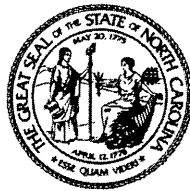


ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

BRIAN WRENN
Director



NORTH CAROLINA
Environmental Quality

March 24, 2021

NC Department of Transportation
Roadside Environmental Unit
Attention: Jeff Walston, PE, CPESC, CPSWQ
1557 Mail Service Center
Raleigh, NC 27699-1557

RE: Trout Buffer Waiver
TB-ASHE-2021-002
Project Name: BR-0002, NC 194 over North Fork New River
County: Ashe

Dear Mr. Walston:

This office has received your request for the construction of Ashe County Bridge No. 8 in Ashe County. The request was submitted to this office for approval because of the proposed encroachment on 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 trout buffer zones of the Buffalo Creek, designated at Class C, Tr, HQW and the North Fork New River, designated at Class C, HQW in Ashe County.

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 plan received December 12, 2019, with additional information received on April 8, 2020, May 28, 2020, June 10, 2020, and March 9-10, 2021.
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.
4. 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.
5. Care shall be taken so the cross-sectional area of the stream is not reduced.

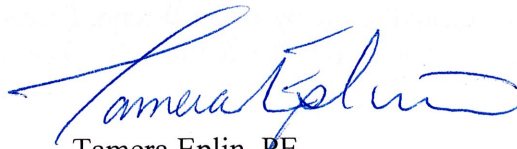


North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Winston-Salem Regional Office | 450 Hanes Mill Road, Suite 300 | Winston-Salem, North Carolina 27105
336-776-9800

6. All plantings within the buffer shall be in accordance with the Riparian Planting Plan.
7. 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))
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 an 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@ncdenr.gov or (336) 776-9654.

Sincerely,



Tamera Eplin, PE
Regional Engineer
Land Quality Section

- c: Noelle Ring, CPESC, NCDOT (email)
Matt Gantt, PE, Section Chief, Regional Operations, DEMLR (email)
Toby Vinson, PE, CPESC, CPM, Section Chief, Program Operations, DEMLR (email)
Brian Wrenn, Director, DEMLR (email)
Julie Coco, PE State Sediment Specialist, DEMLR (email)