STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

DANIEL H. JOHNSON
SECRETARY

November 19, 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:
Bridge 573 over Cedar Creek on Cedar Creek Road (SR 1312) in Rutherford County, Division 13, WBS DF18313.2081026.PR

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-2026-01963 Dated November 19, 2026	March 14, 2031
NC Division of Water Resources Section 401 Water Quality Certification	Water Quality Certification No. 8562 [3] Project ID: 20261546 *Written authorization not required.*	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.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at: https://xfer.services.ncdot.gov/pdea/EnvironmentalPermits/_General_Conditions_and_Certifications/

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

Telephone: (919) 707-6000
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH NC 27610

404 Permit (USACE)

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
ASHEVILLE REGULATORY FIELD OFFICE
151 PATTON AVENUE, ROOM 208
ASHEVILLE, NORTH CAROLINA 28801

November 19, 2026

Regulatory Division
SAW-2026-01963
Culvert 573, Cedar Creek, Cedar Creek Road (SR 2793), Rutherford Co.

North Carolina Department of Transportation
Attention: Mr. Michael Turchy
1598 Mail Service Center
Raleigh, North Carolina 27606

Sent Via Email: maturchy@ncdot.gov

Dear Mr. Turchy,

This letter is in response to the Pre-Construction Notification (PCN) you submitted to the U.S. Army Corps of Engineers (USACE), Wilmington District, WRDA/Transportation Branch on November 16, 2026, for a Department of the Army general permit verification. The project review area is located at 2847 Cedar Creek Road, at latitude 35.52475 and longitude -82.168389; in Lake Lure, Rutherford County, North Carolina. This project has been assigned File No. SAW-2026-01963 and 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 the North Carolina Department of Transportation (NCDOT) Structure 573 over Cedar Creek due to damage caused by Tropical Storm Helene in September 2024. The project would include the replacement of the existing, 60-foot long, double culvert with an approximately 79-foot long, single barrel aluminum box culvert with a low flow channel and energy dissipaters. During construction, a temporary single span timber bridge would be constructed to serve as a temporary bypass. In order to accomplish this work, the NCDOT proposes to conduct the following activities in waters of the U.S.:

Summary of Proposed Impacts

Aquatic Resource	Activity	Open Water (ac)		Wetland (ac)		Stream (lf)	
		Temp	Perm	Temp	Perm	Temp	Perm
Cedar Creek	Culvert replacement and energy dissipater	--	--	--	--	--	**79 lf (total) 21 lf (new)**
Cedar Creek	Temporary construction work	--	--	--	--	**6 lf**	--
Cedar Creek	Temporary bypass bridge	--	--	--	--	**68 lf**	--
		0	**0**	**0**	**0**	**74 lf**	**79 lf (total) 21 lf (new)**

We have determined that the proposed work is authorized by **Nationwide Permit 3 – Maintenance** 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 general permit conditions, any regional conditions, 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 PCN 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 15, 2031**, unless prior to this date the subject NWP(s) is suspended, revoked, or is modified such that the activity no longer complies with the terms and conditions of this NWP. If you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

Project Specific Special Conditions:

1. The U.S. Fish and Wildlife Service approved a Programmatic Biological and Conference Opinion [Programmatic Opinion (PO)], and a Programmatic Conference Report titled "Five Imperiled Bat Species in Western North Carolina" on April 1, 2025. This PO contains mandatory terms and conditions to implement the reasonable and prudent measures that are associated with "incidental take" that are specified in the PO. Your authorization under this USACE authorization/verification is conditional upon your compliance with all the mandatory terms and conditions associated with incidental take of the PO, which are incorporated by reference in this authorization/verification. Failure to comply with the terms and conditions associated with incidental take of the PO, where a take of the listed species occurs, would constitute an unauthorized take, and it would also constitute non-compliance with your USACE authorization/verification. The USFWS is the appropriate authority to determine compliance with the terms and conditions of its PO, and with the ESA.

2. NCDOT shall adhere to the biological and cultural (historic properties) specific conservation measures as identified on the associated Project Commitments sheets attached.

3. NCDOT 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 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 Brooke Davis, Regulatory Project Manager of the WRDA/Transportation Branch at 828-271-7980 ext. 4232, by mail at the above address, or by email at brooke.a.davis@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerelv.



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

Enclosures

Copies furnished (via email only):
Amy Annino, North Carolina Division of Water Resources
Dave McHenry, North Carolina Wildlife Resources Commission

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 brooke.a.davis@usace.army.mil or by mail at the below address:

U.S. Army Corps of Engineers
Wilmington District Office, Asheville Field Office
151 Patton Avenue, Room 208
Asheville, North Carolina 28801

COMPLETED BY THE CORPS

Corps Action Number: SAW-2026-01963

Permit Type: Nationwide Permit

General Permit Number and Name (*if applicable*): 3-Maintenance

Name of Permittee: NC Department of Transportation

Project Name: Culvert 573, Cedar Creek, Cedar Creek Road (SR 2793), Rutherford Co.

Project Location (*physical address*): Cedar Creek Road
Lake Lure, North Carolina

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

PROJECT COMMITMENTS

SR1332 Cedar Creek Rd. PIPE_CULVERT 573 (PERM)
County: Rutherford
WBS: DF18313.2081026.PR

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Project Management (PMU/SMU/Division), Division Environmental Staff - AVOIDANCE & MINIMIZATION MEASURES (AMMS) FOR LISTED BAT SPECIES AND HABITAT
The following General AMMs will be used to minimize impacts to listed/proposed species and habitat.

•General AMM1: NCDOT will ensure all operators, employees, and contractors working in areas of suitable habitat for federally listed/proposed species are aware of all NCDOT environmental commitments, including all applicable AMMs and all associated NCDOT guidance documents.

•General AMM2: Best management practices (BMP) and sediment and erosion control (SEC) measures will be utilized to prevent non-point source pollution, control storm water runoff, and minimize sediment damage to avoid and reduce overall water quality degradation.

•General AMM3: Areas of disturbance, such as tree clearing, grubbing, and grading, will be limited to the maximum extent possible.

Project Management (PMU/SMU/Division), Division Environmental Staff - AVOIDANCE & MINIMIZATION MEASURES (AMMs) FOR LISTED BAT SPECIES
The following General AMMs will be used to minimize impacts to listed/proposed bat species.

•Bat AMM Noise: Percussive activities will occur only after the tree clearing within the action area has been completed, helping to reduce the exposure of any tree-roosting bats within the action area to high decibel noise.

•Bat AMM Lighting: No new permanent lighting will be added to the action area. Any lighting needed for night work will be directed at the work area and shielded from surrounding waters/landscape, only on when needed, no brighter than necessary, and blue light emissions will be limited.

•Bat AMM Riparian Planting: Disturbed riparian areas will be replanted with native, fast growing tree and shrub species where feasible, with the understanding that plantings likely cannot be done in utility/drainage/ construction easements.

Project Management (PMU/SMU/Division) - CONSERVATION MEASURES FOR LISTED BAT SPECIES
This project is anticipated to require tree clearing and structure removal which is likely to adversely affect (MALAA) listed bat species. NCDOT will contribute a payment to the N.C. Bat Conservation Fund in support of the recovery of federally listed bat species.

Project Management (PMU/SMU/Division), Division Environmental Staff - SECTION 106 - DAVIS HOUSE - Design & Construction
To avoid adverse impacts to the historic property, the Davis House:

•Plan sheets shall include “do not disturb” to denote the rock wall bordering the creek.

•During construction, orange temporary construction fencing is to be place in front of rock wall that borders the creek to protect it from construction activities.

401 Certification (NCDWR)

Written Authorization Not Required

Permitted Drawings

North Carolina Department of Transportation

Highway Stormwater Program

STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS

(Version 3.03; Released June 1, 2026)

General Project Information

WBS Element:	DF18313.2081026.PR	**TIP Number:**	DF18313.2081026.PR	**Project Type:**	Other	**Date:**	9/1/2026
NCDOT Contact:	Byron Kyle			**Contractor / Designer:**	Patrick Hartnett, PE		
Address:	NCDOT Alternative Delivery 1020 Birch Ridge Drive Raleigh, NC 27610			**Address:**	Summit Design & Engineering Services 1000 Social St, Suite 800 Raleigh, NC 27609		
Phone:	(919) 707-6621			**Phone:**	(919) 322-0115		
Email:	btkyle@ncdot.gov			**Email:**	patrick.hartnett@summitde.com		
City/Town:	Lake Lure			**County(ies):**	Rutherford		
River Basin(s):	Broad			**CAMA County?**	No		
Wetlands within Project Limits?	No						

Project Description

Project Length (lin. miles or feet):	0.09	**Surrounding Land Use:**	Rural, Wooded, Mountainous

	Proposed Project		**Existing Site**	
Project Built-Upon Area (ac.)	0.3	ac.	0.2	ac.
Typical Cross Section Description:	Proposed road will be a 2-lane facility with 10' wide travel lane and 3' grass shoulders.		Existing road is a 2-lane facility with 10' wide travel lanes.	
Annual Avg Daily Traffic (veh/hr/day):	Design/Future: 500	Year: 2046	Existing: 500	Year: 2026

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

State Project involves the replacement of NCDOT Culvert 800573 conveying Cedar Creek on SR 1312 (Cedar Creek Rd) in Rutherford County. The existing structure for NCDOT Culvert 800573 is 2@11'-7"x7'-9" CMPA. The proposed structure is a single barrel 32'-7"x7'-9" Aluminum Box Culvert w/ low flow channel and Concrete HW. During the detour phase 1@60' timber bridge utilizing timber footings and anchored portable concrete barrier will be constructed with 14' clear roadway width, 18' out to out width will be constructed over Cedar Creek. Class II Rip Rap will be used for bank stabilization at the upstream end of the structure, and for scour protection and bank stabilization at the downstream end of the structure.

North Carolina Department of Transportation

Highway Stormwater Program

STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS

(Version 3.03; Released June 1, 2026)

WBS Element:	DF18313.2081026.F	**TIP/Proj No.:**	DF18313.2081026.PR	**County(ies):**	Rutherford	**Page**	**2**	**of** **2**

General Project Information

Waterbody Information

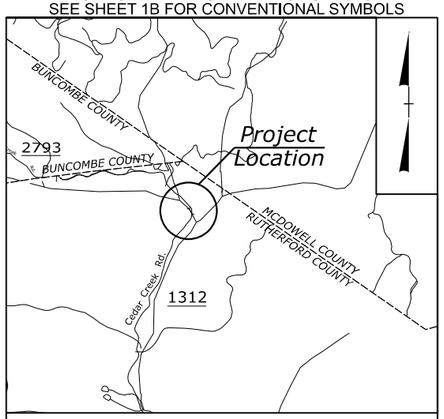
Surface Water Body (1):	Cedar Creek		**NCDWR Stream Index No.:**	9-23-14		
NCDWR Surface Water Classification for Water Body		**Primary Classification:**	Class C			
		Supplemental Classification:	Trout Waters (Tr)			
Other Stream Classification:	None					
Impairments:	None					
Aquatic T&E Species Habitat?	No	Comments:				
NRTR Stream ID:	N/A			**Buffer Rules in Effect:**	N/A	
Project Includes Bridge Spanning Water Body?	No	**Deck Drains Discharge Over Buffer?**	N/A	**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)						

09/08/99

PROJECT: DF18313.2081026.PR

CONTRACT: C205124

SEE SHEET 1A FOR INDEX OF SHEETS
SEE SHEET 1B FOR CONVENTIONAL SYMBOLS



VICINITY MAP (NTS)

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

RUTHERFORD COUNTY

LOCATION: *REPLACE CULVERT #800573 ON SR 1312 (CEDAR CREEK RD.) OVER CEDAR CREEK*

TYPE OF WORK: *GRADING, DRAINAGE, PAVING, & STRUCTURE*

PERMIT DRAWING
SHEET 1 OF 5

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	DF18313.2081026.PR	1	

STATE PROJ. NO.	F. A. PROJ. NO.	DESCRIPTION
DF18313.2081026.PR	NA	PE
DF18313.2081026.PR	NA	ROW
DF18313.2081026.PR	NA	CONST

SUBMITTAL B-006	ROW PLANS	10/02/2026
RESPONSE B-006	ROW PLANS	

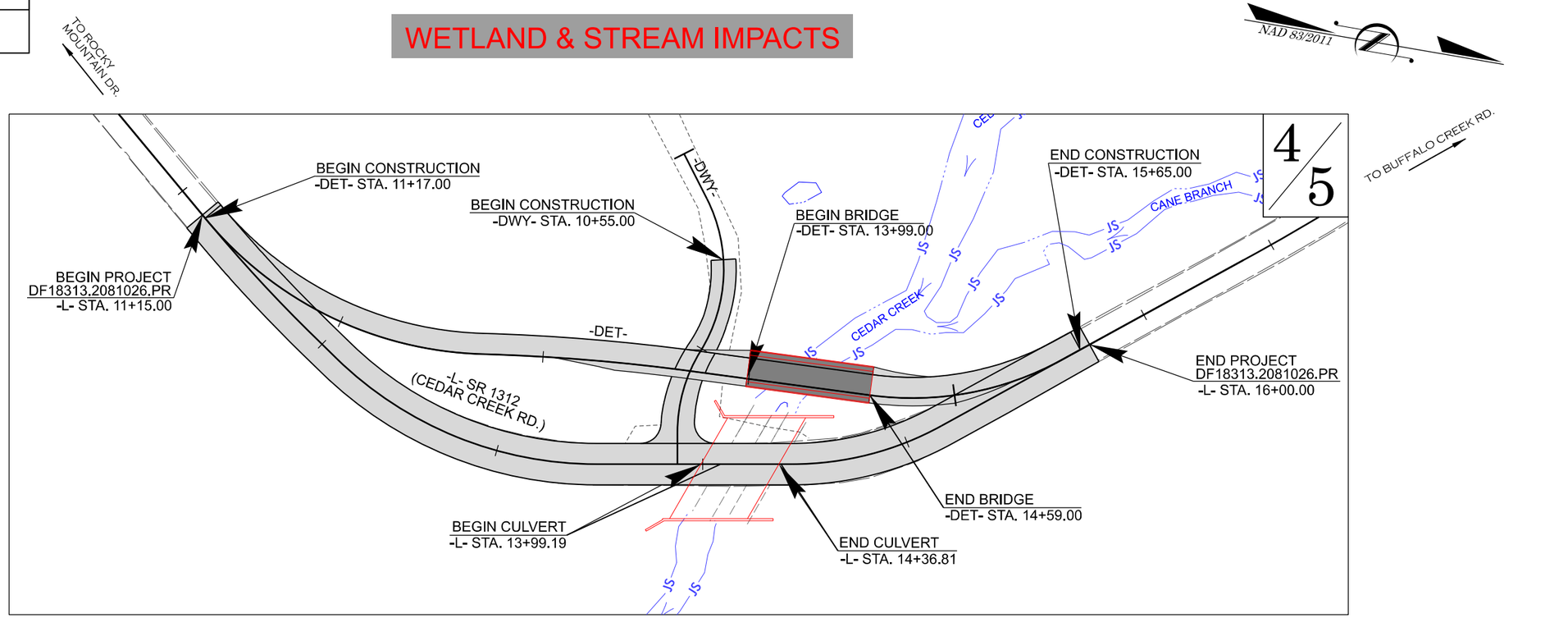
PREPARED IN THE OFFICE OF:

SUMMIT
DESIGN AND ENGINEERING SERVICES
FIRM NO. C-5176

1000 Social St, Suite 800
Raleigh, NC 27609
Voice: (919) 732-3883
Fax: (919) 732-6776
www.summitde.com

WETLAND & STREAM IMPACTS

NAD 83/2011



THIS IS NOT A CONTROLLED ACCESS PROJECT.
THIS PROJECT DOES NOT FALL WITHIN ANY JURISDICTIONAL LIMITS.

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES

20 10 0 20 40
PLANS

20 10 0 20 40
PROFILE (HORIZONTAL)

10 5 0 10 20
PROFILE (VERTICAL)

DESIGN DATA

ADT 2026 = 500
ADT 2046 = 500
V = 40 MPH
FUNC CLASS = LOCAL
RURAL

SUBREGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT DF18313.2081051.PR = 0.085 MILES
LENGTH STRUCTURE TIP PROJECT DF18313.2081051.PR = 0.007 MILES
TOTAL LENGTH TIP PROJECT DF18313.2081051.PR = 0.092 MILES

NCDOT CONTACT: BYRON KYLE
NCDOT - ALTERNATIVE DELIVERY UNIT

2024 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE: NOVEMBER 3, 2025

LETTING DATE: NOVEMBER 3, 2025

SPENCER MERRITT, PE
PROJECT ENGINEER

JOSHUA JERNIGAN, PE
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

P.E.
SIGNATURE:

ROADWAY DESIGN ENGINEER

P.E.
SIGNATURE:

STATE OF NORTH CAROLINA • DEPARTMENT OF TRANSPORTATION •

11/14/23

CUR DATA -DWY-	CUR DATA -DWY-
PIc 10+66.46	PIc 11+22.48
Δc = 58°47'20.3" (RT)	Δc = 31°43'29.5" (LT)
D = 76°23'39.7"	D = 76°23'39.7"
Lc = 76.95	Lc = 41.53
Tc = 42.25	Tc = 21.31
R = 75	R = 75

DETAIL 4-1
SPECIAL 'V' DITCH
(Not to Scale)

Detour Ditch Bottom — VAR — D — 4:1 — Front Ditch Slope — Min. D= 0.5 Ft.

FROM STA. 11+15 TO STA. 13+68 -L- LT

PERMIT DRAWING
SHEET 2 OF 5

S S PERMANENT SURFACE WATER IMPACTS

TS TS TEMPORARY SURFACE WATER IMPACTS

DFI8313.2081026.PR

RDY 004

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RUTHERFORD COUNTY

ROADWAY DESIGN ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

HYDRAULIC DESIGN ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

PLANS PREPARED BY:

SUMMIT DESIGN AND ENGINEERING SERVICES
NC FIRM LICENSE No: C-5176
1000 Social St., Suite 800
Raleigh, NC 27609
(919) 732-3883
(919) 732-6676 (FAX)

FOR -L- PFL, SEE SHEET 006
FOR -DWY- PFL, SEE SHEET 007

11/14/23

CUR DATA -DWY-	CUR DATA -DWY-
PIc 10+66.46	PIc 11+22.48
Δc = 58°47'20.3" (RT)	Δc = 31°43'29.5" (LT)
D = 76°23'39.7"	D = 76°23'39.7"
Lc = 76.95	Lc = 41.53
Tc = 42.25	Tc = 21.31
R = 75	R = 75

TIE TO EXISTING DITCH

SPECIAL 'V' DITCH SEE DETAIL 4-1

SITE 1

SITE 2

DETAIL 4-1
SPECIAL 'V' DITCH
(Not to Scale)

Detour Ditch Bottom — VAR — D — 4:1 — Front Ditch Slope

Min. D= 0.5 Ft.

FROM STA. 11+15 TO STA. 13+68 -L- LT

PERMIT DRAWING
SHEET 3 OF 5

PERMANENT SURFACE WATER IMPACTS

TEMPORARY SURFACE WATER IMPACTS

FOR -L- PFL, SEE SHEET 006

FOR -DWY- PFL, SEE SHEET 007

DF18313.2081026.PR

RDY | 004

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RUTHERFORD COUNTY

NAD 83
NA 2011

ROADWAY DESIGN ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

HYDRAULIC DESIGN ENGINEER

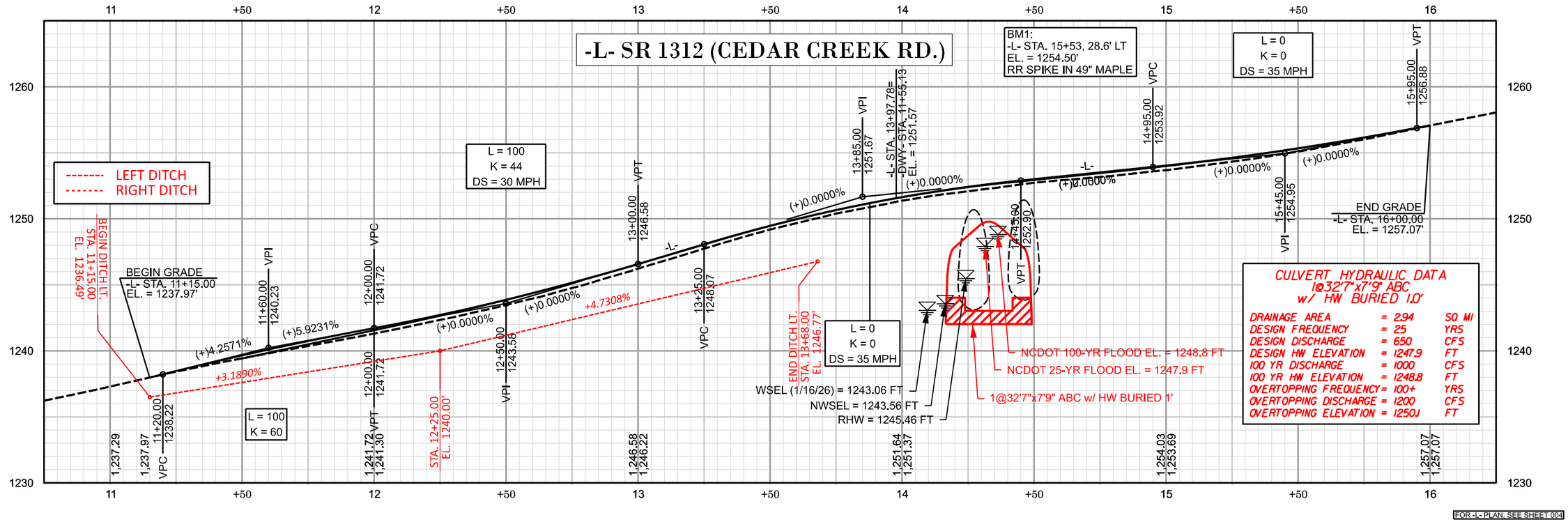
INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

PLANS PREPARED BY:

SUMMIT DESIGN AND ENGINEERING SERVICES
NC FIRM LICENSE No: C-5176
1000 Social St., Suite 800
Raleigh, NC 27609
(919) 732-3883
(919) 732-6676 (FAX)

11/14/23



FOR -L- PLAN, SEE SHEET 004

DF18313.2081026.PR

RDY | 006

NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RUTHERFORD COUNTY

ROADWAY DESIGN ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

HYDRAULIC DESIGN ENGINEER

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

PLANS PREPARED BY:
SUMMIT
DESIGN AND ENGINEERING SERVICES
NC FIRM LICENSE No: C-5176
1000 Social St., Suite 800
Raleigh, NC 27609
(919) 732-3883
(919) 732-6676 (FAX)

PERMIT DRAWING
SHEET 4 OF 5

FOR -DET- PLAN, SEE SHEET 005

SCE/devon.hoyle - 10/20/2026

WETLAND AND SURACE 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- 13+86 TO 14+51 LT/RT	Proposed Culvert						0.01	< 0.01	21	6	
2	-DET- 14+07 TO 14+65 LT/RT	Detour Bridge							< 0.01		68	
TOTALS*:								0.01	0.01	21	74	0

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
9/16/2026
RUTHERFORD
DF18313.2081026.PR