



*Energy, Mineral  
and Land Resources*  
ENVIRONMENTAL QUALITY

ROY COOPER

*Governor*

MICHAEL S. REGAN

*Secretary*

WILLIAM E. (TOBY) VINSON, JR., PE, CPM

*Interim Director*

September 17, 2018

Mr. Heath Slaughter  
Division Environmental Officer  
NCDOT Division 11  
801 Statesville Road  
North Wilkesboro, NC 28659

Subject: Revised Trout Buffer Waiver  
SR 1526A, Sampson Road  
TB-WATAU-2017-005  
Watauga County

Dear Mr. Slaughter:

This office has received your revised plan for SR 1526A, Sampson Road, in Watauga County, North Carolina. Your revised plan was submitted to this office for approval because of the proposed encroachments into the buffer zone of designated trout waters. In accordance with NCGS 113A-57(1) and Title 15A NCAC 4B .0125(c), this letter will serve as written approval to encroach on the buffer zones of Joe's Creek and into unnamed tributaries to Joe's Creek in Watauga County (Class: C, Trout). This authority has been delegated to me by William E. Vinson, Jr., Interim Director, Division of Energy, Mineral, and Land Resources, in accordance with NCGS 143B-10. The following conditions will apply to this approval:

1. This revised approval is based on the plan and supplemental information received via electronic mail on August 21, 2018.
2. This approval is conditional upon compliance with your 401 and 404 approvals. (G.S. 113A-54.1 (a))
3. No instream work (in streams with trout classifications) or land disturbing within the 25-foot trout zone may take place between October 15 and April 15 of each year. (G.S. 113A-54.1 (a))
4. Submit two (2) complete sets of the "final" plans to the Winston-Salem Regional Office (11" x 17" is preferred) for our files (15 NCAC 04B .0120)

Mr. Heath Slaughter

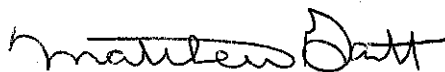
September 17, 2017

Page 2

5. This approval does not absolve the permittee from compliance with the surface water quality turbidity standard. More protective erosion and sedimentation control measures may be required in order to comply with this water quality standard. (G.S. 113A-54.1(a))
6. All bank repairs, stabilization, grading, or any other disturbances within the 25-foot buffer zone shall be completed by the end of each day. Work shall be scheduled so that at the end of each day bare ground is not exposed and all disturbed areas including banks shall have an adequate temporary or permanent ground cover in place.
7. The Contractor shall install and maintain erosion control devices sufficient to contain sediment around any erodible material stockpile areas as directed. No earthen-material stockpile shall be located within the 25-foot buffer zone of any surface water classified as trout waters by the Environmental Management Commission.

Your cooperation in protecting our environment is most appreciated. If you have any questions about this approval, please contact me at [Matt.Gantt@ncdenr.gov](mailto:Matt.Gantt@ncdenr.gov) or (336) 776-9654.

Sincerely,



Matthew E. Gantt, PE  
Regional Engineer  
Land Quality Section

Cc: William E. Vinson, Jr., PE, CPM, CPESC, Interim Director (via email)  
Julie Coco, PE, State Sedimentation Specialist (via email)