



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JOSH STEIN  
GOVERNOR

DANIEL H. JOHNSON  
SECRETARY

April 9, 2026

MEMORANDUM TO: Division Environmental and Construction Units  
FROM: *mat* Michael A. Turchy, ECAP Group Leader  
Environmental Analysis Unit  
SUBJECT: Environmental Permits for the Replacement of Bridge 67 on US 25/70  
over French Broad River in Madison County, Division 13, **TIP: B-5895.**

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	Regional General Permit 50 Originally issued 8/12/24, Renewed 3/27/26	May 25, 2030
NC Division of Water Resources Section 401 Water Quality Certification	General Certification No. 7679 [RGP50] Originally issued 10/25/22 under GC 4135, Non- notifying renewal confirmed February 2026	May 25, 2030

Work is authorized by the above referenced permit provided it is accomplished in strict accordance with the permitted plans. The Environmental Coordination and Permitting Group or the Division Environmental Office must be consulted if any deviation from the permit(s) is required.

The General Conditions and Certifications for Nationwide and Regional Permits can be referenced at:  
[https://xfer.services.ncdot.gov/pdea/PermIssued/\\_General\\_Conditions\\_and\\_Certifications/](https://xfer.services.ncdot.gov/pdea/PermIssued/_General_Conditions_and_Certifications/)

The Project Commitments “Greensheet” is located on the Preconstruction SharePoint Dashboard at:  
<https://connect.ncdot.gov/site/preconstruction>



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

March 27, 2026

Regulatory Division  
 SAW-2022-02178  
 Reverification #1

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: ekcheely@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 Permitting Branch on January 27, 2026, for reverification and revision of a previously issued Department of the Army general permit verification. This project, the **replacement of Bridge No. 67 (B-5895)**, has been assigned file number SAW-2022-02178 and is located at Bridge 67 over the French Broad River on US 25/70 in Madison County, North Carolina (35.8936, -82.8227). Impacts to waters of the U.S. have not changed since the original verification (August 12, 2024); however, revised causeway phasing/timing has been proposed. 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
<b>Site 1 (French Broad River)</b>	<b><u>RGP 50</u></b>						<b>12' (bank stabilization)</b>
<b>Site 2 (French Broad River)</b>	<b><u>RGP 50</u></b>					<b>0.49 acre / 113' (causeways)</b>	<b>12' (bank stabilization)</b> <hr/> <b>50 sq ft / 0.001 acre (drilled piers)</b>
Impact Totals		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.49 acre / 113'</b>	<b>24' and 0.001 acre</b>

We have reviewed the proposed activities in waters of the U.S. and have determined that the activities are 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 following:

- enclosed RGP 50 general and special conditions
- special conditions for this project (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 **May 25, 2030**, unless the subject general permit 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. In accordance with the enclosed letter from the U.S. Fish and Wildlife Service (USFWS) dated July 2, 2024, NCDOT shall adhere to the following ESA/Section 7 commitments/conservation measures:

- a. All tree removal will occur outside of the April 1st to October 15th active season for tree-roosting bats.
- b. Within 14 days of demolition, NCDOT will inspect the existing bridge for bats and signs of bat use. This survey will be conducted on foot from the bridge deck and from areas beneath the bridge (as opposed to via snooper truck). If bats or signs of bats are observed, NCDOT will immediately notify the USFWS and the USACE.
- c. For night work during the March 15th to November 15th active season for gray bat (*Myotis grisescens*), NCDOT will limit all construction-related lighting to whatever is necessary to maintain safety in active work areas closest to the French Broad River. Lighting will only be used in areas where active construction is occurring and will not be projected into adjacent wooded areas or over the water surface of the river.
- d. No permanent lighting will be installed. Two permanent lights currently located at the ends of Bridge 67 will be removed without being replaced.
- e. No blasting will occur.
- f. Within one (1) year of completion of the new bridge construction, NCDOT will place bat roost panels on or adjacent to the bridge.

g. NCDOT shall place steady-state red lights that are solar-powered on the causeways to alert river users to its location. Generators will not be used to provide power to the red lights. These lights will be atop a structure, such as a pole, on each causeway, for the duration of the project. The contractor will be responsible for maintaining these lights at all times during construction, replacing them as necessary.

2. NCDOT shall abide by all stipulations identified in the executed Memorandum of Agreement titled, "MEMORANDUM OF AGREEMENT AMONG THE U.S. ARMY CORPS OF ENGINEERS, THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, AND THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER FOR REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH BROAD RIVER AND PRIVATE DRIVE MADISON COUNTY, NORTH CAROLINA, WBS NO. 48088.1.1, PA NO. 16-01-0097, TIP NO. B-5895".

3. No sooner than 45 days prior to the commencement of work in or over the river, NCDOT shall contact all businesses and organizations that float the river in the project area to provide an overview of the project and the River Safety plan. The Resident Engineer will also inform these businesses and organizations about the preconstruction meeting so that representatives of those businesses and organizations can attend.

4. NCDOT shall ensure that the enclosed River Safety Plan is fully implemented.

5. No more than 50% of river flow shall be constricted by the causeway(s) at any time.

6. No construction fabric will be used under the causeways.

7. The permittee shall implement all reasonable and practicable measures to ensure that equipment, structures, fill pads, work, and operations associated with this project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, flooding, and/or stream bank erosion. The permittee shall routinely monitor for these effects, cease all work when detected, take initial corrective measures to correct actively eroding areas, and notify this office immediately. Permanent corrective measures may require additional authorization by the USACE.

8. The permittee shall ensure that any equipment that is placed on the causeway(s) is removed when either of the following situations are forecasted or anticipated: (1) the water level will rise to a point where the equipment could be flooded (even during work days), and (2) the water level is expected to rise overnight, or over a non-work period of time, to a point where the equipment could be flooded.

9. Upon completion of work that requires the causeway(s) to be in the river, the permittee shall remove all readily detectible causeway material, to the extent practicable (excluding the material that will be used for bank stabilization that is authorized by this verification letter), while removing as little of the original riverbed as possible.

10. NCDOT has noted that the "...contractor will likely attempt to pull the bents over onto the causeway, and then remove whatever piece of the bent is remaining down to 1' below the river floor if the entire piece doesn't come over at once." If the bents cannot be removed this way, NCDOT will ensure that the bents/piers are cut at or close to the bed of the river so that they are not a hazard to river users, even during periods of low water.

11. NCDOT shall ensure that the Trail User Safety Plan, which was submitted with the PCN, is fully implemented.

12. 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 Lori Beckwith, Regulatory Project Manager of the WRDA/Transportation Branch at 828-230-0483, by mail at the above address, or by email at [loretta.a.beckwith@usace.army.mil](mailto: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,



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](mailto: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](mailto: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-2022-02178

Permit Type: General Permit

General Permit Number and Name (if applicable): RGP 50 Reverification #1

Name of Permittee: NCDOT, Division of Highways

Project Name: NCDOT / B-5895 / Bridge 67 over FBR / Div 13

Project Location (physical address): Bridge 67 over the French Broad River US 25/70 Madison 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
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# Staff Project Review Form



Please note: fields marked with a red asterisk \* below are required. You will not be able to submit the form until all mandatory questions are answered.

**Staff Report Submitted on:** 2/11/2026  
This will be filled in automatically.

## PROJECT INFORMATION

**ID#:** 20221362      **Version:** 3  
**Project Name:** B-5895 - Bridge 67 on US 25/70 over French Broad River

### County(ies):

Madison

### Contact Emails:

ekcheely@ncdot.gov

## PROJECT FOLDER ACCESS

[Click here to log in to see the project information submitted.](#)

## STAFF REVIEW INFORMATION

### Check all agencies that need to receive notification of your decision.

DCM       WRC       DMS

### Does this complete the review for this project? \*

Yes - Review Complete       No - Still in Review  
 No - Place on hold

This updates the progress status for this project in Laserfiche.

### What types of information are you providing about this project? \*

Decision Letter       Duplicate Information       Placed on Hold  
 More Info Received       More Info Requested       No Written Concurrence Required  
 Staff Notes

## REVIEW COMPLETION DECISION INFORMATION

### Has your decision letter been uploaded into Laserfiche? \*

Yes - Uploaded separately       Yes - Attaching it to this form  
 No - Sent for signature (TPB Unit Only)       N/A



STIP Project No. B-5895  
Madison County



RIVER SAFETY PLAN  
FOR THE CONSTRUCTION OF THE US 25/US 70 BRIDGE OVER THE FRENCH BROAD RIVER

To ensure the safe passage of river users during the construction and demolition of the US 25/US 70 bridge No. 67 over the French Broad River NCDOT has developed this River Safety Plan (RSP).

- NCDOT has created and implanted the RSP, which specifically addresses the construction of the US 25/US 70 bridge No. 67 over the French Broad River. The RSP includes, but is not limited to:
  - NCDOT will contact the following local emergency services at least one month prior to road closure:
    - Madison County Emergency Management/Emergency Medical Services – 828-649-3602
  - NCDOT will contact the following local agencies to help notify the public of constraints/restrictions to boating at French Broad River:
    - US Forest Service – 828-689-9694
    - NCWRC District 9 Law Enforcement – 828-558-6010
  - Provide signage upstream and downstream of the bridge to alert river users to construction. These signs will note that the last public pull out is at Hot Springs Access Mile, 100 ft upstream of the bridge. These signs will be placed at the following locations; all are public with the exception of the privately owned launches marked with an asterisk (\*):
    - Headwaters Outfitters\* – 25 Parkway Road, Rosman
    - Champion Park River Access (Transylvania County Parks and Recreation) – Old Turnpike Road, Rosman (1st public access from the headwaters)
    - Hannah Ford Campground - Headwaters Outfitters\* - Green Road (SR 1127), Rosman
    - Island Ford River Access (Transylvania County Parks and Recreation) – Island Ford Road, Brevard
    - Hap Simpson Park (Brevard Parks and Recreation) – 968 Greenville Hwy, Brevard
    - Wilson Road River Access (Transylvania County Parks and Recreation) – Wilson Road, Pisgah Forest
    - Penrose Boat Ramp (NC Wildlife Resources Commission) – 170 Apac Drive, Penrose
    - Blantyre Park (Henderson County Parks and Recreation) – 500 Cliff Road, Penrose
    - Horse Shoe River Access Park (Henderson County Parks and Recreation) – Horse Shoe
    - Mills River Park (Town of Mills River) – 124 Town Center Drive, Mills River (This park is near the confluence of Mills River and French Broad River and a common starting point for paddlers of the French Broad River.)
    - Westfeldt Park (Henderson County Parks and Recreation) – 83 Old Fanning Bridge Road, Fletcher
    - Glen Bridge River Park (Buncombe County Parks and Recreation) – 77 Pinner's Road, Arden



## STIP Project No. B-5895

### Madison County

- Corcoran Paige River Park (Buncombe County Parks and Recreation) – 9 Pinner Road, Arden
- Bent Creek River Park (Buncombe County Parks and Recreation) – 1592 Brevard Road, Asheville
- Hominy Creek River Park (Buncombe County Parks and Recreation) – 194 Hominy Creek Road, Asheville
- Asheville Outdoor Center\* – 225 Amboy Rd, Asheville
- Carrier Park (Asheville City Parks) – 220 Amboy Rd, Asheville
- French Broad River Park (Asheville Parks Department) – 508 Riverview Dr, Asheville
- Jean Webb River Park (Asheville City Parks) – 123 Roberts St, Asheville
- Salvage Station\* – 468 Riverside Dr, Asheville
- Pearson Bridge River Access (Riverlink) – 704 Riverside Dr, Asheville
- Ledges Whitewater River Park (Buncombe County Parks and Recreation) – 1080 Old Marshall Hwy, Alexander
- Alexander River Park (Buncombe County Parks and Recreation) – 2590 Old Marshall Hwy, Alexander
- Walnut River Island Park (Buncombe County Parks and Recreation) – 3042 Old Marshall Hwy, Alexander
- Blannahasset Island Park (Town of Marshall) – 151 Blannahasset Island Road, Marshall
- Redmond Dam Access (unmaintained) – 2450-2452 Redmon Rd, Marshall
- Barnard Park (Madison County Parks Dept.) – 1995 Barnard Rd, Marshall
- Stackhouse Access (US Forest Service) – 29 Aster Dr, Marshall
- Hot Springs Access Mile (US Forest Service) – 105 Silvermine Road, Hot Springs
- Signage on the causeways to warn river users away and prevent river users from using the causeway as a stopping point.
- Physical restrictions
  - Use of a floating navigational aide to mark the safe passage lane.
  - NCDOT shall commit to a catchment device on the overhead structure over the river and roadway to prevent material from falling on river users, equestrians, bicyclists, or in the water.
  - NCDOT shall place steady-state red lights that are solar-powered on the causeway to alert river user to its location. Generators will not be used to provide power. These lights will be atop structures, such as a pole, on each causeway for the duration of the project. The contractor will be responsible for maintaining these lights at all times during construction, replacing them as necessary.
- Contractor requirements:
  - Develop a river traffic plan to include below items:
    - Provide one or more flaggers upstream as needed to stop river use at limited times when working over the river (e.g. setting beams, demolition of the structure)



STIP Project No. B-5895  
Madison County

- Training of construction staff to teach skills in aiding a distressed boater – This is meant as an extra precaution for both staff and river users. It does NOT imply that the contractor will provide “lifeguard” type service
- Must have a life vest and/or boat on site.
- During Construction of Bridge No. 67, the Boater Safety Plan will be coordinated with the US Forest Service Staff. This plan takes effect two (2) weeks prior to the start of construction and will terminate at the end of construction.



STIP Project No. B-5895  
Madison County



TRAIL USER SAFETY PLAN  
FOR THE CONSTRUCTION OF THE US 25/US 70 BRIDGE OVER THE APPALACHIAN TRAIL

To ensure the safe passage of trail users during the construction and demolition of the US 25/US 70 bridge No. 67 over the Appalachian Trail NCDOT has developed this Trail User Safety Plan (TUSP).

- NCDOT has created and implanted the TUSP, which specifically addresses the construction of the US 25/US 70 bridge No. 67 over the Appalachian Trail. The TUSP includes, but is not limited to:
  - NCDOT will contact the following local emergency services at least one month prior to road closure:
    - Madison County Emergency Management/Emergency Medical Services – 828-649-3602
  - NCDOT will contact the following local agencies to help notify the public of constraints/restrictions to Appalachian Trail Users:
    - Appalachian Trail Conservancy – 828-254-3708
    - NCWRC District 9 Law Enforcement – 828-558-6010
- Trail Crossing
  - Due to the relocation of the trail from the south side of the original bridge to the north side of the new bridge, a marked street crossing near the railroad tracks in Hot Springs will be retained for users to cross the street in a safe manner. NCDOT will design and erect signage and/or an informational kiosk at the crossing in consultation with the SHPO and the concurring parties within one year of completion of the new bridge.
- Appalachian Trail Markers
  - Markers for the Appalachian Trail, similar to what exists within Hot Springs, will be continued on the new bridge and concrete staircase on the east end of the new bridge to mark the trail.
- Construction Consultation
  - The NCDOT Resident Engineer shall conduct a pre-construction field meeting with representatives from the NPS, ATC and the contractor to discuss plans for hiker passage for the duration of the project. In addition, the NCDOT Resident Engineer will send a monthly status report of upcoming construction activities around the Appalachian Trail to the NPS Trail Superintendent and the Regional Director at the ATC in order to provide the NPS and ATC with information to disseminate to hikers including adequate warning about delays or possible reroutes. These monthly status reports will cease when the project is complete.
- Construction
  - The Appalachian Trail is normally open 24 hours a day/365 days a year. During the construction project, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential



STIP Project No. B-5895  
Madison County

danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.

- NCDOT shall commit to a catchment device on the overhead structure over the river and roadway to prevent material from falling on trail users, equestrians, bicyclists, or in the water.
- Please refer to Appendix A for the Trail Diagram for users during and after construction of the new proposed bridge.
- During Construction of Bridge No. 67, the Trail User Safety Plan will be coordinated with the Appalachian Trail Conservancy Staff. This plan takes effect two (2) weeks prior to the start of construction and will terminate at the end of construction.

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70  
OVER THE FRENCH BROAD RIVER AND PRIVATE DRIVE  
MADISON COUNTY, NORTH CAROLINA  
WBS No. 48088.1.1  
PA No. 16-01-0097  
TIP No. B-5895**

**WHEREAS**, the U.S. Army Corps of Engineers (USACE) is considering issuance of a permit under Section 404 of the Clean Water Act (CWA) and, if required by final design, Section 10 of the Rivers and Harbors Act (RHA) of 1899, to the North Carolina Department of Transportation (NCDOT) for Replacement of Bridge Number 67 on US 25/70 over the French Broad River and Private Drive, Madison County, North Carolina (the Undertaking); and

**WHEREAS**, the USACE has determined that the Undertaking will have an adverse effect upon Madison County Bridge Number 67 and the Appalachian Trail, properties determined eligible for listing in the National Register of Historic Places (NRHP) (historic properties); and

**WHEREAS**, the USACE has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

**WHEREAS**, the USACE has notified the Advisory Council on Historic Preservation (Council) of the adverse effects and the Council has declined to comment or participate in the consultation; and

**WHEREAS**, NCDOT has participated in the consultation and has been invited by the USACE and SHPO to be a signatory to this Memorandum of Agreement (MOA); and

**WHEREAS**, the following parties were granted consulting party status by USACE and have been invited to concur with this MOA: National Park Service (NPS) and Appalachian Trail Conservancy (ATC); and

**WHEREAS**, the following Tribal Historic Preservation Offices (THPO) were consulted regarding this Undertaking but did not comment: the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, and the Cherokee Nation;

**NOW, THEREFORE**, USACE, NCDOT, and the SHPO, agree that any authorization that may be issued by the USACE for the Undertaking shall include, by permit special condition, the following stipulations to take into account the effect of the Undertaking on the historic properties.

## STIPULATIONS

### I. Madison County Bridge Number 67

#### a. Photorecordation

Prior to the initiation of construction, NCDOT will record the existing condition of Bridge Number 67 and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A). Copies of the documentation will be deposited in the files of the State Historic Preservation Office, and the NCDOT Historic Architecture Section.

#### b. Bridge Design

The replacement bridge will mimic the original historic bridge details and will utilize a Texas Classic Bridge Rail. The bridge design will be provided to the SHPO and concurring parties for comment prior to finalization of the plan.

### II. Appalachian Trail

#### a. Step Design

Concrete steps with handrail will be provided at the east end of the new bridge approach to provide continued access to the Appalachian Trail. The design of the steps will be reviewed by the SHPO and concurring parties prior to construction. The steps will be maintained by NCDOT Division 13.

#### b. Construction

The Appalachian Trail is normally open 24 hours a day/365 days a year. During the construction project, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.

#### c. Construction Consultation

The NCDOT Resident Engineer shall conduct a pre-construction field meeting with representatives from the NPS, ATC and the contractor to discuss plans for hiker passage for the duration of the project. In addition, the NCDOT Resident Engineer will send a monthly status report of upcoming construction activities around the Appalachian Trail to the NPS Trail Superintendent and the Regional Director at the ATC in order to provide the NPS and ATC with information to disseminate to hikers including adequate warning about delays or possible reroutes. These monthly status reports will cease when the project is complete.

**d. Trail Crossing**

Due to the relocation of the trail from the south side of the original bridge to the north side of the new bridge, a marked street crossing near the railroad tracks in Hot Springs will be retained for users to cross the street in a safe manner. NCDOT will design and erect signage and/or an informational kiosk at the crossing in consultation with the SHPO and the concurring parties within one year of completion of the new bridge.

**e. Appalachian Trail Markers**

Markers for the Appalachian Trail, similar to what exists within Hot Springs, will be continued on the new bridge and concrete staircase to mark the trail.

**III. Unanticipated Discovery**

In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction, all work will be halted within the limits of the resource(s) and the USACE will be contacted. The USACE will initiate the appropriate agency and/or Tribal coordination required for a determination of eligibility or recovery effort. If after consultation between the Signatories and concurring parties, additional mitigation is determined necessary, the NCDOT, in consultation with the Signatories and concurring parties, will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

**IV. Amendments**

Should any of the Party(ies) to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that party(ies) shall immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation V will be followed. This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy, signed by all the signatories, is filed with the ACHP.

**V. Dispute Resolution**

Should any of the Parties to this MOA object within (30) days to any plans or documentation provided for review pursuant to this MOA, the USACE shall consult with the objecting party(ies) to resolve the objection. If the USACE or the objecting party(ies) determines that the objection cannot be resolved, the USACE will forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

1. Provide the USACE with recommendations, which the USACE will take into account in reaching a final decision regarding the dispute, or
2. Notify the USACE that it will comment pursuant to 36 CFR Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the USACE in accordance with 36 CFR Section 800.7(c)(4) with reference to the subject of the dispute.

Any recommendations or comments provided by the Council will be understood to pertain only to the subject of the dispute; the signatories' responsibilities that are not the subject of the dispute will remain unchanged.

#### **VI. Termination**

Any of the Signatory Party(ies) to this MOA may terminate the agreement by providing notice to the other parties, provided that the Signatories and Concurring Parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

#### **VII. Duration**

Unless terminated pursuant to Stipulation VI above, this MOA will be in effect until the USACE, in consultation with the other Signatory Parties, determines that all of its terms have been fulfilled or if NCDOT is unable or decides not to construct the Undertaking.

Execution of this MOA by USACE, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the USACE has afforded the Council an opportunity to comment on the Undertaking, and that USACE has taken into account the effect of the Undertaking on the historic properties.

**AGREE:**

**United States Army Corps of Engineers:**

FOR THE COMMANDER

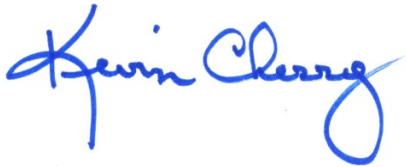
---

Scott McLendon  
Chief, Regulatory Division  
Wilmington District

---

Date

**State Historic Preservation Officer:**



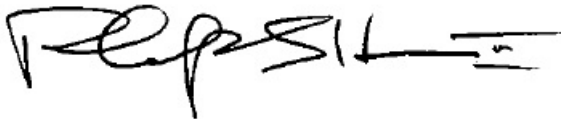
09-25-2020

Date: \_\_\_\_\_

---

Kevin Cherry, Ph. D.  
Deputy Secretary North Carolina Department of Natural and Cultural Resources

**North Carolina Department of Transportation:**



September 25, 2020

Date: \_\_\_\_\_

---

Philip S. Harris III, P.E., CPM  
Environmental Analysis Unit Head

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH  
BROAD RIVER AND PRIVATE DRIVE  
MADISON COUNTY, NORTH CAROLINA**

Execution of this MOA by USACE, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the USACE has afforded the Council an opportunity to comment on the Undertaking, and that USACE has taken into account the effect of the Undertaking on the historic properties.

**CONCUR:**

**WENDY JANSSEN**  Digitally signed by WENDY  
JANSSEN  
Date: 2020.10.01 17:16:54 -04'00'

Date: \_\_\_\_\_

\_\_\_\_\_  
Wendy Janssen  
Superintendent, Appalachian National Scenic Trail  
National Park Service

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH  
BROAD RIVER AND PRIVATE DRIVE  
MADISON COUNTY, NORTH CAROLINA**

Execution of this MOA by USACE, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the USACE has afforded the Council an opportunity to comment on the Undertaking, and that USACE has taken into account the effect of the Undertaking on the historic properties.

**CONCUR:**



October 2, 2020

Date: \_\_\_\_\_

\_\_\_\_\_  
Morgan Sommerville  
Regional Director, Appalachian Trail Conservancy

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH  
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MADISON COUNTY, NORTH CAROLINA**

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FILED:

\_\_\_\_\_  
Advisory Council on Historic Preservation

Date:\_\_\_\_\_

## **APPENDIX A**

### **Historic Structures and Landscape Recordation Plan For The Replacement of Bridge Number 67 on US 25/70 over the French Broad River and Private Drive Madison County, North Carolina**

#### **PHOTOGRAPHIC REQUIREMENTS**

- Elevations and oblique views of Bridge Number 67 and its setting.
- Representative structural and ornamental details of the bridge.

#### **Photographic Format**

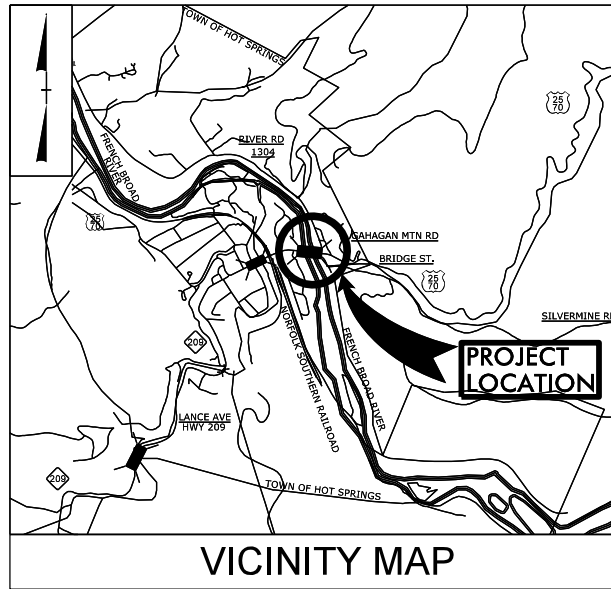
- Color digital images (all views). Images are to be shot on a SLR digital camera with a minimum resolution of 6 megabyte pixels, at a high quality (preferably RAW) setting, to be saved in TIF format as the archival masters and labeled according to the State Historic Preservation Office standards.
- All processing to be done to archival standards.
- The accompanying printed inventory of the images – including subject, location, date, and photographer information for each image – is to be completed according to the State Historic Preservation Office standards.

#### **Copies and Curation**

- One (1) set of all above mentioned photographic documentation, including a compact disc of labeled images, contact sheet, and proof sheet will be deposited with the North Carolina Office of Archives and History/Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection.
- One (1) contact sheet shall be deposited in the files of the Historic Architecture Section of NCDOT.

09/08/99

See Sheet 1A For Index of Sheets (Not Included)  
See Sheet 1B For Symbology Sheet



VICINITY MAP

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**MADISON COUNTY**

LOCATION: REPLACE EXISTING BRIDGE NO. 67  
OVER FRENCH BROAD RIVER ON US 25 US 70

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

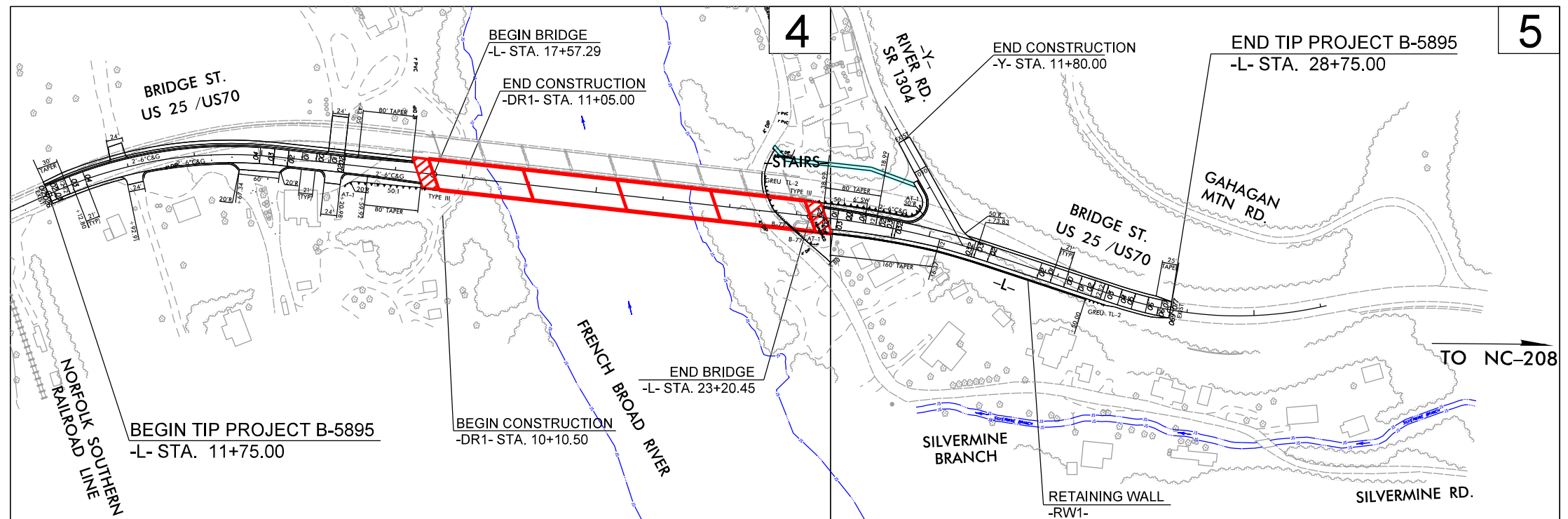
**Surface Water Impacts**

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-5895	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
B-5895	N/A	PE	
B-5895	N/A	R/W & UTILITY	

PERMIT DRAWING  
SHEET 1 OF 6



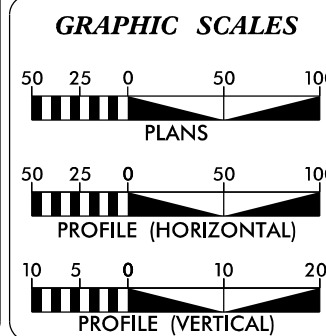
**TIP PROJECT: B-5895**



THIS PROJECT HAS NO CONTROL OF ACCESS  
THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HOT SPRINGS.  
CLEARING ON THIS PROJECT SHALL BE PERFORMED  
TO THE LIMITS ESTABLISHED BY METHOD \_\_\_\_.

**INCOMPLETE PLANS**  
DO NOT USE FOR R/W ACQUISITION  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

**CONTRACT:**



**DESIGN DATA**

ADT 2016	=	3800 VPD
ADT 2040	=	5600 VPD
K	=	11 %
D	=	55 %
T	=	7 % *
V	=	40 MPH
* TTST	=	2% DUAL = 5%
FUNC CLASS	=	MINOR ARTERIAL
REGIONAL TIER		

**PROJECT LENGTH**

LENGTH ROADWAY TIP PROJECT B-5895	=	0.215 MI
LENGTH STRUCTURE TIP PROJECT B-5895	=	0.107 MI
TOTAL LENGTH TIP PROJECT B-5895	=	0.322 MI

Prepared In the Office of  
**wsp**  
WSP USA  
434 FAYETTEVILLE STREET  
SUITE 1500  
RALEIGH, NC 27601  
TEL: 1-919-836-1040  
FAX: 1-919-836-4099  
LICENSE NO. 15-0165

FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
January 18, 2022

LETTING DATE:  
January 17, 2023

NCDOT CONTACT: DAVID STUTTS, PE  
STRUCTURES MANAGEMENT UNIT

RONYELL THIGPEN, PE  
PROJECT ENGINEER

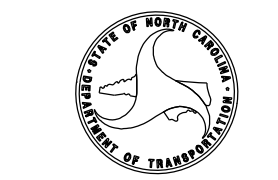
HOLLY CHRISTENBURY, PE  
PROJECT DESIGN ENGINEER

**HYDRAULICS ENGINEER**

SIGNATURE: \_\_\_\_\_ P.E.

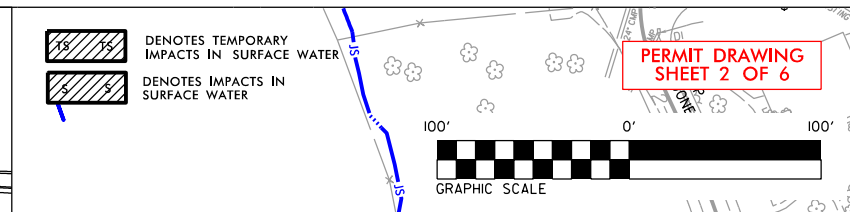
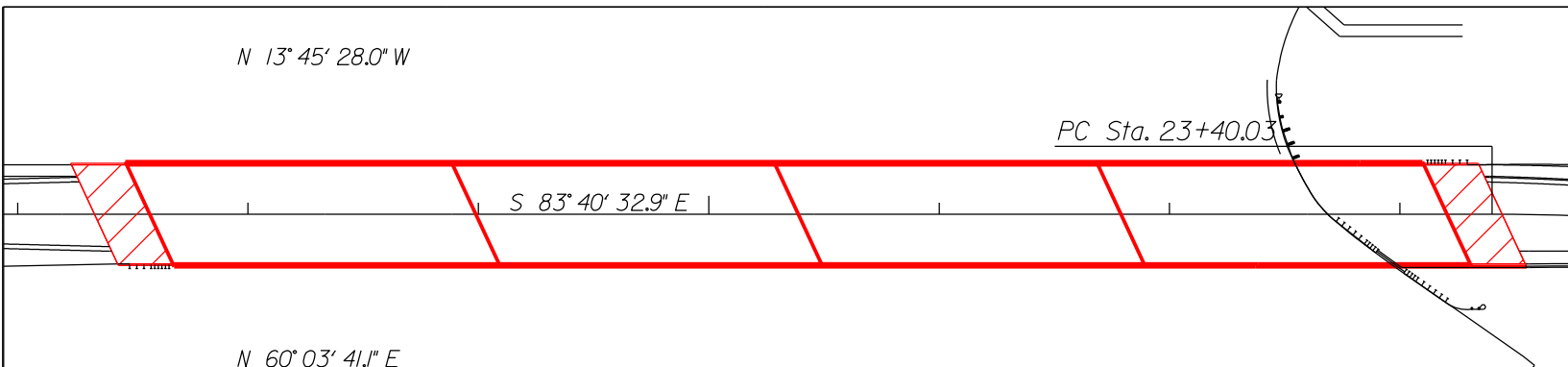
ROADWAY DESIGN ENGINEER

SIGNATURE: \_\_\_\_\_ P.E.

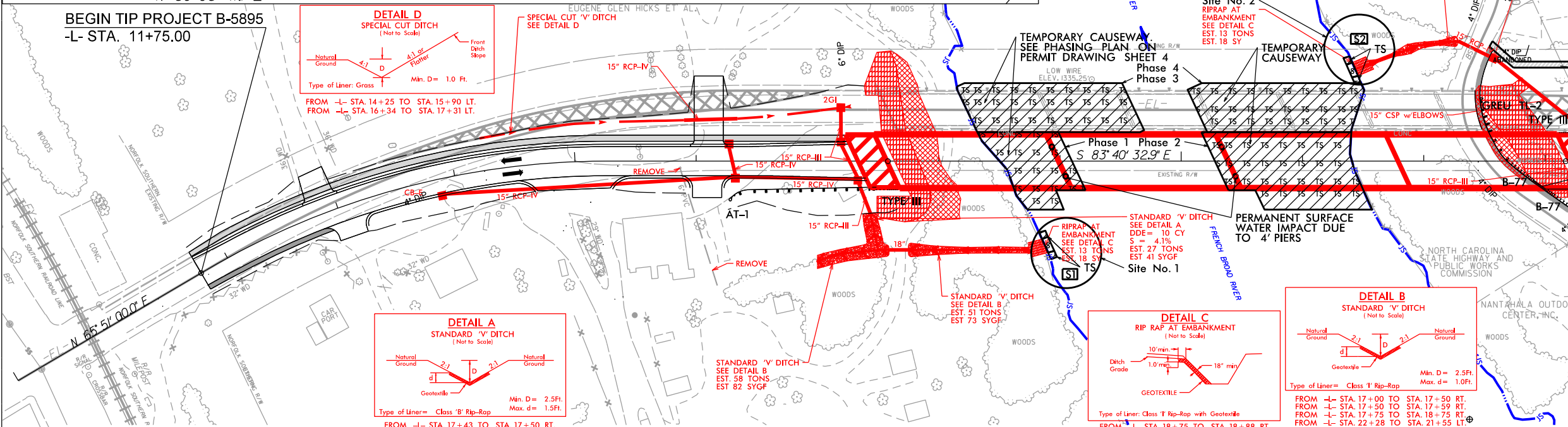


\$\$\$\$\$SYTIME\$\$\$\$\$  
\$\$\$\$\$DDGN\$\$\$\$\$  
\$\$\$\$\$USERNAME\$\$\$\$\$

8/17/99



PROJECT REFERENCE NO.	SHEET NO.
B-5895	4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>	
PLANS PREPARED BY:	
WSP USA 434 FAYETTEVILLE STREET SUITE 1500 RALEIGH, NC 27601 TEL: 1.919.856.4040 FAX: 1.919.856.4099 LICENSE NO. F-0165	

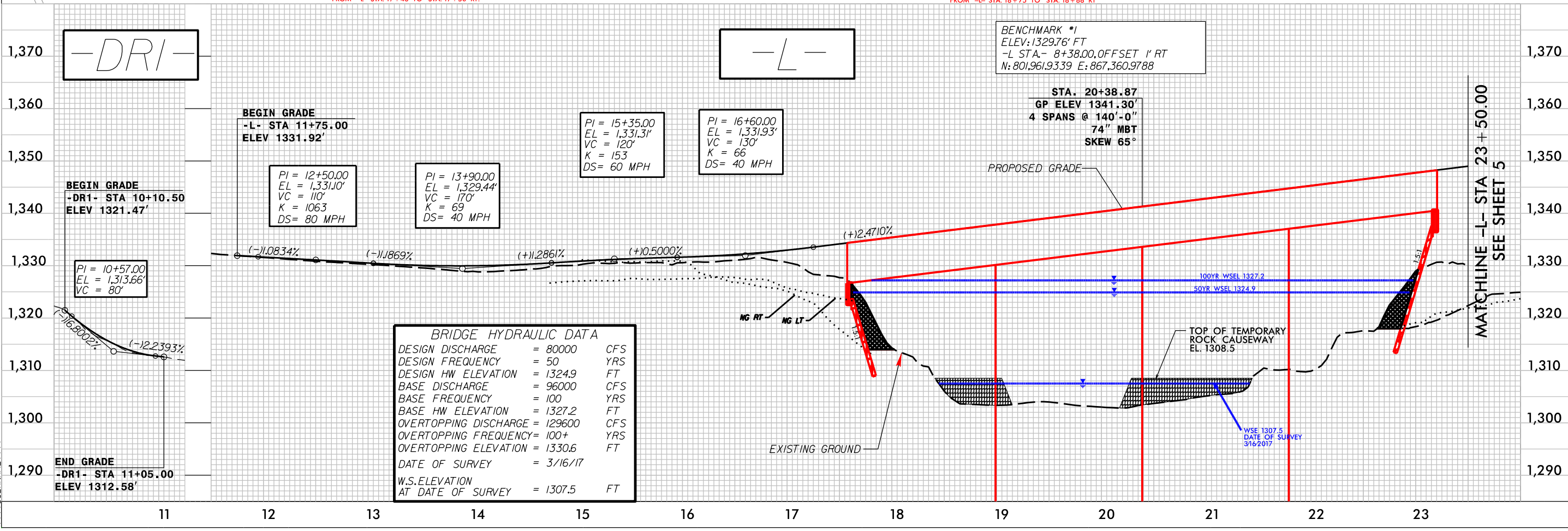


ROBERT RODRIGUEZ  
DB 333 PG 611

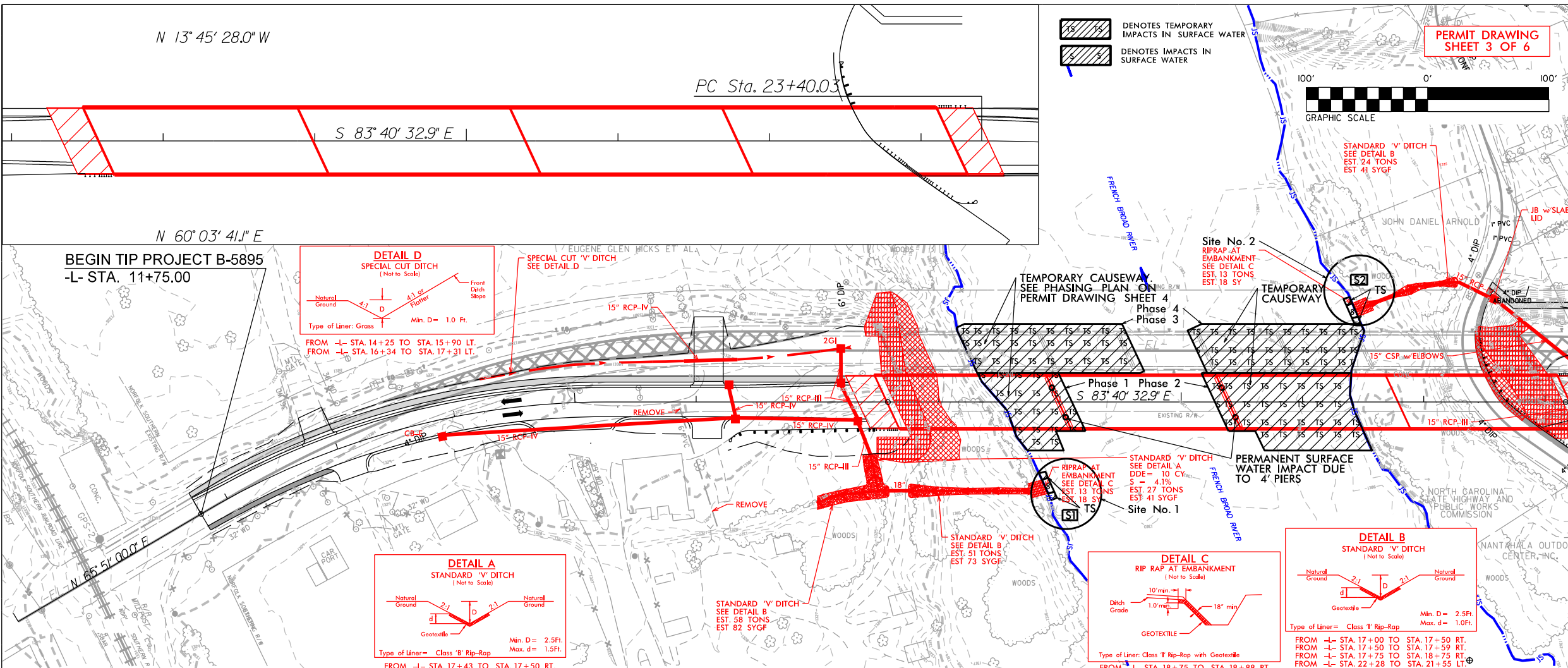
NAD 83/NSRS 2007

RETAINING WALL & CONC. BARRIER

MATCHLINE -L- STA 23+50.00  
SEE SHEET 5



8/17/99



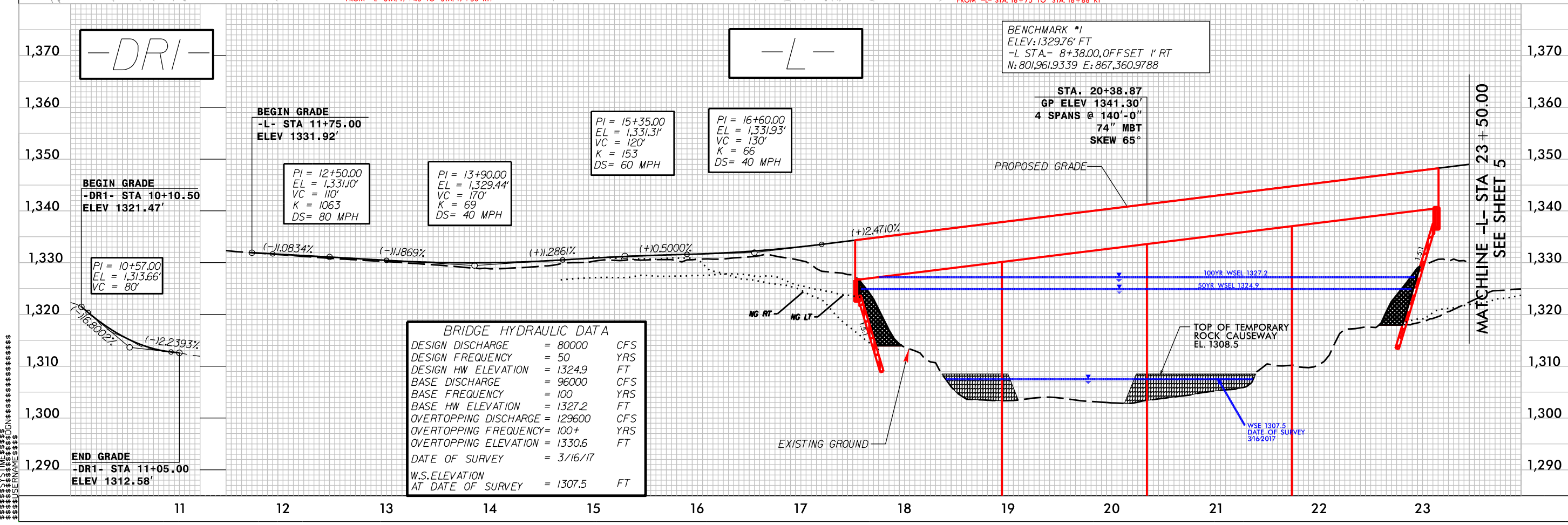
PROJECT REFERENCE NO.	SHEET NO.
B-5895	4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</b>	
PLANS PREPARED BY:	
WSP USA 434 FAYETTEVILLE STREET SUITE 1500 RALEIGH, NC 27601 TEL: 1.919.856.4040 FAX: 1.919.856.4099 LICENSE NO. F-0165	

ROBERT RODRIGUEZ  
DB 333 PG 611

RETAINING WALL & CONC. BARRIER

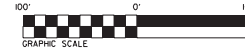
MATCHLINE -L- STA 23+50.00  
SEE SHEET 5

NAD 83/NSRS 2007

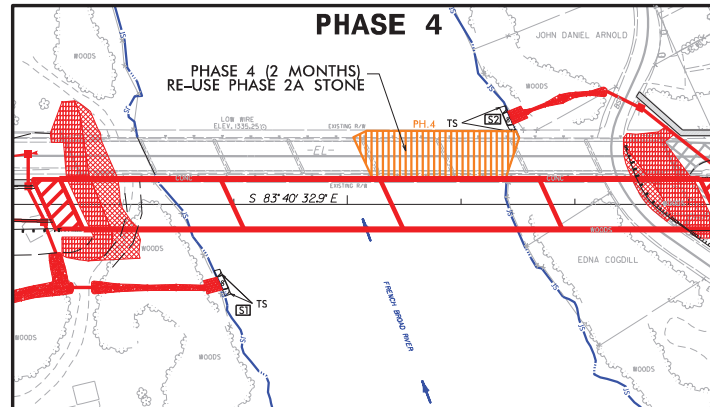
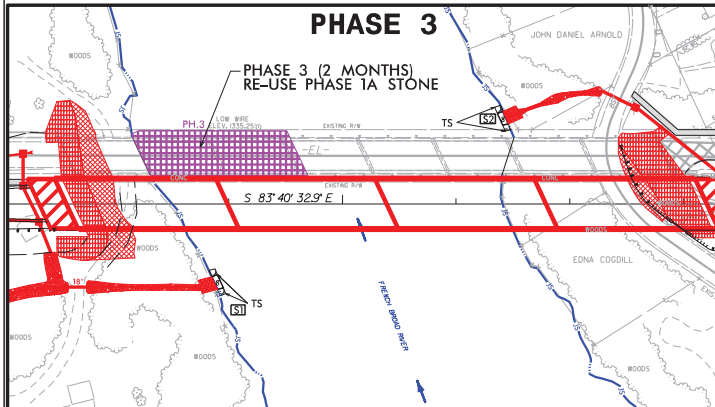
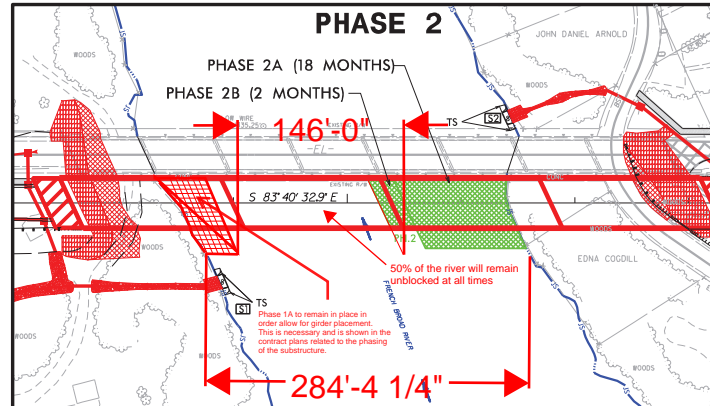
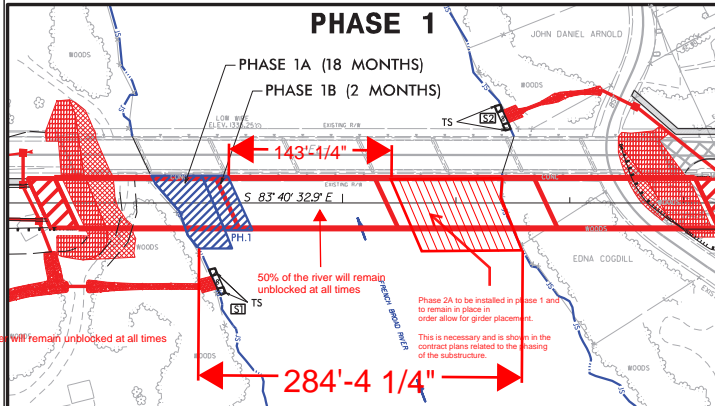


8/17/99

PERMIT DRAWING  
SHEET 4 OF 6



### TEMPORARY ROCK CAUSEWAY PHASING PLAN



#### NOTES

1. NO MORE THAN 50% OF THE WIDTH OF THE RIVER SHALL BE BLOCKED AT ONE TIME. (PHASES 1 AND 2 CANNOT BE PERFORMED AT THE SAME TIME)
2. RIPRAP CAN BE RE-USED ON SITE FROM PHASE TO PHASE.
3. CAUSEWAYS SHALL BE REMOVED USING LEAST IMPACTFUL MEASURES POSSIBLE.
4. PHASES 3 AND 4 ARE FOR REMOVAL OF EXISTING BRIDGE BENTS.
5. CONSTRUCTION TIMES SHOWN ARE APPROXIMATE.
6. SITES 1 AND 2, RIPRAP AT EMBANKMENTS, CAN BE CONSTRUCTED AT ANY TIME.

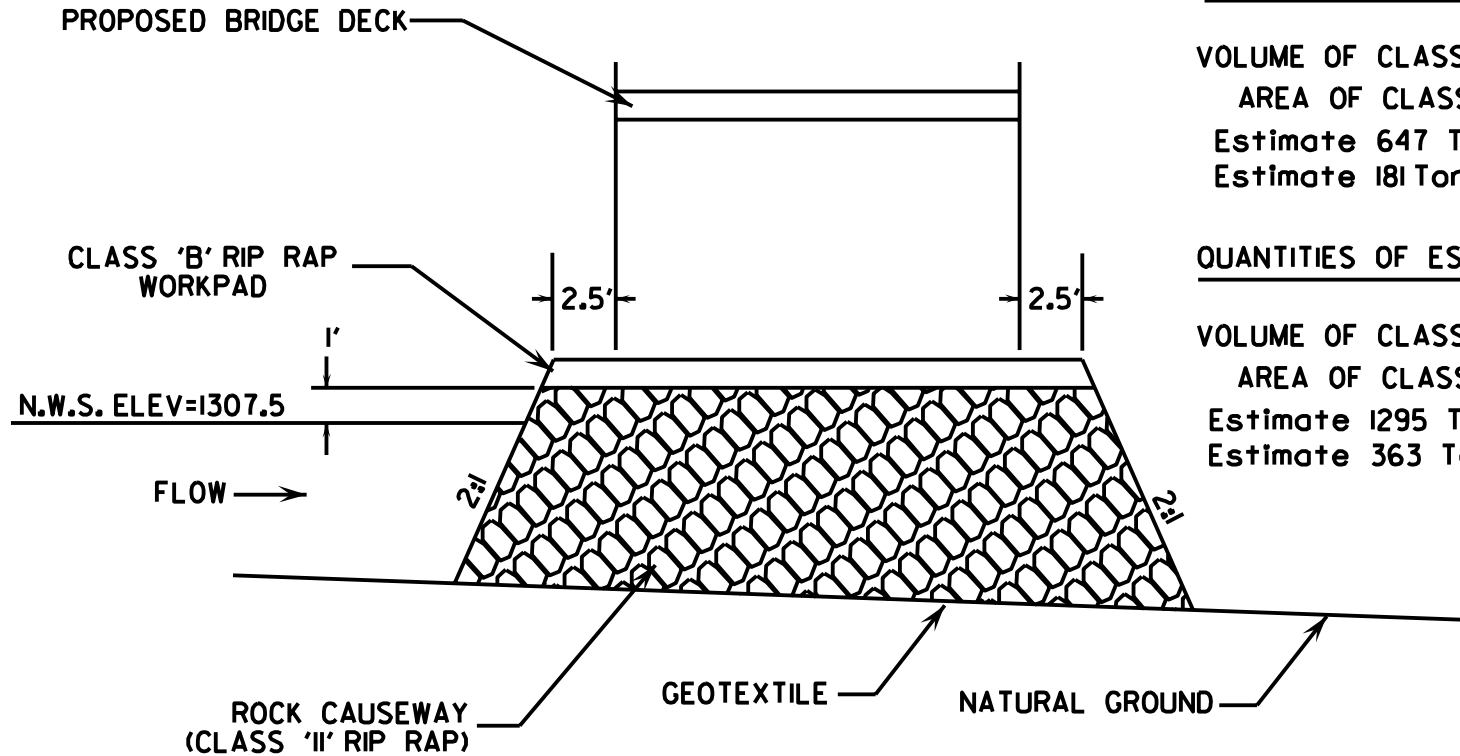
#### Additional Notes:

- 1) Phase 1A and 2A would be installed and remain installed during phase 1 and phase 2 to allow for girder erection.
- 2) Phase 1B and 2B will not be installed during the same time to allow for at least, if not more than, 50% of the width of the river to remain open at all times.
- 3) The Construction times shown would remain unchanged and as shown are approximate according to existing note 5.

PROJECT REFERENCE NO. B-5895	SHEET NO. 4
RDW SHEET NO. ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
<b>INCOMPLETE PLANS</b> DO NOT USE FOR P.P.F. ACQUISITION	
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED	
PLANS PREPARED BY: <b>WSP</b>	
WSP USA 141 EAST FAYVILLE STREET SUITE 1500 RALEIGH, NC 27601 TEL: 1-919-886-4000 FAX: 1-919-886-4099 LICENSE NO. E-0065	

NAD 83/NSRS 2007

# TEMPORARY ROCK CAUSEWAY (NOT TO SCALE)



## QUANTITIES OF ESTIMATES - PHASE 1

VOLUME OF CLASS II RIP RAP= 456 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.08 ac  
 Estimate 647 Tons Class 'II' Rip Rap  
 Estimate 181 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 2

VOLUME OF CLASS II RIP RAP= 913 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.16 ac  
 Estimate 1295 Tons Class 'II' Rip Rap  
 Estimate 363 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 3

VOLUME OF CLASS II RIP RAP= 711 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.13 ac  
 Estimate 1008 Tons Class 'II' Rip Rap  
 Estimate 283 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 4

VOLUME OF CLASS II RIP RAP= 654 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.12 ac  
 Estimate 927 Tons Class 'II' Rip Rap  
 Estimate 260 Tons Class 'B' Rip Rap

**N.C. DEPT. OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 MADISON COUNTY**

PROJECT: 48088.1.1 (B-5895)  
 BRIDGE NO. 67  
 OVER FRENCH BROAD RIVER  
 ON US 25

**WETLAND AND SURFACE WATER IMPACTS SUMMARY**

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			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)
S1	L- Sta. 18+75 to 18+88	Rip Rap at Embankment						< 0.01	< 0.01	12		
S2	L- Sta. 21+42 to 21+55	Rip Rap at Embankment						< 0.01	< 0.01	12		
	L- Sta. 18+50 to 21+40	Temp. Rock Causeways							0.49		113	
<b>TOTALS*:</b>								< 0.01	0.49	24	113	0

\*Rounded totals are sum of actual impacts

**NOTES:**

Linear Impacts are shown such that they do not double count due to impacts on both sides of the stream.  
 Permanent Surface Water Impacts due to drilled piers: 50 sq. ft. (0.001 ac) <0.01 acre

NC DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAYS  
 8/16/2019  
 Madison County  
 B-5895  
 310045  
 SHEET 6 OF 6