STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

September 18, 2026

ADDENDUM # 2

Contract Number:	DN01145
TIP Number:	B-5921
Federal Aid Number:	4805301
WBS Number:	48053.3.1
County:	Jackson
Description:	Grading, Drainage, Paving, And Structures Bridge No. 490008 Over Cedar Creek On SR 1120 (Bee Tree Rd) in Jackson County

Letting Date: September 22, 2026

Plan Holders

Content Summary: Permit Renewal

The above contract has experienced the following revision: the renewal of the existing permit package has been provided.

These revisions do not change bid items or the associated quantities.

There is no ebsx addenda file associated with this addendum.

Thank you for your attention to this matter.

If you have any questions, please contact the Division Proposal Engineer at (828) 331-5200.

Sincerely,

DocuSigned by:
02EE828795674A5...

Wesley A. Jamison, P.E.
Highway Division 14, Project Development-Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS - DIVISION 14
253 WEBSTER ROAD
SYLVA, NC 28779

Telephone: (828) 331-5200
Fax: (828) 331-5201
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
253 WEBSTER ROAD
SYLVA, NC 28779

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

September 18, 2026

MEMORANDUM TO: Division Construction Unit
Division Contracts Unit

FROM: Patrick Breedlove, Division PDEA Engineer
Division Environmental Unit

DS PB

SUBJECT: Environmental Permits for replacement of Bridge 8 on Bee Tree Road (SR 1120) over Cedar Creek in Jackson County, Division 14.
STIP Number: B-5921
WBS Number: 48053.1.1
Federal Aid Project Number: BRZ – 1120 (013)

Please find enclosed the following permits for this project:

Agency	Permit Type	Permit Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Nationwide Permit 3 - Renewal	May 25, 2030
NC Division of Water Resources Section 401 Water Quality Certification	Water Quality Certification No. 7679	May 25, 2030

Work is authorized by the above referenced permit provided it is accomplished in strict accordance with the permitted plans.

The Division Environmental Office must be consulted if any deviation from the permit(s) is required.

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 14
253 WEBSTER ROAD
SYLVA, NC 28779

Telephone: (828) 488-0902
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
253 WEBSTER ROAD
SYLVA, NC 28779

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
WILMINGTON REGULATORY OFFICE
69 DARLINGTON AVENUE
WILMINGTON NORTH CAROLINA 28403

September 17, 2026

Regulatory Program/Division
SAW-2024-02118

Sent Via Email: pjbreedlove@ncdot.gov

North Carolina Department of Transportation
Attn: Mr. Patrick Breedlove
253 Webster Road
Sylva, NC 28779

Dear Mr. Breedlove:

This letter is in response to the renewal request you submitted to the Wilmington District, WRDA/Transportation Branch on July 16, 2026, for a Department of the Army general permit verification. This project has been assigned the file number SAW-2024-02118 and is known as Bridge 8 replacement project. This file number should be referenced in all correspondence concerning this project.

A review of the information provided indicates that the proposed work would include the replacement of an obsolete bridge with a new bridge in the same location. Specific impacts include the temporary impact to 36 lf of stream channel due to temporary dewatering and the permanent impact to 204 lf of stream channel due to riprap stabilization.. The Bridge 8 replacement project is located where Bee Tree Road crosses Cedar Creek, approximately 0.25 miles east of the intersection of Bee Tree Road with NC 107 at Latitude 35.160990 and Longitude -83.120370; in Glenville, Jackson County, North Carolina.

A permit verification letter was issued for this project on March 7, 2025, and expired on May 25, 2025. NCDOT's July 16, 2026, letter requested renewal of the permit verification. As such, this verification hereby replaces the verification issued on March 7, 2025.

We have determined that the proposed work is authorized by Regional General Permit (RGP) 50 pursuant to authorities under Section 404 of the Clean Water Act (33 U.S.C § 1344). The proposed work must be accomplished in strict accordance with the enclosed general permit conditions, any regional conditions, the special conditions listed in this letter, the application materials, and the enclosed plans. If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised application must be submitted to this office for written approval before work is initiated. Any deviation from

the terms and conditions of the permit, or your submitted plans, may subject the permittee to enforcement action.

This verification is valid until May 25, 2030, unless the subject general permit(s) is suspended, revoked, or is modified prior to that date such that the activity no longer complies with the terms and conditions of the general permit.

Project Specific Special Conditions:

1) Per the USFWS January 4, 2024 letter, NCDOT will do the following:
    - **a.** Tree clearing will take place from October 16 to March 31.
    - **b.** The existing bridge and any culverts ≥ 3 feet in manufactured diameter within the action area will be surveyed within 14 days of construction to ensure absence of roosting bats. The U.S. Fish and Wildlife Service (Service) Asheville Field Office will be contacted immediately if bats are observed.
    - **c.** No night work or associated temporary lighting will occur.
    - **d.** No additional permanent lighting will be added to the roadway.
    - **e.** No blasting will occur.
2) The Permittee shall implement commitments as described in the Historic Architecture and Landscapes Assessment of Effects Form (enclosed) to ensure no adverse effect to historic architecture resources.

This general permit verification and any associated authorizations does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Crystal Amschler, Project Manager of the WRDA/Transportation Branch at 828-526-6013, by mail at the above address, or by email at crystal.c.amschler@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerely,

M. Scott Jones, PWS
WRDA / Transportation Branch Chief
USACE - Wilmington District

Enclosures

Compliance Certification Form

File Number: SAW-2024-02118 **County: Jackson**

Permittee: North Carolina Department of Transportation, Patrick Breedlove

Project Name: Br 8 replacement project

Date Verification Issued: 9/17/2026

Project Manager: Crystal Amschler

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
Wilmington District
Attn: Crystal Amschler
WRDA
151 Patton Ave Rm 208
Asheville, NC 28801
or
crystal.c.amschler@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work, and mitigation (if applicable), authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions.

Date Authorized Work Started: _____ **Completed: _____**

Describe any deviations from permit (attach drawing(s) depicting the deviations):

_____

_____

***Note: The description of any deviations on this form does not constitute approval by the Corps.**

_____ _____

Signature of Permittee **Date**

Project Tracking No. (Internal Use)

16-01-0120

HISTORIC ARCHITECTURE AND LANDSCAPES ASSESSMENT OF EFFECTS FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

PROJECT INFORMATION

Project No:	B-5921	***County***:	Jackson
WBS No.:	48053.1.1	***Document Type***:	CE
Fed. Aid No:	BRZ-1120 (013)	***Funding***:	☐ State ☒ Federal
Federal Permit(s):	☒ Yes ☐ No	***Permit Type(s)***:	NWP
Project Description: Replace Bridge No. 8 on SR 1120 (Beetree Road) over Cedar Creek.			

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

Description of review activities, results, and conclusions:
Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on February 3, 2016. The determined eligible Thorpe Dam Complex (JK382) falls within the Area of Potential Effects (APE) for this project. An assessment of effects will be required.

ASSESSMENT OF EFFECTS

Property Name:	Thorpe Dam Complex	***Status***:	Determined Eligible
Survey Site No.:	JK382	***PIN***:	

Effects
☐ No Effect ☒ No Adverse Effect ☐ Adverse Effect

Explanation of Effects Determination:
No adverse effect with condition of two bar metal rail

List of Environmental Commitments:
1. Two bar metal rail

FHWA Intends to use the State Historic Preservation Office's concurrence as a basis for a "de minimis" finding for the following properties, pursuant to Section 4(f):

Thorpe Dam Complex

SUPPORT DOCUMENTATION

☐ Map(s) ☐ Previous Survey Info. ☐ Photos ☐ Correspondence ☒ Design Plans

FINDING BY NCDOT AND STATE HISTORIC PRESERVATION OFFICE

Historic Architecture and Landscapes – ASSESSMENT OF EFFECTS

Kristi L. Hulbe — 10/26/2023

NCDOT Architectural Historian — Date

Renee Gledhill-Earley — 10/26/2023

State Historic Preservation Office Representative — Date

[signature] — 10/26/23

Federal Agency Representative — Date

PROJECT REFERENCE NO.	SHEET NO.
B-5921	4
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

NV5 ENGINEERS & CONSULTANTS, INC.
7500 E. INDEPENDENCE BLVD, STE 100
CHARLOTTE, NC 28227
P: 704.537.7300 www.NV5.com

NAD 83/NA 2011

BEGIN PROJECT B-5921
-L- POC Sta. 12+60.00

END PROJECT B-5921
-L- POC Sta. 18+70.00

-L-

PI Sta 10+47.12	PI Sta 11+73.84	PI Sta 12+85.76	PI Sta 16+42.88
Δ = 14° 16' 52.0" (RT)	Δ = 11° 26' 37.0" (LT)	Δ = 8° 30' 53.0" (RT)	Δ = 17° 27' 18.7" (RT)
D = 15° 14' 00.0"	D = 14° 19' 26.0"	D = 14° 19' 30.0"	D = 3° 49' 11.0"
L = 93.75'	L = 79.89'	L = 59.44'	L = 456.98'
T = 47.12'	T = 40.08'	T = 29.77'	T = 230.27'
R = 376.12'	R = 400.00'	R = 399.51'	R = 1,500.00'
SE = EXIST	SE = EXIST	SE = EXIST	V = 40 MPH
V = EXIST	V = EXIST	V = EXIST	RO = 70'
PI Sta 19+24.44	PI Sta 20+75.90	PI Sta 22+39.85	
Δ = 6° 01' 20.7" (LT)	Δ = 35° 05' 04.0" (RT)	Δ = 49° 56' 41.0" (LT)	
D = 5° 29' 40.0"	D = 31° 35' 50.0"	D = 43° 26' 30.0"	
L = 109.61'	L = 111.04'	L = 114.57'	
T = 54.86'	T = 57.32'	T = 61.42'	
R = 1,042.72'	R = 181.33'	R = 131.89'	
SE = EXIST	SE = EXIST	SE = EXIST	
V = EXIST	V = EXIST	V = EXIST	

DETAIL 4-A
BANK STABILIZATION
FROM -L- STA. 15+58 TO STA. 16+38 LT
33 TONS CL II, 35 SY GEO
FROM -L- STA. 17+08 TO STA. 18+00 RT
120 TONS CL II, 125 SY GEO

DETAIL 4-B
RIP RAP AT EMBANKMENT
FROM -L- STA. 16+86 TO STA. 16+70 RT
20 TONS CL I, 25 SY GEO
FROM -L- STA. 16+93 TO STA. 16+95 LT
40 TONS CL I, 50 SY GEO

DETAIL 4-C
TOE PROTECTION
FROM -L- STA. 16+90 TO STA. 17+50 LT

BM #1 ELEV. 3509.10'
-BL- STA. 10+20.65 (0.70' RT.
NAIL IN BASE OF 13" MAPLE

BM #2 ELEV.= 3504.98'
-BL- STA. 13+02.93 39.32' LT.
NAIL IN BASE OF 26" WHITE PINE

FOR -L- PROFILE SEE SHEET 5
SEE DETAIL SHEET 2G-X FOR ROCK PLATING
ALL STRUCTURE ANCHOR UNITS ARE TYPE III
ALL GUARDRAIL END UNITS ARE GREU 350 (TL-2)
UNLESS NOTED, PAVED SHOULDER TAPER IS 25:1

8/17/99

R:\Projects\B5921\Plans\B5921_ROY_PSH_B4.dgn

North Carolina Department of Transportation

Highway Stormwater Program

STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS

(Version 3.02; Released April 23, 2024)

General Project Information

WBS Element:	48053.1	**TIP Number:**	B-5921	**Project Type:**	Bridge Replacement	**Date:**	8/27/2024
NCDOT Contact:	Zach Shuler, PE			**Contractor / Designer:**	NV5 Engineers & Consultants / David Bocker, PE		
Address:	345 Toot Hollow Road Bryson City, NC 28713			**Address:**	8514 McAlpine Park Dr. Suite 135 Charlotte, NC		
Phone:	828-488-0902			**Phone:**	704-566-4342		
Email:	ztshuler@ncdot.gov			**Email:**	david.bocker@nv5.com		
City/Town:	Mill Spring			**County(ies):**	Jackson		
River Basin(s):	Little Tennessee			**CAMA County?**	No		
Wetlands within Project Limits?	No						

Project Description

Project Length (lin. miles or feet):	420 ft	**Surrounding Land Use:**	Primarily Wooded with some scater larger tract residential				
	Proposed Project			**Existing Site**			
Project Built-Upon Area (ac.)	0.18	ac.		0.23	ac.		
Typical Cross Section Description:	Roadway - 2 @ 10' Lanes with 3' unpaved shoulders			Existing Roadway - 19' Bridge Width (Out to Out) with no marked lanes or shoulders			
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:		Year:	Existing:	550	Year:	2020

General Project Narrative: (Description of Minimization of Water Quality Impacts)

The project consists of the bridge replacement (existing span 1 @ 40') of Bridge #490008 over Cedar Creek in Jackson County. Existing ditches are being maintained as much as possible; however, shoulder berm gutter is being used in several locations to minimize project footprint and reduce cut slope length. As such, several storm drainage systems and ditches are proposed to convey roadway runoff to the creek. Bridge does not require deck drainage, thus there is no direct discharge into the creek from the bridge. It should be noted that the creek is being realigned/relocated for constructibility and better alignment with the roadway crossing.

North Carolina Department of Transportation

Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS

(Version 3.02; Released April 23, 2024)

WBS Element:	48053.1	TIP/Proj No.:	B-5921	County(ies):	Jackson

General Project Information

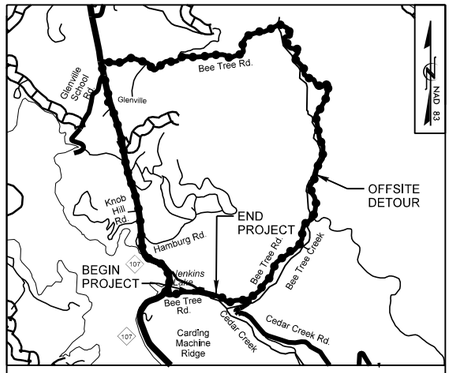
Waterbody Information

Surface Water Body (1):	Cedar Creek		**NCDWR Stream Index No.:**	2-79-23-3		
NCDWR Surface Water Classification for Water Body		**Primary Classification:**	Water Supply III (WS-III)			
		Supplemental Classification:	Trout Waters (Tr)			
Other Stream Classification:						
Impairments:						
Aquatic T&E Species?	No	Comments:				
NRTR Stream ID:				**Buffer Rules in Effect:**	N/A	
Project Includes Bridge Spanning Water Body?	Yes	**Deck Drains Discharge Over Buffer?**	No	**Dissipator Pads Provided in Buffer?**	No	
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
(If yes, provide justification in the General Project Narrative)						

Surface Water Body (2):			**NCDWR Stream Index No.:**			
NCDWR Surface Water Classification for Water Body		**Primary Classification:**				
		Supplemental Classification:				
Other Stream Classification:						
Impairments:						
Aquatic T&E Species?		Comments:				
NRTR Stream ID:				**Buffer Rules in Effect:**		
Project Includes Bridge Spanning Water Body?		**Deck Drains Discharge Over Buffer?**		**Dissipator Pads Provided in Buffer?**		
Deck Drains Discharge Over Water Body?		(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
(If yes, provide justification in the General Project Narrative)						

Surface Water Body (3):			**NCDWR Stream Index No.:**			
NCDWR Surface Water Classification for Water Body		**Primary Classification:**				
		Supplemental Classification:				
Other Stream Classification:						
Impairments:						
Aquatic T&E Species?		Comments:				
NRTR Stream ID:				**Buffer Rules in Effect:**		
Project Includes Bridge Spanning Water Body?		**Deck Drains Discharge Over Buffer?**		**Dissipator Pads Provided in Buffer?**		
Deck Drains Discharge Over Water Body?		(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
(If yes, provide justification in the General Project Narrative)						

See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Plan Sheet Symbols



VICINITY MAP

DETOUR ROUTE
(APPROXIMATE LENGTH = 4.6 MILES)

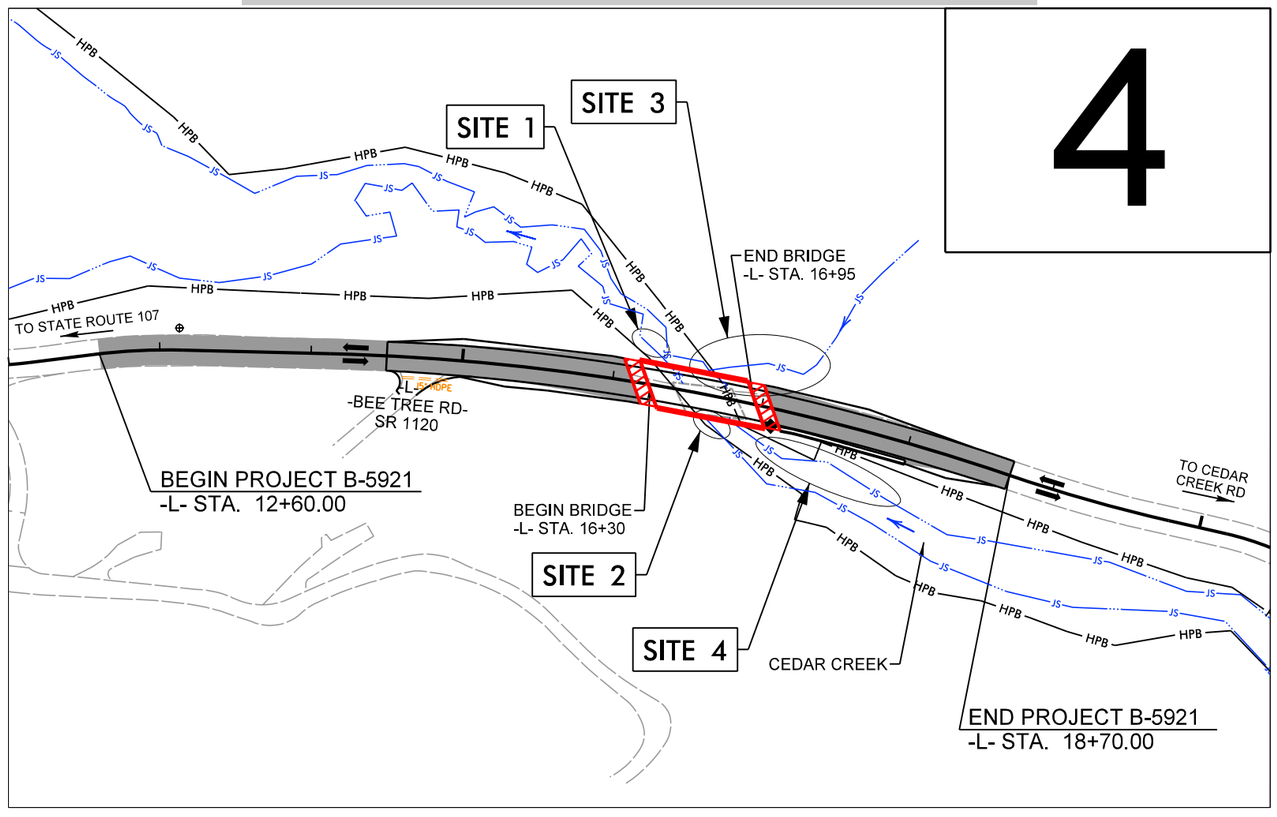
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

JACKSON COUNTY

LOCATION: BRIDGE NO. 8 OVER CEDAR CREEK
ON SR 1120 (BEE TREE RD)

TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURE

WETLAND AND SURFACE WATER IMPACTS PERMIT



STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B–5921	1	

STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION
48053.1.1		PE
48053.2.1		ROW
48053.3.1		CONST

PERMIT DRAWING SHEET 1 OF 5

PERMIT DRAWING DATE: 8–27–2024

4

NAD 83/95

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES

PLANS: 100 50 0 50 100
PROFILE (HORIZONTAL): 50 25 0 50 100
PROFILE (VERTICAL): 10 5 0 10 20

DESIGN DATA

ADT 2020 = 550
K = N/A
D = N/A
T = N/A *
V = 40 MPH
* TTST = N/A DUAL N/A
FUNC CLASS = LOCAL
SUB REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B–5921	0.103 Miles
LENGTH STRUCTURE TIP PROJECT B–5921	0.012 Miles
TOTAL LENGTH TIP PROJECT B–5921	0.115 Miles

Prepared in the Office of:
NV5 ENGINEERS & CONSULTANTS, INC.
8514 McALPINE PARK DR., STE 135
CHARLOTTE, NC 28211
P: 704.537.7300 www.NV5.com
NC License # P-1333
Formerly GALVA Engineers & Consultants

FOR THE NORTH CAROLINA DEPT. OF TRANSPORTATION

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: AUGUST 15, 2023

LETTING DATE: JANUARY 28, 2025

M. SCOTT CLARK, PE
PROJECT ENGINEER

ERICA MARTIN
PROJECT DESIGN ENGINEER

NCDOT CONTACT: JAMES HOLLINGSWORTH, PE
DIVISION PROJECT ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: _____ *P.E.*

ROADWAY DESIGN ENGINEER

SIGNATURE: _____ *P.E.*

STATE OF NORTH CAROLINA • DEPARTMENT OF TRANSPORTATION •

CONTRACT:

PROJECT: B–5921

8/27/2024
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tesha.bush

09/08/69

PROJECT REFERENCE NO.	SHEET NO.
B-5921	4

R/W SHEET NO. ____

ROADWAY DESIGN ENGINEER

HYDRAULICS ENGINEER

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CHARLOTTE, NC 28211
P: 704.537.7300 www.NV5.com
NC License # F-1333

PERMIT DRAWING
SHEET 2 OF 5

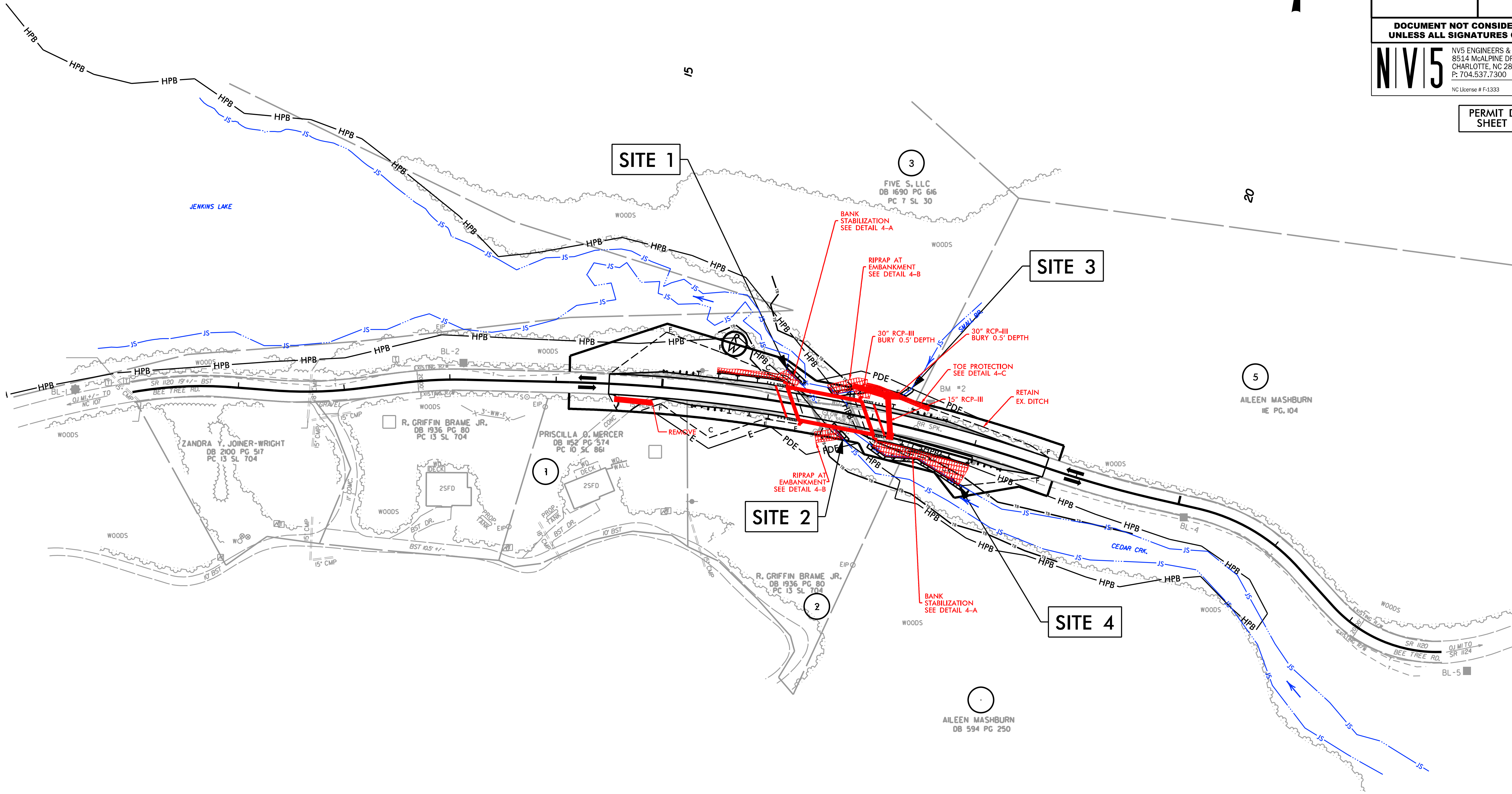
STREAM & WETLAND IMPACTS

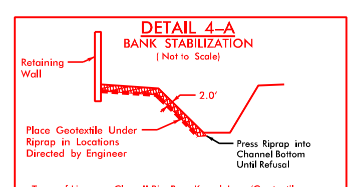
DENOTES TEMPORARY IMPACTS IN SURFACE WATER

DENOTES IMPACTS IN SURFACE WATER

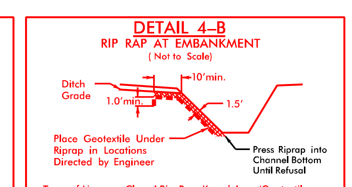
GRAPHIC SCALE: 100' 0' 100' 200' 300'

NAD 83/95

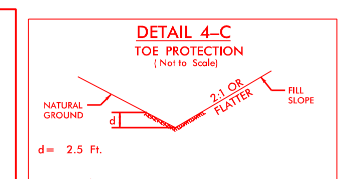




FROM -L- STA. 15+50 TO STA. 16+30 LT
55 TONS CL II, 55 SY GEO
FROM -L- STA. 17+08 TO STA. 18+00 RT
120 TONS CL II, 125 SY GEO



FROM -L- STA. 16+50 TO STA. 16+70 RT
20 TONS CL I, 25 SY GEO
FROM -L- STA. 16+53 TO STA. 16+95 LT
40 TONS CL I, 55 SY GEO



FROM -L- STA. 16+90 TO STA. 17+50 LT
32 TONS CL I

BM #1 ELEV. 3509.10'
-BL- STA. 10+20.65 10.70' RT.
NAIL IN BASE OF 13" MAPLE

BM #2 ELEV.= 3504.98'
-BL- STA. 13+02.93 39.32' LT.
NAIL IN BASE OF 26" WHITE PINE

REVISIONS

8/17/99

8/27/2024
G:\Project\2015\2015103.31\CLIENT\Hydraulics\PERMITS_Environmental\Drawings\B5921_HYD_PRM_PSH_04.dgn

PROJECT REFERENCE NO. B-5921 | SHEET NO. 4

R/W SHEET NO.

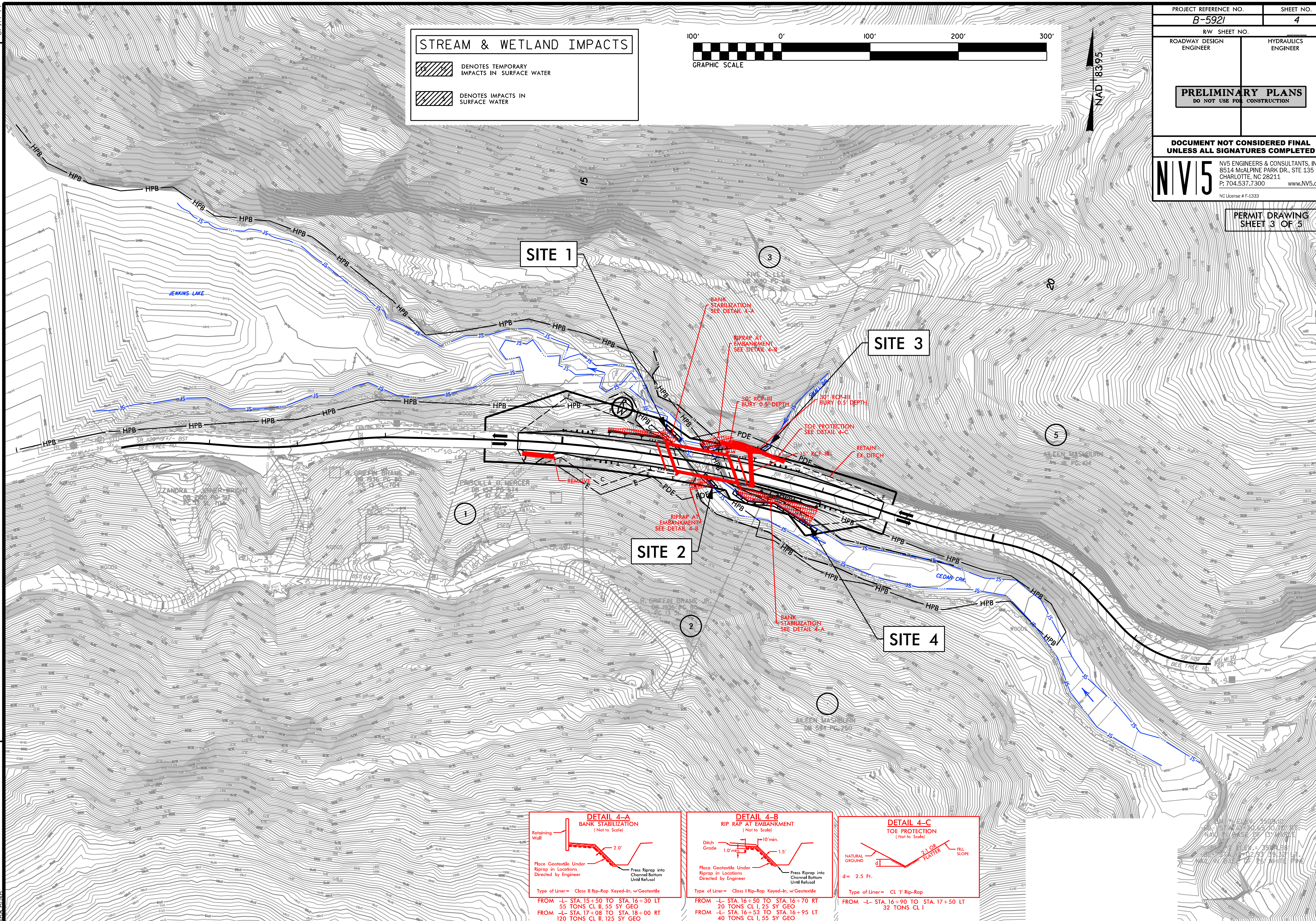
ROADWAY DESIGN ENGINEER | HYDRAULICS ENGINEER

PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

NV5 ENGINEERS & CONSULTANTS, INC.
8514 McALPINE PARK DR., STE 135
CHARLOTTE, NC 28211
P: 704.537.7300
www.NV5.com
NC License # F-1333

PERMIT DRAWING
SHEET 3 OF 5



REVISIONS

8/17/99

8/27/2024
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PROJECT REFERENCE NO.	SHEET NO.
B-5921	4
R/W SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

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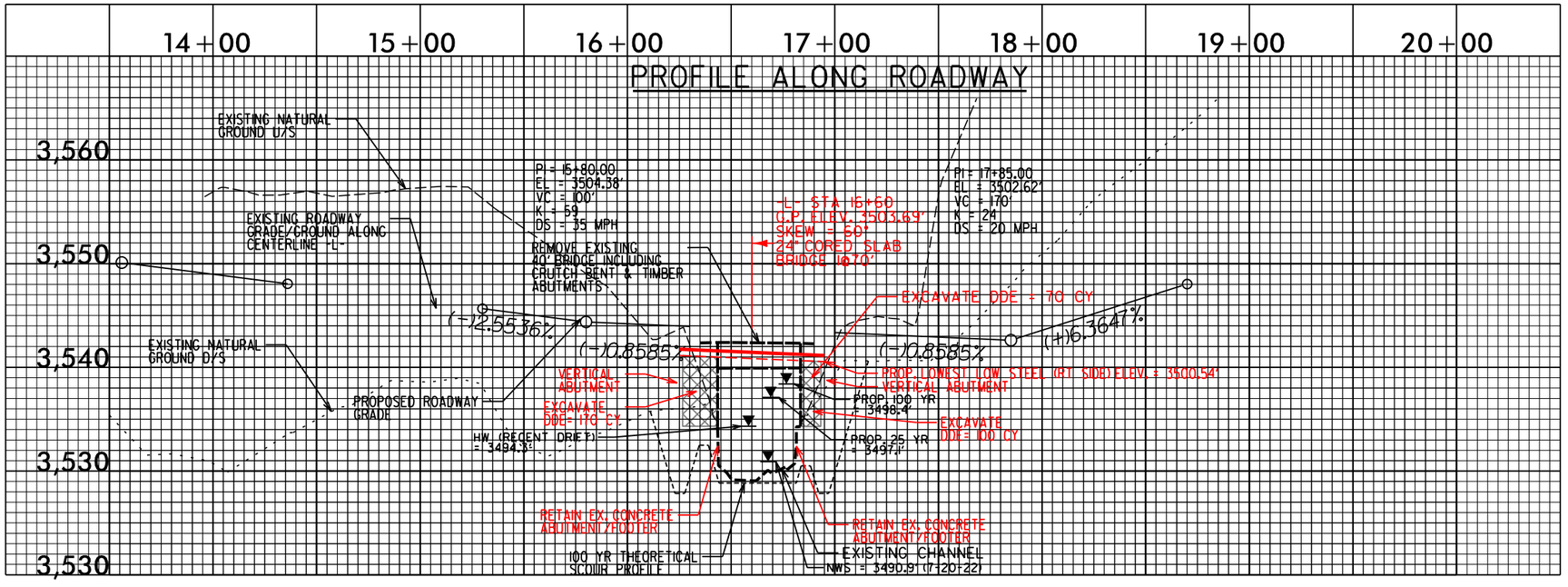
8514 McALPINE PARK DR, STE 135
CHARLOTTE, NC 28211
P: 704.537.7300 www.NV5.com
NC License # F-1333

PERMIT DRAWING
SHEET 4 OF 5

REVISIONS
8/17/99

SITES 1,2,&3

-L- 16+60 1SPAN (1@70'), 24" CORED SLAB W/ VERTICAL ABUTMENTS



8/27/2024
C:\Project\2015\2015103.3\CLIENT\Hydraulics\PERMITS_Environmental\Drawings\B5921_HYD_PRM_PFL.dgn
Gasho Bush

WETLAND AND SURFACE WATER IMPACTS SUMMARY

			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	-L- 16+13/16+29 LT	Bank Stabilization						< 0.01		20		
1A	-L- 16+13/16+33 LT	Dewatering							< 0.01		7	
2	-L- 16+66/16+79 RT	Bank Stabilization						< 0.01		15		
2A	-L- 16+64/16+79 RT	Dewatering							< 0.01		6	
3	-L- 16+59/17+32 LT	Riprap Channel Stabilization						< 0.01		76		
3A	-L- 17+27 LT	Dewatering							< 0.01		10	
4	-L- 17+05/17+97 RT	Bank Stabilization						< 0.01		93		
4A	-L- 17+01/18+07 RT	Dewatering							< 0.01		13	
TOTALS*:								0.01	0.01	204	36	0

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
8/27/2024
Jackson County
B-5921

JOSH STEIN
Governor
D. REID WILSON
Secretary
RICHARD E. ROGERS, JR.
Director

NORTH CAROLINA
Environmental Quality

August 25, 2026

DWR # 20241546v2
Jackson County

Mr. Partick Breedlove, P.E.
Division 14 PDEA Engineer
345 Toot Hollow Road
Bryson City, NC 28713

Delivered via email to: pjbreedlove@ncdot.gov

Subject: **Certificate of Coverage Approval under Water Quality General Certification No. 7679**
NC DOT TIP B-5921, Replace Bridge 8 on SR 1120 in Jackson County
Cedar Creek [Little Tennessee River Basin, LTN02, WS-III; TR]
USACE Action ID. No. SAW-2024-02118

Location: 34.161020°N, 83.122204°W

Dear Mr. Breedlove:

This Certificate of Coverage approval is issued to the North Carolina Department of Transportation dated August 25, 2026. This Certificate of Coverage authorizes work under General Certification No. 7679 for the impacts listed below and described in your original application which was received by the N.C. Division of Water Resources (Division or DWR) on November 15, 2024, subsequent reverification request received on July 16, 2026 and within the *Reasonable Period of Time* pursuant to 40 CFR Part 121.6. This certificate is for the purpose and design described in your application. This approval requires you to follow all the conditions listed in the enclosed General Certification No. 7679.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Upon completion of the proposed project, the applicant shall submit a Certificate of Completion and/or shall provide as-built documentation. Certificates of Completion and/or as-built documentation can be submitted via the DWR website: https://edocs.deq.nc.gov/Forms/Certificate-of-Completion.

The following impacts are hereby approved. No other impacts are approved, including incidental impacts. [15A NCAC 02H .0506(b)]

Stream Impacts in the Little Tennessee River Basin

Site / Stream	Permanent Impact to Perennial Stream (linear ft)	Temporary Impact to Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
S1	20	7	27	N/A
S2	15	6	21	N/A
S3	76	10	86	N/A
S4	93	13	106	N/A
Total	204	36	240	N/A

Total Stream Impact for Project: 240 linear feet
(204 linear feet permanent and 36 linear feet temporary)

Notice regarding the right to contest this 401 Water Quality Certification decision is attached to this letter.

This letter completes the Division's review under Section 401 of the Clean Water Act and 15A NCAC 02H .0500. Please contact Amy Annino at 828-296-4668 or amy.annino@deq.nc.gov if you have any questions or concerns.

Sincerely,

Signed by:
Faith Hardin
3185423002EA45E...

Faith Hardin, Supervisor
401 & Buffer Permitting Transportation Branch
Division of Water Resources, NCDEQ

Enclosures: Notice Regarding The Right To Contest A DWR 401 Water Quality Certification Decision
GC 7679

Electronic cc: Kevin Barnett, Division 14
Crystall Amschler, USACE Wilmington Regulatory Field Office
Dave McHenry, NC Wildlife Resource Commission
Holland Youngan, US Fish and Wildlife Service
DWR 401 & Buffer Permitting Branch Electronic file

NOTICE REGARDING THE RIGHT TO CONTEST A DWR 401 WATER QUALITY CERTIFICATION AND/OR BUFFER AUTHORIZATION

Right of Persons Aggrieved to File a Contested Case for the Decision on a 401 Water Quality Certification and/or Buffer Authorization:
The Division's decision is subject to review under NCGS 150B-23.

Rights of Persons Aggrieved to File a Contested Case: Pursuant to NCGS 150B, Article 3, a party or person aggrieved may commence a contested case by filing a petition under NCGS 150B-23 in the Office of Administrative Hearings within 60 days after the Division provides notice of its decision on an application, as provided in NCGS 150B-23(f). If no contested case is commenced within the required time, the Division's decision is final and is not subject to review.

General Filing Instructions: A petition for contested case hearing must be in the form of a written petition, conforming to NCGS 150B-23, and filed with the Office of Administrative Hearings, 1711 New Hope Church Road, Raleigh NC, 27609, along with a fee in an amount provided in NCGS 150B-23.2. A petition for contested case hearing form may be obtained upon request from the Office of Administrative Hearings or on its website at https://www.oah.nc.gov/hearings-division/filing/hearing-forms. Additional specific instructions for filing a petition are set forth at 26 NCAC Chapter 03.

Service Instructions: A party filing a contested case is required to serve a copy of the petition, by any means authorized under 26 NCAC 03 .0102, on the process agent for the Department of Environmental Quality:

Daniel Hirschman, General Counsel
North Carolina Department of Environmental Quality
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

If the party filing the petition is a person aggrieved other than the recipient of the certificate (the "Permittee"), the party must also serve the Permittee in accordance with NCGS 150B-23(a).

Be aware that other rules or laws may apply to the filing of a petition for a contested case. Additional information is available at https://www.oah.nc.gov/hearings-division/hearing-process/filing-contested-case. Please contact the Office of Administrative Hearings at (984) 236-1850 with all questions regarding the filing fee and/or the details of the filing process.

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER RESOURCES

WATER QUALITY GENERAL CERTIFICATION NO. 7679

GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR US ARMY CORPS OF ENGINEERS REGIONAL GENERAL PERMIT 201902350 (NCDOT MAINTENANCE, REPAIR AND CONSTRUCTION PROJECTS)

Water Quality Certification Number 7679 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Regulations in 15A NCAC 02H .0500 and 15A NCAC 02B .0200 for the discharge of fill material to surface waters and wetland areas as described in the US Army Corps of Engineers Wilmington District's Regional General Permit 201902350.

The State of North Carolina certifies that the specified category of activity will comply with water quality requirements and applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

Effective date: May 26, 2025

Signed this day: March 20, 2025

By

Richard E. Rogers, Jr.

Richard E. Rogers, Jr.
Director

GENERAL CERTIFICATION COVERAGE:

Activities that are eligible for US Army Corps of Engineers Wilmington District's Regional General Permit 201902350 qualify for coverage under this General Certification unless they meet one of the thresholds listed below. Activities meeting any one (1) of the thresholds or circumstances listed below are not eligible for coverage under this General Certification and require *an Individual* 401 Water Quality Certification from the Division of Water Resources (DWR):

a) If any of the Activity Specific or General Conditions of this General Certification cannot be met; or
b) Total permanent impacts to intermittent and/or perennial streams greater than 300 linear feet per stream; or
c) Total permanent impacts to wetlands equal to or greater than one-tenth (1/10) of an acre; or
d) Total temporary impacts to wetlands equal to or greater than 0.5 acres; or
e) Total permanent impacts to open waters of greater than 0.5 acres; or
f) Any impacts to streams from excavation or dredging other than excavation that is conducted as preparation for installing permanent fill or structures; or
g) Any stream restoration or relocation other than stream relocations that are conducted for the purpose of proper culvert installation, alignment, protection, repair or maintenance where the relocation length is equal to or less than 150 feet in length and the relocated stream is designed and installed based on current natural channel techniques. *[Stream relocation is when a stream is moved laterally to a new location to allow a project, or part of a project, to be constructed in the stream's former location*.]; or
h) Any permanent impacts to streams or open waters designated as: ORW (including SAV), HQW (including PNA), SA, WS-I, WS-II, Trout, or North Carolina or National Wild and Scenic River; or
i) Any permanent impacts to coastal wetlands [15A NCAC 07H .0205] equal to or greater than 750 square feet; or
j) Any impacts to Unique Wetlands (UWL); or
k) Any impacts to subject water bodies and/or state regulated riparian buffers along subject water bodies in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman Lake, Jordan Lake or Goose Creek Watersheds (or any other basin or watershed with State Regulated Riparian Area Protection Rules State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code in effect at the time of application) *unless*:
    i. The activities are listed as “EXEMPT” or “DEEMED ALLOWABLE” from these rules; or
    ii. A Buffer Authorization Certificate is issued by the NC Division of Coastal Management (DCM); or

In accordance with 15A NCAC 02H .0503(f), the Director of the North Carolina Division of Water Resources may require submission of a formal application for Individual Certification for any project if it is deemed in the public's best interest or determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or will degrade the waters so that existing uses of the waters or downstream waters are precluded.

This General Certification does not relieve the permittee of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, Coastal Area Management Act, and Trout Buffer regulations.

Upon the presentation of proper credentials, DWR may inspect the property.

This Water Quality Certification shall expire on the same day as the expiration date of the corresponding Section 404 Permit that is current at the time this Certification is issued. The conditions shall remain in effect for the life of the project, regardless of the expiration date of this Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific project may result in revocation of this General Certification for the project and may also result in criminal and/or civil penalties.

I. ACTIVITY SPECIFIC CONDITIONS:

1. All stream relocations shall be completed and stabilized, and approved on site by NCDWR staff, prior to diverting water into the new channel. All stream relocations shall include establishment of a vegetated buffer on both sides of the relocated channel to the maximum extent practical. Stream banks shall be matted with coir-fiber matting and all vegetation used for bank stabilization shall be limited to native riparian vegetation. Armoring such as rip-srap may be used if it is necessary to maintain the physical integrity of the stream. Notification including written justification and all calculations used to determine the extent of rip-rap coverage shall be provided to DWR a minimum of 30 calendar days prior to conducting the stream relocation.

   Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c)

2. If open water features (ponds, lakes, etc) are proposed to be partially or fully drained as part of a specific project, the Permittee shall:

   a. ensure that proper measures will be taken to drain the feature with minimal impact to upstream and downstream channel stability as well as to native aquatic species such that the conditions of waters shall be suitable for all best uses specified in 15A NCAC 02B .0200 NCDOT shall consult with NC Wildlife Resources staff to determine if there are any sensitive species, and the most appropriate measures to limit impacts to these species.

   b. that proper measures will be taken to avoid sediment release and/or sediment accumulation downstream as a result of draining activities.

c. the permittee shall observe any natural channel re-establishment, or utilize natural channel construction techniques, to ensure that any stream channel above and below the drained feature remain stable, and that no indirect impacts occur within the natural stream channel as a result of draining activities.

Citation: 15A NCAC 02H .0506(b)(3); 15A NCAC 02H .0507(c)

II. GENERAL CONDITIONS:

1. The permittee shall report to the appropriate DWR Regional Office any noncompliance with, and/or any violation of, stream or wetland standards [15A NCAC 02B .0200], including but not limited to sediment impacts to streams or wetlands. Information shall be provided orally within 24 hours (or the next business day if a weekend or holiday) from the time the permittee became aware of the non-compliance circumstances.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

2. If the Permittee becomes aware of any inability to comply with any of the conditions of this Water Quality Certification, they must notify the appropriate Regional Office within 24 hours (or the next business day if a weekend or holiday) from the time the Permittee becomes aware of the circumstances.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

3. No waste, spoil, solids, or fill of any kind shall occur in wetlands or waters beyond the footprint of the impacts (including temporary impacts); or beyond the thresholds established for use of this General Certification and Regional General Permit.

   Citation: 15A NCAC 02H .0506; 15A NCAC 02H .0507(c)

4. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2B of Title 15A in the North Carolina Administrative Code.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

5. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur.

   Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or the *North Carolina Department of Transportation Sediment and Erosion Control Manual*.

   All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project.

Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times.

For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), SA, WS-I, WS-II, High Quality Waters (HQW), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*.

Citation: 15A NCAC 02H .0506(b)(2); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

6. Sediment and erosion control measures shall not be installed in wetland or waters except within the footprint of permanent impacts covered by this Certification. The placement of such measures shall not be conducted in a manner that results in dis-equilibrium of any wetlands, streambeds, or streambanks. Any silt fences installed within wetlands shall be removed from wetlands and the natural grade restored within two (2) months of the date the sediment and erosion control program has released the specific area within the project to ensure wetland standards are maintained upon completion of the project.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

7. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

8. The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their Individual NPDES Stormwater Permit Number NCS000250.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200; 15A NCAC 02B .0231

9. All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the *NC Sediment and Erosion Control Manual*, or the *NC Department of Transportation Construction and Maintenance Activities Manual*, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water.

   Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

10. If activities must occur during periods of high biological activity of aquatic species or aquatic or jurisdictional wetland habitat (e.g. sea turtle nesting, fish spawning, or bird nesting), then all biological monitoring requested by other state or federal agencies must be conducted.

    All moratoriums associated with aquatic species or aquatic jurisdictional wetland habitat on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) shall be implemented. Exceptions to this condition require written approval by the resource agency responsible for the given moratorium.

    Work within a designated trout watershed of North Carolina (as identified by the Wilmington District of the US Army Corps of Engineers), or work within identified state or federal endangered or threatened species habitat, shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 04B .0125

11. In-stream structures installed to mimic natural channel geomorphology such as cross-vanes, sills, step-pool structures, etc. shall be designed and installed in such a manner that allow for continued aquatic life movement.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

12. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. If the width of the culvert is wider than the stream channel, the culvert shall include multiple boxes/pipes, baffles, benches and/or sills to maintain the natural width of the stream channel. If multiple culverts/pipes/barrels are used, low flows shall be accommodated in one culvert/pipe and additional culverts/pipes shall be installed such that they receive only flows above bankfull.

    Placement of culverts and other structures in streams shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20% of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life. If the culvert outlet is submerged within a pool or scour hole and designed to provide for aquatic passage, then culvert burial into the streambed is not required.

    For structures less than 72” in diameter/width and in area where topographic constraints dictate culvert slopes will be greater than 2.5%, culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross-vanes, sills, baffles etc.). Notification, including supporting documentation to include a location

map of the culvert, culvert profile drawings, and slope calculations, shall be provided to DWR 30 calendar days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required, provided that there is sufficient documentation of the presence of bedrock. Notification, including supporting documentation such as a location map of the culvert, geotechnical reports, photographs, etc. shall be provided to DWR a minimum of 30 calendar days prior to the installation of the culvert. If bedrock is discovered during construction, then DWR shall be notified by phone or email within 24 hours of discovery.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native woody vegetation and other soft stream bank stabilization techniques shall be used where practicable instead of rip-rap or other bank hardening methods.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

13. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means to the maximum extent practicable (e.g. grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. This condition may be waived with prior approval from the NCDWR.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

14. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231

15. If concrete is used during construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

16. All temporary pipes/culverts/rip-rap pads etc. in streams shall be installed as outlined in the most recent edition of the *North Carolina Sediment and Erosion Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* or the *North Carolina Department of Transportation Best Management Practices for Construction and*

Maintenance Activities so as not to restrict stream flow or cause dis-equilibrium during use of this General Certification.

Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

17. All temporary fill and temporary culverts shall be removed and the impacted area shall be returned to natural conditions within 60 calendar days after the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross-sectional dimensions, planform pattern, and longitudinal bed profile. All temporarily impacted sites shall be restored and stabilized with native vegetation.

    Citation: 15A NCAC 02H.0506(b); 15A NCAC 02H .0507(c)

18. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap placed in streams shall be placed such that the original streambed elevation and streambank contours are restored and that the finished elevation of the rip rap shall not exceed that of the original stream bed. All rip-rap shall consist of clean rock or masonry material free of debris or toxic pollutants. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or be installed in a manner that precludes aquatic life passage.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

19. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows, and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. Any rip-rap placed in the streambed shall be such that the finished elevation of the rip rap shall not exceed that of the original stream bed.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0201

20. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication, and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0200

21. Heavy equipment working in wetlands shall be placed on mats or other measures shall be taken to minimize soil disturbance and compaction.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c); 15A NCAC 02B .0231

22. In accordance with G.S 143-215.85(b), the permittee shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.

    Citation: 15A NCAC 02H .0507(c); N.C.G.S 143-215.85(b)

23. The permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

24. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this General Certification. A copy of this General Certification shall be available at the project site during the construction and maintenance of this project.

    Citation: 15A NCAC 02H .0506(b); 15A NCAC 02H .0507(c)

25. This Water Quality Certification neither grants nor affirms any property right, license, or privilege in any lands or waters, or any right of use in any waters. This Water Quality Certification does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and does not create any prescriptive right or any right of priority regarding any usage of water. This Water Quality Certification shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Water Quality Certification to possess any prescriptive or other right of priority with respect to any other consumptive user.

History Note: Water Quality Certification (WQC) Number 7679 issued March 20, 2025 replaces WQC 4135 issued December 1, 2017; WQC 4088 issued March 3, 2017; WQC 3886 issued March 12, 2012; WQC 3820 issued April 6, 2010; WQC 3627 issued March 19, 2007; WQC Number 3404 issued March 2003; WQC 3375 issued March 18, 2002; WQC 3289 issued June 1, 2000; WQC 3103 issued February 11, 1997; WQC Number 2732 issued May 1, 1992; WQC 2666 issued January 21, 1992; WQC 2177 issued November 5, 1987..