



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

August 5, 2026

MEMORANDUM TO: Division Environmental and Construction Units

FROM:  Michael A. Turchy, ECAP Group Leader
Environmental Analysis Unit

SUBJECT: Environmental Permits for the Replacement of:
Mitchell Bridge 152 over Left Fork Cane Creek on SR 1207 (Cane Creek
Cemetery Road) Division 13, WBS DF18313.2061235.

Please find enclosed the following permits for this project:

Agency	Permit Type	Expiration
US Army Corps of Engineers Section 404 Clean Water Act Permit	Nationwide Permit 3 Action ID: SAW-2026-00990 Dated July 30, 2026	March 14, 2031
NC Division of Water Resources Section 401 Water Quality Certification	Water Quality Certification No. 8562 Project ID: 20260660, V1 Dated May 27, 2026 <i>Written authorization not required.</i>	expires with above Permit

Work is authorized by the above-referenced documents and must be accomplished in strict accordance with the permitted plans.

The Environmental Coordination and Permitting Group (ECAP) or the Division Environmental Office must be consulted if any deviation from the permit(s) or accompanying drawings is required.

404 Permit (USACE)



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

July 30, 2026

Regulatory Division
SAW-2026-00990

North Carolina Department of Transportation
Attn: Mr. Michael A. Turchy
Environmental Coordination and Permitting Group Leader
1598 Mail Service Center
Raleigh, North Carolina 27699-1598
Sent Via Email: recrowther@ncdot.gov

Dear Mr. Turchy,

This letter is in response to the application you submitted to the U.S. Army Corps of Engineers (USACE), Wilmington District, WRDA/Transportation Branch on May 26, 2026, for a Department of the Army general permit verification to replace a culvert in Left Fork Cane Creek that was severely damaged by **Hurricane Helene**. The replacement structure will be a bridge (**Bridge No. 152**) on SR 1207 in Mitchell County, North Carolina (36.0208, -82.0883) and has been assigned file number SAW-2026-00990.

In order to perform this work, NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

Impact ID #	NWP / GP #	Open Water (ac)		Wetland (ac)		Stream (lf)	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Site 1 (Left Fork Cane Creek)	<u>NWP 3</u>					43' (0.014 ac) / dewater	24' (0.006 ac) / bank stabilization
Impact Totals		0	0	0	0	43' (0.014 ac)	24' (0.006 ac)
Total Loss of waters of the U.S. (wetlands and/or open waters)			0	Total Loss of waters of the U.S.			0

We have reviewed the proposed activities in waters of the U.S. and have determined that these activities are authorized by Nationwide Permit (NWP) 3 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 following:

- enclosed terms, general conditions, and regional conditions of NWP 3
- special conditions of the verification letter (see below)
- information in the PCN and attachments
- enclosed plans

If the extent of the project area and/or nature of the authorized impacts to waters are modified, a request detailing the proposed changes must be submitted to this office for written approval before work is initiated. Any deviation from the terms and conditions of the permit, the special conditions of this letter, the information contained in the PCN, or your submitted plans, may subject the permittee to enforcement action.

This verification is valid until **March 14, 2031**, unless the subject NWP is suspended, revoked, or is modified prior to that date such that the activity no longer complies with the terms and conditions of the NWP.

Project Specific Special Conditions:

1. This verification letter does not authorize you to take a federally listed species. In order to legally take a federally listed species, you must have separate authorization under the Endangered Species Act (ESA) (e.g., an ESA Section 10 permit, or a Biological Opinion (BO) under ESA Section 7, with “incidental take” provisions with which you must comply). The U.S. Fish and Wildlife Service (USFWS) issued a document titled, “Biological and Conference Opinions and Informal Consultations – Batch Format, Replace Multiple Crossing Structures Destroyed by Tropical Storm Helene in Buncombe, Madison, McDowell, Mitchell, and Yancey Counties, North Carolina, Service Log #25-276 through 25-299” on September 4, 2025. This document contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with incidental take for this project. Your authorization under this verification letter and NWP 3 is conditional upon your compliance with the mandatory terms and conditions associated with incidental take listed in this document for this project. Failure to comply with the terms and conditions associated with incidental take detailed in this document, where a take of a federally listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your verification letter and NWP 3. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its Opinion and with the ESA.

2. The permittee shall comply with conditions #1-4 of the attached letter from the North Carolina Wildlife Resources Commission dated May 28, 2026.

3. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this authorization letter 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 authorization letter, all conditions, and any authorized modifications. A copy of this authorization letter, all conditions, and any authorized modifications, shall be available at the project site during construction and maintenance of this project.

This general permit verification and any associated authorizations do 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 Lori Beckwith, Regulatory Project Manager of the WRDA/Transportation Branch by email at loretta.a.beckwith@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,

A handwritten signature in black ink that reads "M. Scott Jones". The signature is written in a cursive, flowing style.

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

Enclosures

U.S. Army Corps of Engineers (USACE) CERTIFICATION OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.		Form Approved - OMB No. 0710-0003 Expires 2027-10-31
The Agency Disclosure Notice (ADN)		
The Public reporting burden for this collection of information, 0710-0003, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.		
PURPOSE: This form is used by recipients of U.S. Army Corps of Engineer Regulatory permits to certify compliance with the permit terms and conditions. Your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.		
Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the U.S. Army Corps of Engineers, Wilmington District, Regulatory Office. The certification can be submitted by email at loretta.a.beckwith@usace.army.mil or by mail at the below address: U.S. Army Corps of Engineers, Wilmington District Asheville Field Office Street Address: 151 Patton Avenue, Room 208 Asheville, North Carolina 28801-5006		
Corps Action Number: SAW-2026-00990 Permit Type: General Permit General Permit Number and Name (if applicable): NWP 3 Name of Permittee: NCDOT, Division of Highways Project Name: NCDOT/Hurricane Helene/DF18313.2061235.PR/ r 154/SR 1207/Mitchell/Div 13 Project Location (physical address): Bridge 152 Left Fork Cane Creek SR 1207 Mitchell Co., NC		
PERMITTEE'S CERTIFICATION		
Date Work Started: Date Work Completed: Enclose photographs showing the completed project (if available). I _____ hereby certify that the work authorized by the above referenced permit has been completed in accordance with all of the permit terms and conditions, and that any required compensatory mitigation has been completed in accordance with the permit conditions.		
Name	Date	Signature



▣ North Carolina Wildlife Resources Commission ▣

M. Kyle Briggs, Executive Director

May 28, 2026

Loretta Beckwith

U.S. Army Corps of Engineers, Asheville Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801

Amy Annino

401 and Buffer Transportation Permitting Branch
North Carolina Department of Environmental Quality
2090 U.S. 70 Highway, Swannanoa, NC 28778-8211

SUBJECT: Comments on Application for Replacement of Bridge 152 over Left Fork Cane Creek on SR 1207 (Cane Creek Cemetery Road), Mitchell County (**DF18313.2061235**), DWR 20260660 ver.1

The North Carolina Department of Transportation (NCDOT) applied for a 404 Permit and 401 Certification for the subject project. The North Carolina Wildlife Resources Commission's (NCWRC) comments are offered to help conserve the wildlife resources affected by the project and to promote wildlife-based recreation in accordance with applicable provisions of the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

The project will construct a new bridge over Left Fork Cane Creek (C Tr) where a dual pipe culvert crossing was damaged by Hurricane Helene flooding. An off-site detour will be used while the new bridge is constructed on the old roadway alignment.

The Cane Creek watershed historically supported a robust Brown Trout (*Salmo trutta*) population. NCWRC fish biologists are assessing streams to determine the status of wild trout populations in areas affected by Hurricane Helene. Surveys of some tributaries to the North Toe River, which is east of the Cane Creek watershed, have found abundant trout, including juveniles that were hatched 2024-2025.

Therefore, as noted in scoping comments, the trout moratorium for Brown Trout should apply to instream disturbance from this project.

The NCWRC appreciates the NCDOT converting this crossing to a bridge. A bridge should not only prove to be a more stable structure than the existing pipe crossings, but also improve aquatic habitat and eliminate an impediment to aquatic movements. The dry benching under the bridge should improve the permeability of this crossing to small wildlife as well.

The NCWRC requests that the following conditions be included in authorizations to help conserve trout and other aquatic resources affected by the project:

1. The October 15 to April 15 moratorium should be adhered to for instream disturbance.
2. Applicable measures from the current *NCDOT Erosion and Sediment Control Design and Construction Manual* should be adhered to. *Design Standards in Sensitive Waters* should be incorporated into the erosion control of this project to target 25-year performance (see part (d) of 15A NCAC 04B .0124).
3. In accordance with standard GC conditions, matting used in riparian areas should not contain nylon mesh because it entangles and kills wildlife. Coir matting should be used on disturbed stream banks that are steep or susceptible to high water. Matting should be anchored with wooden stakes according to NCDOT specifications.
4. Sandbags, rock berms, cofferdams, or other diversion structures should be used whenever possible to isolate flowing water from in-channel construction.
5. Any additional rip rap placed on streambanks should only extend to the ordinary high water elevation and matting and vegetation should be used above the ordinary high water elevation.

Thank you for the opportunity to review and provide recommendations on this project. Please contact me at david.mchenry@ncwildlife.gov or (828) 476-1966 if you have any questions about these comments.

Sincerely,



Dave McHenry, NCWRC Western DOT Coordinator

cc: Yates Allen, NCDOT Division 14 Environmental Specialist II
Mike Sanderson, NCDOT Division 14 Environmental Supervisor
Rob Crowther, PWS, NCDOT ECAP

401 Certification (NCDWR)

*Written
Authorization
Not Required*

Permitted Drawings

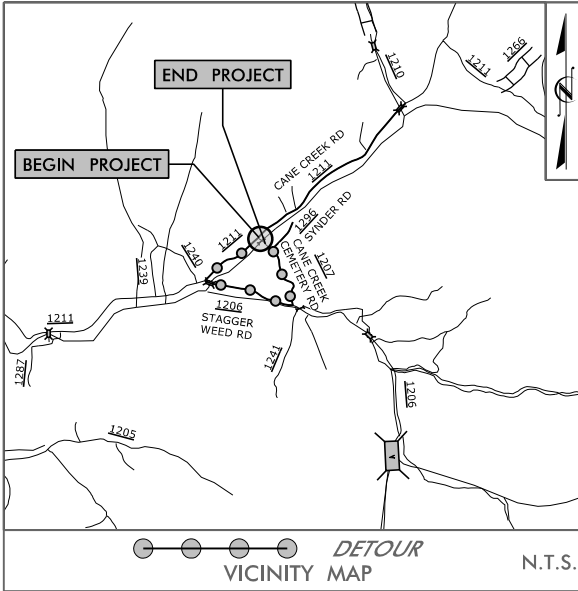
09/08/99

4/27/2026

TIP PROJECT: DF18313.2061235

CONTRACT: C205133

See Sheet 1A For Index of Sheets
See Sheet 1B For Standard Symbology Sheet



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

MITCHELL COUNTY

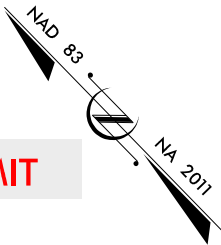
LOCATION: REPLACE BRIDGE 152 ON SR 1207 (CANE CREEK CEMETARY ROAD)
OVER LEFT FORK CREEK FROM SR 1211 (CANE CREEK ROAD)
TO WEST OF SR 1206 (STAGGER WEED ROAD)

TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURE

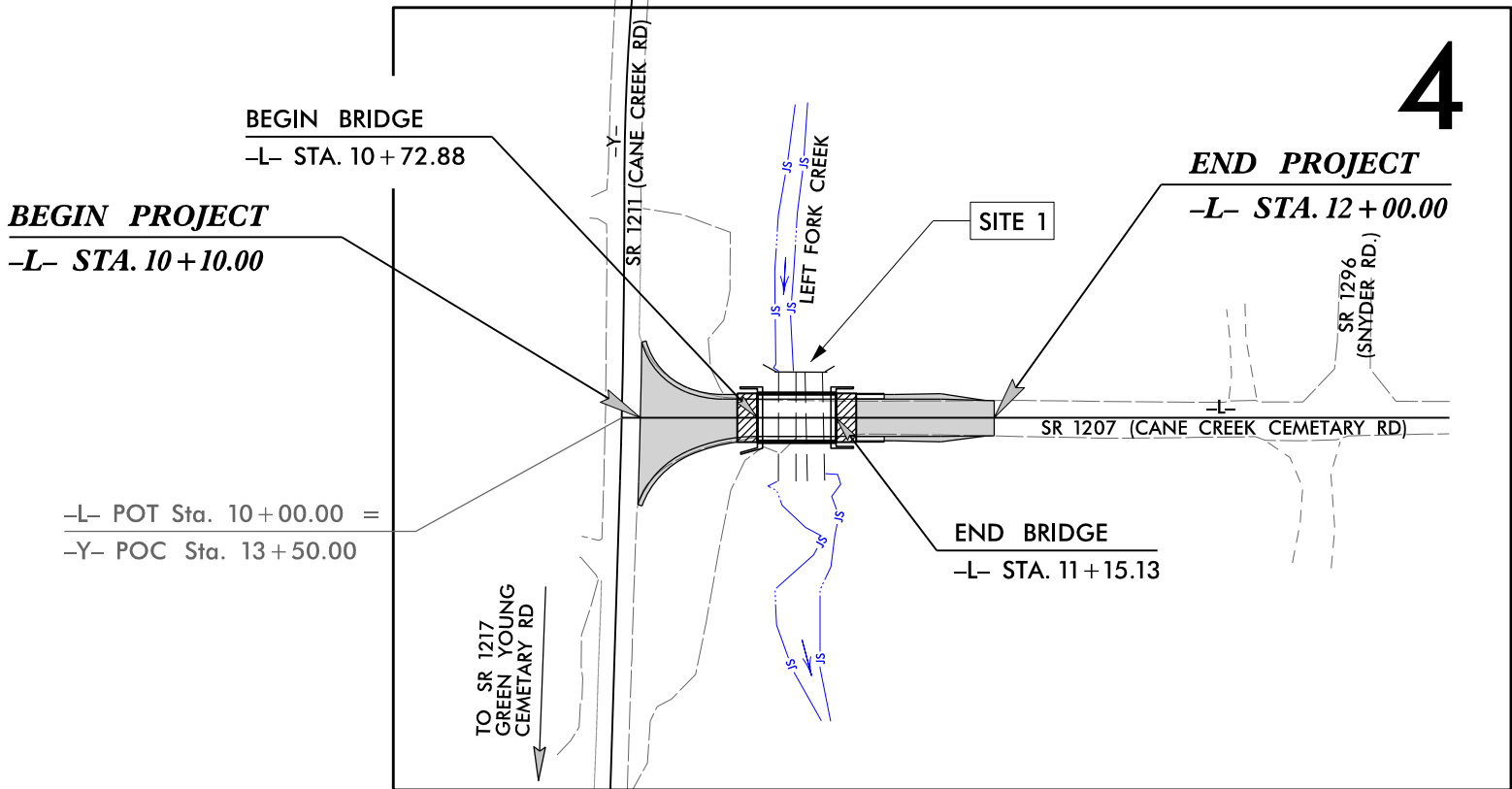
PERMIT DRAWING
SHEET 1 OF 5

DATE: 4/27/2026

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	DF18313.2061235	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
DF18313.2061235		PE, ROW, UTL, CONST.	

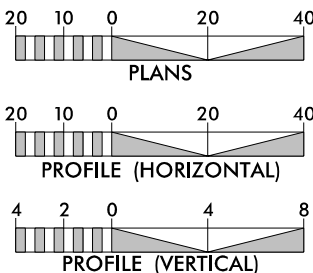


WETLAND AND SURFACE WATER IMPACTS PERMIT



THIS IS NOT A CONTROLLED-ACCESS PROJECT.
CLEARING ON THIS PROJECT SHALL BE PERFORMED
TO THE LIMITS ESTABLISHED BY METHOD II.
PROJECT IS WITHIN MUNICIPAL BOUNDARY.

GRAPHIC SCALES



DESIGN DATA

ADT 2026 = 70
ADT 2046 = 80
K = %
D = %
T = 3%
V = 35 MPH

FUNC CLASS = LOCAL
SUBREGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT DF18313.2061235 = 0.028 MILES
LENGTH STRUCTURE TIP PROJECT DF18313.2061235 = 0.008 MILES
TOTAL LENGTH OF TIP PROJECT DF18313.2061235 = 0.036 MILES

NCDOT CONTACT: ANDY HUSSEY, PE
ALTERNATIVE DELIVERY UNIT

PLANS PREPARED IN THE OFFICE OF:



STV Engineers, Inc.
2151 Hawkins St., Suite 1400
Charlotte, NC 28203
NC License Number F-0991

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
JUNE 11, 2026

LETTING DATE:
JUNE 11, 2026

CURTIS HALL, PE
PROJECT ENGINEER

MAAMOON ABDELAZIZ
PROJECT DESIGNER

HYDRAULICS
ENGINEER

SIGNATURE:

P.E.

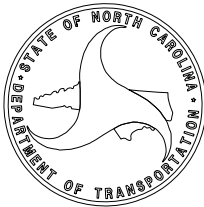
ROADWAY
DESIGN
ENGINEER

SIGNATURE:

P.E.

B-007R2
RIGHT-OF-WAY PLANS
SUBMITTED: 03-31-26

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED



8/17/99

4/27/2026
600152 Hyd.prm_wet_psh_04.dgn
delam

TIM WARD
HELLE WARD
341 PG 173

CREEK BAPTIST CHURCH
DB 71 PG 250

INV = 2829

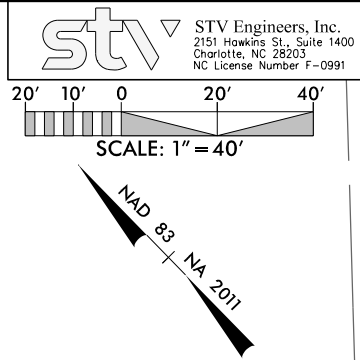
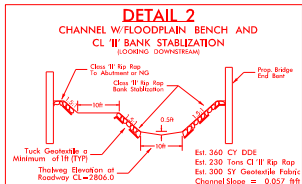
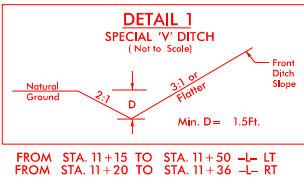
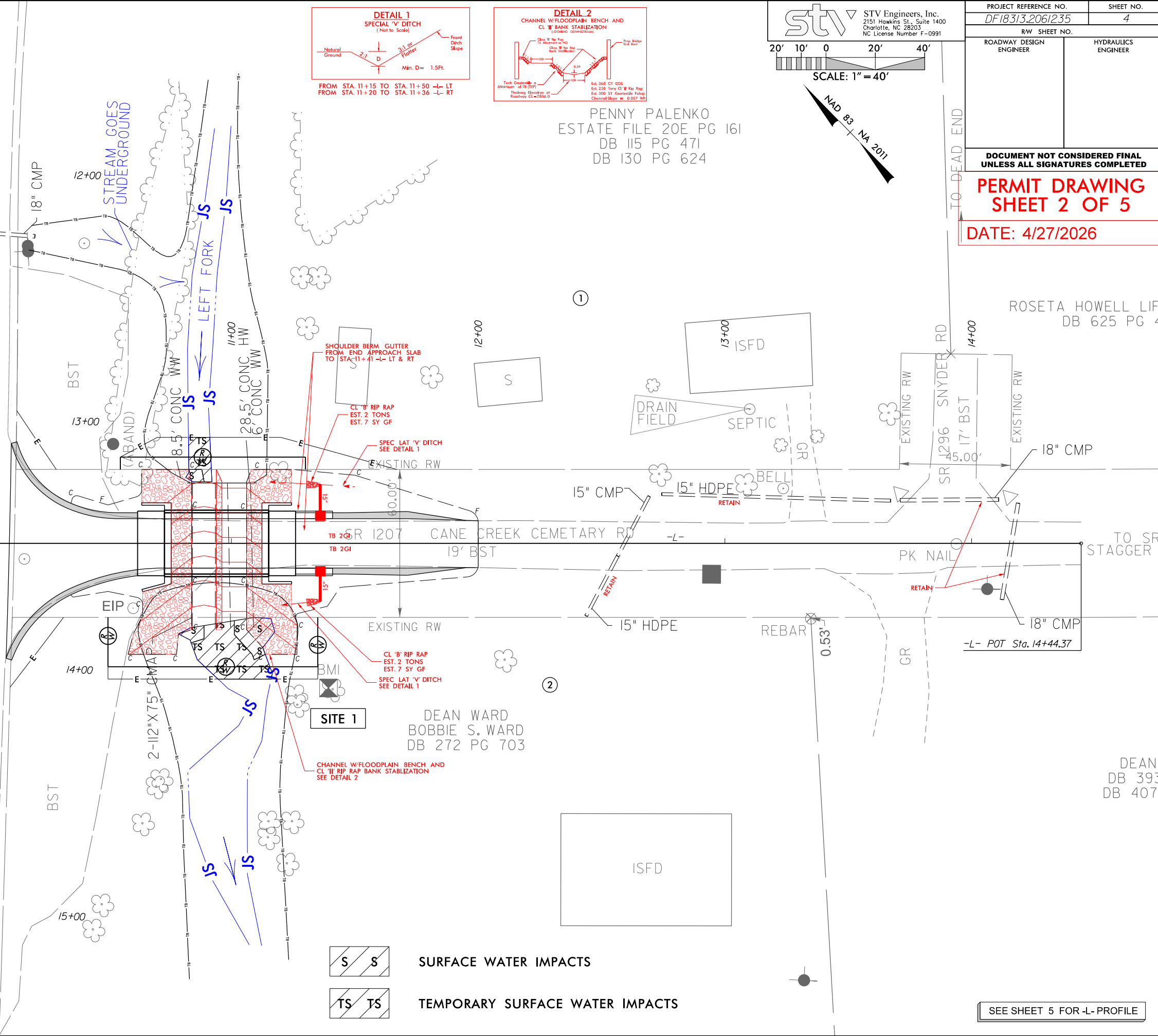
-Y- PRC Sta. 12+25.58

-L- POT Sta. 10+00.00 =
-Y- POC Sta. 13+50.00

-Y- PT Sta. 13+84.10

ROCK RET
WALL
CONC
STEPS

SRI211 CANE CREEK RD 18' BST

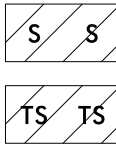


PROJECT REFERENCE NO.		SHEET NO.	
DF18313.2061235		4	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
PERMIT DRAWING SHEET 2 OF 5			
DATE: 4/27/2026			

ROSETA HOWELL LIF
DB 625 PG 4

SITE 1
DEAN WARD
BOBBIE S. WARD
DB 272 PG 703

DEAN
DB 393
DB 407



SURFACE WATER IMPACTS

TEMPORARY SURFACE WATER IMPACTS

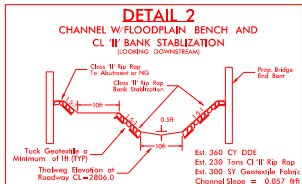
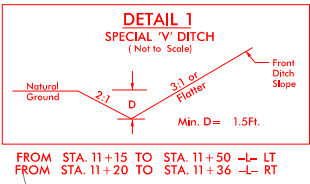
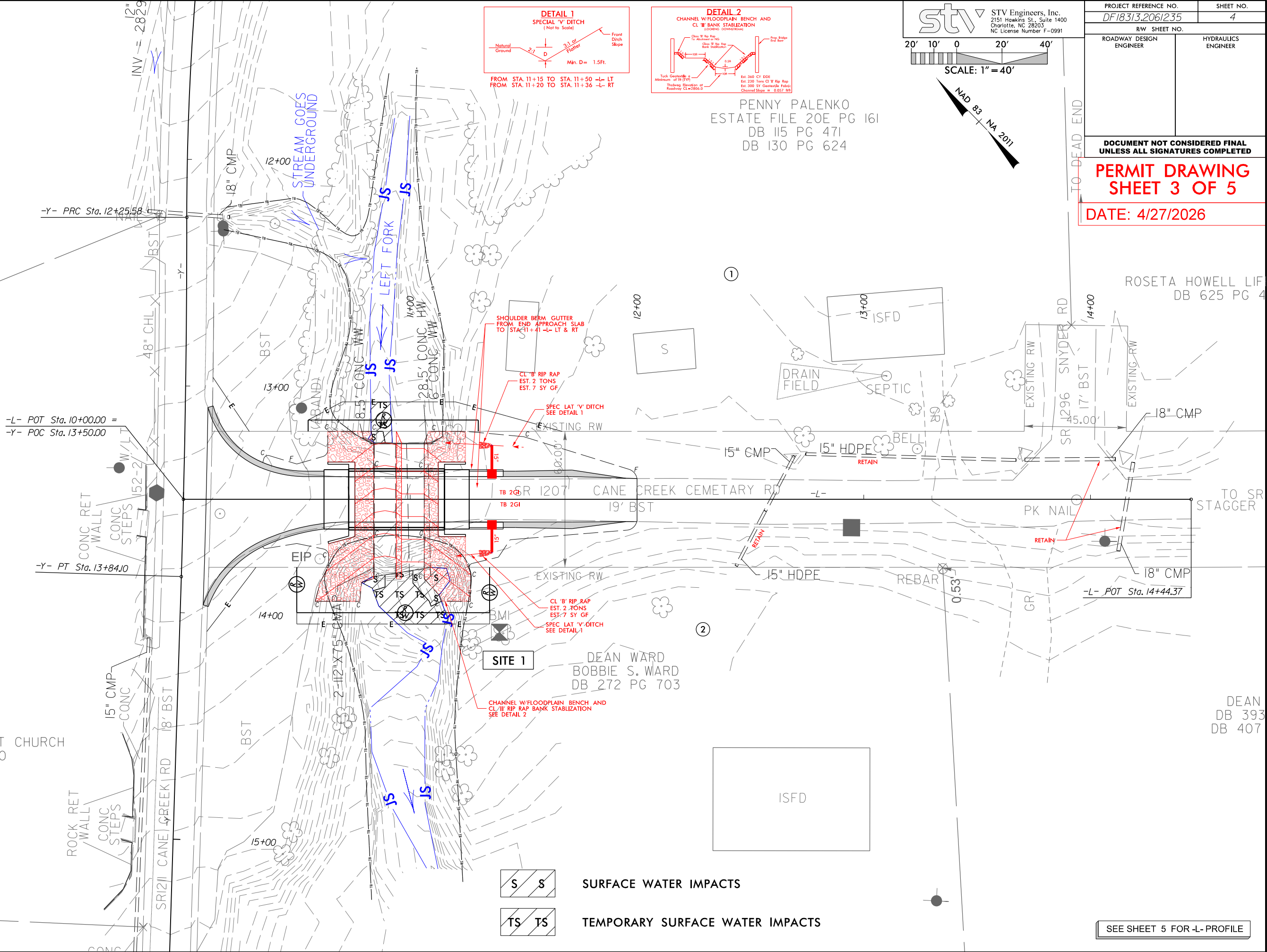
SEE SHEET 5 FOR -L- PROFILE

8/17/99

TIM WARD
HELLE WARD
341 PG 173

CREEK BAPTIST CHURCH
DB 71 PG 250

4/27/2026
600152 Hyd.prm_wet_psh_04-1.dgn
delam

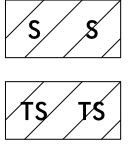


STV STV Engineers, Inc.
2151 Hawkins St., Suite 1400
Charlotte, NC 28203
NC License Number E-0991

SCALE: 1" = 40'

NAD 83 NA 2011

PROJECT REFERENCE NO. DF18313.2061235		SHEET NO. 4
RW SHEET NO.		HYDRAULICS ENGINEER
ROADWAY DESIGN ENGINEER		
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED		
PERMIT DRAWING SHEET 3 OF 5		
DATE: 4/27/2026		



SURFACE WATER IMPACTS
TEMPORARY SURFACE WATER IMPACTS

SEE SHEET 5 FOR -L- PROFILE

5/14/99

4/27/2026
600152 Hyd.prm-wet-psht-05.dgn

-L-

STV STV Engineers, Inc.
2151 Hawkins St., Suite 1400
Charlotte, NC 28203
NC License Number F-0991

PERMIT DRAWING
SHEET 4 OF 5

DATE: 4/27/2026

PROJECT REFERENCE NO.
DF18313.206/235

SHEET NO.
5

ROADWAY DESIGN
ENGINEER

HYDRAULICS
ENGINEER

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

BEGIN PROJECT
BEGIN MILL /OVERLAY
-L- STA 10+10.00
EL = 2,821.10'

CENTERLINE -L- STA 10+94.00
1@40' (21") CORED SLAB
W/ VERTICAL ABUTMENTS
CENTERLINE ELEV = 2817.67'
SKEW = 90-DEGREES

BEGIN BRIDGE
-L- STA 10+72.88

END BRIDGE
-L- STA 11+15.13

BEGIN PROJECT
END GRADE
-L- STA 12+00.00
EL = 2,814.88'

BEGIN GRADE
END MILL /OVERLAY
-L- STA 10+35.00
EL = 2,819.99'

WSE ON 12-10-2025
= 2,807.2
REMOVE EXIST 2-112"x75" CMAP

SITE 1

CHANNEL W/FLOODPLAIN, BENCH
AND CL-11 RIP RAP BANK STABILIZATION
SEE DETAIL

BM-1
STA = 11+39.36
OFFSET = 58.6' RT
ELEV = 2812.19'
RR SPIKE IN 24" POPLAR

BRIDGE HYDRAULIC DATA

DESIGN DISCHARGE = 690 CFS
DESIGN FREQUENCY = 25 YRS
DESIGN HW ELEVATION = 2,812.7 FT
BASE DISCHARGE = 1,100 CFS
BASE FREQUENCY = 100 YRS
BASE HW ELEVATION = 2,813.6 FT
OVERTOPPING DISCHARGE = 21,500 CFS
OVERTOPPING FREQUENCY = 500+ YRS
OVERTOPPING ELEVATION = 2,814.8 FT

DATE OF SURVEY = 12/10/2025
W.S.ELEVATION
AT DATE OF SURVEY = 2,807.2 FT

SEE SHEET 4 FOR -L- PLAN

10 + 00

11 + 00

12 + 00

13 + 00

2844

2840

2836

2832

2828

2824

2820

2816

2812

2808

2804

2800

2796

2792

2788

2784

2780

