

JOSH STEIN
Governor

D. REID WILSON
Secretary

RICHARD E. ROGERS, JR.
Director



NORTH CAROLINA
Environmental Quality

January 31, 2025

DWR Project # 20241562v2

TO: DENR-DWR-Wetlands- Public Listserv

FROM: Paul Wojoski, Water Quality Permitting Section Chief, DWR
Amy Annino, Transportation Permitting Branch, DWR

RE: Individual Water Quality Certification Modification - CSXT Emergency Track Rebuild Post
Hurricane Helene – Mitchell and Yancey Counties - DWR Project #20241562 Ver 2

The purpose of this Public Notice is outlined below. This notice is available electronically via links provided on the Individual Certification Public Notice Page linked below:

<https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-permitting-branch/public-1> or by accessing the Laserfiche project folder linked below:
<https://edocs.deq.nc.gov/WaterResources/Browse.aspx?dbid=0&startid=3561111>

I. Public Notice; Modification of Water Quality Certification for CSXT Emergency Track Rebuild Post Hurricane Helene; DWR Project #20241562 Ver 2

PUBLIC NOTICE is hereby given that CSX Transportation Inc (1590 Marietta Blvd NW, Atlanta, GA 30318) applied to the NC Division of Water Resources (DWR) for a modification to a 401 Individual Water Quality Certification, pursuant to Section 401 of the Federal Clean Water Act and Title 15A NCAC 02H .0500.

On December 23, 2024, the Division of Water Resources (Division) issued Individual Water Quality Certification #WQC007455. In response to the conditions of the Certification, CSX submitted a request to the Division to modify the 401 Certification pursuant to Title 15A NCAC 02H .0500. The activity for which this certification is sought regards a linear transportation project which consists of rebuilding CSX track infrastructure (including track, roadbed, culverts, ditches, signals and a bridge). The work includes Bank Stabilization & Shoreline Stabilization (sills, rip rap). This is a request to modify the 401 Certification project to incorporate the following plans and their associated design elements:

- A. Ordinary High Water Mark Identification Plan (Submitted January 8, 2025)
- B. Nolichucky River Gorge Embankment Remediation Plan ("ERP") which included work plans for Embankment Restoration Areas C & D ("ERA C and D") (Submitted January 8, 2025)
- C. Nolichucky River Gorge River Safety Plan (Submitted January 1, 2025)
- D. Nolichucky River Gorge Toe Access Temporary Impact Restoration Plan (Submitted January 11, 2025)

The DWR's proposed date of final action on the application is February 14, 2025.

Written comments on the application and supporting materials described above must be received by DWR no later than 5 p.m. on February 14, 2025. Written comments may be submitted online by filling out the Public Notice Comment Form here:

https://edocs.deq.nc.gov/Forms/401_Public_Notice_Comments



North Carolina Department of Environmental Quality | Division of Water Resources
512 North Salisbury Street | 1617 Mail Service Center | Raleigh, North Carolina 27699-1617
919.707.9000

Written comments may also be mailed to: 401 Permitting, 1617 Mail Service Center, Raleigh, NC, 27699- 1617.

The application is available online. Information for accessing the application/ project information online may be found on the Public Notice - Individual Certifications for NWP's webpage:

<https://www.deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-permitting/public-notices#CurrentDWR401BufferPermittingPublicNotices-14809>

The application is also available at the Asheville Regional Office of the DWR and may be inspected with an appointment between 8 am and 5 pm, Monday through Friday, excluding State holidays. For questions or to schedule an appointment, contact information for the DWR Regional Offices may be found here:

<https://deq.nc.gov/contact/regional-offices>

Contact information for the DWR 401 & Buffer Transportation Permitting Branch may be found here:

<https://www.deq.nc.gov/about/divisions/water-resources/permitting/401-buffer-transportation/staff-contacts>

Contact information for the DWR Central Office 401 & Buffer Permitting Branch may be found here:

<https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-permitting/401-buffer-permitting-contacts>

File materials may not be removed from any DWR office; copy machines are available for use upon payment of the cost thereof to DWR pursuant to G.S. 132-6.2.

