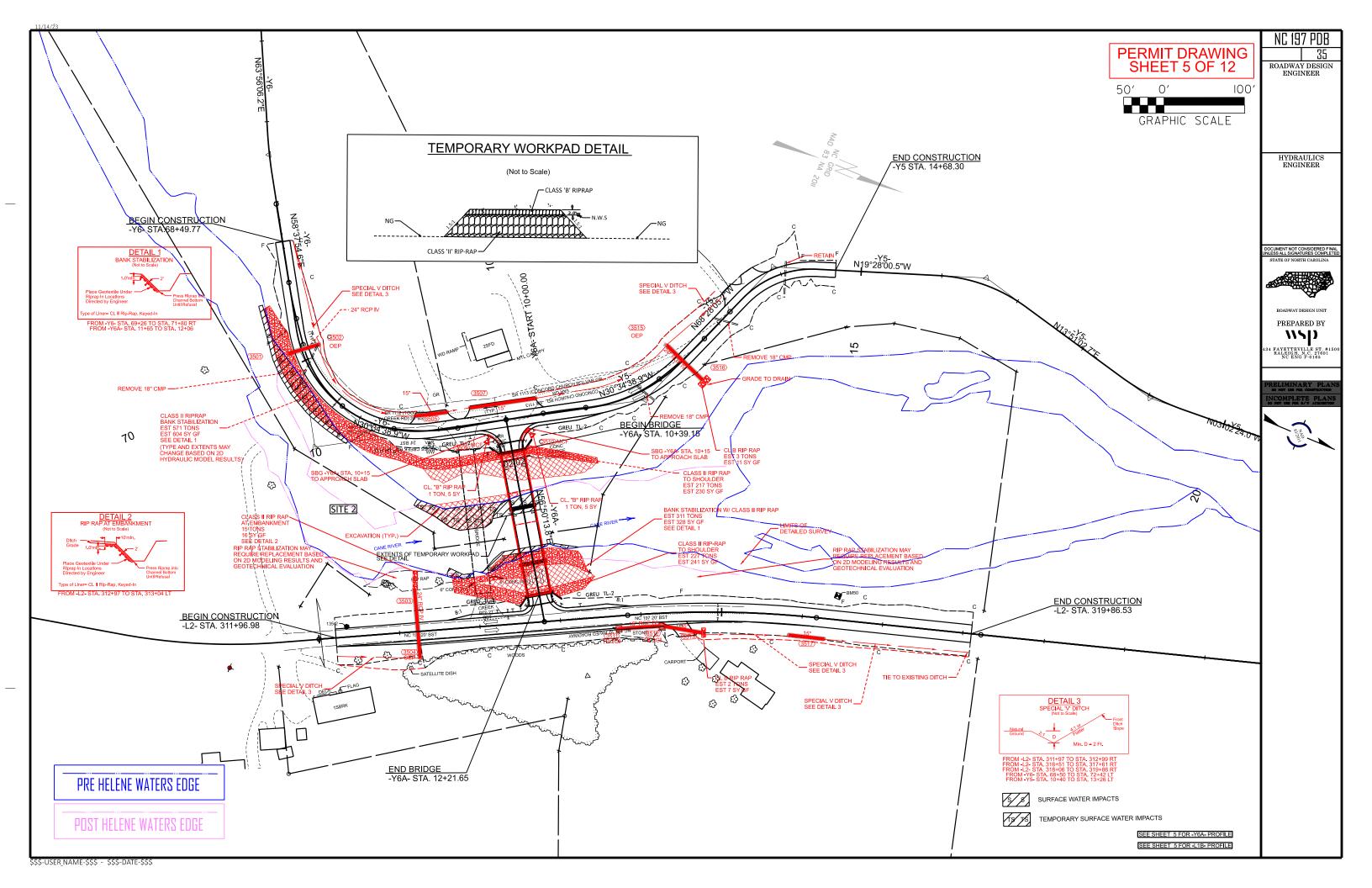
(Version 3.02; Released	April 23, 2024)			FOR NCDOT F	PROJECTS					
WBS Element:	18313.1100997	TIP/Proj No.:		County(ies):	Yancey			Page	2	of 2
				General Project	Information					
				Waterbody Inf	ormation					
Surface Water Body	· (1):		Cane	River	NCDWR Stream In	dex No.:		7-3-(0.5)		
NCDWR Surface Wa	ter Classification fo	r Water Rody		Primary Classification:	Water Supply	II (WS-II)				i
NODVIN Garrace Wa	ner Glassification fo	T Water Body		Supplemental Classification:	Trout Water	s (Tr)	(HQW)			İ
										İ
Other Stream Classi	ification:									İ
Impairments:		Nor	e							ı
Aquatic T&E Specie	s?	No	Comments:							
NRTR Stream ID:		N/A					Buffer Rules in Effect:			N/A
Project Includes Brid	dge Spanning Water	Body?	Yes	Deck Drains Discharge Over Bu		No	Dissipator Pads Provided i			
Deck Drains Dischar	<u> </u>		No	(If yes, provide justification in	the General Project I	Narrative)	(If yes, describe in the Ge			, justify in the
(If yes, provid	de justification in the 0	General Project Na	rrative)				Gene	eral Project Narr	ative)	
Surface Water Body	(2):		North Fork (Cattail Creek	NCDWR Stream In	dex No.:		7-3-9-2		
NCDWR Surface Wa	ter Classification fo	r Water Body		Primary Classification:	Water Supply	II (WS-II)	,			į.
NOD THE GUILDO TE	ator Gradomidation to	. Trato. Body		Supplemental Classification:	Trout Water	s (Tr)	(HQW)			l
										l
Other Stream Classi	ification:									İ
Impairments:		Nor	е							<u>I</u>
Aquatic T&E Specie	s?	No	Comments:							
NRTR Stream ID:		N/A		<u>, </u>			Buffer Rules in Effect:			N/A
Project Includes Bri	dge Spanning Water	Body?	Yes	Deck Drains Discharge Over Bu		No	Dissipator Pads Provided i			N/A
Deck Drains Dischar			No	(If yes, provide justification in	the General Project I	Narrative)	(If yes, describe in the Ge			, justify in the
(If yes, provid	de justification in the 0	General Project Na	rrative)				Gene	eral Project Narr	ative)	
Surface Water Body	(3):			,	NCDWR Stream In	dex No.:				
NCDWR Surface Wa	ter Classification fo	r Water Body		Primary Classification:						ļ
				Supplemental Classification:						l
										İ
Other Stream Classi	ification:									l
Impairments:										<u>I</u>
Aquatic T&E Specie	s?		Comments:							
NRTR Stream ID:							Buffer Rules in Effect:			
Project Includes Brid	dge Spanning Water	Body?		Deck Drains Discharge Over Bu			Dissipator Pads Provided i			
Deck Drains Dischar	•			(If yes, provide justification in	the General Project I	Narrative)	(If yes, describe in the Ge			, justify in the
(If yes, provid	de justification in the 0	General Project Na	rrative)				Gene	eral Project Narr	atıve)	

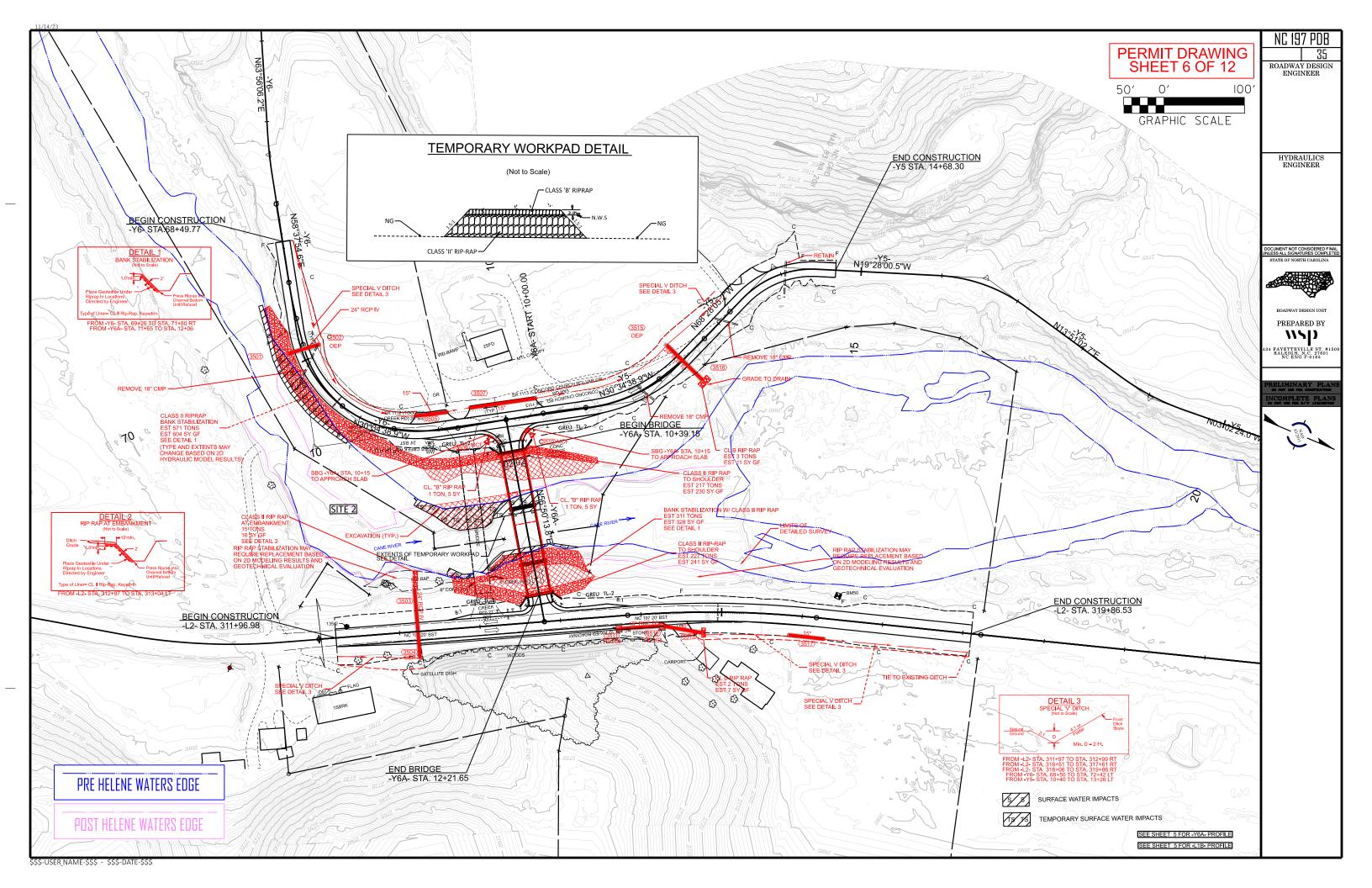












11/14/23

PERMIT DRAWING SHEET 7 OF 12 2RDI 35

ROADWAY DESIGN
ENGINEER

HYDRAULICS ENGINEER



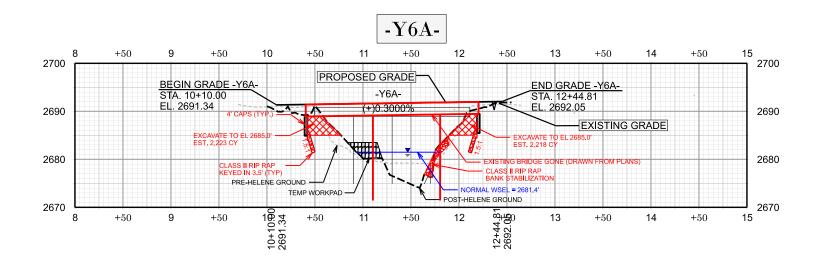


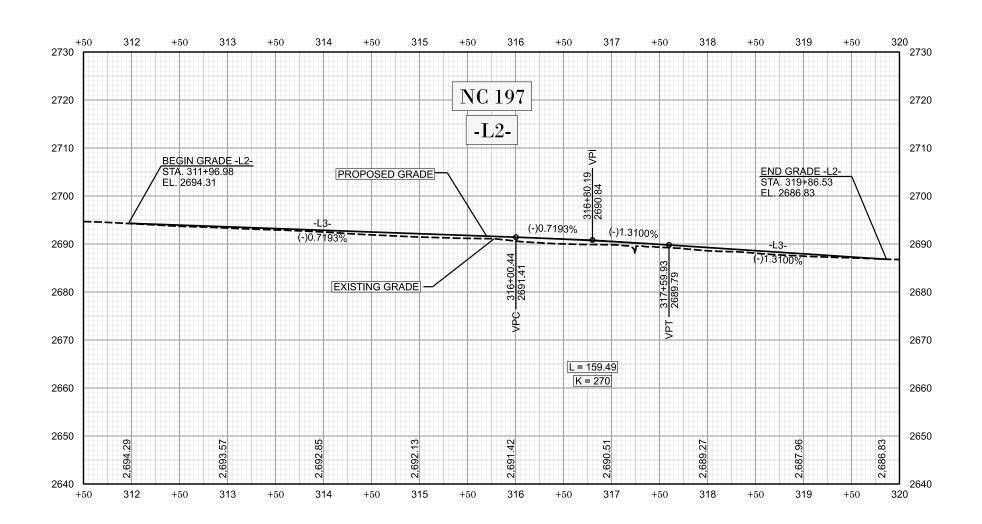
PREPARED BY

AS PAYETTEVILLE ST. #1500
RALEIGH. N.C. 27601
RN.C B.VG F.0165

PRELIMINARY PLANS
SO NOT USE FOR CONSTRUCTION

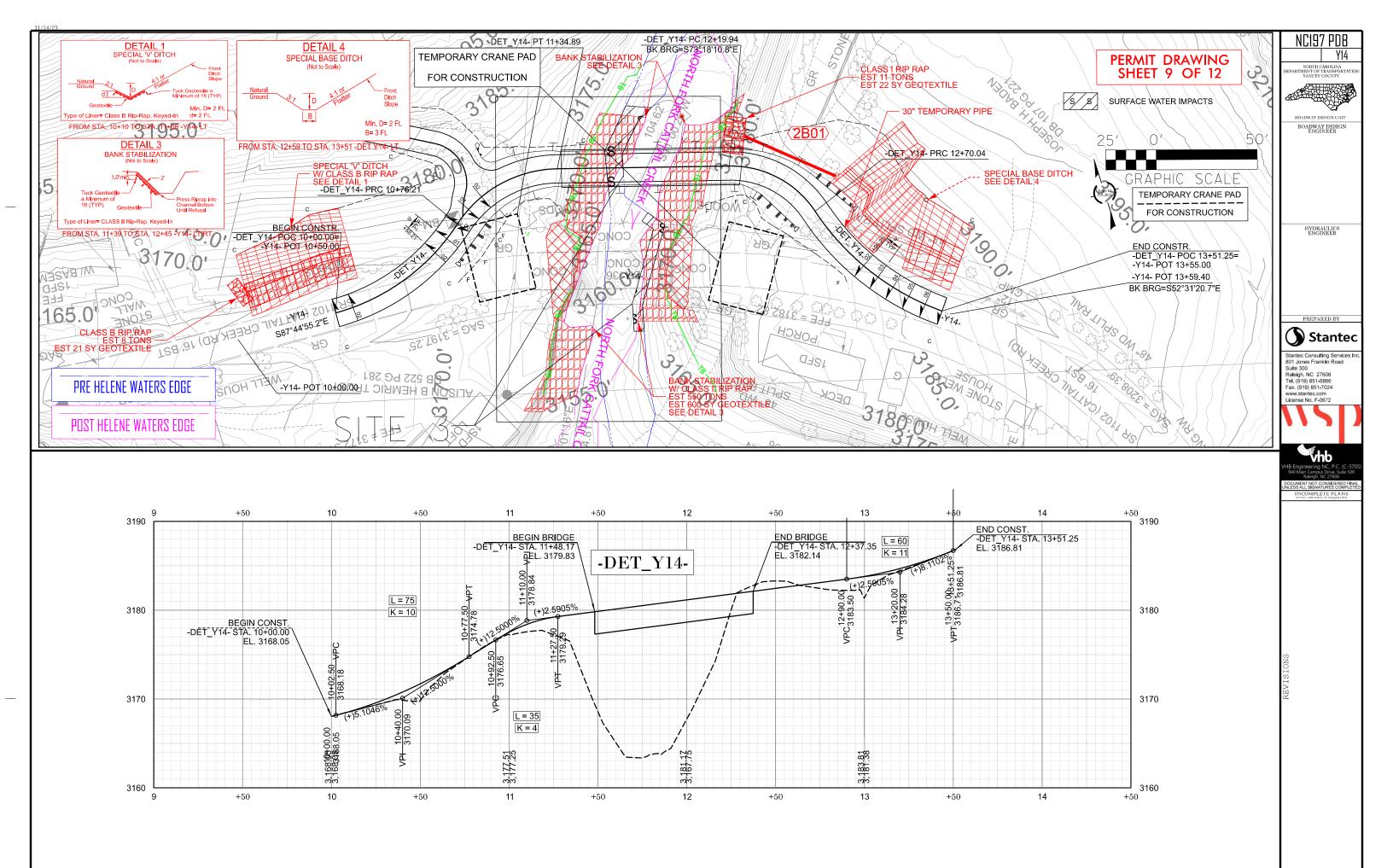
INCOMPLETE PLANS
SO NOT USE FOR R/W ACQUIRTION



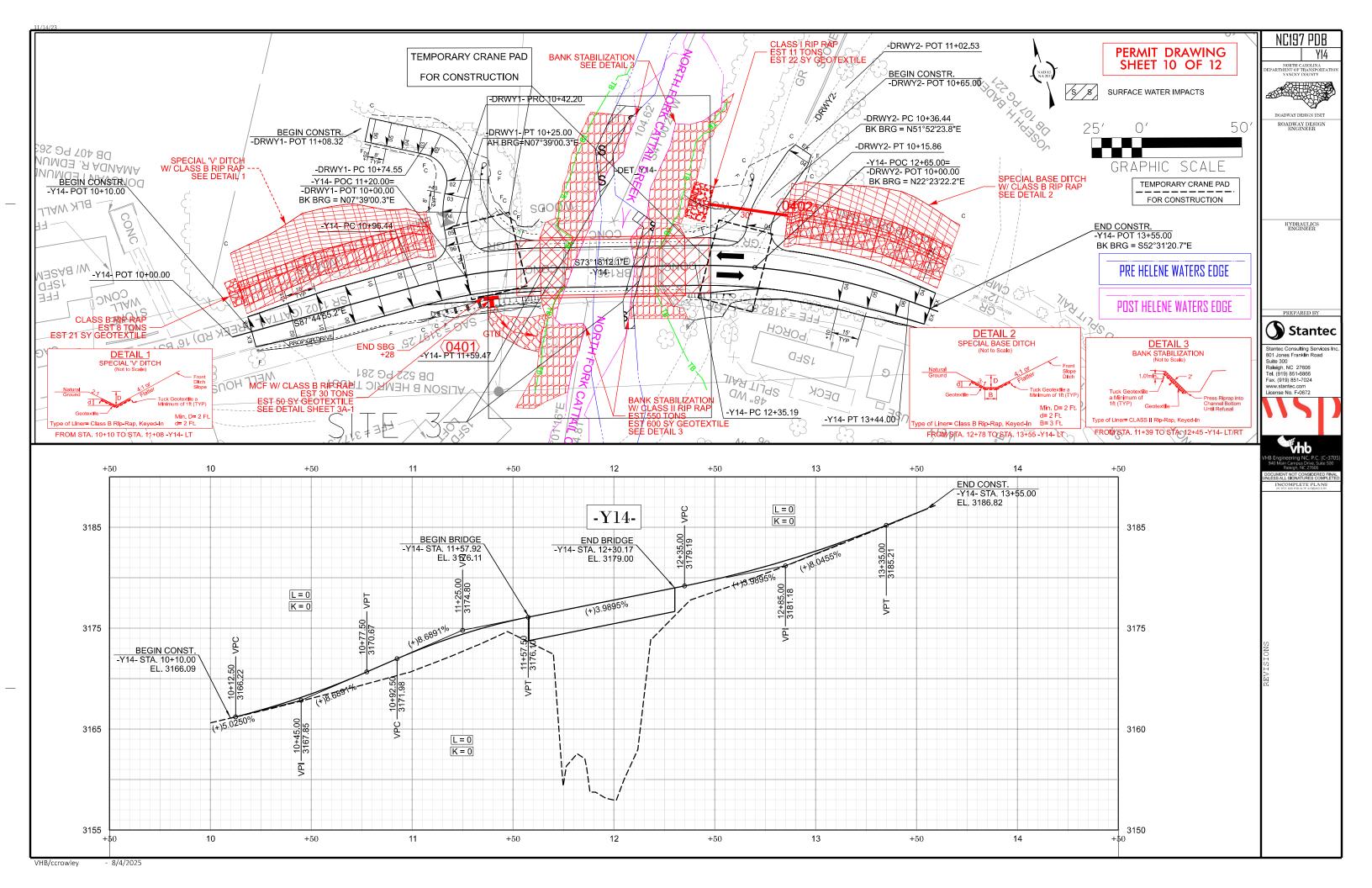


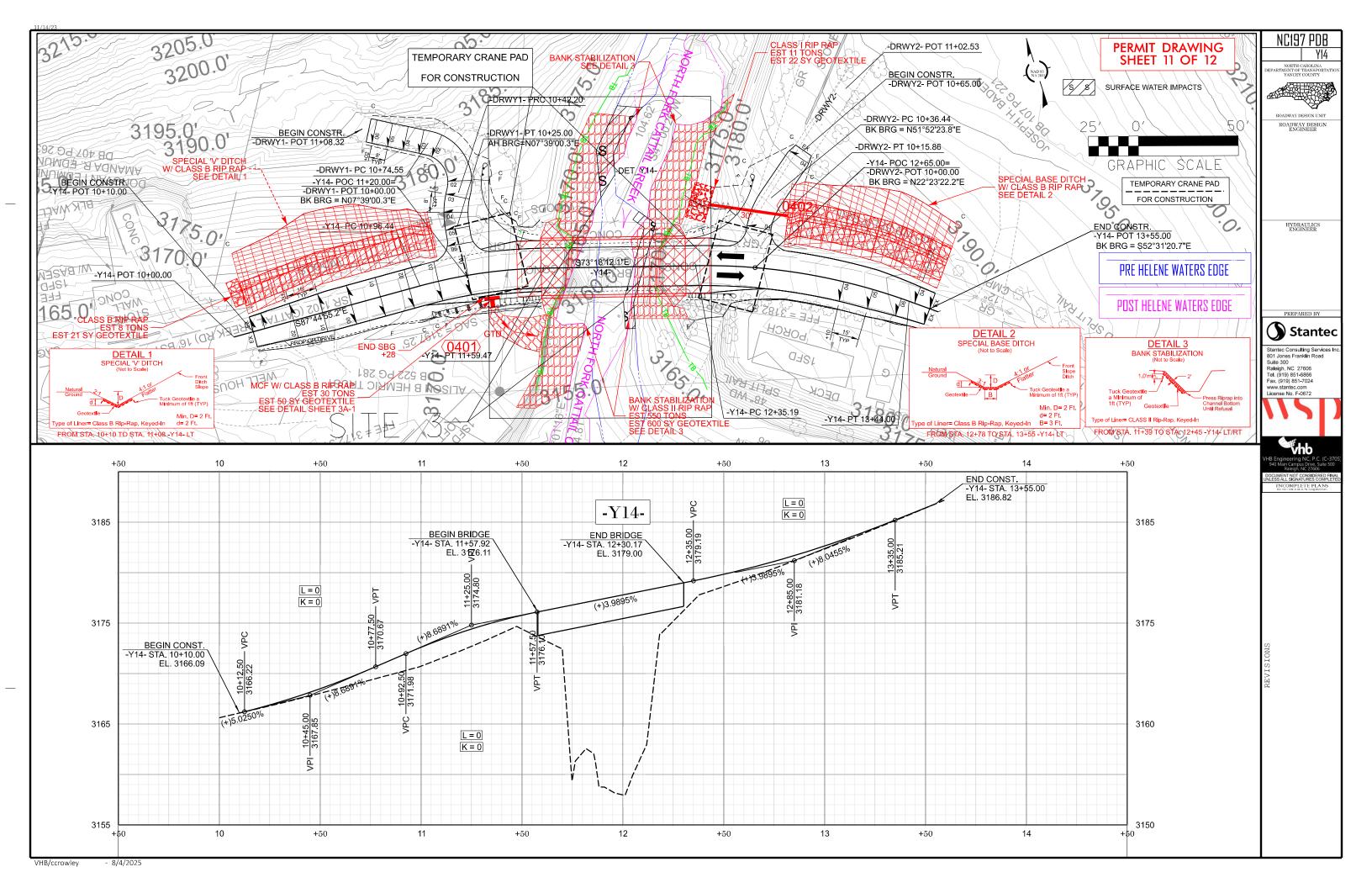
FOR -L2- PLAN, SEE SHEET 35 FOR -Y6A- PLAN, SEE SHEET 35

\$\$\$-USER_NAME-\$\$\$ - \$\$\$-DATE-\$\$\$



8/4/2025





				WE	TLAND IMP	ACTS		Ş	SURFACE	WATER IM	PACTS	
Site	Station	Structure	Permanent Fill In	Temp. Fill In	Excavation	Mechanized Clearing	Hand Clearing in	Permanent SW	Temp. SW	Existing Channel Impacts	Existing Channel Impacts	Natural Stream
No.	(From/To)	Size / Type	Wetlands (ac)	Wetlands (ac)	Wetlands (ac)	in Wetlands (ac)	Wetlands (ac)	impacts (ac)	impacts (ac)	Permanent (ft)	Temp. (ft)	Design (ft)
1	-Y11- 76+97-77+73	Emergency Temp Bridge Fill Removal							0.03		37	
1	-Y11- 77+14-77+77	Bank Stabilization						0.05		178		
1	-Y11- 77+08-77+56	Temp Workpad							0.02		73	
2	-Y6A- 10+83-10+99	Emergency Temp Bridge Fill Removal							0.05		154	
2	-Y6A- 10+00-11+72	Bank Stabilization						0.09		354		
2	-Y6A- 11+16-11+17	Temp Workpad							0.03		38	
3	-Y14-11+86-12+16	Bank Stabilization						0.02		113		
		s Creek Road - Bridge 135 eek - Cattail Ck Rd Bridge	136									
			136									
			136									
			136									

^{*}Rounded totals are sum of actual impacts

NOTES:

Linear impacts are shown such that they do not double count due to impacts on both sides of the stream.

<0.01 acres of Permanent SW Impacts for drilled piers.

**Linear footage of temporary impacts within the limits of bank stablization have not been counted towards total.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

August 1, 2025 Yancey County 18313.1100997

NC-197 S PDB

SHEET

12

12