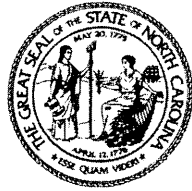


ROY COOPER  
Governor

ELIZABETH BISER  
Secretary

DOUGLAS ANSEL  
Interim Director



NORTH CAROLINA  
Environmental Quality

June 2, 2023

NCDOT Division 11  
Attention: Kevin Hining, Environmental Supervisor  
801 Statesville Road  
North Wilkesboro, NC 28659

RE: Trout Buffer Waiver  
TB-WATAU-2023-002  
Project Name: NCDOT Sampson Rd/SR1526, Aho Community, Watauga Co.  
County: Watauga

Dear Mr. Hining:

This office has received your plan for the construction of modifications to SR 1526 Sampson Road in Watauga 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 zones of trout buffer of Joes Creek (12-19-11) in Watauga County (Class C, Trout Waters).

This authority has been delegated to me by Douglas Ansel, 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 approval is based on the plan received January 5, 2023, and supplemental information received March 28, 2023, May 17, 2023, and June 1, 2023.
2. This approval is conditional upon compliance with your 401 and 404 approvals. (G.S. 113A-54.1 (a))
3. No buffer/stream disturbing activity shall take place within the trout buffer zone during the trout spawning period of October 15 – April 15, unless the North Carolina Wildlife Resource Commission determines that the moratorium is not applicable to this project.
4. Compliance must be maintained with the surface water quality turbidity standard (10 NTU in streams, lakes, or reservoirs designated as trout waters); if turbidity exceeds these levels due to natural background conditions, the existing turbidity level shall not be increased. If any exceedance occurs at any time during the project, activity within the buffer must cease immediately. More protective erosion and sedimentation control



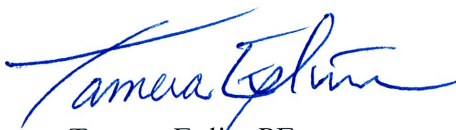
North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources  
Winston-Salem Regional Office | 450 West Hanes Mill Road, Suite 300 | Winston-Salem, North Carolina 27105  
336-776-9800

measures may be required in order to comply with this water quality standard. [G.S. 113A-54.1(a), 15A NCAC 02B .0211 (21)].

5. All materials shall be on hand before any work is started. All materials must be stored in an orderly manner away from vehicular traffic, near the construction entrance, and away from waterways or storm drains in appropriate containers and/or enclosures.
6. Care shall be taken so the cross-sectional area of the stream is not reduced.
7. All plantings within the buffer shall be in accordance with the Riparian Planting Plan.
8. 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 adequate temporary or permanent ground cover in place.
9. 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 or staging area shall be located within the 25-foot buffer zone of any surface water classified as Trout Waters by the Environmental Management Commission.
10. 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)

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

Sincerely,



Tamera Eplin, PE  
Regional Engineer  
Land Quality Section

- c: Brad Cole, PE, Section Chief, Regional Operations, DEMLR ([brad.cole@deq.nc.gov](mailto:brad.cole@deq.nc.gov))  
Douglas Ansel, Interim Director, DEMLR ([douglas.ansel@deq.nc.gov](mailto:douglas.ansel@deq.nc.gov))  
Julie Coco, PE State Sediment Specialist, DEMLR ([julie.coco@deq.nc.gov](mailto:julie.coco@deq.nc.gov))