

ROY COOPER

Governor

JOHN NICHOLSON

Interim Secretary

BRIAN WRENN

Director



NORTH CAROLINA
Environmental Quality

June 9, 2021

Mr David McHenry
Division 14 – Environmental Supervisor
NC Department of Transportation
253 Webster Road
Sylva, NC 28779

Subject: Trout Buffer Zone Waiver
I-26 and Old Howard Gap Road (SR1122) Drainage Repairs
TB-POLK-2021-001
Polk

Dear Mr. McHenry:

This office has received your plan for drainage repairs on I-26 and Old Howard Gap Road (SR 1122) in Polk County, North Carolina. Your 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 zone of upper tributaries to the North Pacolet River which is class C, Trout. This authority has been delegated to me by Brian Wrenn, Director, Division of Energy, Mineral and Land Resources, in accordance with NCGS 143B-10. The following conditions will apply to this approval:

1. This approval is based on the revised plans received April 4, 2021.
2. The Resident Engineer shall field verify all proposed stream impacted areas prior to plan implementation and adjust the proposed erosion control measures if necessary.
3. All plantings within the buffer shall be in accordance with the Riparian Planting Plan.
4. Contact the North Carolina Wildlife Recourses Commission (NCWRC) to determine if a moratorium between October 15 and April 15 is applicable.

The contact information is:




North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Asheville Regional Office | 2090 U.S. Highway 70 | Swannanoa, North Carolina 28778
828.296.4500

Andrea Leslie
Mountain Habitat Conservation Coordinator NC Wildlife Resources
Commission
20830 Great Smoky Mountain Expressway
Waynesville, NC 28786
828-558-6011; 828-400-4223 (cell)
www.ncwildlife.org

5. This approval does not absolve the permittee from compliance with the surface water quality turbidity standard. More protective erosion and sedimentation
 - a. control measures may be required in order to comply with this water quality standard. If any work is proposed in a stream a 401/404 permit may be required.

Your cooperation in protecting our environment is most appreciated. If you have any questions about this approval, please contact me at Stan.Aiken@ncdenr.gov or (828) 296-4610.

Sincerely,


Stanley E. Aiken, PEGA
Regional Engineer
Land Quality Section

Enclosure: Guidelines for Riparian Buffer Restoration

ec: Brian Wrenn, Director, DEMLR (brian.wrenn@ncdenr.gov)
Julie Coco, PE, State Sediment Specialist (julie.coco@ncdenr.gov)
Landon Davidson, PG, Division of Water Resources (landon.davidson@ncdenr.gov)
David McHenry, NCDOT Division 14 Environmental Supervisor (dgmchenry@ncdot.gov)

