

NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRIAN WRENN

Director

September 8, 2022

NC Department of Transportation
Roadside Environmental Unit
Attn: Ms. Jennifer Parish, CPESC, CPSWQ
1557 Mail Service Center
Raleigh, NC 27699-1557

Subject: Trout Buffer Zone Waiver
A-009CA, A-009CB and A-0909CC
TB-GRAHA-2023-001
Graham County

Dear Ms. Parish:

This office has received your plan for road construction of the above listed projects in Graham County. 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 Sweetwater Creek which is class WS-III, Trout, Tulula Creek which is class WS-III, Trout, Stecoah Creek which is class C, Trout and their affected tributaries as shown in the Erosion and Sedimentation Control plans for the above subject project. 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 plans received via email May 18, 2022 and revisions received May 25, 2022.
2. All plantings within the buffer shall be in accordance with the Riparian Planting Plan.
3. 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:

Andrea Leslie
Mountain Habitat Conservation Coordinator NC Wildlife Resources Commission
20830 Great Smoky Mountain Expressway



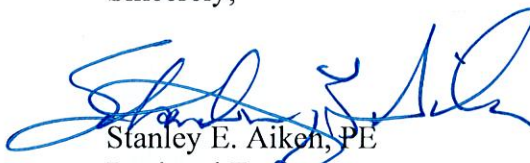
North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Asheville Regional Office | 2090 U.S. Highway 70 | Swannanoa, North Carolina 28778
828.296.4500

Waynesville, NC 28786
828-558-6011; 828-400-4223 (cell)
www.ncwildlife.org

4. This approval does not absolve the permittee from compliance with the surface water quality turbidity standard of 10 NTU. If 10 NTU is exceeded at any time during the project stream work activities must cease immediately. More protective erosion and sedimentation 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, PE
Regional Engineer
Land Quality Section

Enclosure: Guidelines for Riparian Buffer Restoration

cc: 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)
Jennifer Parish, CPESC, CPSWQ, Roadside Environmental Engineer
(jenniferparish@ncdot.gov)