



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

February 5, 2025

U. S. Army Corps of Engineers
Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28805

NC Division of Water Resources
Transportation Permitting Branch
1617 Mail Service Center
Raleigh NC 27699-1617

ATTN: Ms. Lori Beckwith
NCDOT Coordinator

Ms. Amy Annino
NCDOT Coordinator

Subject: **Request for Permit Modification of Section 404 Permit and Section 401 Water Quality Certification** for the proposed new interchange on I-26 (future exit 35) and roadway extension, Buncombe County, Division 13. WBS No. 49472.1.2, **TIP: HE-0001**

Reference: (1) Section 404 Individual Permit, Action ID No. SAW-2021-0535, issued August 11, 2023;
(2) Section 401 Water Quality Certification No. 005958, NCDWR Project No. 20230518, issued June 15, 2023.

Dear Madams:

The purpose of this letter is to request modification of the United States Army Corps of Engineers (USACE) Section 404 Individual Permit, Action ID No. SAW-2021-0535 and associated North Carolina Division of Water Resources (NCDWR) Section 401 Water Quality Certification No. 005958 for the subject project.

During construction plan development for TIP HE-0001, additional temporary impacts to jurisdictional waters associated with roadway construction (dewatering) and installation and maintenance of necessary soil and erosion control devices will be necessary.

The total additional temporary stream channel impact is 295 linear feet.
There are no changes to permanent jurisdictional stream channel or wetland impacts.

This additional temporary stream impact will occur at 3 sites: 5, 6, and 7 and are described below.

Site 5

The original design included 40 linear feet of temporary stream channel impact to stream SG resulting from proposed impervious dikes associated with the stream channel dewatering. The construction plan design for a culvert diversion channel for necessary stream channel dewatering results in an additional 112 linear feet of temporary stream channel impacts. These impacts are associated with aligning, connecting, and stabilizing stream channels to the proposed culvert diversion channels.

Site 6

The original design included 45 linear feet of temporary stream channel impact to stream SE resulting from proposed impervious dikes associated with the stream channel dewatering. The construction plan design for a culvert diversion channel for necessary stream channel dewatering results in an additional 107 linear feet of temporary stream channel impacts. These impacts are associated with aligning, connecting, and stabilizing stream channels to the proposed culvert diversion channels.

Site 7

The original design included 16 linear feet of temporary stream channel impact to stream SA resulting from proposed impervious dikes associated with the stream channel dewatering. The construction plan design for a culvert diversion channel for necessary stream channel dewatering results in an additional 76 linear feet of temporary stream channel impacts. These impacts are associated with aligning, connecting, and stabilizing stream channels to the proposed culvert diversion channels.

Summary of Changes to Temporary Stream Impacts in French Broad River Basin 06010105*

Permit Site/Stream ID	Stream Name	Status & Class	Impact Type	Permitted Temporary Impacts (length/lf)	Proposed Permit Modification	Difference
5/SG	UT to FBR	Perennial C	Temporary fill/dewatering	40	152	+112
6/SE	UT to FBR	Perennial C	Temporary fill/dewatering	45	152	+107
7/SA	UT to FBR	Perennial C	Temporary fill/dewatering	16	92	+76
Total Temporary Stream Impacts:				190	485	+295
*Permit Sites 1 and 2 include authorized fill in wetlands/mechanized clearing due to roadway widening and are not included in table. Permit Sites 3 and 4 include authorization temporary fill/dewatering due to roadway drainage construction and are not included in table. No changes or modification to Permit Sites 1, 2, 3, and 4 are requested.						

Since the proposed impacts to jurisdictional waters are temporary and NCDOT's commitment to restore all temporary stream channel impacts associated with this project, no additional compensatory mitigation is proposed with this request. Additionally, no changes have occurred to special commitments for this project.

Previous authorization for the entire project included the following impacts:

981 linear feet (lf) of permanent stream impacts,
 0.103 acre of permanent wetland impacts, and
 190 lf (0.03 acre) of temporary stream impact.

This request will increase the project's total temporary impact to streams to 485 linear feet.

NCDOT requests to modify the referenced permits for this project. Application is hereby made for modification of the USACE Section 404 Permit and the NCDWR Section 401 Water Quality Certification.

Thank you for your assistance with this project. If you have any questions or need additional information, please contact Michael Turchy at maturchy@ncdot.gov or 919-707-6157. A copy of this application and distribution list will also be posted on the NCDOT website at: <http://connect.ncdot.gov/resources/Environmental>.

Sincerely,

 Digitally signed by
Michael Turchy
Reason: HE-0001
Permitting

Michael Turchy
Environmental Coordination and Permitting Group Leader
Environmental Analysis Unit

Enclosures

Project Submittal Interim Form



Updated December 4, 2023

*Please note: fields marked with a red asterisk * below are required. You will not be able to submit the form until all mandatory questions are answered.*

- Project Type: ***
- For the Record Only (Courtesy Copy)
 - New Project
 - Modification/New Project with Existing ID
 - More Information Response
 - Other Agency Comments
 - Pre-Application Submittal
 - Re-Issuance/Renewal Request
 - Stream or Buffer Appeal

Project Contact Information

Name: Michael Turchy
Who is submitting the information?

Email Address: * maturchy@ncdot.gov

Project Information

Existing ID #: *	Existing Version: *
20230518	1
<i>20170001 (no dashes)</i>	<i>1</i>

Project Name: * HE-0001 - Future Exit 35 on I-26

Is this a public transportation project? *

- Yes
- No

Is this a DOT project? *

- Yes
- No

Is the project located within a NC DCM Area of Environmental Concern (AEC)? *

- Yes No Unknown

Does this project involve maintenance dredging funded by the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund, electric generation projects located at an existing or former electric generating facility, or involve the distribution or transmission of energy or fuel, including natural gas, diesel, petroleum, or electricity? *

- Yes No

Is this project connected with ARPA funding? *

- Yes No

TIP#:

HE-0001

WBS#:

49472.1.2

(Applies to DOT projects only)

County (ies) *

Buncombe

Please upload all files that need to be submitted.

[Click the upload button or drag and drop files here to attach document](#)

HE-0001 Modification February 5 2025.pdf

2.25MB

Only pdf or kmz files are accepted.

Describe the attachments or add comments:

Permit application cover and drawings attached.

* By checking the box and signing box below, I certify that:

- I, the project proponent, hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- I, the project proponent, hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I agree that submission of this online form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the online form.

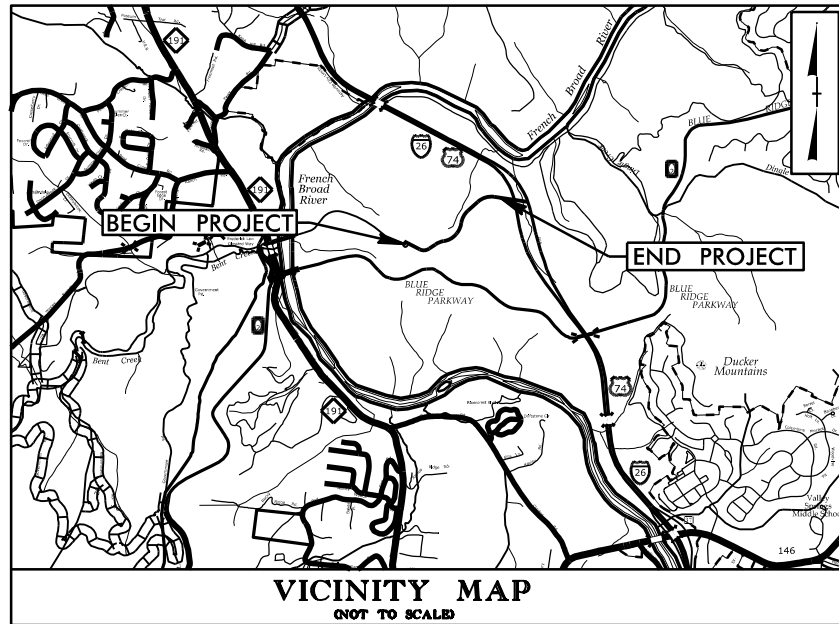
Signature: *

Michael Turchy

Submittal Date:

TIP PROJECT: HE-0001B

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



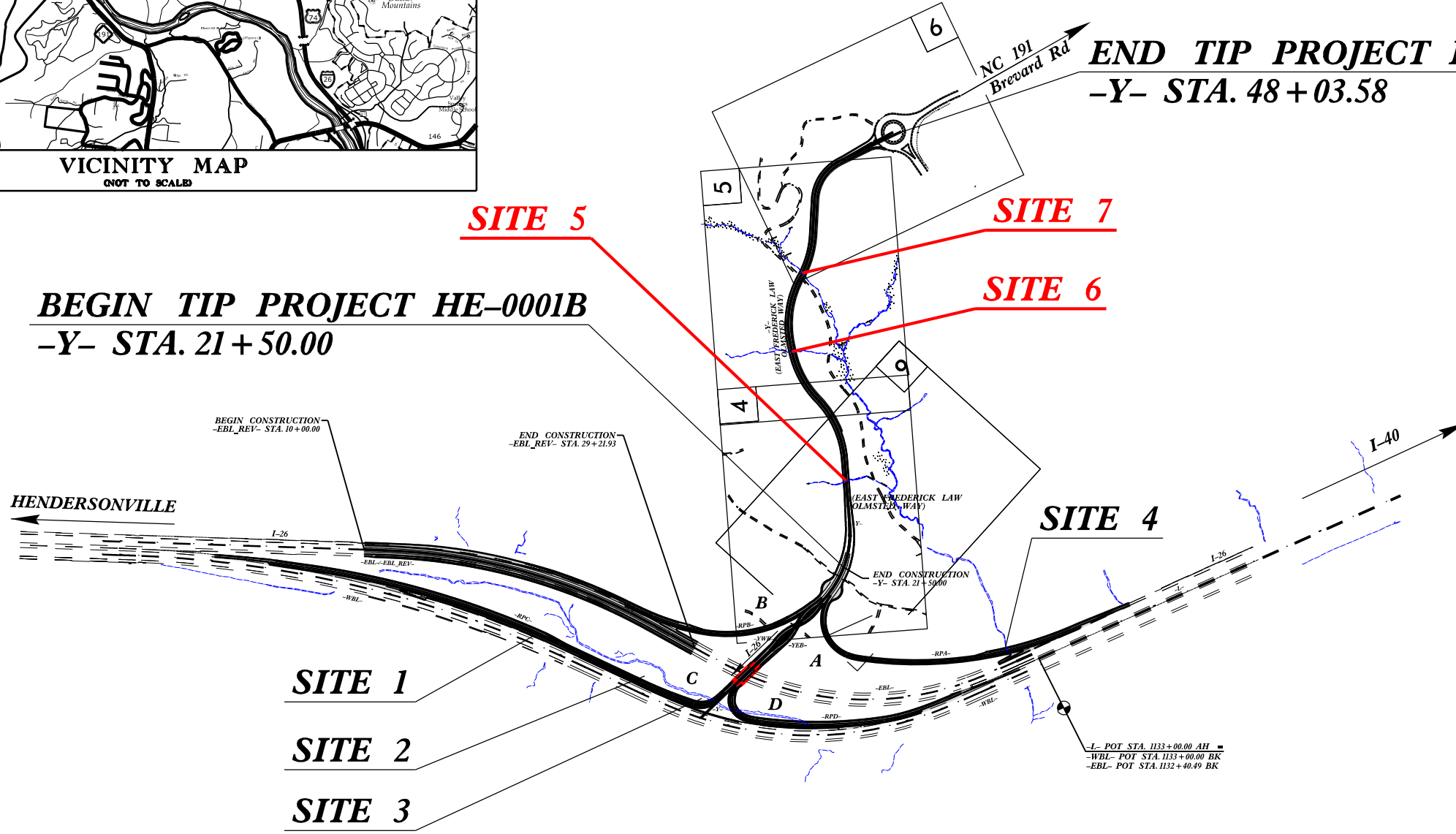
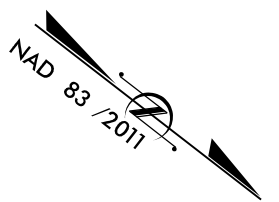
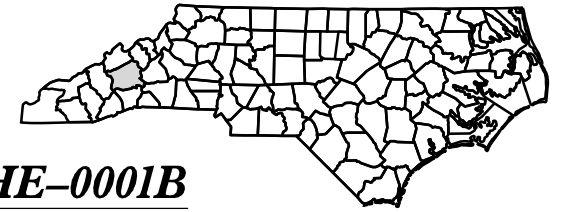
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

BUNCOMBE COUNTY

**LOCATION: ACCESS ROAD CONNECTING FROM I-26
TO NC 191 (BREVARD RD)**

TYPE OF WORK: GRADING, PAVING, AND DRAINAGE

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	HE-0001B	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
49742.1.2		PE	
49742.2.2		UTILITIES	
49742.3.2		CONSTRUCTION	
49742.4.2		MITIGATION	




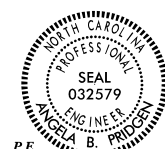
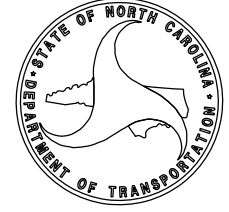
February 4, 2025

**PERMIT DRAWING
SHEET 1 OF 5**

WETLAND AND SURFACE WATER IMPACTS PERMIT

NOTES:
THIS IS A PARTIAL CONTROLLED ACCESS PROJECT WITH ACCESS BEING LIMITED TO POINTS SHOWN ON THE PLANS

CONTRACT:





<p>GRAPHIC SCALES</p> <p>50' 25' 0 50' 100'</p> <p style="text-align: center;">PLANS</p> <p>50' 25' 0 50' 100'</p> <p style="text-align: center;">PROFILE (HORIZONTAL)</p> <p>10' 5' 0 10' 20'</p> <p style="text-align: center;">PROFILE (VERTICAL)</p>	<p>DESIGN DATA</p> <p>ADT 2023 = 9,890 ADT 2043 = 17,810 K = 9% D = 55% T = 5% V = 40 MPH</p> <p>* TTST = 1% DUAL = 4%</p> <p>FUNC CLASS = MINOR ARTERIAL</p>	<p style="text-align: center;">PROJECT LENGTH</p> <p style="text-align: center;">LENGTH ROADWAY TIP PROJECT HE-0001B = 0.503 Miles TOTAL LENGTH TIP PROJECT HE-0001B = 0.503 Miles</p>	<p style="text-align: center;">Prepared for the North Carolina Department of Transportation In the Office of:</p> <p style="text-align: center;">GANNETT FLEMING</p> <p style="font-size: small; text-align: center;">One Glenwood Avenue Suite 900 Raleigh, NC 27603 919-420-7660 NC Lic. No. F-0270</p>	<p>HYDRAULICS ENGINEER</p> <p style="text-align: center;">  RICKY A. TIPTON, PE PROJECT ENGINEER </p> <p>SIGNATURE: _____</p>	<p style="text-align: center;">  ANGELA B. PRIDGEN, PE PROJECT DESIGN ENGINEER </p> <p>SIGNATURE: _____</p>
<p>2018 STANDARD SPECIFICATIONS</p> <p>RIGHT OF WAY DATE: AUGUST 20, 2024</p> <p>LETTING DATE: JANUARY 21, 2025</p>			<p>ROADWAY DESIGN ENGINEER</p> <p>SIGNATURE: _____</p>		
<p>NCDOT CONTACT: <u>BRENDAN W. MERITHEW, PE</u> DIVISION 13 PROJECT MANAGER</p>					

B.17/99

PROJECT REFERENCE NO.	SHEET NO.
HE-0001B	3
RW SHEET NO.	

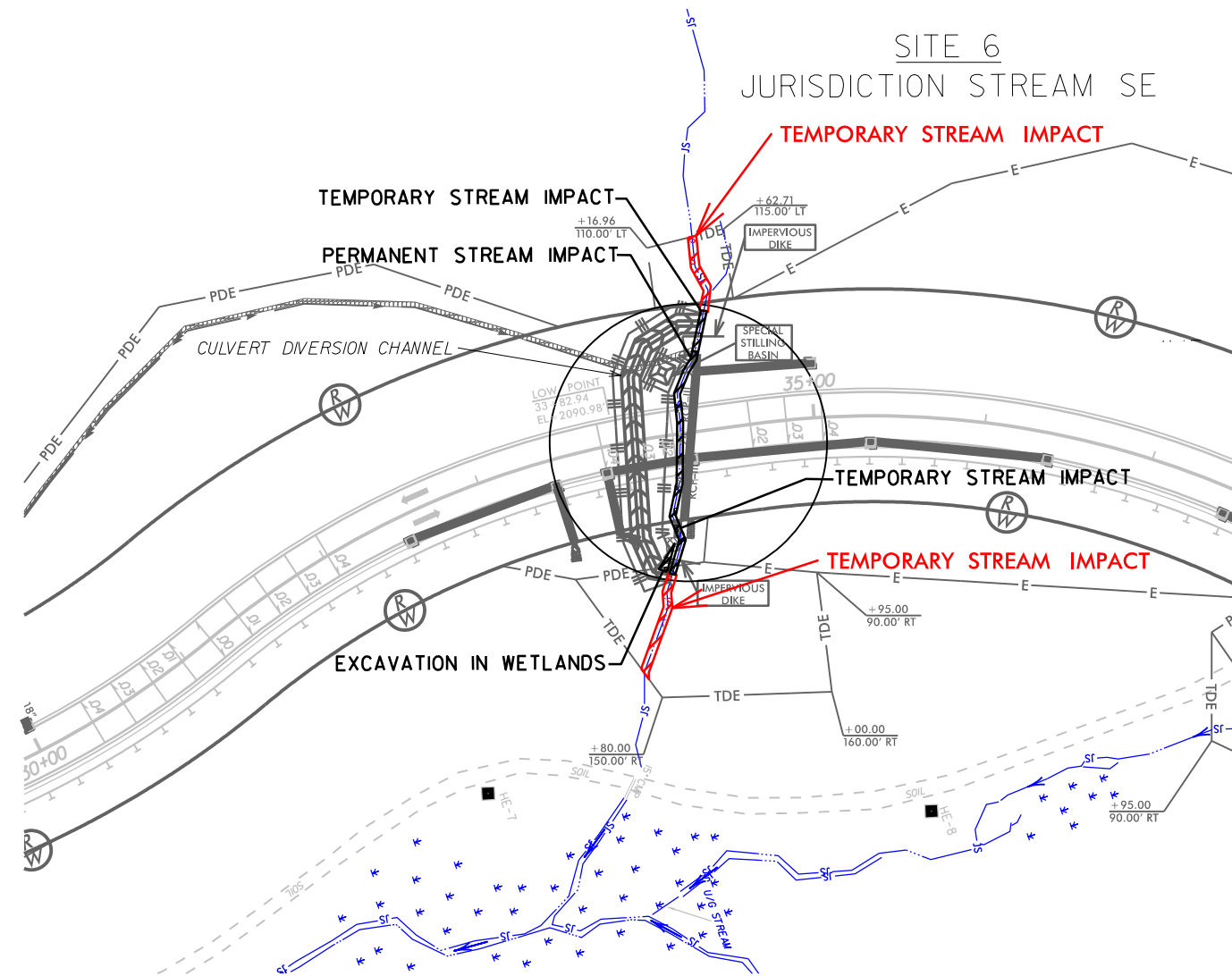
**PERMIT DRAWING
SHEET 3 OF 5**

2/4/2025

-  EXISTING TEMPORARY SURFACE WATER IMPACTS
-  NEW TEMPORARY SURFACE WATER IMPACTS
-  EXISTING SURFACE WATER IMPACTS
-  EXISTING WETLAND EXCAVATION

CULVERT CONSTRUCTION SEQUENCE STA. 34+50 -Y-

1. BEGIN CULVERT CONSTRUCTION PRIOR TO ROADWAY FILL.
2. UTILIZE SPECIAL STILLING BASIN(S) AS NEEDED.
3. CONSTRUCT CULVERT DIVERSION CHANNEL (3 FT BASE, 2.5 FT DEEP, 2:1 SIDE SLOPES). INSTALL IMPERVIOUS DIKE A FOR ONE SIDE OF THE CHANNEL.
4. INSTALL IMPERVIOUS DIKES B AND C, DIVERTING FLOW INTO TEMPORARY CHANNEL.
5. DEWATER WORK AREA, CONSTRUCT PROPOSED CULVERT AND INLET/OUTLET CHANNEL IMPROVEMENTS IN THE DRY.
6. REMOVE IMPERVIOUS DIKES B AND C, ALLOWING FLOW THROUGH NEWLY CONSTRUCTED CULVERT.
7. REMOVE IMPERVIOUS DIKE A AND CULVERT DIVERSION CHANNEL.
8. FINISH INLET/OUTLET IMPROVEMENTS.
9. REMOVE SPECIAL STILLING BASIN(S) AND COMPLETE ROADWAY.



ALL PROPOSED DRAINAGE STRUCTURES ARE CATCH BASINS UNLESS OTHERWISE NOTED

ALL PROPOSED PIPES ARE 15" RCP-CL III UNLESS OTHERWISE NOTED

FOR -Y- PROFILE SEE SHEET 8

CONSTRUCTION PERMIT

PROJECT REFERENCE NO.	SHEET NO.
HE-0001B	4
RW SHEET NO.	

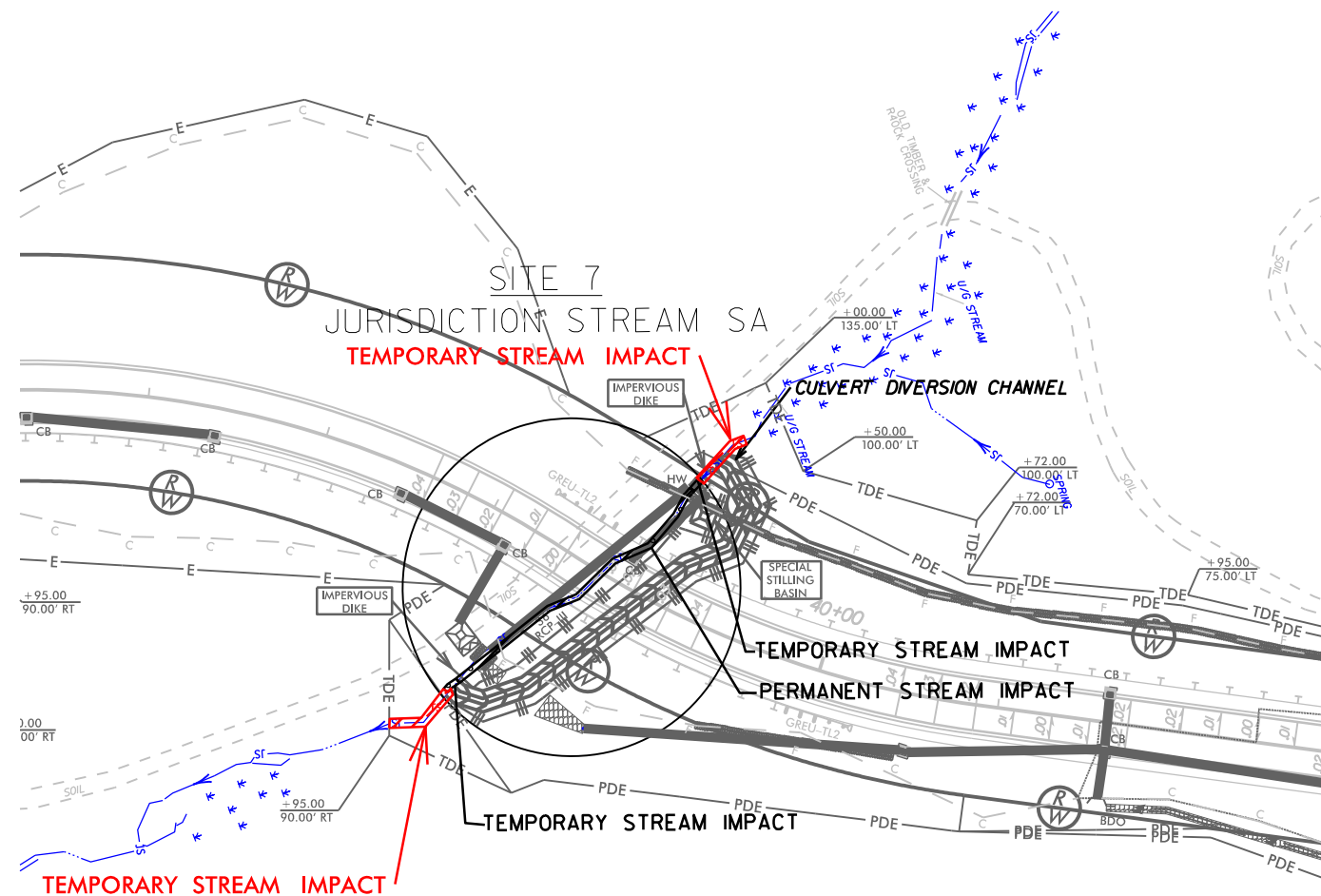
PERMIT DRAWING
SHEET 4 OF 5

2/4/2025

- EXISTING TEMPORARY SURFACE WATER IMPACTS
- NEW TEMPORARY SURFACE WATER IMPACTS
- EXISTING SURFACE WATER IMPACTS

CULVERT CONSTRUCTION SEQUENCE STA. 39 + 00 -Y-

1. BEGIN CULVERT CONSTRUCTION PRIOR TO ROADWAY FILL.
2. UTILIZE SPECIAL STILLING BASIN(S) AS NEEDED.
3. CONSTRUCT CULVERT DIVERSION CHANNEL (3 FT BASE, 2.5 FT DEEP, 2:1 SIDE SLOPES). INSTALL IMPERVIOUS DIKE A FOR ONE SIDE OF THE CHANNEL.
4. INSTALL IMPERVIOUS DIKES B AND C, DIVERTING FLOW INTO THE TEMPORARY CHANNEL.
5. DEWATER WORK AREA, CONSTRUCT PROPOSED CULVERT AND INLET/OUTLET CHANNEL IMPROVEMENTS IN THE DRY.
6. REMOVE IMPERVIOUS DIKES B AND C, ALLOWING FLOW THROUGH NEWLY CONSTRUCTED CULVERT.
7. REMOVE IMPERVIOUS DIKE A AND CULVERT DIVERSION CHANNEL.
8. FINISH INLET/OUTLET IMPROVEMENTS.
9. REMOVE SPECIAL STILLING BASIN(S) AND COMPLETE ROADWAY.



50'
45'
40'
35'
30'
25'
20'
15'
10'
5'
0'

WETLAND AND SURFACE WATER IMPACTS SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	RPC 25+17 to 25+30 LT	Fill in Wetlands/Mechanized Clearing Due to Roadway Widening	< 0.01			0.01						
2	RPC 31+75 to 32+62 LT	Fill in Wetlands/Mechanized Clearing due to Roadway Widening	0.02			0.03						
3	99 to 36+35 RPD 11+38 to	Stream relocated to Proposed Channel Due to Roadway Widening and Extension of Proposed 9'X7' RCBC and 66in RCP (292')	< 0.01							512	73	
4	RPA 22+89 to 23+34	Inlet of Proposed 54in RCP/Mechanized Clearing Due to Roadway Widening and Installation of Proposed 54in RCP extension				0.02				50	16	
5	-Y- 26+12 to 26+39	Proposed 30in RCP								160	152	
6	-Y- 33+95 to 34+08	Excavation in Wetland Due to Outlet of Proposed 24in RCP			0.01							
6	-Y- 34+08 to 34+46	Proposed 24in RCP								114	152	
7	-Y- 38+34 to 38+94	Proposed 36in RCP								145	92	
TOTALS*:			0.03		0.01	0.06				981	485	0

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 02/05/2025
 BUNCOMBE
 HE-0001B

 SHEET 5 OF 5