



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

August 26, 2025

U. S. Army Corps of Engineers
Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28805

NC Division of Water Resources
Transportation Permitting Branch
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211

ATTN: Ms. Crystal Amschler,
NCDOT Coordinator

Ms. Amy Annino,
NCDOT Coordinator

Subject: **1) Section 404 Nationwide Permit 3/33 & 401 Individual Water Quality Certification**
for the "Upper Section" of NC 9 (from "Station 37" to the Buncombe County Line).
2) Modification to Site 1 of the previously issued permits for the "Lower Section"
(NC 9 from US 74A to Station 37).

Henderson County, Division 14, WBS 18314.1045061.

Reference: 404 Permit; Action ID: SAW-2025-00325, dated 8/8/2025.
401 Certification; Project No. 20250664, dated 8/4/2025.

Dear Madams:

The North Carolina Department of Transportation (NCDOT) proposes the following project as the result of damage caused by Hurricane Helene in late September 2024:

- Permitting the remainder of NC 9
- In-channel work adjacent to the previously permitted section of NC 9.

The lower section of this project was previously permitted under (SAW-2025-00325, DWR #: 20250664) and includes NC 9 from the intersection of NC 9 and US 74A, to Station 37 (approximately 0.7-mile away from the intersection). This included impact sites notated as S1, S2, S3 and S4 along the Broad River.

The remainder of NC 9, also referred to as the "upper section" includes NC 9 from Station 37 (approximately 0.8 mile away from the intersection of NC 9 and US 74A) to the Buncombe County line.

The Remainder of NC 9/ Upper Section

The Upper Section includes sites notated as S5 through S13 on Grassy Creek and Unnamed Tributaries.

Impacts for this section are described in the tables below.

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed / Impact Description
Site 5 UT to Broad River	Maintenance Exemption	--	--	--	--
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	127 ft (0.006 ac)	--	--	<p>Site 5 is on Sheet 10</p> <p>NWP 3: Prior to Helene, this UT entered a 42" pipe under NC 9.</p> <p>During Helene, this 42" cross pipe became obstructed, and the stream made a new path along the east side NC 9, eroding and damaging NC 9.</p> <p>A temporary 24" cross pipe was installed after the storm until a more permanent solution could be made.</p> <p>This project proposes to install a 48" pipe at approximately the same location as the original, pre-Helene pipe.</p> <p>There will be 127 feet of permanent impact to properly align the stream back to the pipe inlet and outlet.</p> <p>We anticipate the contractor using dewatering techniques to construct this site. To account for the dewatering, impacts are shown to the PDE line.</p>
	Notification Required (After the Fact)	--	--	32 ft	A temporary/ emergency 24" HDPE, 32 lf in length was installed to temporary handle this stream.

Site 6 UT to Broad River	Maintenance Exemption	--	--	--	--
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	131 ft (0.006 ac)	--	--	<p>NWP 3 (Permit Sheet 10) Prior to Helene, this UT paralleled NC 9, and flowed into the UT noted at Site 5. Post Helene, the stream remains unstable, potentially destabilizing the roadway as it parallels NC 9. NCDOT proposes to place this stream in a rip-rap lined ditch to secure it and reduce the velocities of this UT. The stream will then flow into the 48" pipe noted at Site 5</p>
	Notification Required (After the Fact)	--	--	26 ft (0.001 ac)	<p>NWP 33 We anticipate the contractor using dewatering techniques to construct this site. To account for dewatering, impacts are shown to the PDE line.</p>

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed / Impact Description
Site 7 Grassy Creek	Maintenance Exemption	398 ft (0.060 ac)	--	--	<p>Site 7 is on Sheet 14 and zoomed on Sheet 16.</p> <p>Site 7 includes 2 impacts:</p> <p>-The existing culvert was perched pre-Helene but scoured further as a result of the storm. This impact is to correct the perch.</p> <p>-The second impact is the restoration of Grassy Creek to Pre-Helene conditions. This includes the stabilization of the banks, to allow for the stabilization of NC 9. No excavation or changing the grade of Grassy Creek is proposed.</p>
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)			207 ft (0.194 ac)	<p>NWP 3:</p> <p>We anticipate the contractor using either impervious dikes or a pump around operation to dewater the site. To account for dewatering, the impacts are shown to the construction easement.</p>
	Notification Required (After the Fact)	--	--	--	--

Site 8 UT to Grassy Creek	Maintenance Exemption	122 ft (0.011 ac)	--	--	<p>Site 8 is on Sheet 14 and zoomed on Sheet 18:</p> <p>This site was significantly impacted by landslide damage. Pre-Helene, two streams came together and flowed into a significantly undersized 24" pipe. To provide the proper hydraulic capacity, these streams will now flow through two different pipes and converge at the outlet of the pipes.</p> <p>There will be 122 lf of impact required to return the stream to its pre-Helene condition, and to align it with a new 66" pipe.</p> <p>Impact includes inlet and outlet protection as well as rock stabilization within channel.</p>
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	--	--	37 ft (0.004 ac)	<p>NWP 33:</p> <p>To account for dewatering, we extended the impacts past the installation area.</p>
	Notification Required (After the Fact)	--	--	--	

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed / Impact Description
Site 9 UT to Grassy Creek	Maintenance Exemption	--	--	--	--
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	111 ft (0.010 ac)	--	--	<p>Site 9 is on Sheet 14 and zoomed on Sheet 18: This site was significantly impacted by landslide damage.</p> <p>NWP 3: As described at Site 8, Pre-Helene, two streams came together and flowed into a significantly undersized 24" pipe. To provide the proper hydraulic capacity, these streams will now flow through two different pipes and converge at the outlet of the pipes.</p> <p>There will be 111 lf of impact required to align the stream to the new 54" pipe.</p> <p>Impact includes inlet and outlet protection, and rock stabilization within channel.</p>
		--	--	24 ft (0.001 ac)	<p>NWP 33: This site is working in tandem with Site 8 to convey the stream flow. To account for dewatering, the impacts extend past the installation area.</p>
Notification Required (After the Fact)	--	--	--	--	
Site 10 UT to Grassy Creek	Maintenance Exemption	--	--	--	--
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	83 ft (0.004 ac)	--	--	<p>Site 10 is on Sheet 14 This site was significantly impacted by landslide damage.</p> <p>NWP 3: This stream is a previously modified feature after a landslide in 2019. It will be filled by the establishment of a retaining wall.</p>
		Notification Required (After the Fact)	--	--	--
Site 11 Grassy Creek	Maintenance Exemption	51 ft (0.010 ac)			<p>Site 11 is on Sheet 20 The existing dual 48" pipes were perched pre-Helene but scoured further as a result of the storm. This impact is to correct the perch.</p>
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	--	--	16 ft (0.003 ac)	<p>NWP 33: It is anticipated the contractor will either use impervious dikes or a pump around operation to dewater the site. To account for this activity, impacts are shown to the PDE line.</p>
		Notification Required (After the Fact)	--	--	--

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed / Impact Description
Site 12 UT to Broad River	Maintenance Exemption	--	--	--	--
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	4 ft (0.001 ac)	--	15 ft (0.001 ac)	Site 12 is on Sheet 20 and zoomed on Sheet 22: This site is the downstream impact associated with the pipe replacement at Site 13.
	Notification Required (After the Fact)	--	--	--	--
Site 13 UT to Broad River	Maintenance Exemption	15 ft (0.001 ac)	--	--	Site 13 is on Sheet 20 and zoomed on Sheet 22: This impact site is the result of the replacement of the damaged and undersized 24" pipe with a 36" pipe.
	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)	--	--	8 ft (0.001 ac)	NWP 33: It is anticipated the contractor will use dewatering techniques for the site. To account for the dewatering, impacts have been extended past the area needed for installation.
	Notification Required (After the Fact)	--	--	--	
Category Totals	Maintenance Exemption	586 lf (0.091 ac)	--	--	
	Non-Notifying	--	--	--	
	Notification Required (Not After the Fact)	456 lf (0.027 ac)	--	333 lf (0.205 ac)	
	Notification Required (After the Fact)	--	--	32 lf	
Grand Totals		1,042 lf (0.118 ac)	--	365 lf (0.205 ac)	

The information above is provided in accordance with the " US Army Corps of Engineers, Wilmington District' s Information for Hurricane Helene Recovery and Repair Work Conducted by the North Carolina Dept of Transportation in Waters of the US " dated February 10, 2025.

In-channel work adjacent to the previously permitted section of NC 9.

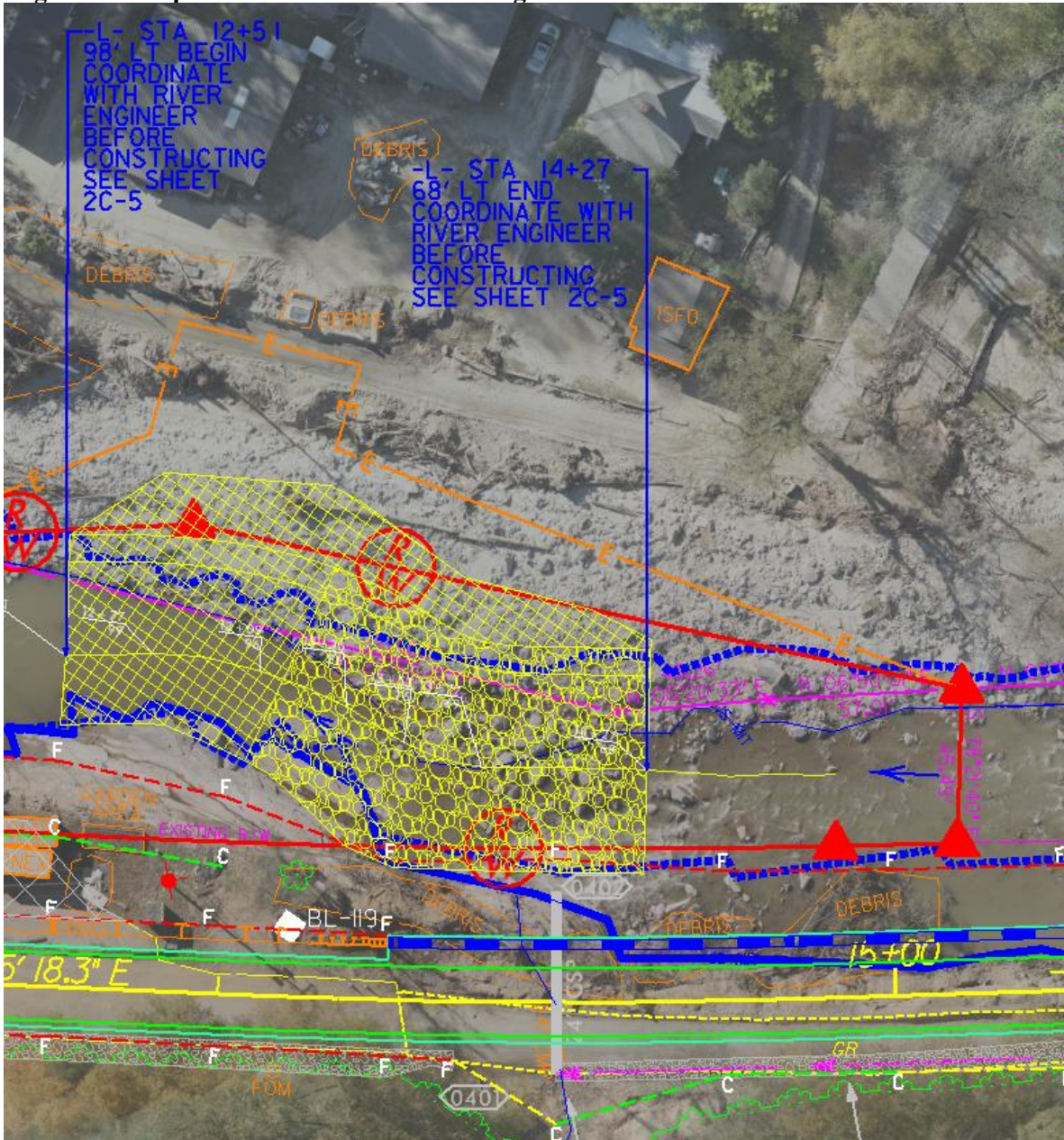
When the final designs for the roadway were complete, the resulting Broad River was hydraulically modeled to determine any high energy areas. One area between -L- Stations 12+51 and 14+27 showed that the Broad River had migrated towards NC-9 approximately 10 feet and was predicted to potentially cause erosion of the proposed roadway embankment due to the high energy present at a sharp turn in the post-Helene Broad River alignment. This high energy is shown as a blue highlighted area in Figure 1.

Figure 1. Modeled High Energy Zones (blue) within the Broad River



The design team is proposing to increase the resiliency of the work proposed (and previously permitted) at Site 1 by moving the Broad River back over to its original location, shown as a thick dashed blue line, using smooth sinuous curves, shown as a thin yellow line in Figure 2. An NCDOT approved Detail and Special Provision of the in-stream work is attached as PDF pages 26 and 27.

Figure 2 – Proposed Broad River Stream Alignment



As with the original permit, multiple sources of information were compared and utilized to determine the pre-Helene location of the bank including:

- Google Earth Pro historical aerial imagery
- Henderson County GIS historical images and contours
- Flood Risk Information System shape files and aerial imagery
- Multiple years of NC OneMap Orthoimagery Tiles
- North Carolina's Spatial Data Download of QL2 contours

This work will involve the following activities:

- Re-grading of the bank on the opposite side of NC 9 and restoring the previous edge of water location.
- Removing the loose, deposited material
- All river material will consist of previously harvested river material which was deposited in upland areas and temporarily used to re-stabilize NC 9, on Sheet 4.
- The natural bottom of the Broad River in this vicinity is bedrock. NCDOT will not excavate or modify the bedrock bottom.

The total permanent and temporary impacts at Site 1 remain 2,295 linear feet of stream impact. However, the division of impacts has changed. **New values are shown in red.**

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed / Impact Description
Site 1	Maintenance Exemption	--	1,073 lf (0.278 ac)	--	See above explanation for in channel work.
			1,129 ft (0.300 ac)		
Broad River	Non-Notifying	--	--	--	--
	Notification Required (Not After the Fact)			1,222 lf (1.029)	NWP 33: This impact includes an update to impacts requested within the original permit. Adjustments are based on the stream stabilization measures.
				1,166 lf (1.067 ac)	
	Notification Required (After the Fact)	--	--	--	--

The remaining sites on the lower section (Sites S2, S3 and S4) have not changed.

Endangered Species Act: Protected Species listed from IPaC¹ as of the date of this application:

Common Name	Habitat Present	Survey Dates ²	Proposed Biological Conclusion	FWS Concurrence Remarks
Gray bat Northern long-eared bat Tricolored bat (Proposed)	Yes	2/24/2025	May Affect, Likely to Adversely Affect (under PBO/PCO) ³	Concur ⁴
Bog turtle	No	n/a	Not Required	n/a
Monarch butterfly (Proposed) ⁵	Unknown	n/a	n/a	n/a
Rock gnome lichen	No	n/a	No Effect	n/a
White irisette	No	2/24/2025	No Effect	n/a
Small whorled pogonia	No	2/24/2025	No Effect	n/a

1 IPaC – Information for Planning and Consultation (US Fish and Wildlife Service)

2 Original delineation and habitat survey conducted 2/24/2025.

3 There is a total of 0.34 acre of tree clearing over the entire project.

4 Section 7 consultation was completed for the entire project on July 7, 2025, and included using the NCDOT Bat Programmatic Biological Opinion.

5 Due to the recent listings of monarch butterfly within the proposed action area, NCDOT does not have complete information at this time. It is anticipated that construction will be complete by the timeframes proposed for full listing, should the species be formally listed.

Historic Resources Summary (documentation included)

106 Topic	Findings	
Historic Architecture	No Historic Properties Present	
Archaeology	No Surveys Required	
Tribal Coordination	Tribe	Response
Tribal Coordination Letters were sent to the following Tribes on March 10, 2025:	Catawba Indian Nation	March 27, 2025
	Cherokee Nation	<i>No response received</i>
	Eastern Band of Cherokee Indians	<i>No response received</i>
	Muscogee (Creek) Nation	<i>No response received</i>
	United Keetoowah Band of Cherokee Indians in Oklahoma	<i>No response received</i>

If you have any questions or need additional information, please contact Michael Turchy, at maturchy@ncdot.gov or (919) 707-6157.

Sincerely,

 Digitally signed by Michael Turchy

Michael A. Turchy
Environmental Coordination and Permitting Group Leader

Project Submittal Interim Form



Updated December 4, 2023

*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.*

- Project Type: ***
- For the Record Only (Courtesy Copy)
 - New Project
 - Modification/New Project with Existing ID
 - More Information Response
 - Other Agency Comments
 - Pre-Application Submittal
 - Re-Issuance/Renewal Request
 - Stream or Buffer Appeal

Project Contact Information

Name: Michael Turchy
Who is submitting the information?

Email Address: * maturchy@ncdot.gov

Project Information

Existing ID #: *	Existing Version: *
20250664	1
<i>20170001 (no dashes)</i>	<i>1</i>

Project Name: * Helene NC 9 in Henderson County from US 74 A to the Buncombe County Line

Is this a public transportation project? *

- Yes
- No

Is this a DOT project? *

- Yes
- No

Is the project located within a NC DCM Area of Environmental Concern (AEC)? *

- Yes
- No
- Unknown

Does this project involve maintenance dredging funded by the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund, electric generation projects located at an existing or former electric generating facility, or involve the distribution or transmission of energy or fuel, including natural gas, diesel, petroleum, or electricity? *

- Yes
- No

Is this project connected with ARPA funding? *

- Yes
- No

TIP#:

WBS#:

18314.1045061

(Applies to DOT projects only)

County (ies) *

Henderson

Please upload all files that need to be submitted.

[Click the upload button or drag and drop files here to attach document](#)

Helene NC 9 Upper Application - Lower Modification

13.59MB

Request.pdf

[Only pdf or kmz files are accepted.](#)

Describe the attachments or add comments:

This submittal contains two requests:

- 1) Section 404 Nationwide Permit 3/33 & 401 Individual Water Quality Certification for the "Upper Section" of NC 9 (from "Station 37" to the Buncombe County Line).
- 2) Modification to Site 1 of the previously issued permits for the "Lower Section" (NC 9 from US 74A to Station 37).

* By checking the box and signing box below, I certify that:

- I, the project proponent, hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief.
- I, the project proponent, hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I agree that submission of this online form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the online form.

Signature: *



Michael Turchy

Submittal Date:

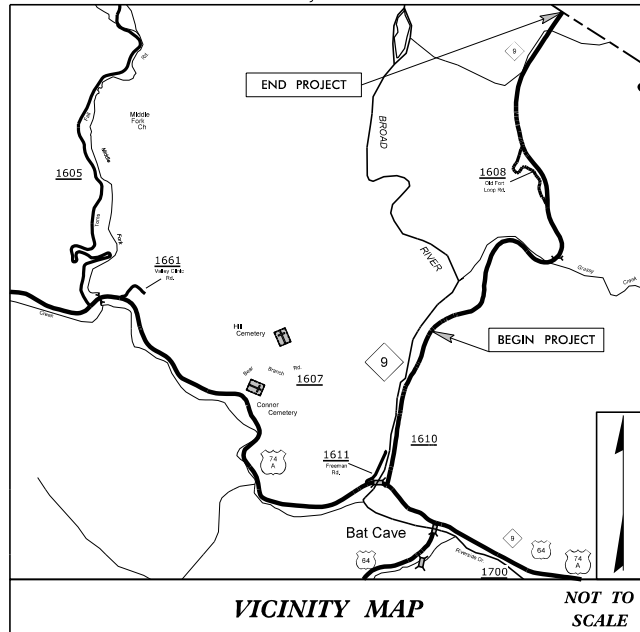
Permit Drawings

09/08/99

PROJECT: NC-9

CONTRACT: ?

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



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

HENDERSON COUNTY

LOCATION: NC-9 FROM 2700' NORTH OF THE
US 74A /NC-9 INTERSECTION TO THE
BUNCOMBE COUNTY LINE

TYPE OF WORK: GRADING, DRAINAGE,
PAVING, AND RETAINING WALLS

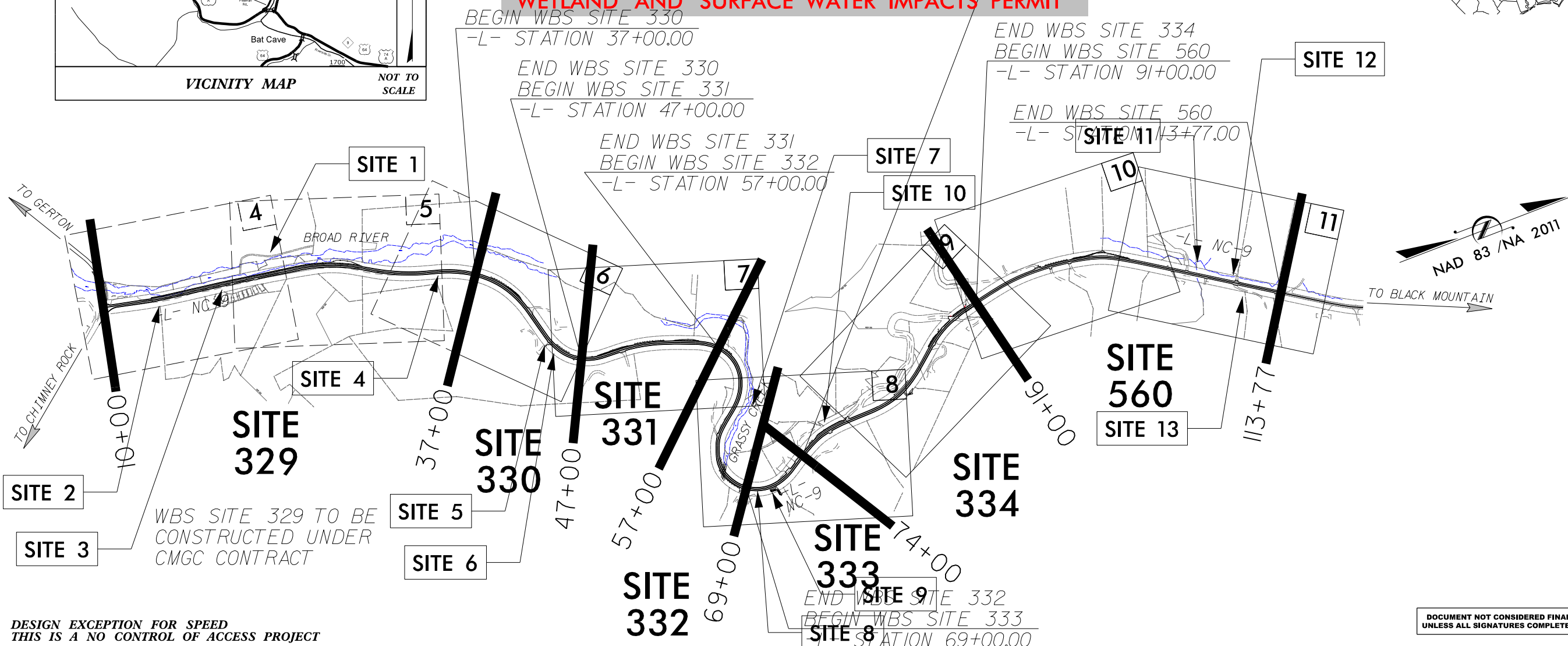
WETLAND AND SURFACE WATER IMPACTS PERMIT

PERMIT DRAWING
SHEET 1 OF 24

DATE: 8/19/2025

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	NC-9	1	
STATE PROJ. NO.	DESCRIPTION		
18314.1045061	329		
18314.1045035	330		
18314.1045063	331		
18314.1045062	332		
18314.1045074	333		
18314.1045073	334		
18314.1045135	560		

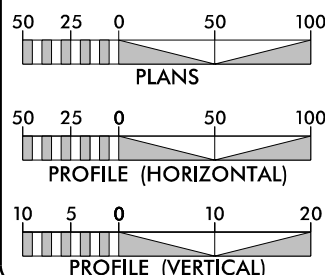
ROADWAY FINAL PLAN SET



DESIGN EXCEPTION FOR SPEED
THIS IS A NO CONTROL OF ACCESS PROJECT

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

GRAPHIC SCALES



DESIGN DATA

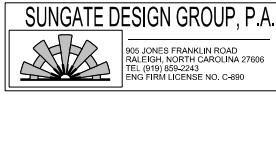
ADT 2025 = 1000
 K = N/A
 D = N/A
 T = 7%
 V = 45 MPH

FUNC CLASSIFICATION =
 MAJOR COLLECTOR
 REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY PROJECT NC-9 = 1.454 MILES
 TOTAL LENGTH PROJECT NC-9 = 1.454 MILES

PREPARED IN THE OFFICES OF:



FOR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

2024 STANDARD SPECIFICATIONS
3R GUIDELINES

RIGHT OF WAY DATE:
FEBRUARY 6, 2025

LETTING DATE:
AUGUST 12, 2025

A. DEAN SARVIS, P.E.
PROJECT ENGINEER

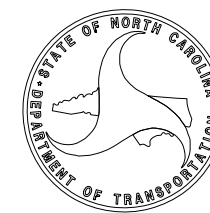
JOSH B DEYTON, P.E.
NCDOT DIVISION 14 CONTACT

HYDRAULICS ENGINEER

SIGNATURE: _____
ROADWAY ENGINEER

SIGNATURE: _____


P.E.



8/19/2025
NC-9_Hyd_prm_wet_psh_01.dgn
Istanovich

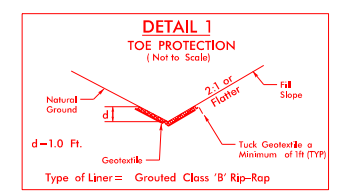
**PERMIT DRAWING
SHEET 2 OF 24**

DATE: 8/19/2025

PROJECT REFERENCE NO. NC-9	SHEET NO. 20-1
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL: (919) 858-2243 ENG FIRM LICENSE NO. C-890	

8/17/99

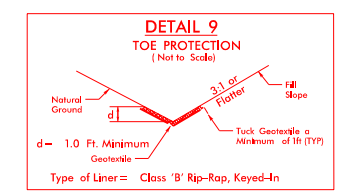
REVISIONS



**DETAIL 1
TOE PROTECTION**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap

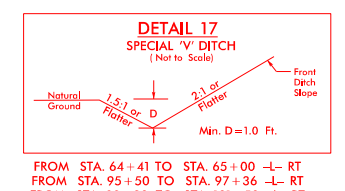
FROM STA. 10+50 TO STA. 11+28 -L- RT
 FROM STA. 11+34 TO STA. 13+50 -L- RT
 FROM STA. 53+00 TO STA. 56+80 -L- RT
 FROM STA. 73+50 TO STA. 75+50 -L- RT
 FROM STA. 77+68 TO STA. 80+00 -L- RT



**DETAIL 9
TOE PROTECTION**
(Not to Scale)

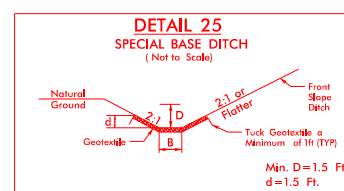
Type of Liner = Class 'B' Rip-Rap, Keyed-In

FROM STA. 31+50 TO STA. 32+50 -L- RT



**DETAIL 17
SPECIAL 'V' DITCH**
(Not to Scale)

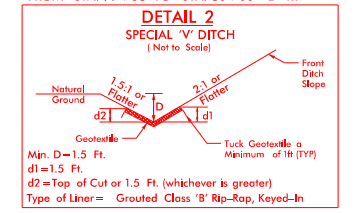
FROM STA. 64+41 TO STA. 65+00 -L- RT
 FROM STA. 95+50 TO STA. 97+36 -L- RT
 FROM STA. 99+00 TO STA. 101+50 -L- RT



**DETAIL 25
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

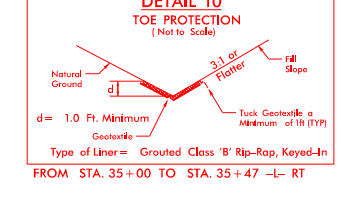
FROM STA. 90+70 TO STA. 93+50 -L- RT



**DETAIL 2
SPECIAL 'V' DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

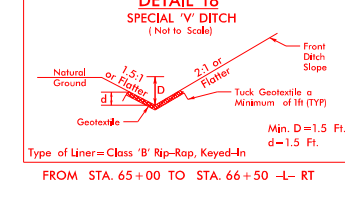
FROM STA. 14+00 TO STA. 17+50 -L- RT



**DETAIL 10
TOE PROTECTION**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

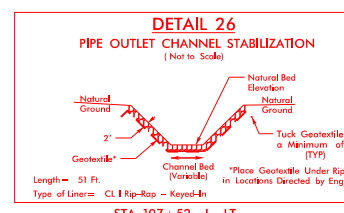
FROM STA. 35+00 TO STA. 35+47 -L- RT



**DETAIL 18
SPECIAL 'V' DITCH**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

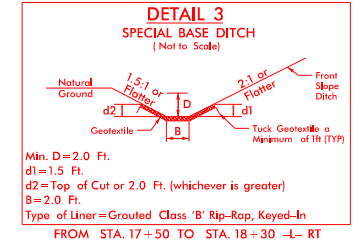
FROM STA. 65+00 TO STA. 66+50 -L- RT



**DETAIL 26
PIPE OUTLET CHANNEL STABILIZATION**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap - Keyed-In

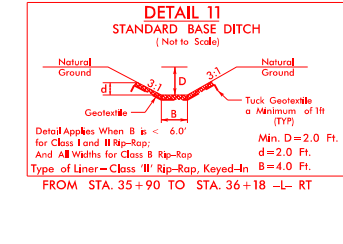
STA. 107+52 -L- LT



**DETAIL 3
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

FROM STA. 17+50 TO STA. 18+30 -L- RT

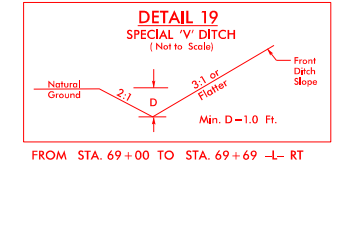


**DETAIL 11
STANDARD BASE DITCH**
(Not to Scale)

Detail Applies When B is < 6.0' for Class Land II Rip-Rap; And All Widths for Class B Rip-Rap

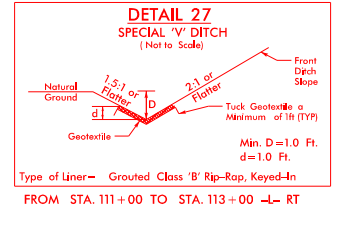
Type of Liner = Class 'B' Rip-Rap, Keyed-In

FROM STA. 35+90 TO STA. 36+18 -L- RT



**DETAIL 19
SPECIAL 'V' DITCH**
(Not to Scale)

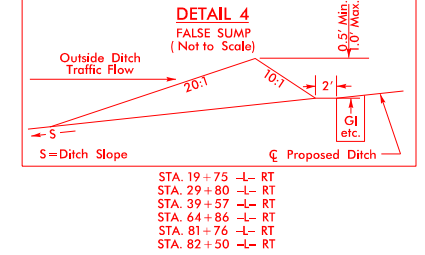
FROM STA. 69+00 TO STA. 69+69 -L- RT



**DETAIL 27
SPECIAL 'V' DITCH**
(Not to Scale)

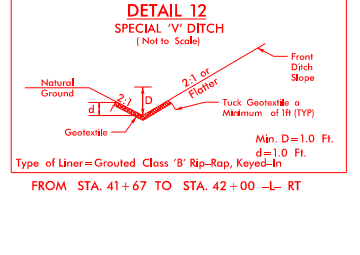
Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

FROM STA. 111+00 TO STA. 113+00 -L- RT



**DETAIL 4
FALSE SUMP**
(Not to Scale)

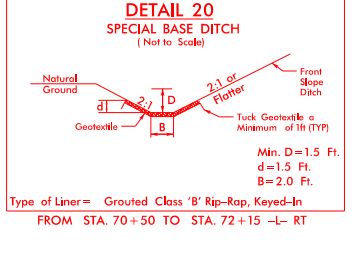
FROM STA. 19+75 -L- RT
 STA. 29+80 -L- RT
 STA. 39+57 -L- RT
 STA. 64+86 -L- RT
 STA. 81+76 -L- RT
 STA. 82+50 -L- RT



**DETAIL 12
SPECIAL 'V' DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

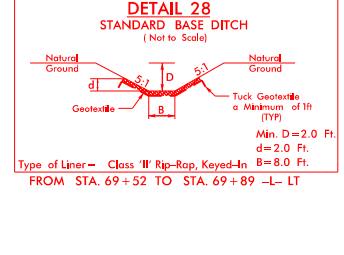
FROM STA. 41+67 TO STA. 42+00 -L- RT



**DETAIL 20
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

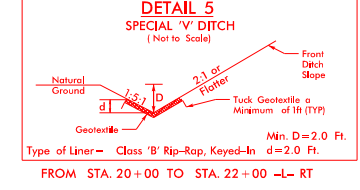
FROM STA. 70+50 TO STA. 72+15 -L- RT



**DETAIL 28
STANDARD BASE DITCH**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

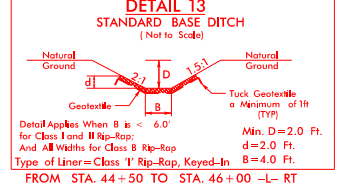
FROM STA. 69+52 TO STA. 69+89 -L- LT



**DETAIL 5
SPECIAL 'V' DITCH**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

FROM STA. 20+00 TO STA. 22+00 -L- RT

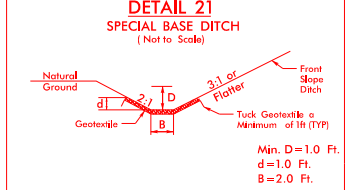


**DETAIL 13
STANDARD BASE DITCH**
(Not to Scale)

Detail Applies When B is < 6.0' for Class Land II Rip-Rap; And All Widths for Class B Rip-Rap

Type of Liner = Class 'B' Rip-Rap, Keyed-In

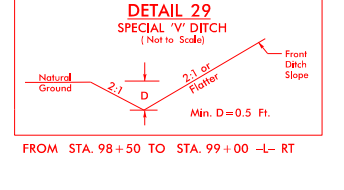
FROM STA. 44+50 TO STA. 46+00 -L- RT



**DETAIL 21
SPECIAL BASE DITCH**
(Not to Scale)

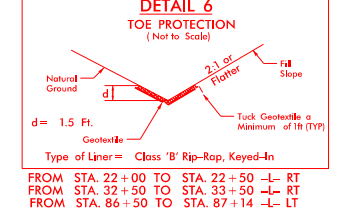
Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

FROM STA. 75+50 TO STA. 77+68 -L- RT



**DETAIL 29
SPECIAL 'V' DITCH**
(Not to Scale)

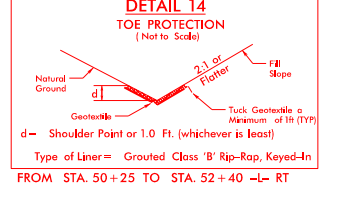
FROM STA. 98+50 TO STA. 99+00 -L- RT



**DETAIL 6
TOE PROTECTION**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

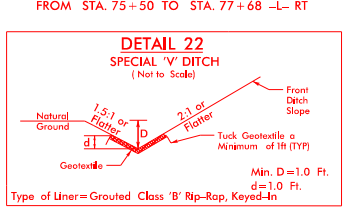
FROM STA. 22+00 TO STA. 22+50 -L- RT
 FROM STA. 32+50 TO STA. 33+50 -L- RT
 FROM STA. 86+50 TO STA. 87+14 -L- LT



**DETAIL 14
TOE PROTECTION**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

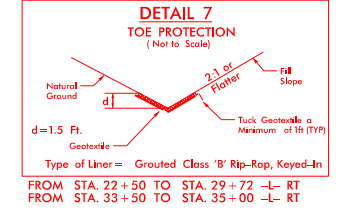
FROM STA. 50+25 TO STA. 52+40 -L- RT



**DETAIL 22
SPECIAL 'V' DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

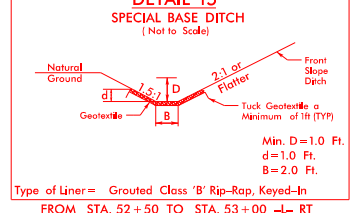
FROM STA. 80+00 TO STA. 82+00 -L- RT
 FROM STA. 83+00 TO STA. 85+50 -L- RT



**DETAIL 7
TOE PROTECTION**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

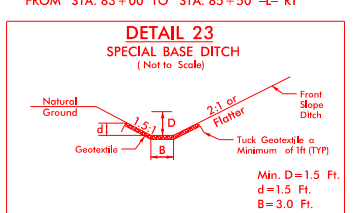
FROM STA. 22+50 TO STA. 29+72 -L- RT
 FROM STA. 33+50 TO STA. 35+00 -L- RT



**DETAIL 15
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

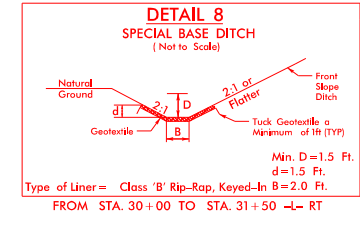
FROM STA. 52+50 TO STA. 53+00 -L- RT
 FROM STA. 73+28 TO STA. 73+50 -L- RT



**DETAIL 23
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

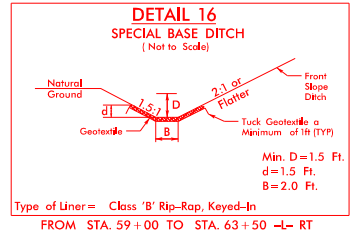
FROM STA. 82+75 TO STA. 83+00 -L- RT



**DETAIL 8
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

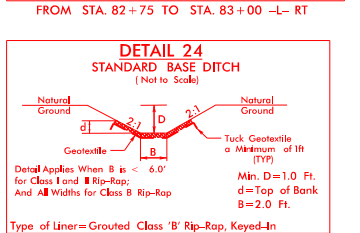
FROM STA. 30+00 TO STA. 31+50 -L- RT



**DETAIL 16
SPECIAL BASE DITCH**
(Not to Scale)

Type of Liner = Class 'B' Rip-Rap, Keyed-In

FROM STA. 59+00 TO STA. 63+50 -L- RT



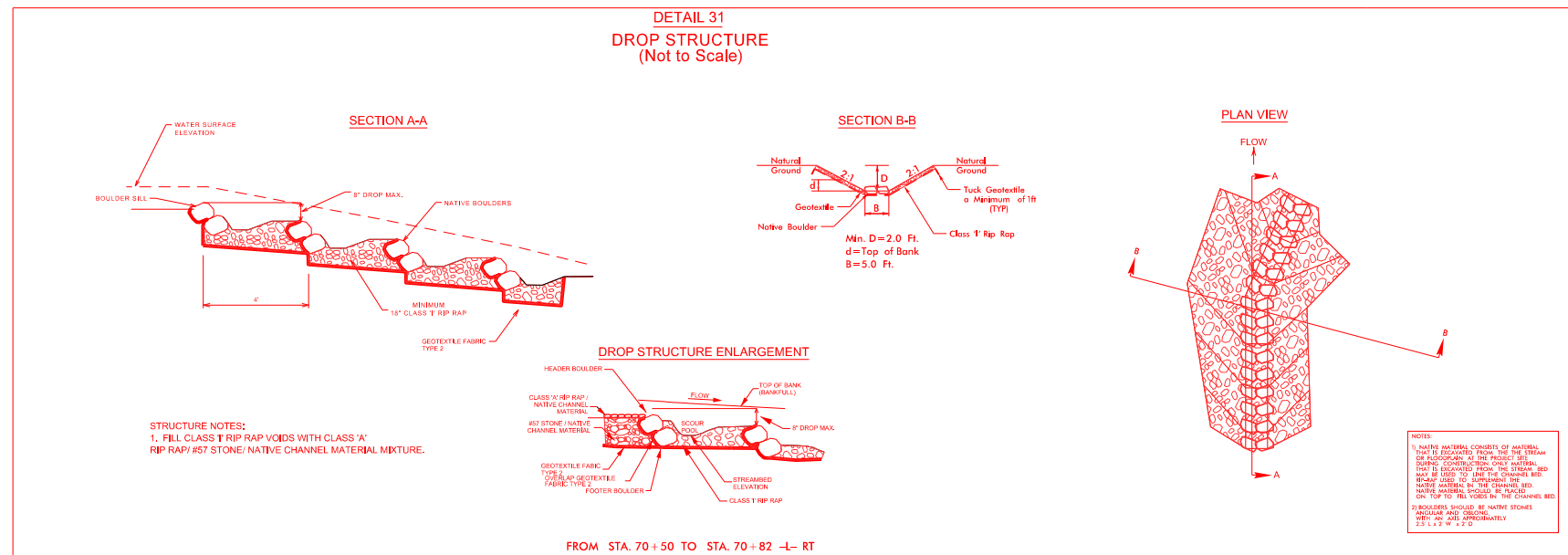
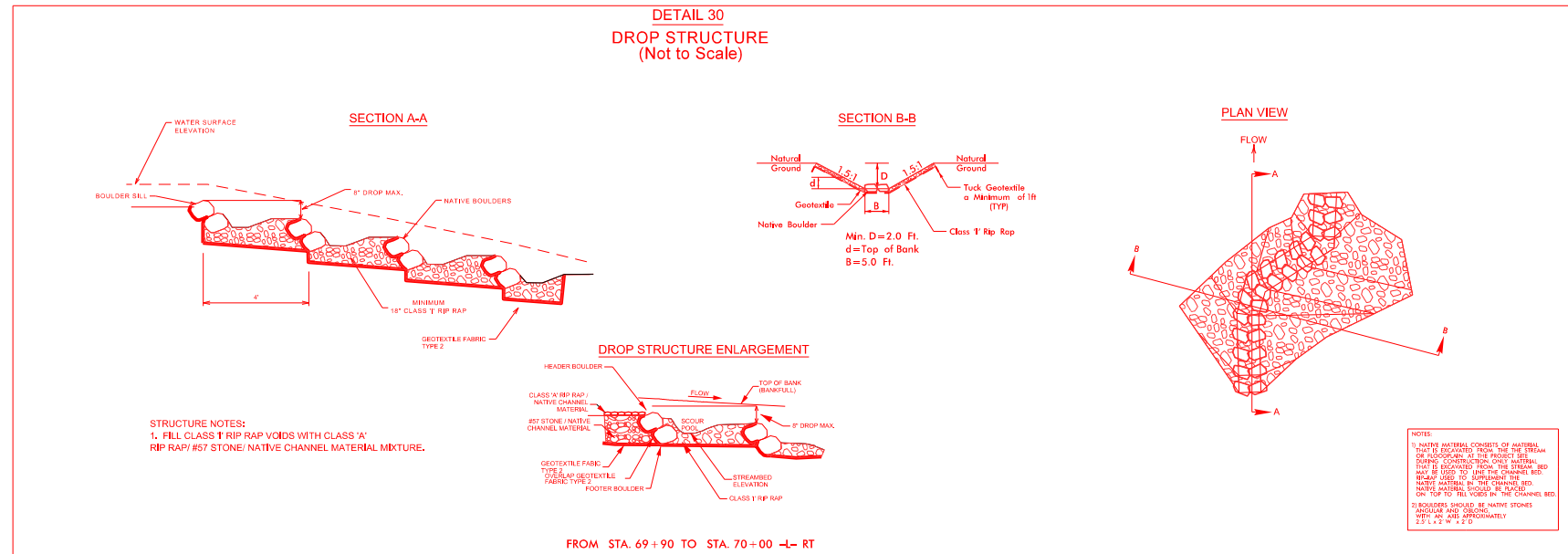
**DETAIL 24
STANDARD BASE DITCH**
(Not to Scale)

Detail Applies When B is < 6.0' for Class Land II Rip-Rap; And All Widths for Class B Rip-Rap

Type of Liner = Grouted Class 'B' Rip-Rap, Keyed-In

FROM STA. 79+52 TO STA. 80+08 -L- LT

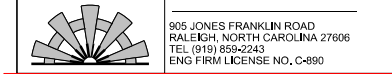
8/6/9/2025
NC-9_Hyd_prm_wet_pah_02B1.dgn
istebosvich



PROJECT REFERENCE NO. NC-9	SHEET NO. 2D-2
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED**

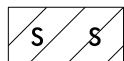
SUNGATE DESIGN GROUP, P.A.



**PERMIT DRAWING
SHEET 3 OF 24**

DATE: 8/19/2025

8/17/99



SURFACE WATER IMPACTS



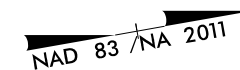
TEMPORARY SURFACE WATER IMPACTS




EXEMPT SURFACE WATER IMPACTS



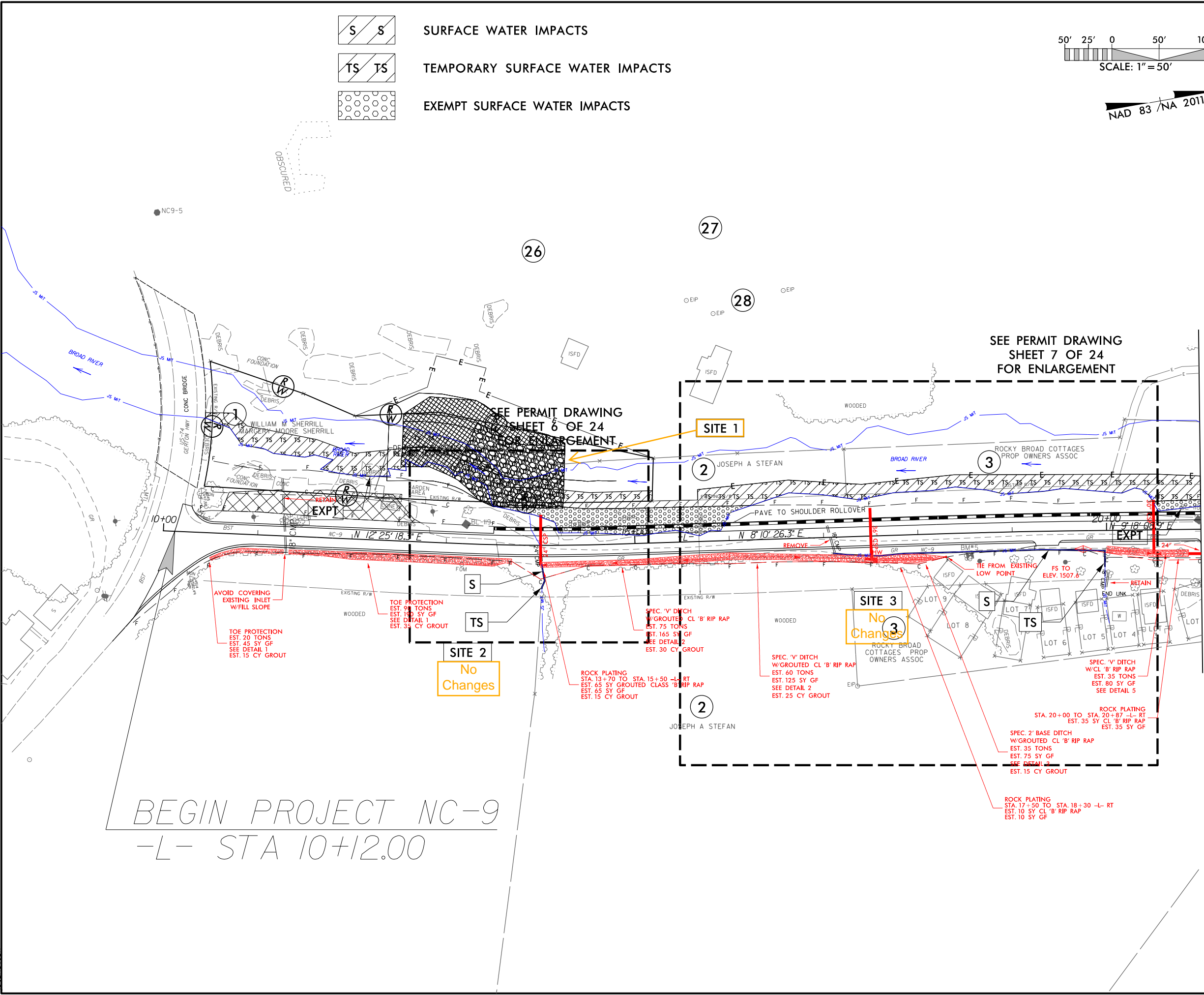
SCALE: 1" = 50'



PROJECT REFERENCE NO. NC-9	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL: (919) 858-2243 ENG FIRM LICENSE NO. C-890	

**PERMIT DRAWING
SHEET 4 OF 24**

DATE: 8/19/2025

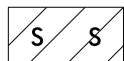


BEGIN PROJECT NC-9
-L- STA 10+12.00

MATCHLINE -L- STA 21+00
SEE SHEET 5

8/19/2025
NC-9_Hyd_prm_wet_pah_04.dgn
istebvstch

8/17/99



SURFACE WATER IMPACTS



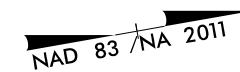
TEMPORARY SURFACE WATER IMPACTS




EXEMPT SURFACE WATER IMPACTS

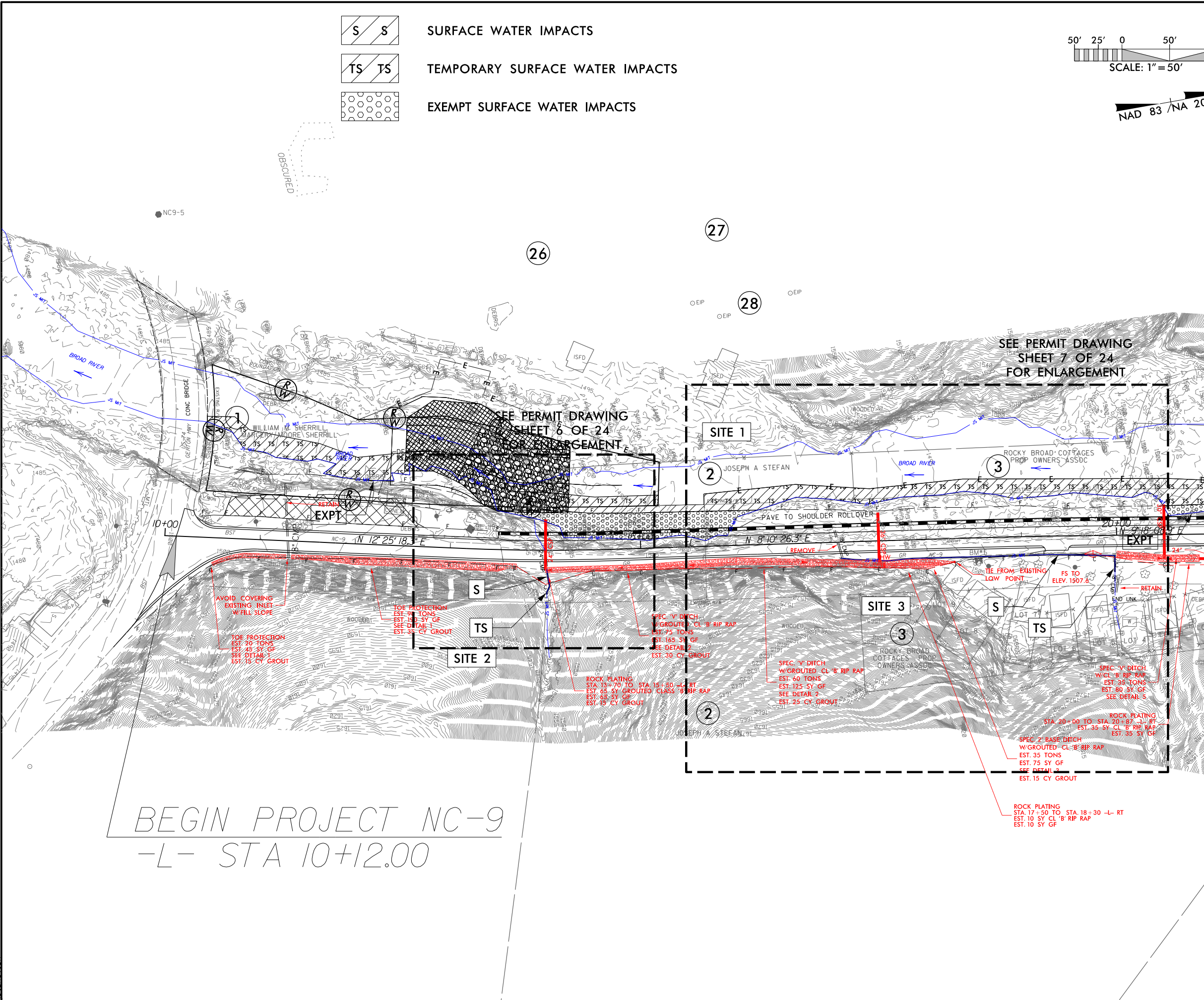


SCALE: 1" = 50'



PROJECT REFERENCE NO. NC-9	SHEET NO. 4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL: (919) 858-2243 ENG FIRM LICENSE NO. C-890	

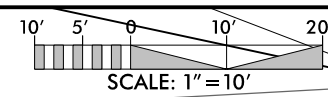
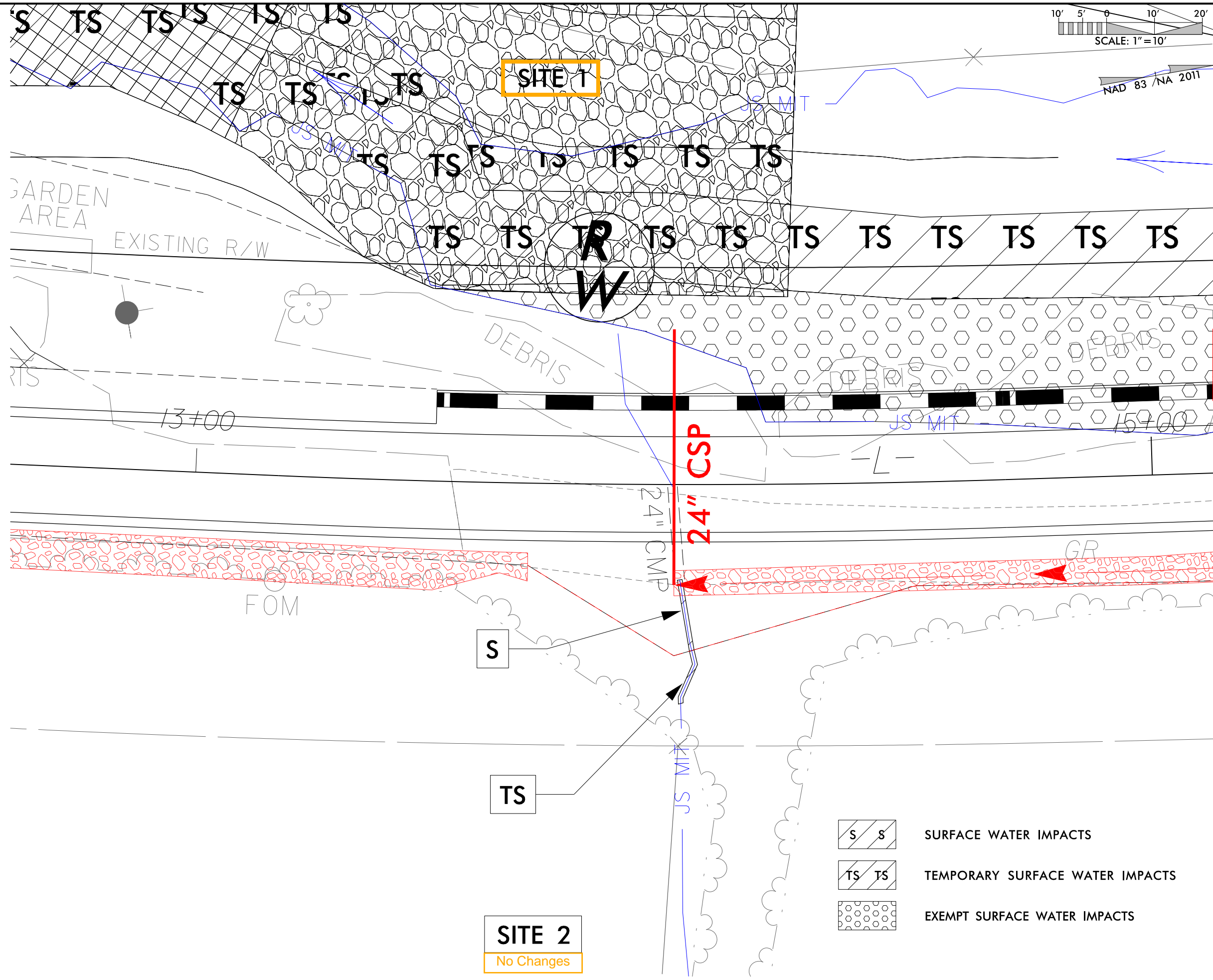
**PERMIT DRAWING
SHEET 5 OF 24**
 DATE: 8/19/2025




8/19/2025
 NC-9_1Hyd_prm_wet_pah_04-1.dgn
 istenbvich

8/17/99

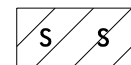

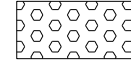
8/19/2025
NC-9_Hyd_perm_wet_pah_04-2-View1.dgn
istenevich




NAD 83 / NA 2011

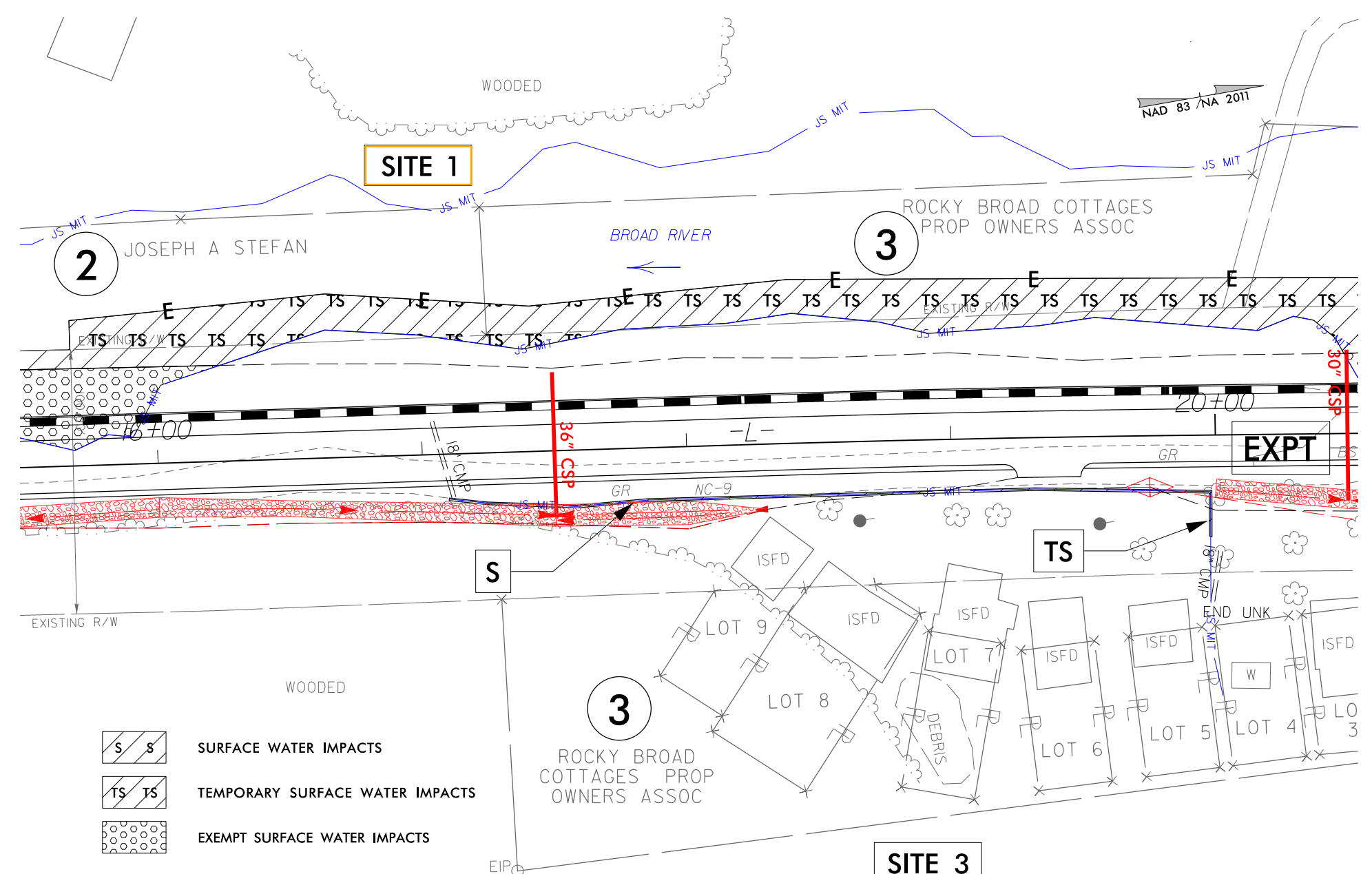
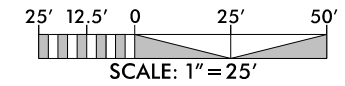
PROJECT REFERENCE NO. NC-9		SHEET NO.	
RW SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
SUNGATE DESIGN GROUP, P.A.			
 905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL (919) 858-2243 ENG FIRM LICENSE NO. C-890			




**PERMIT DRAWING
SHEET 6 OF 24**
DATE: 8/19/2025

-  SURFACE WATER IMPACTS
-  TEMPORARY SURFACE WATER IMPACTS
-  EXEMPT SURFACE WATER IMPACTS

SITE 2
No Changes

PROJECT REFERENCE NO. <i>NC-9</i>	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 <small>905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL (919) 858-2243 ENG FIRM LICENSE NO. C-890</small>	



-  SURFACE WATER IMPACTS
-  TEMPORARY SURFACE WATER IMPACTS
-  EXEMPT SURFACE WATER IMPACTS

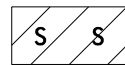
**PERMIT DRAWING
SHEET 7 OF 24**

DATE: 8/19/2025

SITE 3
No Changes

2

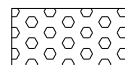
 JOSEPH A STEFAN



SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS



EXEMPT SURFACE WATER IMPACTS

PROJECT REFERENCE NO. NC-9	SHEET NO. 5
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

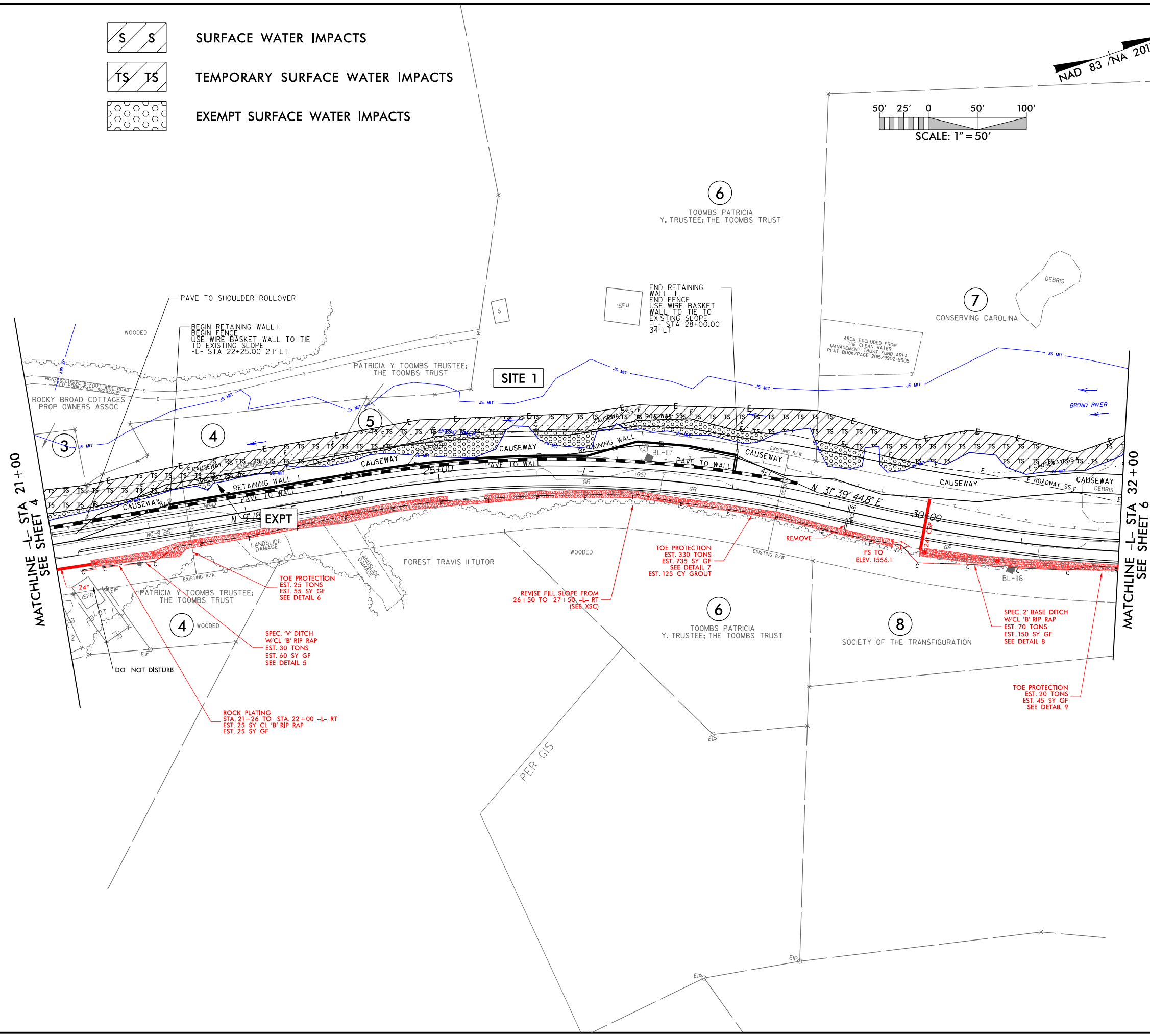
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SUNGATE DESIGN GROUP, P.A.

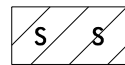
905 JONES FRANKLIN ROAD
RALEIGH, NORTH CAROLINA 27606
TEL: (919) 858-2243
ENG FIRM LICENSE NO. C-890

PERMIT DRAWING SHEET 8 OF 24

DATE: 8/19/2025



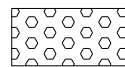
8/17/99



SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS



EXEMPT SURFACE WATER IMPACTS

PROJECT REFERENCE NO. NC-9	SHEET NO. 5
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

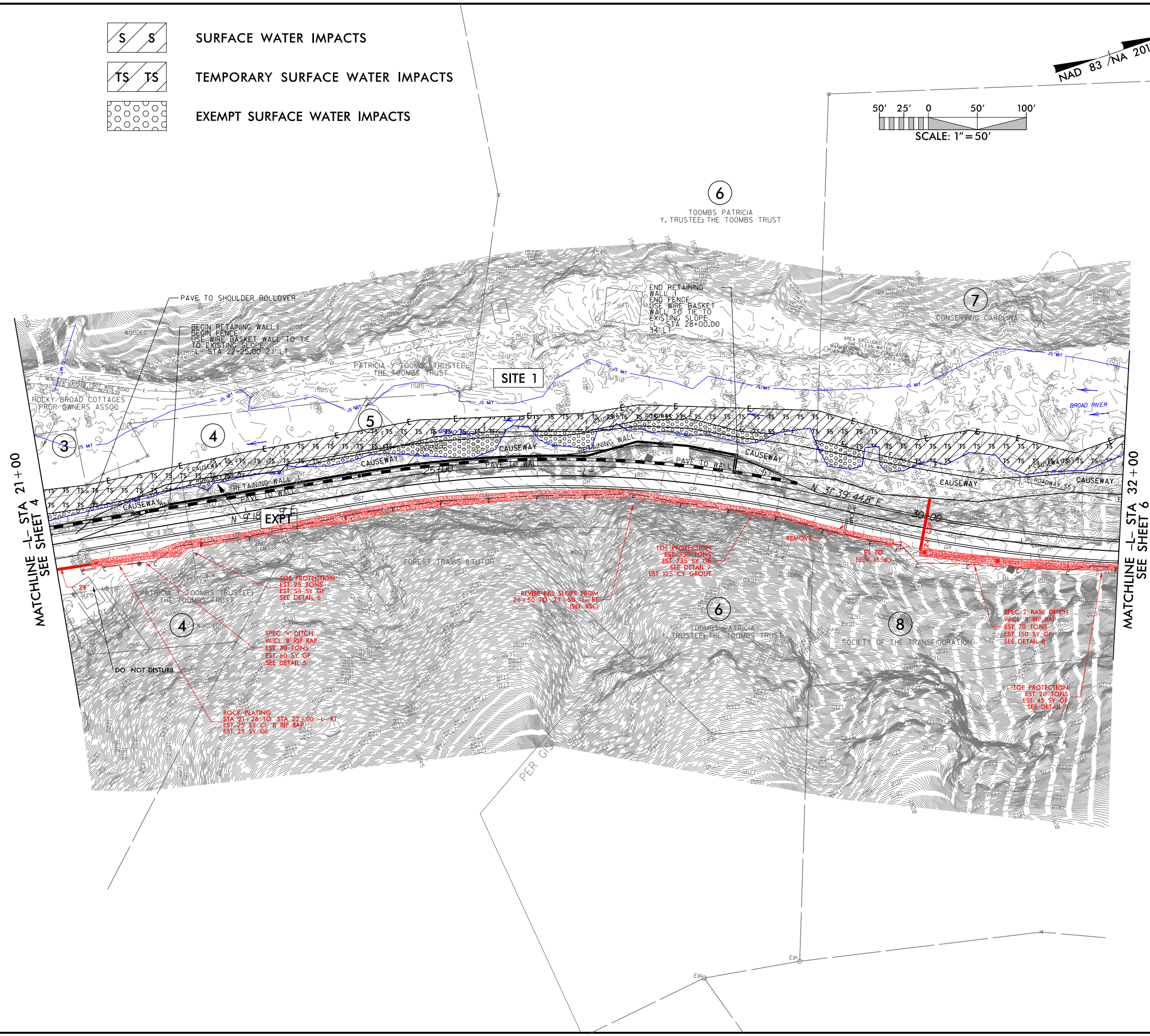
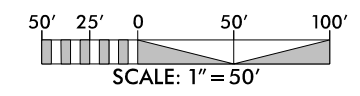
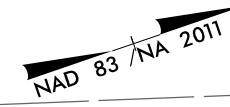
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

SUNGATE DESIGN GROUP, P.A.

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RALEIGH, NORTH CAROLINA 27606
TEL (919) 858-2243
ENG FIRM LICENSE NO. C-890

PERMIT DRAWING SHEET 9 OF 24

DATE: 8/19/2025

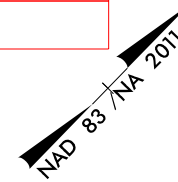
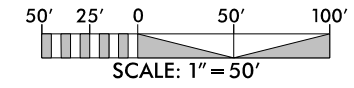



8/19/2025
NC-9_1.dwg_prm_wet_pah_05-1.dgn
istensvich

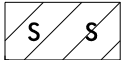

8/17/99

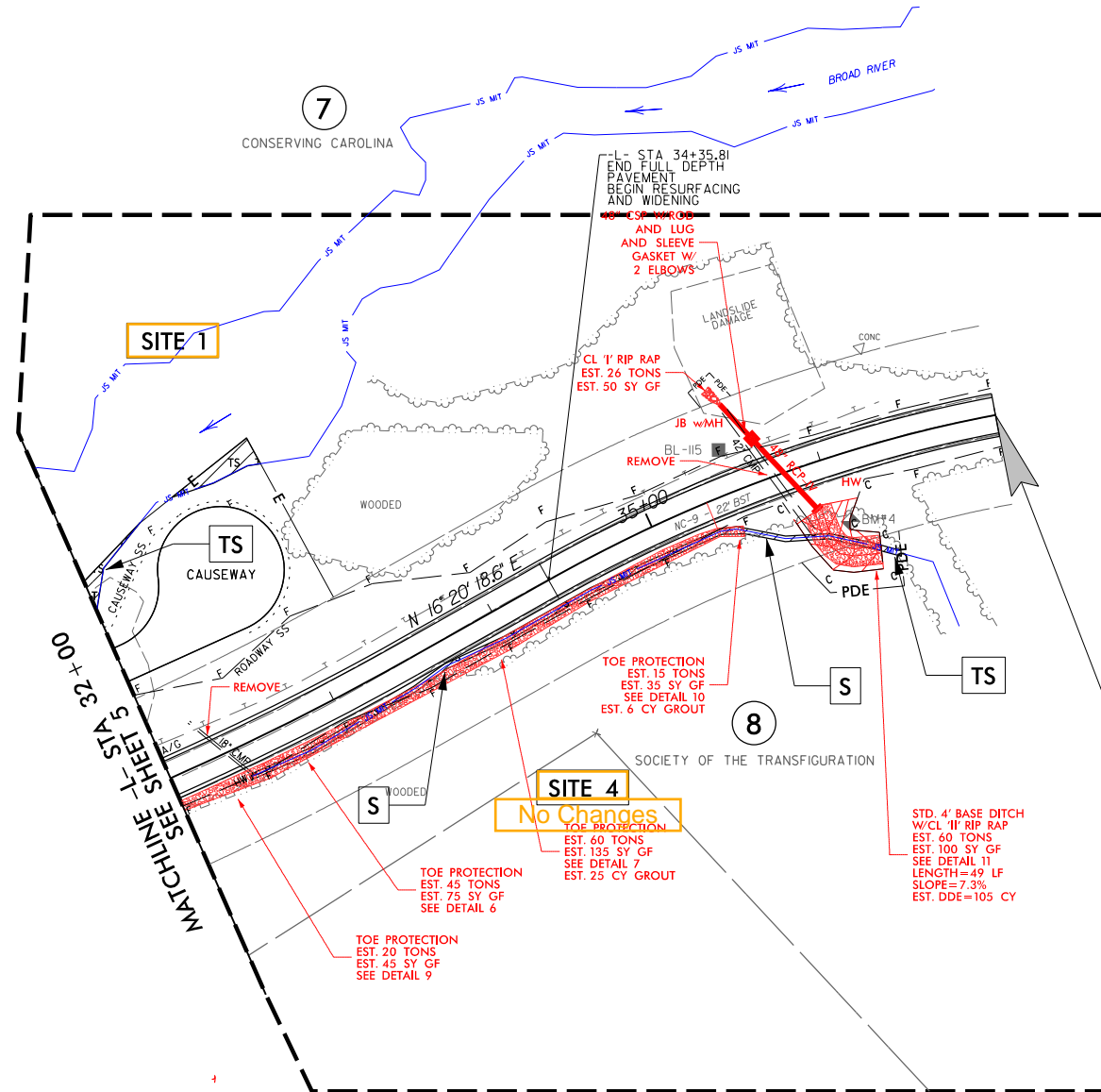
PERMIT DRAWING SHEET 10 OF 24

DATE: 8/19/2025



PROJECT REFERENCE NO. NC-9	SHEET NO. 6
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 <small>905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL (919) 858-2243 ENG FIRM LICENSE NO. C-890</small>	

-  SURFACE WATER IMPACTS
-  TEMPORARY SURFACE WATER IMPACTS



END CMGC PROJECT NC-9
 WBS SECTION 329
 BEGIN PROJECT NC-9
 WBS SECTION 330
 -L- STA 37+00.00

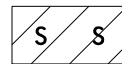
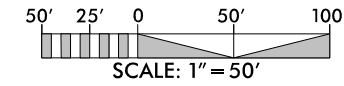
SEE PERMIT DRAWING
SHEET 12 OF 24
FOR ENLARGEMENT

8/19/2025
NC-9_Hyd_prm_wet_pah_06.dgn
jstevens@sch

8/17/99

PERMIT DRAWING SHEET 11 OF 24


DATE: 8/19/2025

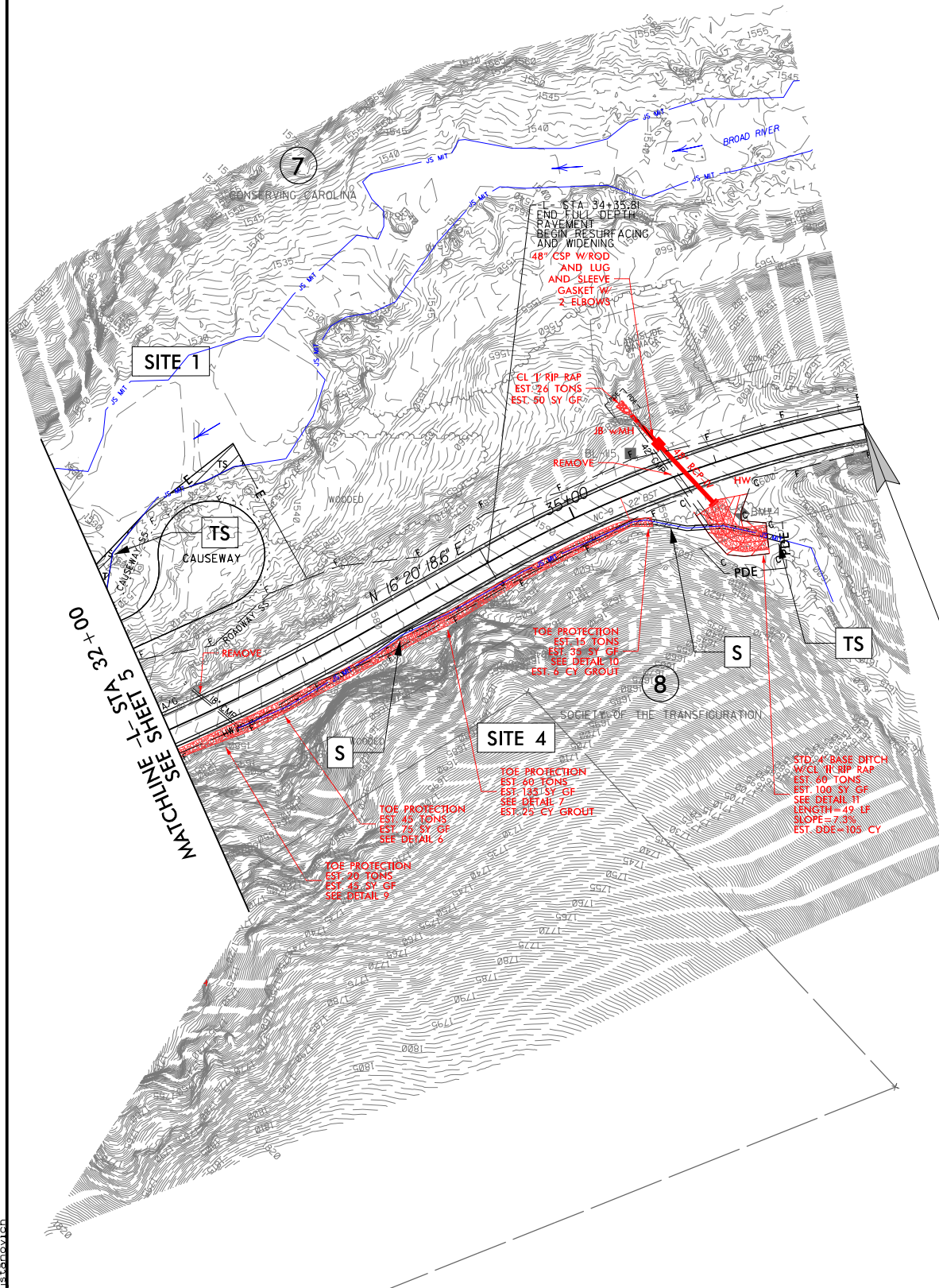


SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS

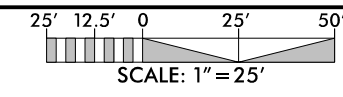
PROJECT REFERENCE NO. NC-9	SHEET NO. 6
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
 <small>905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL (919) 858-2243 ENG FIRM LICENSE NO. C-890</small>	




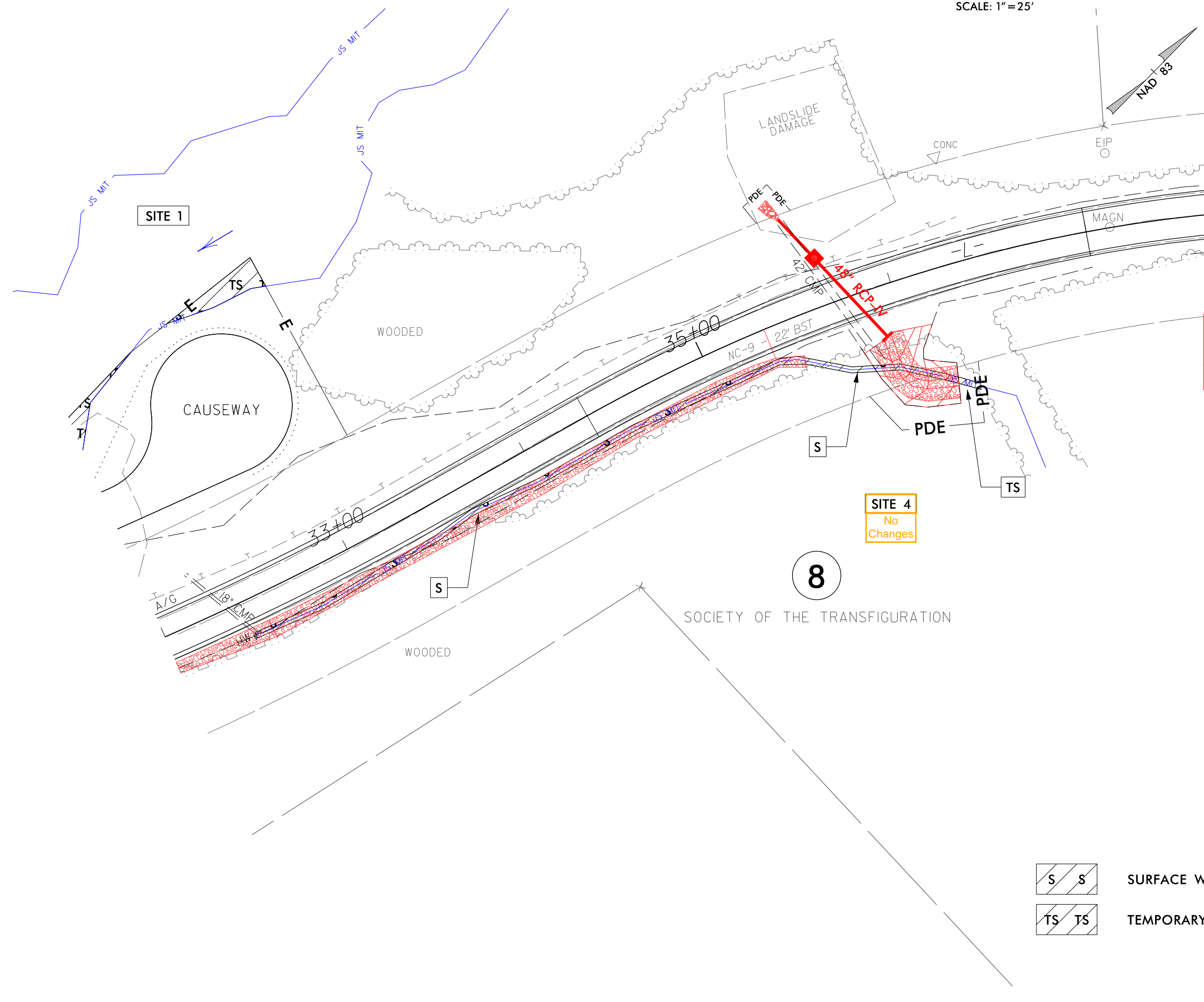
END CMGC PROJECT NC-9
 WBS SECTION 329
 BEGIN PROJECT NC-9
 WBS SECTION 330
 -L- STA 37+00.00

8/19/2025
 NC-9_Hyd_perm_wet_pah_06-1.dgn
 istensvich

8/17/99



PROJECT REFERENCE NO. NC-9		SHEET NO.	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<p>DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED</p> <p>SUNGATE DESIGN GROUP, P.A.</p>  <p>905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL: (919) 858-2243 ENG FIRM LICENSE NO. C-890</p>			



**PERMIT DRAWING
SHEET 12 OF 24**
DATE: 8/19/2025

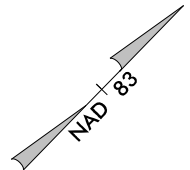
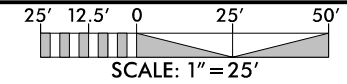
8

SOCIETY OF THE TRANSFIGURATION

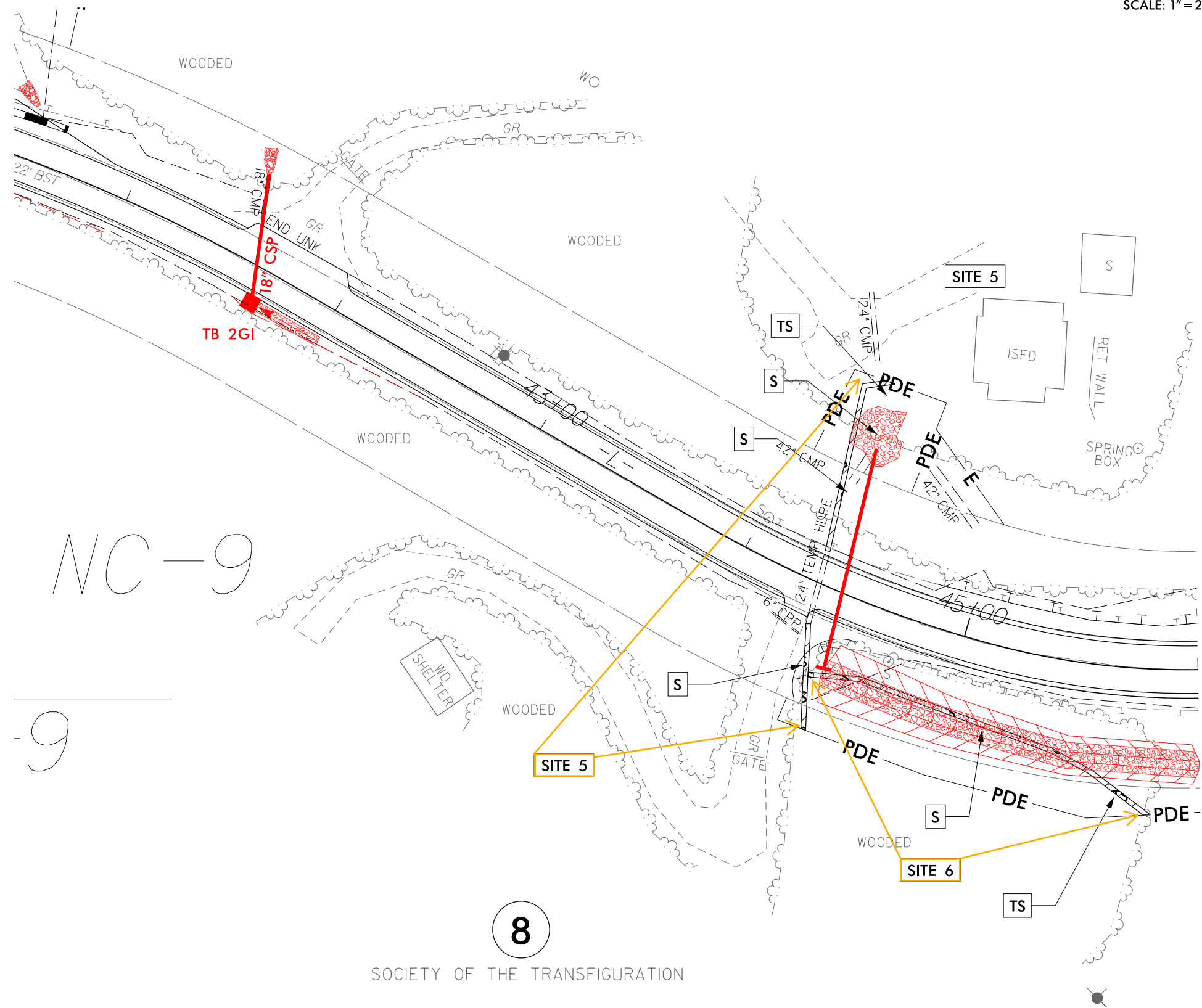
	SURFACE WATER IMPACTS
	TEMPORARY SURFACE WATER IMPACTS

8/19/2025
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PROJECT REFERENCE NO. NC-9		SHEET NO.	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
SUNGATE DESIGN GROUP, P.A.			
		<small>905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL: (919) 858-2243 ENG FIRM LICENSE NO. C-890</small>	



NC-9
9

8

SOCIETY OF THE TRANSFIGURATION

	SURFACE WATER IMPACTS
	TEMPORARY SURFACE WATER IMPACTS


**PERMIT DRAWING
SHEET 13 OF 24**
DATE: 8/19/2025

8/19/2025 NC-9_Hyd_perm_wet_pah_06-3-ViewIn.dgn istanovitch

MATCHLINE -L- STA 60+00 SEE SHEET 7

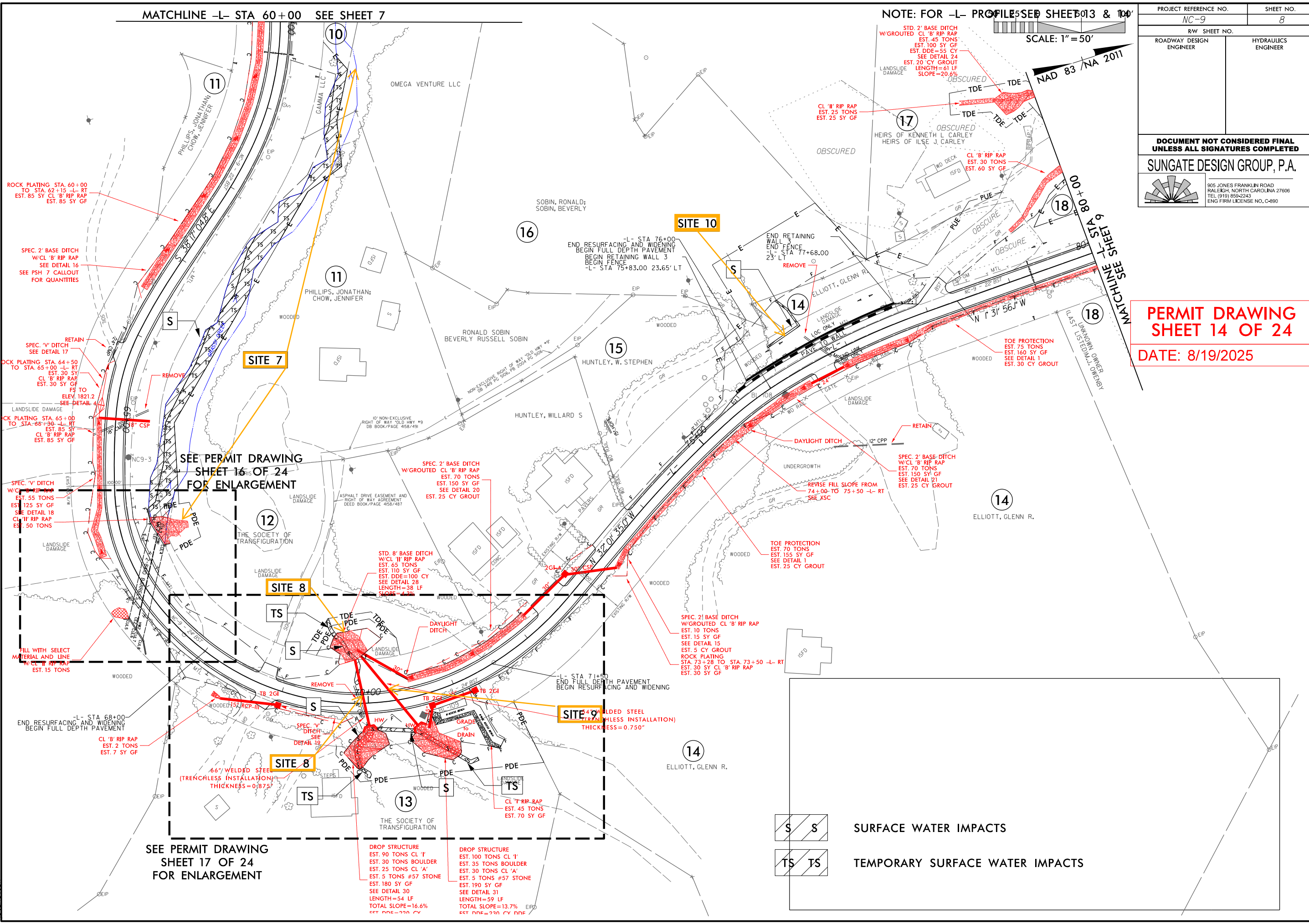
NOTE: FOR -L- PROFILE SEE SHEETS 13 & 14

SCALE: 1" = 50'

PROJECT REFERENCE NO. NC-9	SHEET NO. 8
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
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**PERMIT DRAWING
SHEET 14 OF 24**

DATE: 8/19/2025



ROCK PLATING STA. 60+00 TO STA. 62+15 -L- RT EST. 85 SY CL 'B' RIP RAP EST. 85 SY GF

SPEC. 2' BASE DITCH W/CL 'B' RIP RAP SEE DETAIL 16 SEE PSH 7 CALLOUT FOR QUANTITIES

RETAIN SPEC. 'V' DITCH SEE DETAIL 17

ROCK PLATING STA. 64+50 TO STA. 65+00 -L- RT EST. 30 SY CL 'B' RIP RAP EST. 30 SY GF

SPEC. 'V' DITCH W/CL 'B' RIP RAP EST. 55 TONS EST. 125 SY GF SEE DETAIL 18 CL 'B' RIP RAP EST. 50 TONS

FILL WITH SELECT MATERIAL AND LINE W/CL 'B' RIP RAP EST. 15 TONS

CL 'B' RIP RAP EST. 2 TONS EST. 7 SY GF

SEE PERMIT DRAWING SHEET 17 OF 24 FOR ENLARGEMENT

SEE PERMIT DRAWING SHEET 16 OF 24 FOR ENLARGEMENT

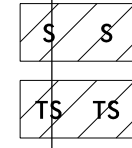
DROP STRUCTURE EST. 90 TONS CL 'I' EST. 30 TONS BOULDER EST. 25 TONS CL 'A' EST. 5 TONS #57 STONE EST. 180 SY GF SEE DETAIL 30 LENGTH=54 LF TOTAL SLOPE=16.6% EST. DDE=220 CY

DROP STRUCTURE EST. 100 TONS CL 'I' EST. 35 TONS BOULDER EST. 30 TONS CL 'A' EST. 5 TONS #57 STONE EST. 190 SY GF SEE DETAIL 31 LENGTH=59 LF TOTAL SLOPE=13.7% EST. DDE=220 CY DDE

SPEC. 2' BASE DITCH W/GROUTED CL 'B' RIP RAP EST. 70 TONS EST. 150 SY GF SEE DETAIL 20 EST. 25 CY GROUT

STD. 8' BASE DITCH W/CL 'B' RIP RAP EST. 65 TONS EST. 110 SY GF EST. DDE=100 CY SEE DETAIL 28 LENGTH=38 LF SLOPE=4.3%

SPEC. 2' BASE DITCH W/GROUTED CL 'B' RIP RAP EST. 15 SY GF SEE DETAIL 15 EST. 5 CY GROUT ROCK PLATING STA. 73+28 TO STA. 73+50 -L- RT EST. 30 SY CL 'B' RIP RAP EST. 30 SY GF




S S SURFACE WATER IMPACTS

TS TS TEMPORARY SURFACE WATER IMPACTS

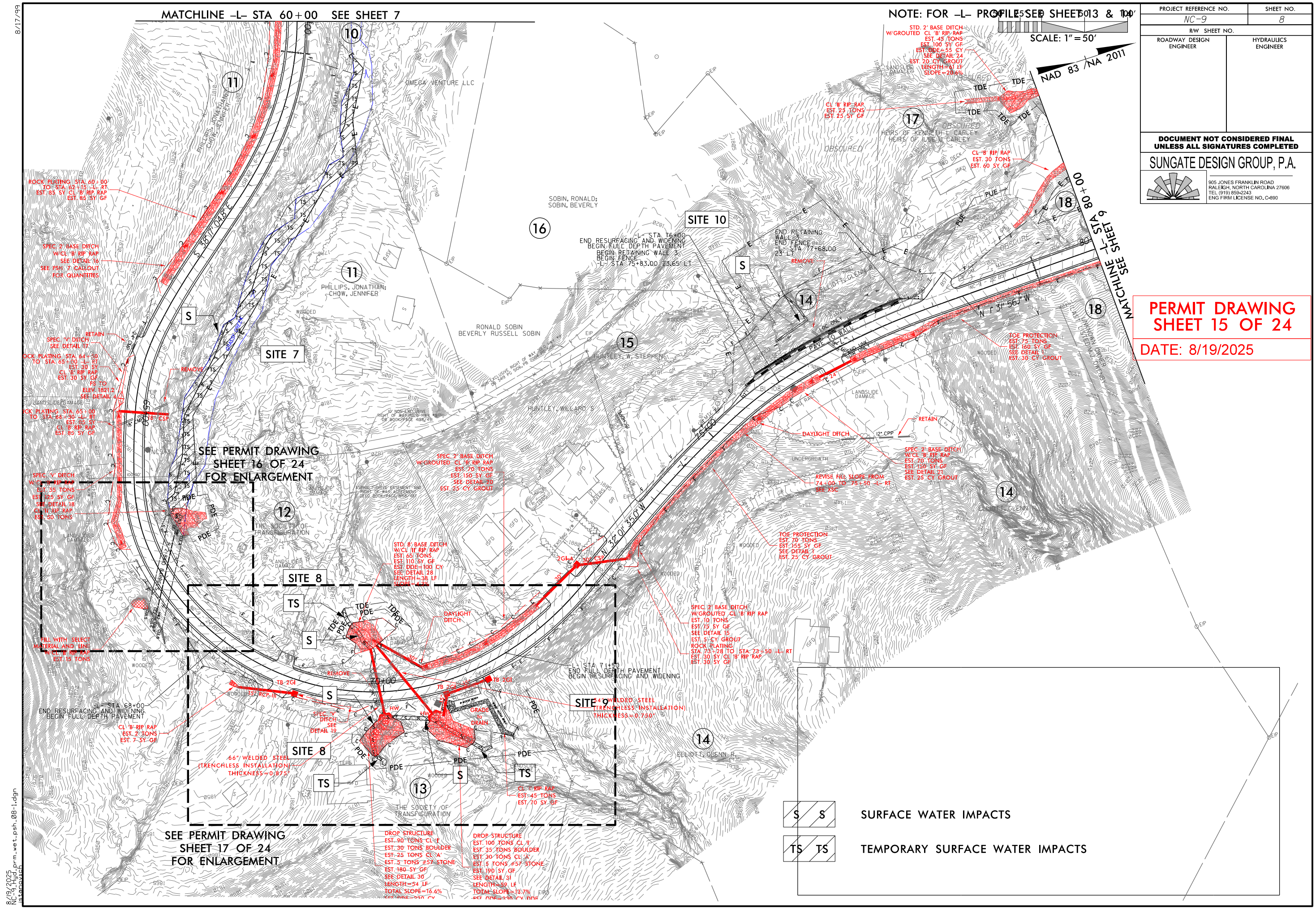
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MATCHLINE -L- STA 60+00 SEE SHEET 7

NOTE: FOR -L- PROFILE SEE SHEETS 13 & 14

PROJECT REFERENCE NO. NC-9	SHEET NO. 8
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
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SCALE: 1" = 50'

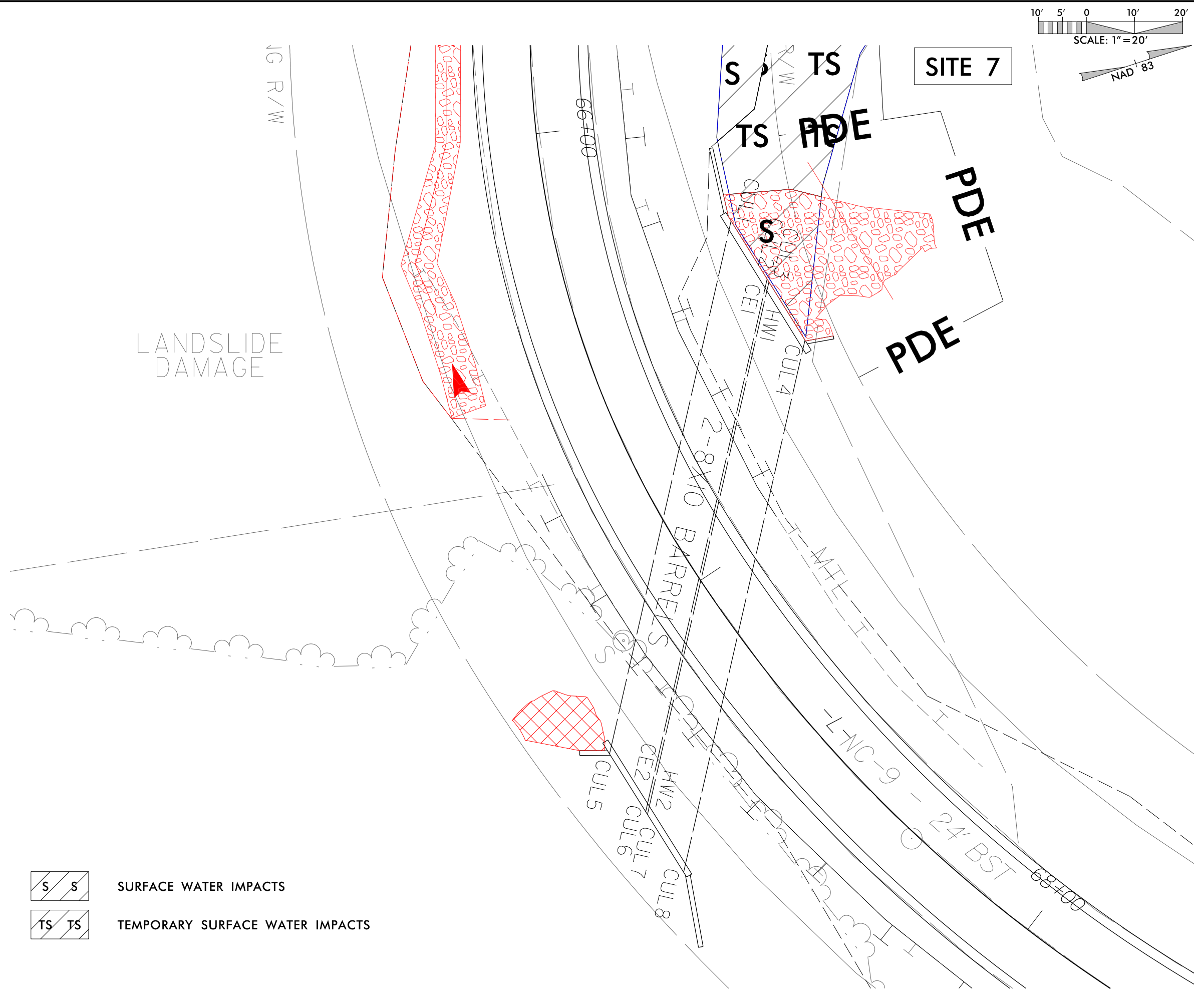



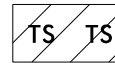
PERMIT DRAWING
SHEET 15 OF 24


DATE: 8/19/2025

S S	SURFACE WATER IMPACTS
TS TS	TEMPORARY SURFACE WATER IMPACTS

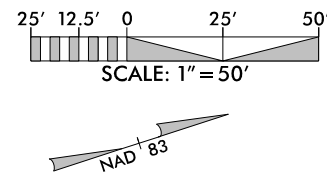
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NC-9_Hyd_prm_wet_pah_08-1.dgn
istansovich




 SURFACE WATER IMPACTS
 TEMPORARY SURFACE WATER IMPACTS

PROJECT REFERENCE NO. NC-9	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
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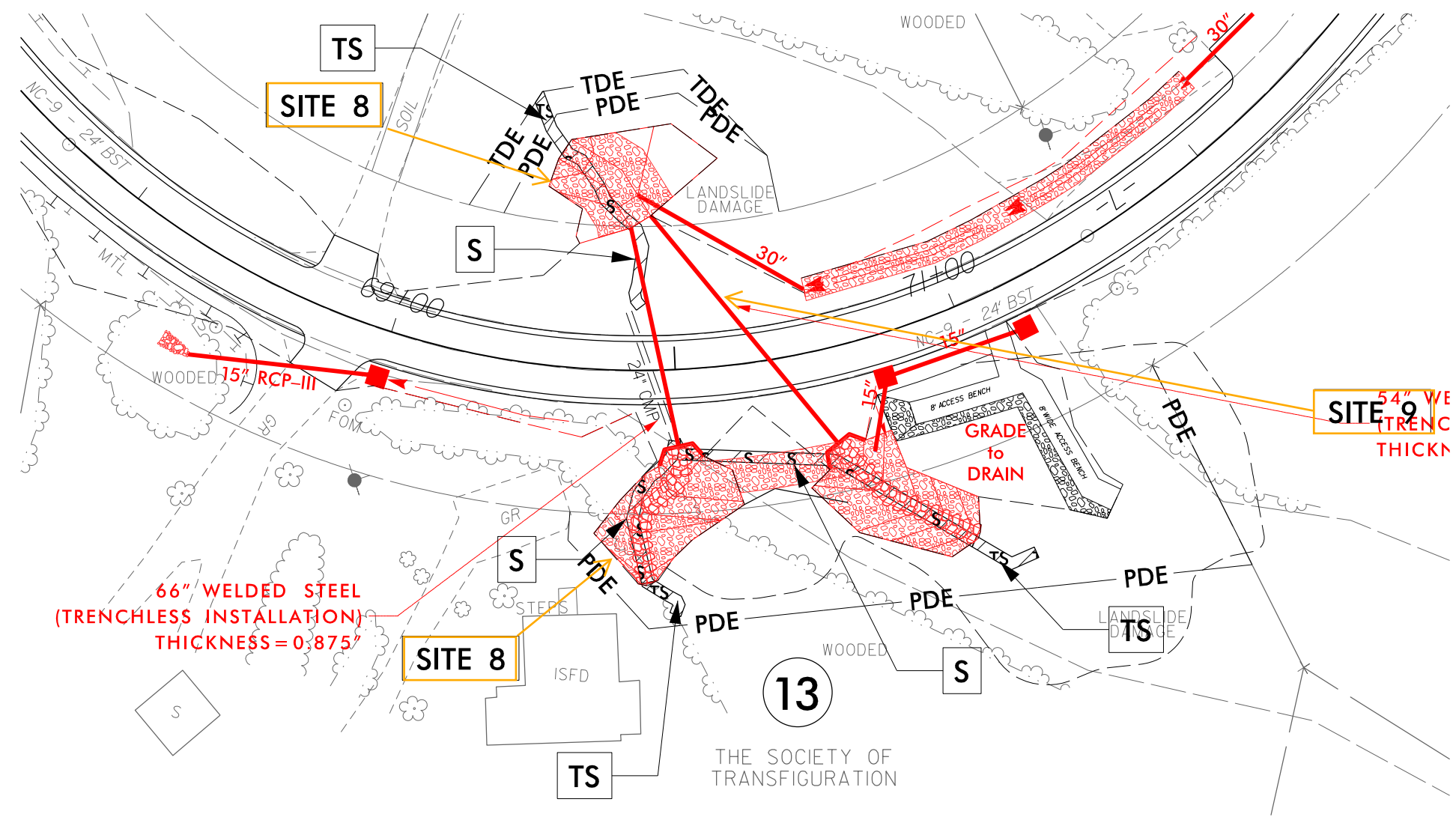
**PERMIT DRAWING
SHEET 16 OF 24**
 DATE: 8/19/2025



PROJECT REFERENCE NO. NC-9	SHEET NO.
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
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**PERMIT DRAWING
SHEET 17 OF 24**

DATE: 8/19/2025



**66" WELDED STEEL
(TRENCHLESS INSTALLATION)
THICKNESS = 0.875"**

**SITE 9
54" WE
(TRENCH
THICKN**

S S	SURFACE WATER IMPACTS
TS TS	TEMPORARY SURFACE WATER IMPACTS

100

50

0

50

100

**PERMIT DRAWING
SHEET 18 OF 24**

DATE: 8/19/2025

CL STA 66+99.77 -L-

1840

1830

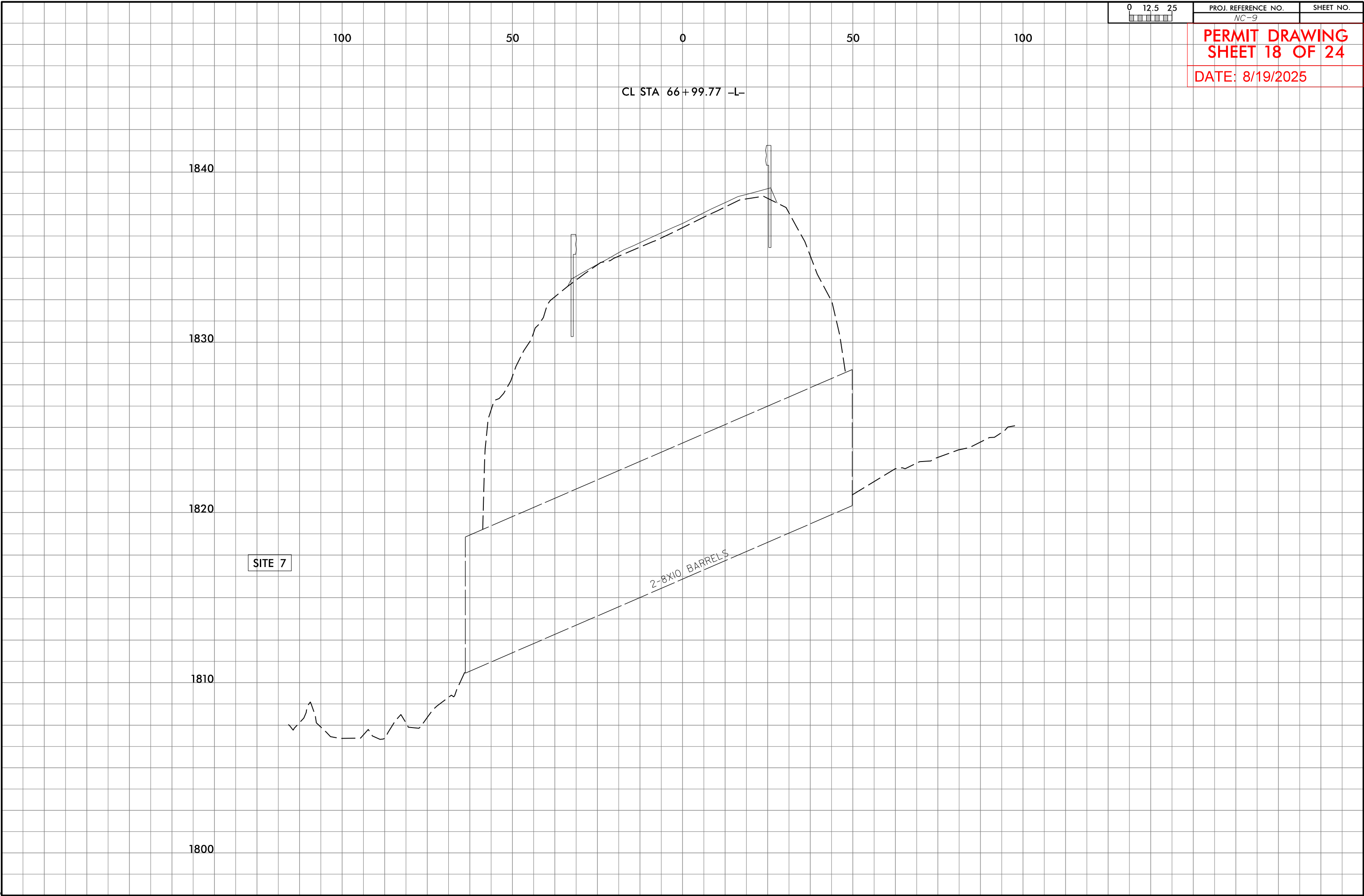
1820

1810

1800

SITE 7

2-8X10 BARRELS



100

50

0

50

100

**PERMIT DRAWING
SHEET 19 OF 24**

DATE: 8/19/2025

CL STA 69+96.25 -L-

1870

1860

1850

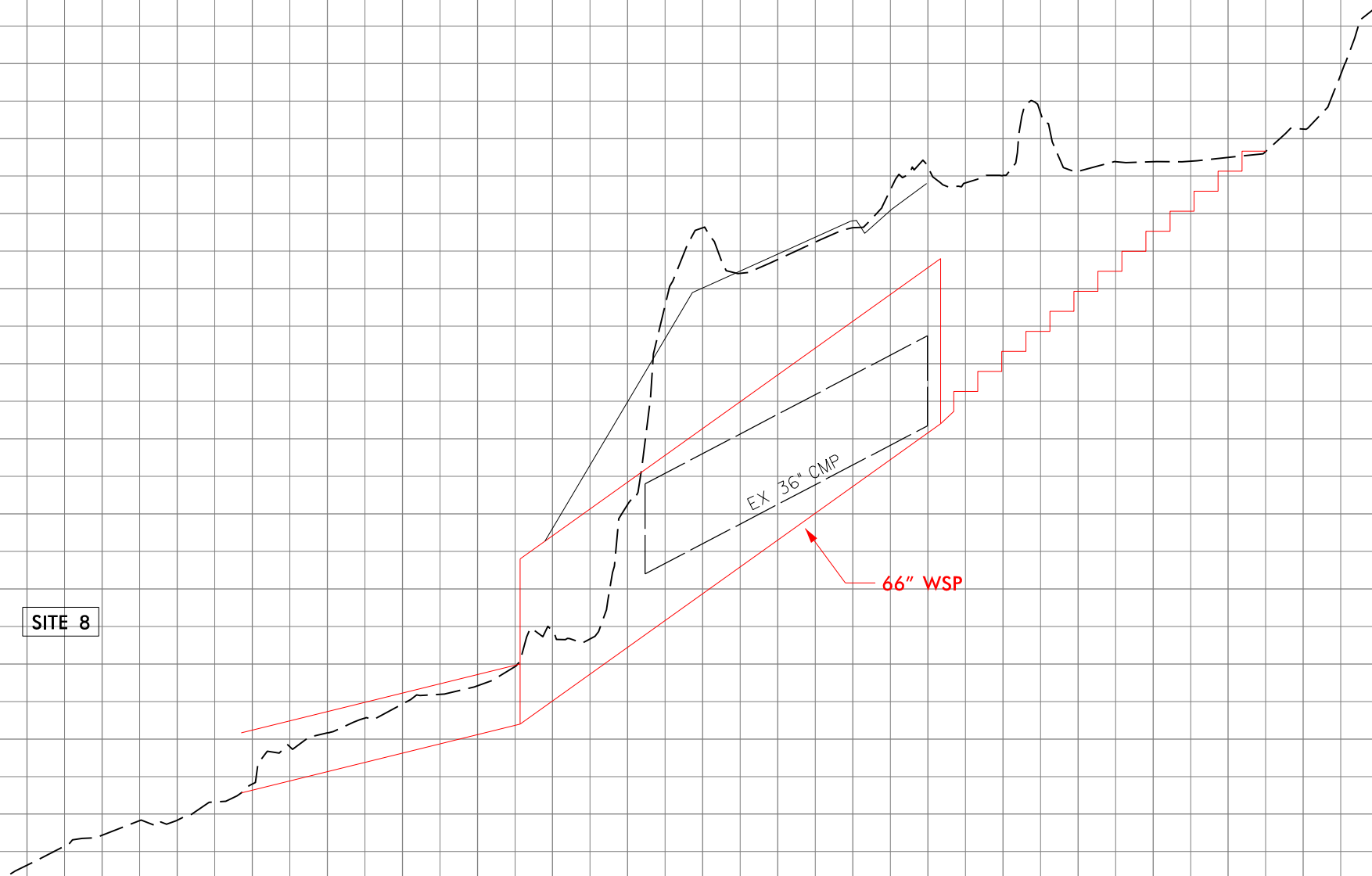
1840

1830


SITE 8

EX 36" CMP

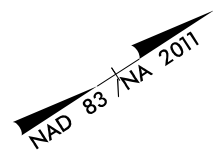
66" WSP



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PROJECT REFERENCE NO. NC-9	SHEET NO. 11
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
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NOTE: FOR -L- PROFILE SEE SHEET 15
 SCALE: 1" = 50'

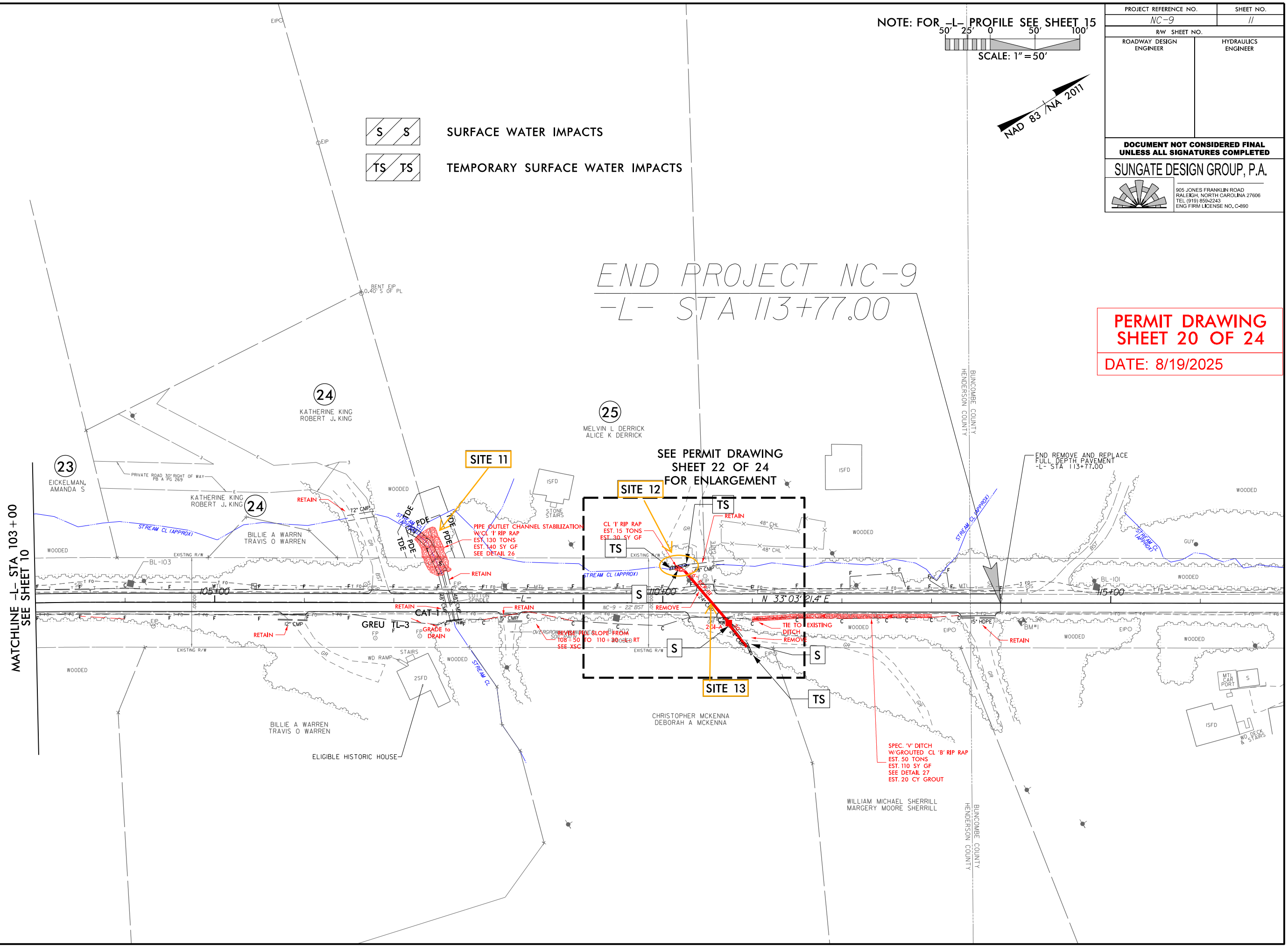


S S SURFACE WATER IMPACTS
TS TS TEMPORARY SURFACE WATER IMPACTS

END PROJECT NC-9
 -L- STA 113+77.00

**PERMIT DRAWING
 SHEET 20 OF 24**
 DATE: 8/19/2025

MATCHLINE -L- STA 103+00
 SEE SHEET 10

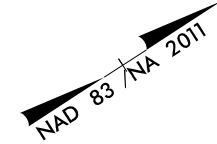
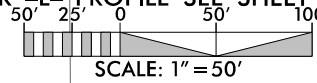


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8/17/99

8/19/2025
NC-9_11.dwg_prm_wet_pah_11.dgn
istensvich

NOTE: FOR -L- PROFILE SEE SHEET 15



SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS

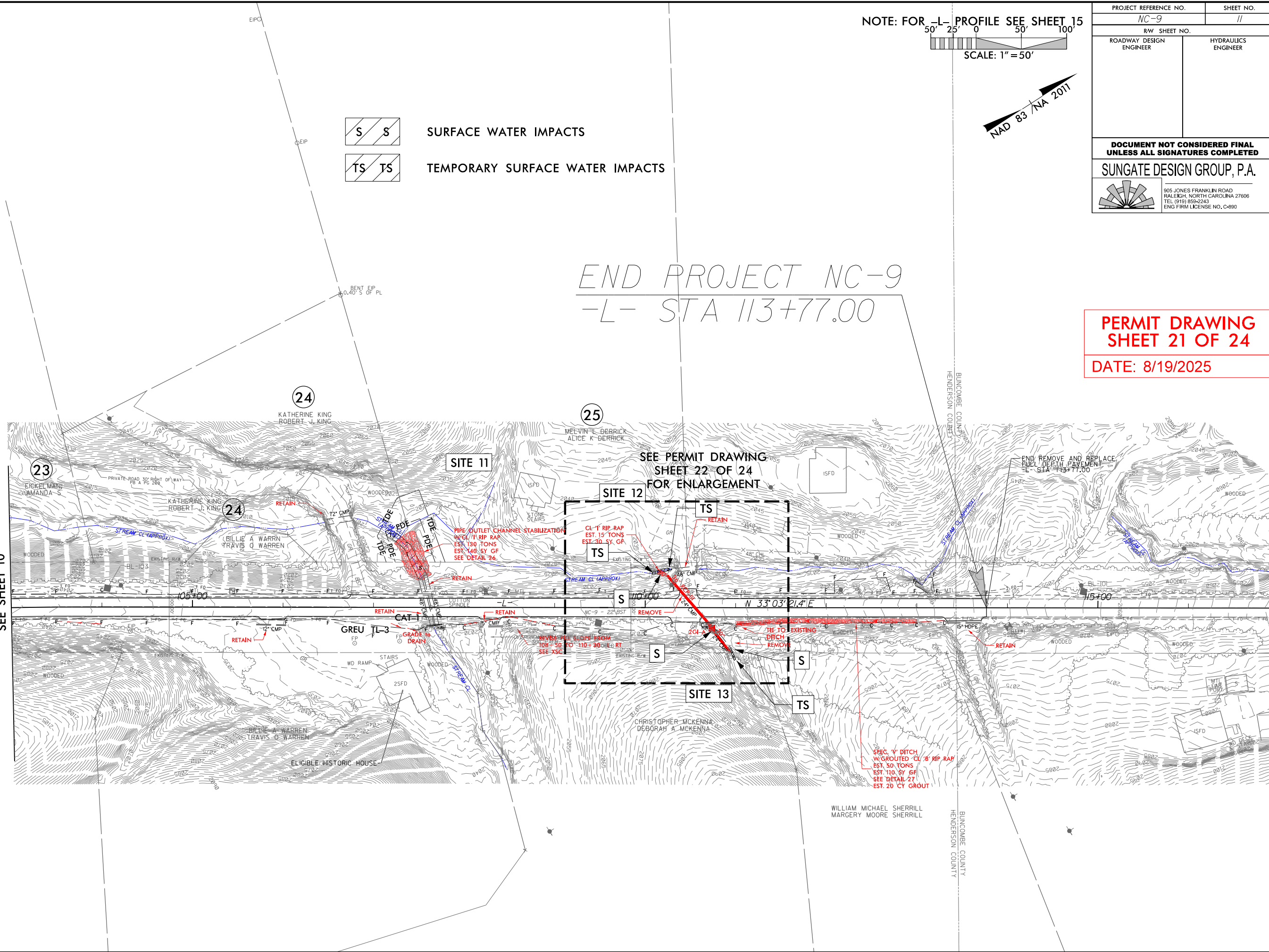
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ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
SUNGATE DESIGN GROUP, P.A.	
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END PROJECT NC-9
-L- STA 113+77.00

PERMIT DRAWING
SHEET 21 OF 24

DATE: 8/19/2025

MATCHLINE -L- STA 103+00
SEE SHEET 10



WILLIAM MICHAEL SHERRILL
MARGERY MOORE SHERRILL

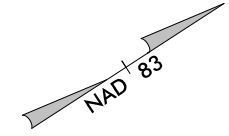
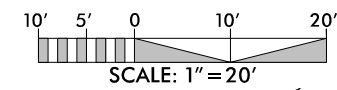
BINCOMBE COUNTY
HENDEKSON COUNTY



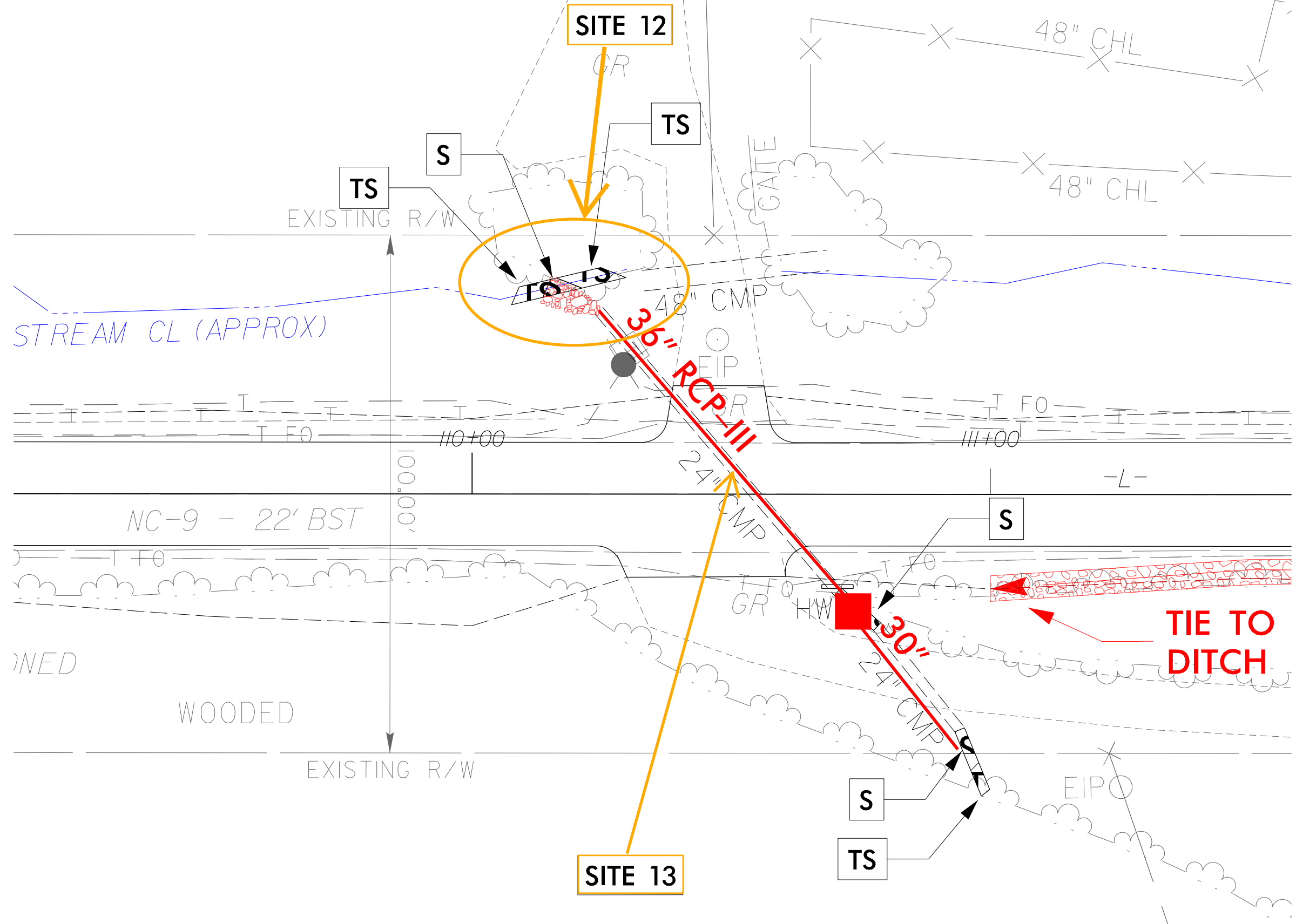
SURFACE WATER IMPACTS



TEMPORARY SURFACE WATER IMPACTS



PROJECT REFERENCE NO. NC-9		SHEET NO.	
RW SHEET NO.		HYDRAULICS ENGINEER	
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			
SUNGATE DESIGN GROUP, P.A.			
		905 JONES FRANKLIN ROAD RALEIGH, NORTH CAROLINA 27606 TEL (919) 858-2243 ENG FIRM LICENSE NO. C-890	



**PERMIT DRAWING
SHEET 22 OF 24**

DATE: 8/19/2025

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)
1	10+40 to 33+27-L-LT	ROADWAY FILL						1.006		1166		
	12+01 to 29+83-L-LT	EXEMPT ROADWAY FILL					0.300		1129			
	12+49 to 14+25 -L- LT	STREAM MODIFICATION					0.058					
2	14+01 to 14+05-L-RT	ROADWAY FILL					0.001	0.001	15	12		
3	17+10 to 19+98-L-RT	ROADWAY FILL					0.007	0.001	295	11		
4	32+41 to 36+29-L-RT	ROADWAY FILL					0.024	0.001	340			
		PIPE INLET					0.003		42	11		
TOTALS*:			0.000	0.000	0.000	0.000	0.000	0.335	1.067	1821	1200	0

*Rounded totals are sum of actual impacts

NOTES:

The linear feet of temporary existing channel impacts not included for Site 1 Stream Modification due to already being accounted for under Site 1 Roadway Fill.

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 08-19-2025
 HENDERSON COUNTY
 NC-9
 18314.4045135

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)
5	44+36 to 45+21-L-RT	PIPE INLET						0.002		45		
	44+14 to 44+33-L-LT	PIPE OUTLET						0.004		82		
6	44+45 to 45+82-L-RT	ROADWAY FILL						0.006	0.001	131	26	
7	60+34 to 66+62-L-LT	ROADWAY FILL						0.052	0.194	379	207	
	66+21 to 66+62-L-LT	OUTLET RIP RAP						0.008		19		
8	69+84 to 70+01-L-RT	PIPE INLET						0.005	0.002	55	17	
	69+42 to 69+91-L-LT	ROADWAY FILL						0.003		30		
		PIPE OUTLET						0.003	0.002	37	20	
9	70+01 to 70+86-L-RT	ROADWAY FILL						0.005		53		
	70+46 to 70+86-L-RT	PIPE INLET						0.005	0.001	58	24	
10	76+27 to 76+64-L-LT	PIPE OUTLET						0.004		83		
11	107+13 to 107+59-L-LT	PIPE OUTLET						0.010	0.003	51	16	
12	110+08 to 110+30-L-LT	PIPE OUTLET						0.001	0.001	4	15	
13	110+93 to 111+00-L-RT	PIPE INLET						0.001	0.001	15	8	
	Total This Sheet	Upper Section, Sheet 24 / 24						0.109	0.205	1042	333	
	Total Previous Sheet	Lower Section 23 / 24						0.335	1.067	1821	1200	
TOTALS*:			0.000	0.000	0.000	0.000	0.000	0.444	1.272	2863	1533	0

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 08-19-2025
 HENDERSON COUNTY
 NC-9
 18314.4045135
 SHEET 24 OF 24

ESA Consultation



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street Suite B
Asheville, North Carolina 28801

July 7, 2025

Subject: Review Response for Transportation Project(s) Covered by the Western North Carolina Bat Programmatic Biological Opinion

Greetings:

The U.S. Fish and Wildlife Service, Asheville Ecological Services Field Office, has reviewed the project(s) submitted on May 15, 2025 for coverage under the Western North Carolina (WNC) Bat Programmatic Biological Opinion (PBO), issued April 1, 2025. Based on the submitted materials and any supplemental information provided, we confirm the project(s) meet the criteria for coverage under this PBO in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1543) (ESA), thus concluding formal consultation for the project(s).

This correspondence conveys our review for listed/proposed bats covered by the WNC Bat PBO only. The lead federal agency (Federal Highway Administration or North Carolina Department of Transportation as their designee, or U.S. Army Corps of Engineers) remains responsible for ensuring that any other listed or proposed species and/or designated critical habitat that occurs within the project action area are addressed in accordance with section 7 of the ESA. For other listed species potentially occurring in the action area, if suitable habitat is absent from the action area, “No Effect” determinations are appropriate. For plants, in instances where suitable habitat is present and botanical surveys conducted during the optimal survey window and within the past one or two years (depending on the species) have negative results, we would concur with a biological determination of “may affect, not likely to adversely affect”.

Review and concurrence under the WNC Bat PBO are considered complete for the following project(s):

Project Title	NCDOT STIP/ID #	USFWS Log #
Widen US 321 from US 70 to SR 1933	U-4700	25-179
Widen US 21 from SR 2136 to Holly Point Drive, and from Northcross Center Ct. to SR 2147	U-5771/U-5767	25-180
Bearwallow Mountain Rd./US74A in-kind repairs	DF18314.2045120 W03290	25-181
US74A Gerton from Bearwallow Mtn Rd to US64/74A/NC9	18314.1045999CMGC	25-182
US74A/Middle Fork Rd./ Tom Falls Rd. repairs	DF18314.2045207 W03292	25-183
Bald Rock Rd. – Gilliam Mtn Rd./Sugarloaf Mtn Rd. repairs	DF18314.2045060 W03289	25-184

NC9 from 74A to Buncombe Co. line repairs	18314.1045035 W0920	25-185
NC88 landslide repair	28DE NC88 landslide	25-186

We appreciate the opportunity for review and comment.

Sincerely,

U.S. Fish and Wildlife Service, Asheville Field Office

Archaeology



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

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



PROJECT INFORMATION

Project No: **NC 9 Helene** *County:* **Henderson**
WBS No: 18314.1045035 W0920 *Document:* **CE**
F.A. No: **tbd** *Funding:* State Federal

Federal Permit Required? Yes No *Permit Type:* **USACE**

Project Description:

NCDOT proposes to repair and reestablish portions of the NC 9 highway in Henderson County damaged or destroyed by Hurricane Helene parallel to the Broad River from US 74A in Bat Cave and continuing north to the Buncombe County line (see Figure 1). For this emergency restoration and repair for segments of the highway damaged or removed from the landscape following devastating flooding, there is potential for federal funding and USACE coordination is expected. Section 106 of the National Historic Preservation Act applies for this federal undertaking.

The project's southern limit is near the intersection of US 74A and Red Anderson Road (SR 1611) where US 64 meets in the Bat Cave vicinity. NC 9 continues northward along the Broad River for half of the project before shifting to a tributary, Grassy Creek which it crosses before reaching the Buncombe County line near Old Berlin Way. Overall, the project length covers about 2.0 miles of highway including travel lanes which have been removed, destroyed, damaged, or compromised by flooding. Repair, temporary roadway, or road rebuilding is required throughout the project. Note, PA 24-11-0012 and PA 25-01-0001 are related, separate archaeological reviews for repairs to US 74A and US 64, which travel from Gerton to Chimney Rock project at Bat Cave perpendicular to NC 9.

For the Archaeological Area of Potential Effects (APE), this investigation considers all areas of potential earth disturbing activities, including all the current and any proposed new ROW. The scouring volume of flooding deposited new terrain and reformed or replaced much of the landforms associated with NC 9 (see Figure 2). This unique circumstance requires earthmoving, fill, and cuts to grade and drain the recently modified terrain. The APE length end to end is about 2.0 miles (10,560 feet). No formal design was available at the time of this review; therefore, the APE width is buffered to allow flexibility to study a range of potential, successful roadway solutions. The width is 150 feet to either side of NC 9 with an emphasis on repair and areas immediately adjacent to the highway.

SUMMARY OF CULTURAL RESOURCES REVIEW

Brief description of review activities, results of review, and conclusions:

Portions of NC 9 were strongly affected by Hurricane Helen in late September 2024. Severe flooding, characterized by massive quantities and rapid flow, surpassed the established banks of the Broad River, Grassy Creek, and other drainages. The rushing water expanded and reformed channels, obliterating portions of the highway and removing vulnerable ditches, culverts, retaining walls, and other structures or buildings from the landscape. New deposits are now present, consisting of debris, boulders, and alluvium originating upstream and from the mountain slopes (see Figure 3). Most of the APE now has modified terrain, especially at areas closely parallel to the Broad River and Grassy Creek. The volume and extent of changes caused by flooding results in a rearranged landscape with large areas scoured or filled-in with flood deposits. This flooding event, and previous floods c. 1916, combines with major 20th century grading for the roads to leave little chance for intact soils containing cultural materials and living horizons in situ, a poor archaeological context.

25-02-0003

There are no recorded archaeological sites within, adjacent or in the nearby vicinity of the APE. Seven archaeological sites are recorded within a two-mile buffer of the project. Southeast of the project about 1.65 miles, outside of the Broad River valley bottom on a ridge spur, is the Native American archaeological site, 31Rf177. Site 31Hn68 is located southeast of the APE about 0.9 miles away, a Native American archaeological site near a previously reviewed debris site (Edney Inn 1 & 2). One mile north of the project, off NC 9 on a side road, New Sage Lane, is 31Bn1130, the Old Broad River or Old Field Cemetery. Four unassessed Native American sites are recorded northeast of the project, 31Bn169, 31Bn170, 31Bn171, and 31Bn172, about a mile away. None of these distant sites will be impacted by the current project.

The NC Office of State Archaeology reviewed an area inside of the current APE for a (rock) slide waste site at the bend of NC 9 over Grassy Creek (18-1276) which did not require a survey. Another series of recent, small environmental reviews (ER 25-0621, DR-4827-NC) are associated with the Helene flooding along the Broad River as close as 500 feet (0.1 miles), though, too, none were recommended for survey. A very recent survey has occurred on the north side of the Broad River about a mile to the southeast for the "Chimney Rock Borrow Site." No sites were identified on the 45-acre, mostly sloped mountainside (ER 24-2608). Also, there are a few, small NCDOT reviews in the general area (ex., PA 12-08-0082 and PA 13-08-0050) that did not receive recommendations for survey. PA 24-11-0012 and PA 25-01-01, the previously mentioned emergency repairs to US 64/US 74A at the south end of the current project, are all strongly associated in nature and scale. Neither of those two projects to restore the highways after flood damage were recommended for archeological survey.

The terrain in the project area is mountainous and steep. Available aerial, drone and roadside imagery was examined for portions of the highway. Contour mapping was studied. The APE for urgently required repairs and restoration of services for NC 9 has portions which were swept away by Helene flooding or are otherwise majorly altered. Construction of the highway and other twentieth century development graded the terrain. A large volume of creek bank has been scoured and new alluvium deposited, most recently by Helene flood waters, but also in 1916 when the mountains endured an earlier damaging flood event of similar scale. The probability to encounter and affect undocumented, intact, and significant archaeological sites within the APE is low. No archaeological survey is required. A separate cultural resources review is underway by NCDOT Architecture Historians which will address above ground structures and properties.

This project falls within a North Carolina County which the following federally recognized tribes have expressed an interest: the Catawba Indian Nation, the Cherokee Nation, the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, and the Muscogee (Creek) Nation. We recommend that this documentation is forwarded to tribes using the process described in the current NCDOT Tribal Protocol and PA Procedures Manual.

Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:

The undertaking involves needed restoration of travel lanes, drainage, and road shoulders which were removed from the landscape or otherwise damaged due to Hurricane Helene flooding. The corridor, which includes the Broad River and Grassy Creek, witnessed massive amounts of soil and rock displacement. The river and creek banks have changed, reshaping the terrain. Earth removed and swept away has been replaced with new alluvium. No archaeological sites are expected to remain where the riverbed and banks have been reformed. Previous road construction work also contributed to the poor archaeological context at damaged areas of the highway. No archaeological survey is warranted for this highway repair project.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Photocopy of County Survey Notes Other:

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED



NCDOT ARCHAEOLOGIST

4/8/2025

Date

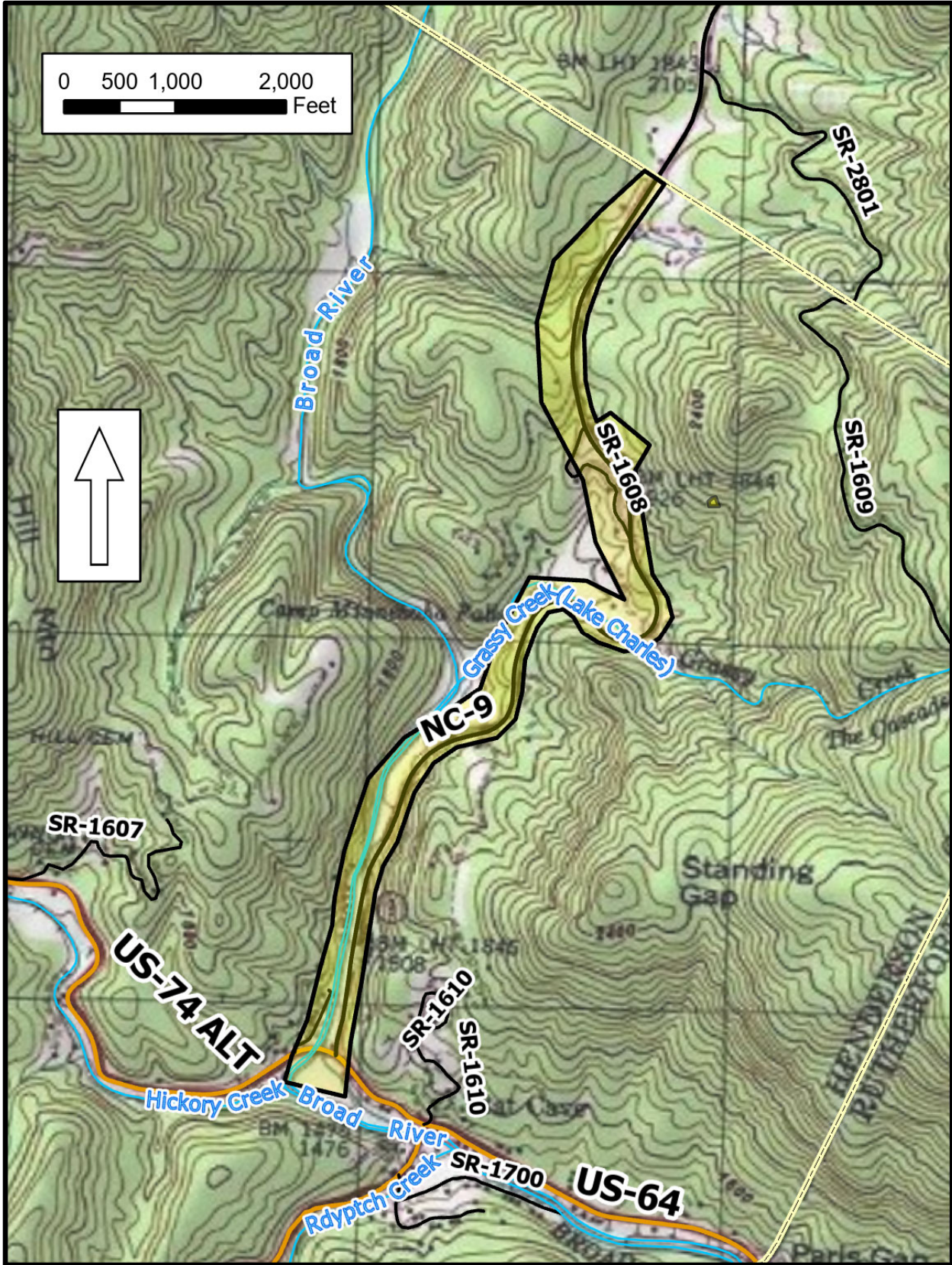


Figure 1. Vicinity for the repair of destroyed, damaged, and compromised portions of NC 9 between Bat Cave and the Buncombe County line shown on USGS mapping (Bat Cave). The approximate APE is shaded yellow with a black outline. Note the steep, mountainous terrain.

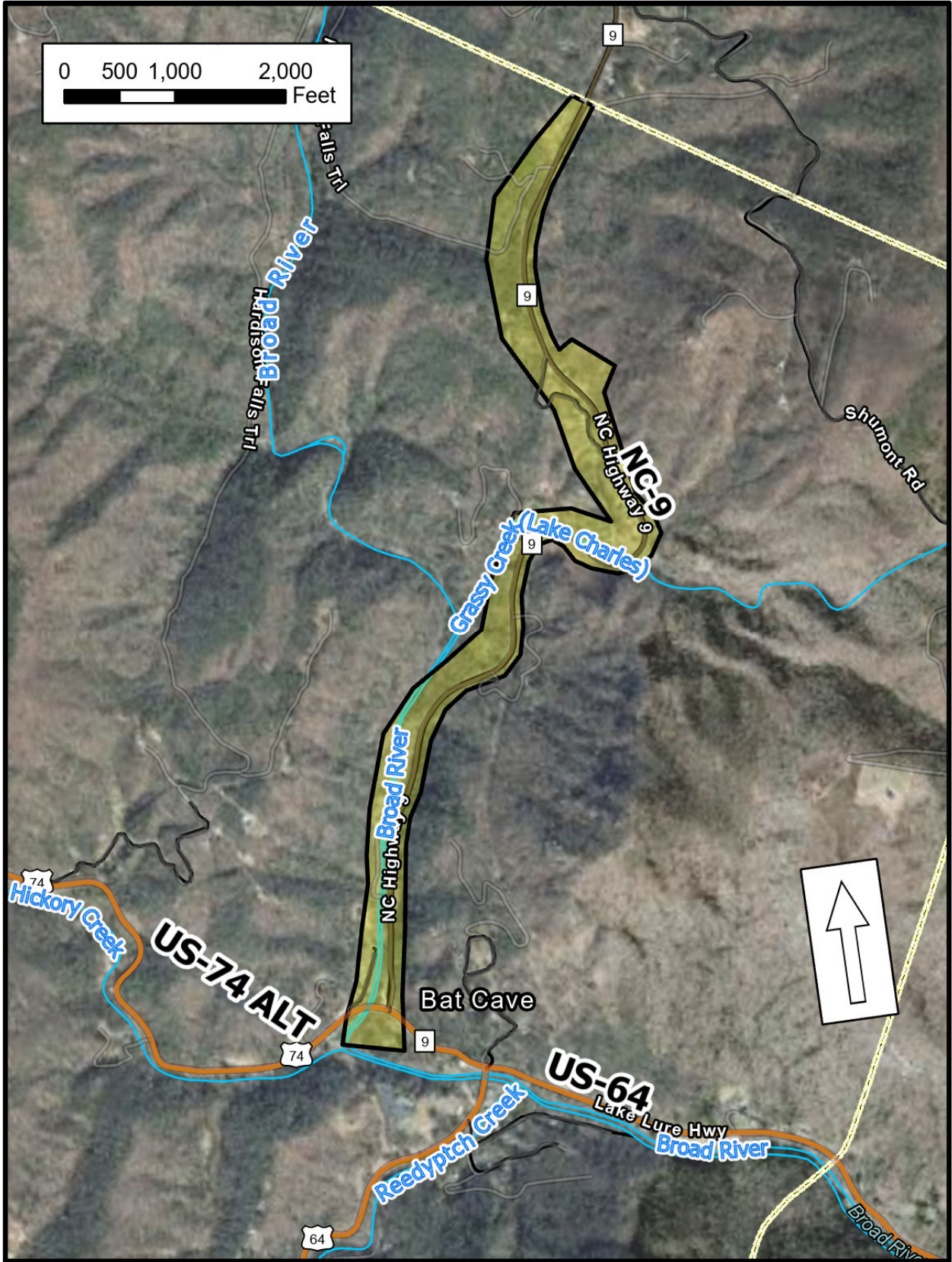


Figure 2. Aerial photograph of the damaged, and compromised portions of NC 9 between Bat Cave and the Buncombe County line. Helene flooding in narrow valleys damaged the highway and reshaped section of terrain. The approximate APE is shaded yellow with a black outline.



Figure 3. Detail from aerial imagery showing the nature and scale of the altered landscape after the Helene floods along a bend on NC 9 at the crossing of Grassy Creek (image extracted from Nearmap, image date January 25, 2025). Note the heavy erosion, shift of the creek banks, and alluvium deposits which swept and redeposited massive amounts of soil, large boulders, and other debris.

Historic
Architecture
&
Landscapes

25-02-0003



HISTORIC ARCHITECTURE AND LANDSCAPES NO HISTORIC PROPERTIES PRESENT 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:		County:	Henderson
WBS No.:	18314.1045035	Document Type:	CE
Fed. Aid No:		Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	USACE and FEMA

Project Description:

In response to the aftermath of Hurricane Helene, NCDOT's Division 14 proposes to repair/reconstruct NC 9 from US 74A in Bat Cave to the Buncombe County Line. The project is approximately 2.90 miles of highway with travel lanes that have been destroyed, damaged, or compromised by flooding. The extreme volume of flooding deposited new terrain and reformed or replaced many of the landforms and structures along the route. Repair, temporary roadway shoring, and permanent road reconstruction are required throughout the project's length.

No formal design was available at the time of the screening review; therefore the Area of Potential Effects (APE) width was created to allow flexibility to study a range of potential, successful roadway solutions. The width is 500 feet which allows 250 feet to either side of the recent centerline

Description of review activities, field surveys, results, and conclusions:

A North Carolina Department of Transportation (NCDOT) architectural historian reviewed the known historic properties in proximity to the APE using HPOWeb, Henderson and County GIS, survey site files from the HPO Western Office, and NCDOT's 2023 Historic Bridge Inventory. In February 2025. In March 3-5, 2025, the architectural historian conducted a site visit and determined that there was a potential historic property in the APE for the project -- House (HN1167). The nineteenth century residence has not been previously assessed for eligibility using the National Register of Historic Places (NRHP) criteria. Design Plans were reviewed for effects to HN1167 and it was determined on 5/22/2025 that there would be no adverse effect to HN1167, with the commitment that NCDOT complete an eligibility evaluation for the property. A report was prepared by Mdm Historical Consultants that recommended that the property was not eligible for the NRHP. It was submitted to HPO in July 2025 and they concurred with the recommendation.

SUPPORT DOCUMENTATION

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

FINDING BY NCDOT ARCHITECTURAL HISTORIAN

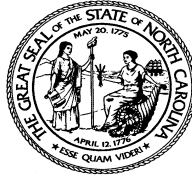
Historic Architecture and Landscapes – **NO HISTORIC PROPERTIES PRESENT**

Mary Pope Furr

8/7/2025

NCDOT Architectural Historian

Date



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Josh Stein
Secretary Pamela B. Cashwell

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

August 1, 2025

MEMORANDUM

TO: Mary Pope Furr mpfurr@ncdot.gov
Historic Architecture Group
NC Department of Transportation

FROM: Renee Gledhill-Earley *Renee Gledhill-Earley*
Environmental Review Coordinator

SUBJECT: Hurricane WBS# 18314.1045035, PA#s 25-02-0003 - Reconstruct NC 9 from US 74A in
Bat Cave to the county line, Rutherford County, ER 25-1915

Thank you for your July 17, 2025, memorandum transmitting the Historic Structures Survey Report (HSSR) for the above-referenced undertaking. We have reviewed the report, accepted it as final, and offer the following comments.

We concur that the Martha H. and William Bryson Searcy House (HN1167) is not eligible for listing in the National Register of Historic Places (NRHP) under any Criteria.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@dncr.nc.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Tribal Coordination



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

March 10, 2025

Dr. Wenonah Haire
Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, SC 29730

The North Carolina Department of Transportation (NCDOT) Highway Division 14 is starting the project development, environmental, and engineering studies for the following Hurricane Helene emergency repair project:

- NC 9 Improvements from US 74A in Bat Cave to the Buncombe County Line in Henderson County

Project Coordinates: 35.45327, -82.28989 (southern terminus)
35.47525, -82.28091 (northern terminus)


The Federal Highway Administration (FHWA) is the lead federal agency for compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) and a Permit is anticipated under the Section 404 Process with the USACE. A project vicinity map is attached. The coordinates of the projects are listed above.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the projects. Your comments may be used in the preparation of a NEPA/ State Environmental Policy Act (SEPA) Environmental Document.

In accordance with Section 106 of the NHPA, we also request that you inform us of any historic properties of traditional religious or cultural importance that you are aware of that may be affected by the proposed projects. Be assured that, in accordance with confidentiality and disclosure stipulations in Section 304 of the NHPA, we will maintain strict confidentiality about certain types of information regarding historic properties.

Please respond by April 14th so that your comments can be used in the planning of these projects. If you have any questions concerning this project, or would like any additional information, please contact me at (919) 707-6140 or by email at johnjamison@ncdot.gov.

Thank you,

DocuSigned by:

CA084B4A6412432...

John Jamison, PWS, CPM
NCDOT – Environmental Policy Unit Head

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL POLICY UNIT
1582 MAIL SERVICE CENTER
RALEIGH, NC 27699-1582

Telephone: (919) 707-6000
Fax: (919) 250-4224
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

March 10, 2025

Elizabeth Toombs
Tribal Historic Preservation Officer
PO BOX 948
Tahlequah OK 74465

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John Jamison, PWS, CPM
NCDOT – Environmental Policy Unit Head

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

March 10, 2025

Russell Townsend
Tribal Historic Preservation Officer
2077 Governors Island Road
Bryson City NC 28713

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Thank you,

DocuSigned by:

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John Jamison, PWS, CPM
NCDOT – Environmental Policy Unit Head

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

March 10, 2025

Muscogee (Creek) Nation
PO BOX 580
Okmulgee OK 74447

The North Carolina Department of Transportation (NCDOT) Highway Division 14 is starting the project development, environmental, and engineering studies for the following Hurricane Helene emergency repair project:

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Thank you,

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John Jamison, PWS, CPM
NCDOT – Environmental Policy Unit Head

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

March 10, 2025

Roger Cain
Section 106 Coordinator
PO BOX 746
Tahlequah OK 74465

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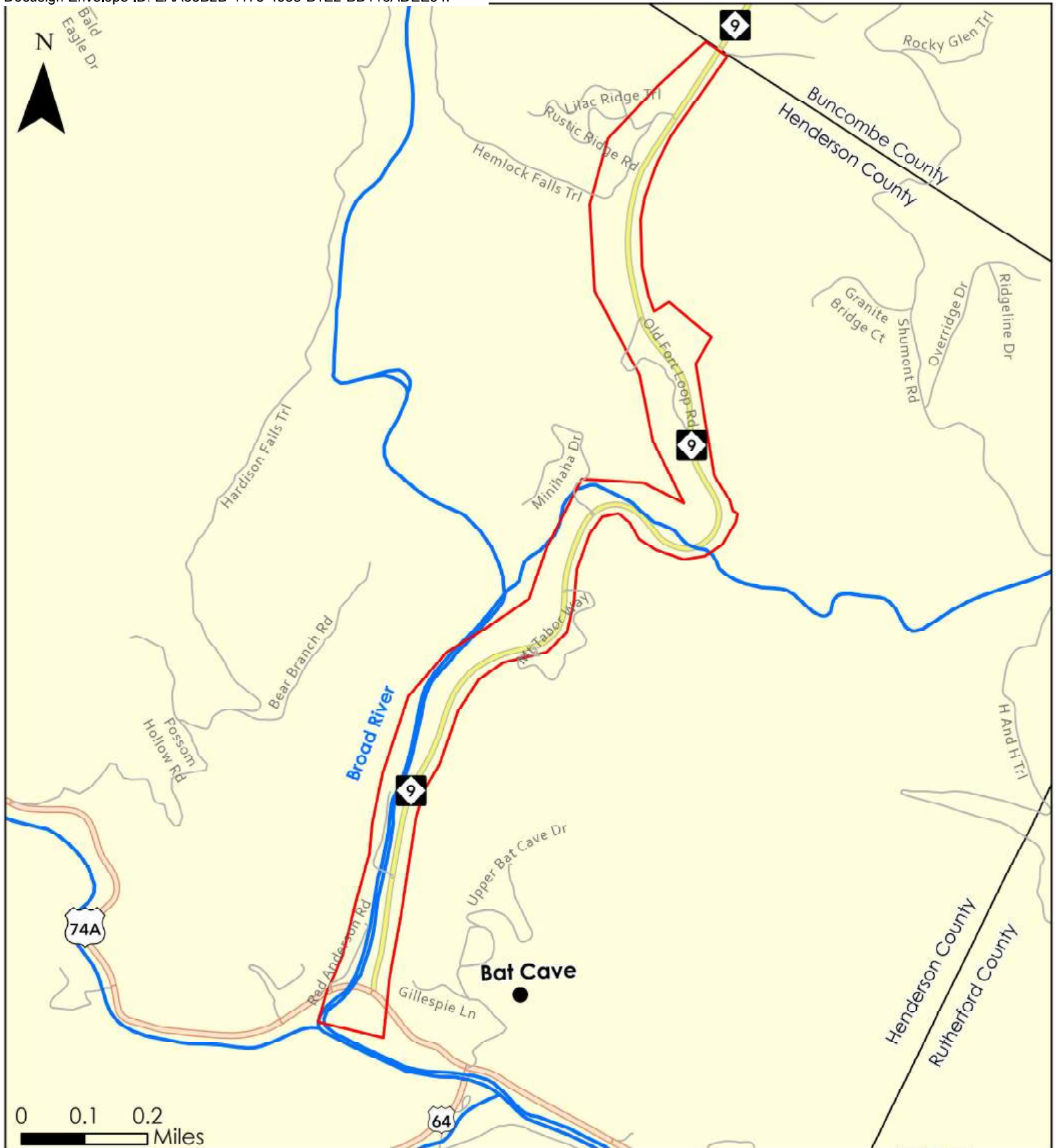
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RALEIGH, NC 27610



- Study Area
- US Highway
- NC Highway
- Local Roads
- Rivers/Streams



Project Location: Henderson County, NC

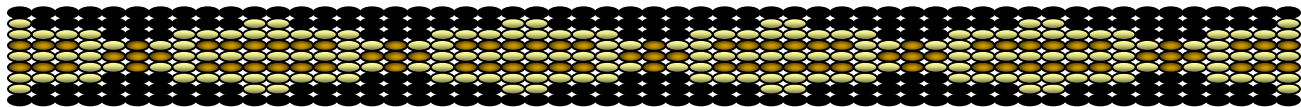
Client/Project: NCDOT- Division 14
Hurricane Helene Repairs to NC 9 from Bat Cave to Buncombe County line

Figure No. 1

Project Location

Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Office 803-328-2427



March 27, 2025

Attention: John Jamison
NC Department of Transportation
1582 Mail Service Center
Raleigh, NC 27699

Re. THPO #	TCNS #	Project Description
2025-193-137		NC 9 Improvements from US 74A in Bat Cave to the Buncombe County Line in Henderson County

Dear Mr. Jamison,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions, please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail Caitlin.Rogers@catawba.com.

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer

NEPA Document

Type I or II Categorical Exclusion Action Classification Form

STIP Project No.	W-0920
WBS Element	18314.1045035, 18314.1045061, 18314.1045062, 18314.1045063, 18314.1045073, 18314.1045074, 18314.1045135
Federal Project No.	N/A

A. Project Description:

The project proposes to repair damage caused by Hurricane Helene to NC 9 from its intersection with US 74A in Bat Cave, Henderson County to the Buncombe County line (Division 14).

B. Description of Need and Purpose:

In September 2024, Hurricane Helene devastated areas of western North Carolina, including portions of NC 9 north of Bat Cave in Henderson County (see Figure 1). The excessive rain and wind, coupled with the shear velocity of the Broad River which runs parallel to the road, resulted in catastrophic erosion, leading to the failure of the riverbank and the roadway facility.

The purpose of the project is to restore NC 9 to functionality and improve various elements of the roadway facility.

C. Categorical Exclusion Action Classification:

Type **I(B) - Ground Disturbing Action**

D. Proposed Improvements:

Appendix A, 9: The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):

- a) Emergency repairs under 23 U.S.C. 125; and
- b) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
 - i) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
 - ii) Is commenced within a 2-year period beginning on the date of the declaration.

Appendix A, 26: Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (including parking, weaving, turning, and climbing lanes), if the action meets the constraints listed in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Estimated Costs:

The estimated costs are as follows*:

Right of Way:	\$ 900,000
Utilities:	\$ 600,000
Construction:	<u>\$ 31,500,000</u>
Total:	\$ 33,000,000

*Costs subject to change

Maintenance of Traffic:

Off-site detours will not be utilized during construction of the project. Vehicular traffic through the project site will be maintained during construction using phasing, which would include the utilization of advance work zone warning signs, temporary pavement markings and markers, and the shifting of traffic patterns.

Emergency Response:

NCDOT will coordinate with law enforcement and emergency services before and during construction.

Jurisdictional Resources:

Sixteen jurisdictional streams, including Broad River and Grassy Creek, were identified in the project study area and are classified as Class C and trout waters (C;Tr). Streams in the project study area are subject to the trout buffer requirements administered by North Carolina Wildlife Resources Commission (NCWRC). A temporary causeway will be placed in the Broad River to accommodate the reconstruction of the river embankment from approximately 1100 feet to 2300 feet from the US 74A intersection.

Protected Species:

As of February 26, 2025, the United States Fish and Wildlife Service (USFWS) Information and Planning Consultation (IPaC) database lists eight federally protected species with ranges and potential habitat within the project study area. No Critical Habitat is present (see project file).

ESA federally protected species within the Study Area. (IPaC: [February 26, 2025])

Common Name	Scientific Name	Federal Status	Biological Conclusion
Gray Bat	<i>Myotis grisescens</i>	E	MALAA
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	E	MALAA
Tricolored Bat	<i>Perimyotis subflavus</i>	PE	MALAA
Bog Turtle	<i>Glyptemys muhlenbergii</i>	SAT	NR
Monarch Butterfly	<i>Danaus plexippus</i>	PT	NR
Small Whorled Pogonia	<i>Isotria medeoloides</i>	T	No Effect
White Irisette	<i>Sisyrinchium dichotomum</i>	E	No Effect
Rock Gnome Lichen	<i>Gymnoderma lineare</i>	E	No Effect

E – Endangered; PE – Proposed Endangered; T– Threatened; SAT – Similarity of Appearance (Threatened); PT – Proposed Threatened
MALAA – May Affect, Likely to Adversely Affect; NR – Not Required

Cultural Resources:

Tribal coordination letters were sent to Catawba Indian Nation, Cherokee Nation, Eastern Band of Cherokee Indians (EBCI), Muscogee (Creek) Nation, and United Keetoowah Band of Cherokee Indians on March 11, 2025. Catawba Indian Nation responded on March 27, 2025, and noted no immediate concerns; no other responses were received.

An Effects Required form was issued for Historic Architecture and Landscapes; one (1) known historic property previously designated as Surveyed Only (SO) is located at the northern end of the project

corridor. Consequently, NCDOT and NCHPO made a No Adverse Effect determination on the property. NCDOT found no archaeological resources within the Area of Potential Effects.

Signed forms for cultural resources have been attached to this document for reference.

Public and Stakeholder Involvement:

NCDOT held a public meeting on February 25, 2025, from 5 to 7 PM at Bat Cave Baptist Church. There were 135 attendees present at this public meeting. The public comment period ended March 11, 2025. No comments were received specific to the NC 9 repair project. A Public Input website will be established for the public to view plans and make comments throughout construction.

NCDOT circulated Start of Study letters to agency representatives on February 4, 2025. Responses were received from NC Division of Water Resources (NCDWR), NC Wildlife Resources Commission (NCWRC), and US Fish and Wildlife Service (USFWS). Responses are included in the project file.

F. Project Impact Criteria Checklists:

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)			
<p>For proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22, 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B), answer the project impact threshold questions (below) and questions 8–31.</p> <ul style="list-style-type: none"> If any question 1-7 is checked “Yes” then NCDOT certification for FHWA approval is required. If any question 1-30 is checked “Yes” then additional information will be required for those questions in Section G. <p><i>Source documents should be cited for each question as appropriate. If no source is needed or available, denote as “n/a”. Please note that some “no” answers should have a corresponding email/memo/report cited for that NCDOT discipline. Project reports or memos/emails should be linked to their location on the project’s Precon site; other publications (e.g. the STIP) can be linked directly. Example: (Source: NCDOT HE-0001 NRTR [HE-0001_NRTR.pdf, 2022])</i></p>			
<u>PROJECT IMPACT THRESHOLDS</u> (FHWA signature required if any of the questions 1-7 are marked “Yes.”)		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) in which a “likely to adversely affect determination” has been made? (Source: NC 9 Natural Resources Technical Report [NC-9 NRTR, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Does the project result in effects subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)? (Source: NC 9 Natural Resources Technical Report [NC-9 NRTR, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, regarding human and/or natural environment concerns, following appropriate public involvement? (Source: US 74A – Gerton, Public Meeting Summary, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition? (Source: NC 9 EIS Relocation Report [EIS Relocation Report, 2025])	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6	Does the project require an Individual Section 4(f) approval? (Source: NC 9 Historic Architecture & Landscapes – Effects Required Form [REQUEST FOR CULTURAL RESOURCES REVIEW, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Does the project result in adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or result in an adverse effect on a National Historic Landmark (NHL)? (Source: NC 9 Historic Architecture & Landscapes – Effects Required Form [REQUEST FOR CULTURAL RESOURCES REVIEW, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Other Considerations</u>		Yes	No
8	Is an Endangered Species Act (ESA) determination unresolved or resolved utilizing a Section 7 programmatic agreement? Include in Section G any utilization of a Section 7 Programmatic Agreement. (Source: NC 9 Natural Resources Technical Report [NC-9 NRTR, 2025])	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9	Is the project located in anadromous fish spawning waters? (Source: NCDEQ Interactive Map for Current Rules [Interactive Map for Current Rules NC DEQ, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)? (Source: NC 9 Natural Resources Technical Report [NC-9 NRTR, 2025])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	Does the project impact waters of the United States in any of the designated mountain trout streams? (Source: NC 9 Natural Resources Technical Report [NC-9 NRTR, 2025])	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit? (Source: USACE [Regulatory Program Workshop, 2015])	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility? (Source: NCDOT ATLAS Screening Tool [Begin Screening-ATLAS ncdot.gov] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects findings other than a No Effect, including archaeological remains? No matter the effect finding, list any commitments (conditions) in Section I made in association with the effect finding detailed in Section G. (Source: NC 9 Historic Architecture & Landscapes – Assessment of Effects Form [25-02-0003EffectsSignedwithPlans.pdf] , 2025)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.? (Source: NC 9 GeoEnvironmental Phase I Report [NC 9 Bat Cave GE PHASE I 20250321.pdf] , 2025)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A? (Source: North Carolina Effective Flood Zones Map , [NC OneMap, 2025])	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)? (Source: Not located in a coastal county)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	Does the project require a U.S. Coast Guard (USCG) permit? (Source: NCDOT [NES Procedures Manual - NEU Procedures Manual])	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19	Does the project involve Coastal Barrier Resources Act (CBRA) resources? (Source: Not located in a coastal county)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River? (Source: National Wild and Scenic Rivers System [North Carolina Rivers.gov] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Does the project impact federal lands (e.g., U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands? (Source: The Carolina Journal [Federally Owned Land and N.C. Counties] , 2015)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22	Does the project involve any changes in access control to the interstate (modification or construction of an interchange)? (Source: Not adjacent to an interstate facility)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness? (Source: Replacement of previously existing roadway facility)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24	Will maintenance of traffic or detours cause substantial disruption? (Source: NC 9 Transportation Management Plan [TEMP SHORING-] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25	Is the project inconsistent with the NCDOT's federally approved 4-year STIP or NCDOT's BMIP, and where applicable, the Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP)? (Source: Not a programmed STIP, BMIP, or MPO TIP Project)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Does the project require the acquisition of lands under the protection of the Land and Water Conservation Fund, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), Tribal Lands, Dedicated Nature Preserves, or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property? (Source: NC Land and Water Fund Coordination Letter [RE NC 9 Emergency Repair Project – NCLWF #2013-009.pdf] , 2025)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)? (Source: NCDOT [Begin Screening-ATLAS ncdot.gov] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
28	Does the project "use" Section 4(f) property, and/or result in a <i>de minimis</i> determination? (Source: Federal Highway Administration [Environmental Review Toolkit- Section 4(f) Tutorial] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
29	Is the project considered a Type I under the NCDOT Noise Policy? (NCDOT [Traffic Noise Policy] , 2021)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
30	Does the project impact VAD-enrolled property, or prime or important farmland soil, as defined by the Farmland Protection Policy Act (FPPA)? (Source: NCDOT ATLAS Screening Tool [Begin Screening-ATLAS ncdot.gov] , 2025)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

G. Additional documentation as required from Section F; documentation should address the context and intensity (or severity) of the impact. (Required for all questions marked 'Yes.')

5. Segments of additional right-of-way or easement are required along the project corridor. The proposed improvements will result in one residential relocation; an EIS Relocation Report is included in the appendix. One former commercial parcel will also be acquired.
8. The U.S. Fish and Wildlife Service (USFWS), in partnership with the Federal Highway Administration (FHWA), U.S. Army Corps of Engineers (USACE), and NCDOT, has issued a combined Programmatic Biological Opinion (PBO) and Programmatic Conference Opinion (PCO) for the following bat species: Indiana bat (*Myotis sodalis*, MYSO), gray bat (*M. grisescens*, MYGR), northern long-eared bat (*M. septentrionalis*, MYSE), tricolored bat (*Perimyotis subflavus*, PESU), and little brown bat (*M. lucifugus*, MYLU). Per current design and construction plans, the project is eligible for PBO use and NCDOT can adhere to the appropriate CMs. The proposed biological conclusion for bats is May Affect, Likely to Adversely Affect. The PBO will ensure compliance with Section 7 of the Endangered Species Act for five years (effective through April 1, 2030) for all NCDOT projects with a federal nexus in Divisions 9-14, which includes Henderson County, where the NC 9 repair project is located.

Conservation measures may be implemented, and tree clearing is minimal within the project study area (0.34 acre); the debris flow from the storm previously removed many of the trees adjacent to the road.

There are no known occurrences of the small whorled pogonia or white irisette within the project study area. Surveys were conducted in late May 2025 and no occurrences of either plant species were found.

The Monarch Butterfly was proposed for federal listing in December 2024. However, no restrictions will take effect until the proposal is finalized, which is expected in late 2025 or early 2026. Until then, proposed species do not receive protection under the Endangered Species Act (ESA), except that federal action agencies must ensure their actions do not jeopardize the species' existence.

11. Approximately 700 feet of the Broad River at the downstream end of the project site is designated as a Hatchery Supported Trout Water by NCWRC. The letter from the NCWRC can be found in the project file.
14. One (1) known historic property previously designated as Surveyed Only (SO) is located at the northern end of the project corridor. Consequently, NCDOT and NCHPO made a No Adverse Effect determination on the property. FHWA intends to use the NCHPO's concurrence as a basis for a *de minimis* finding for the property.
15. Two (2) sites of concern were identified within the project study area. Low monetary and scheduling impacts are anticipated from these sites.

The Geoenvironmental Phase I report noted that at least one tank was visible on the former Mudtools site. As a result of further investigation, three underground storage tanks (USTs) and two in-ground lifts were removed during closure activities. No special disposal requirements for soils excavated were required based on initial analysis.

The other site of concern is located along US 74A and outside of the NC 9 construction limits.

16. The project location falls within the North Carolina Effective Flood Zone. This includes the 1% Annual Chance Flood Hazard (Zone AE), according to the State of North Carolina Emergency Management Flood Zone map.
26. A significant percentage of the land surrounding this section of NC 9 is protected by conservation easements associated with North Carolina Land and Water Fund (NCLWF) project #2013-009. The project study area includes two properties with recorded conservation easements, one granted

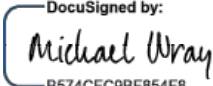
to the State of North Carolina (Henderson County Register of Deeds Book 1638; page 253), and the other granted to Conserving Carolina (Book 1636; Page 306).

NCLWF offered approval of the work along NC 9 and will not consider any of NCDOT's actions pertaining to this project to be inconsistent with the terms and intent of the conservation easement, as long as conditions regarding construction efforts noted in their letter are met (March 7, 2025). Commitments are included in the Special Project Commitments.

H. Categorical Exclusion Approval:

STIP Project No.	W-0920
WBS Element	18314.1045035, 18314.1045061, 18314.1045062, 18314.1045063, 18314.1045073, 18314.1045074, 18314.1045135
Federal Project No.	N/A

Prepared By:

6/2/2025	DocuSigned by:  B574CFC9BF854F8
Date	Michael Wray, PE, Planning Task Lead Stantec

Prepared For:

Nathan Tanner, PE – NCDOT Division 14

Reviewed By:


6/2/2025	Signed by:  78BFB0F950D342E
Date	Marissa Cox, Western Region Lead NCDOT Environmental Policy Unit

Approved

- If NO grey boxes are checked in Section F, NCDOT approves the Type I or Type II Categorical Exclusion.

Certified

- If ANY grey boxes are checked in Section F, NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval.

6/3/2025	DocuSigned by:  CA084R4A6412432
Date	John Jamison, PWS, CPM, Environmental Policy Unit Head North Carolina Department of Transportation

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

6/11/2025	DocuSigned by:  E932DEEC5B6240F
Date	for Yolonda K. Jordan, Division Administrator Federal Highway Administration

Note: Prior to ROW or Construction authorization, a [consultation](#) may be required (please see Section VIII of the NCDOT-FHWA CE Programmatic Agreement for more details). Upload final documentation to ATLAS workbench and add commitments to the green sheet and Commitments dashboard.

I. Project Commitments (attach as Green Sheet to CE Form):

NCDOT PROJECT COMMITMENTS

STIP Project No. **W-0920**

Emergency Repair of NC 9 from US 74A in Bat Cave to the Buncombe County line
Henderson County

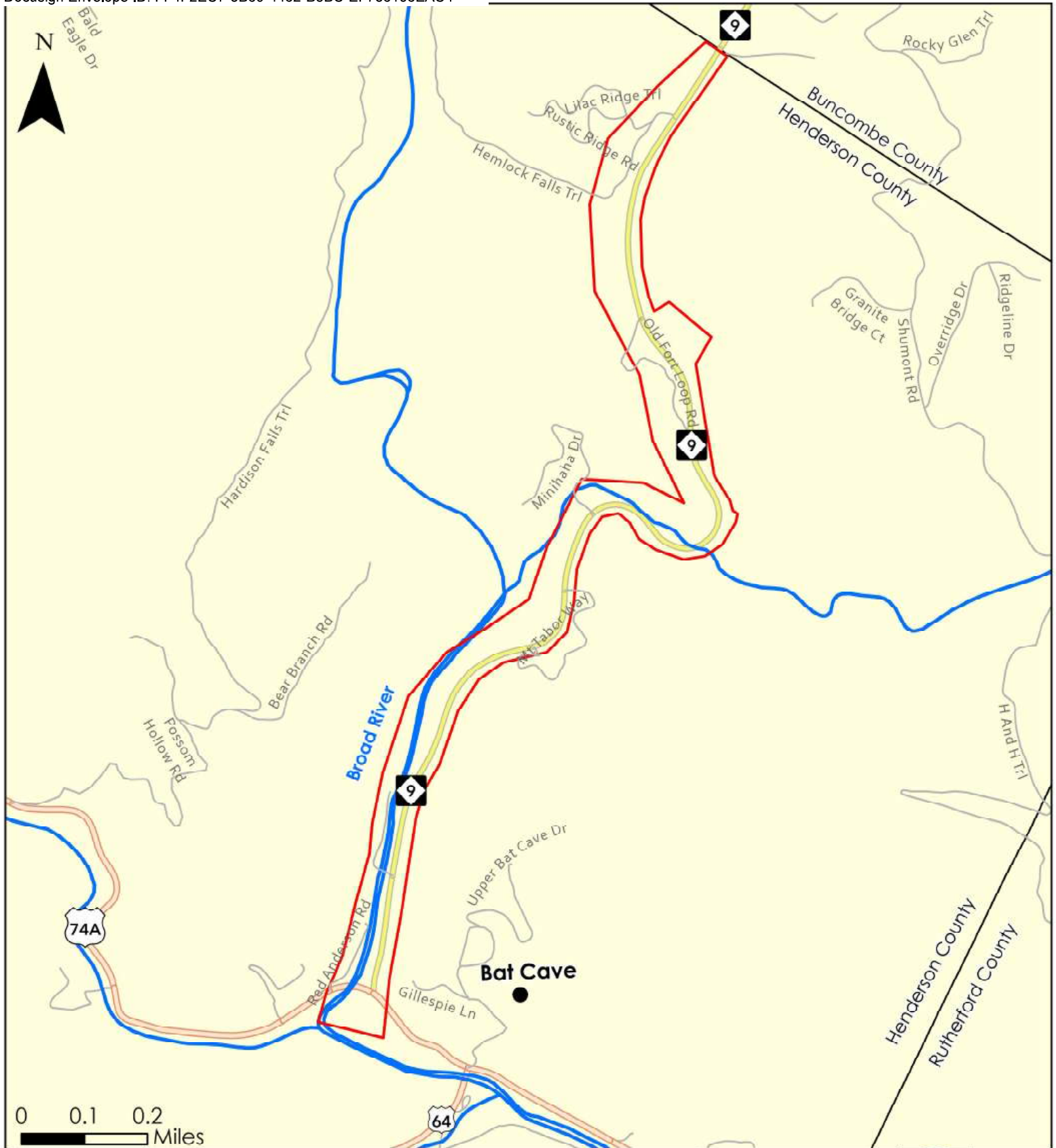
Federal Aid Project No. N/A

WBS Element 18314.1045035, 18314.1045061, 18314.1045062, 18314.1045063,
18314.1045073, 18314.1045074, 18314.1045135

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Division 14, Construction (NCLWF)

- All equipment must be cleaned/washed before entry to the conservation easement area or the Broad River and prior to any reentry after leaving the site. This is intended to help prevent the introduction of non-native invasive species to the easement area.
- Areas of disturbance must be revegetated using plants native to western North Carolina. Use of seed mixes must contain only native plants with the exception that native seed mixes may be combined with non-invasive temporary cover species such as rye grain, or winter wheat. Intentional use of invasive species such as lespedeza or fescue will be considered a violation of the conservation easement.
- All soil, rock, or other materials must be removed from the conservation easement area upon successful completion of the project. This includes all materials used in constructing a causeway within or adjacent to the Broad River. Streambanks must be returned to a condition that closely mimics natural conditions to the extent practicable.
- All silt fencing or similar construction materials must be removed from the conservation easement area promptly upon successful completion of the project.



- Study Area
- US Highway
- NC Highway
- Local Roads
- Rivers/Streams

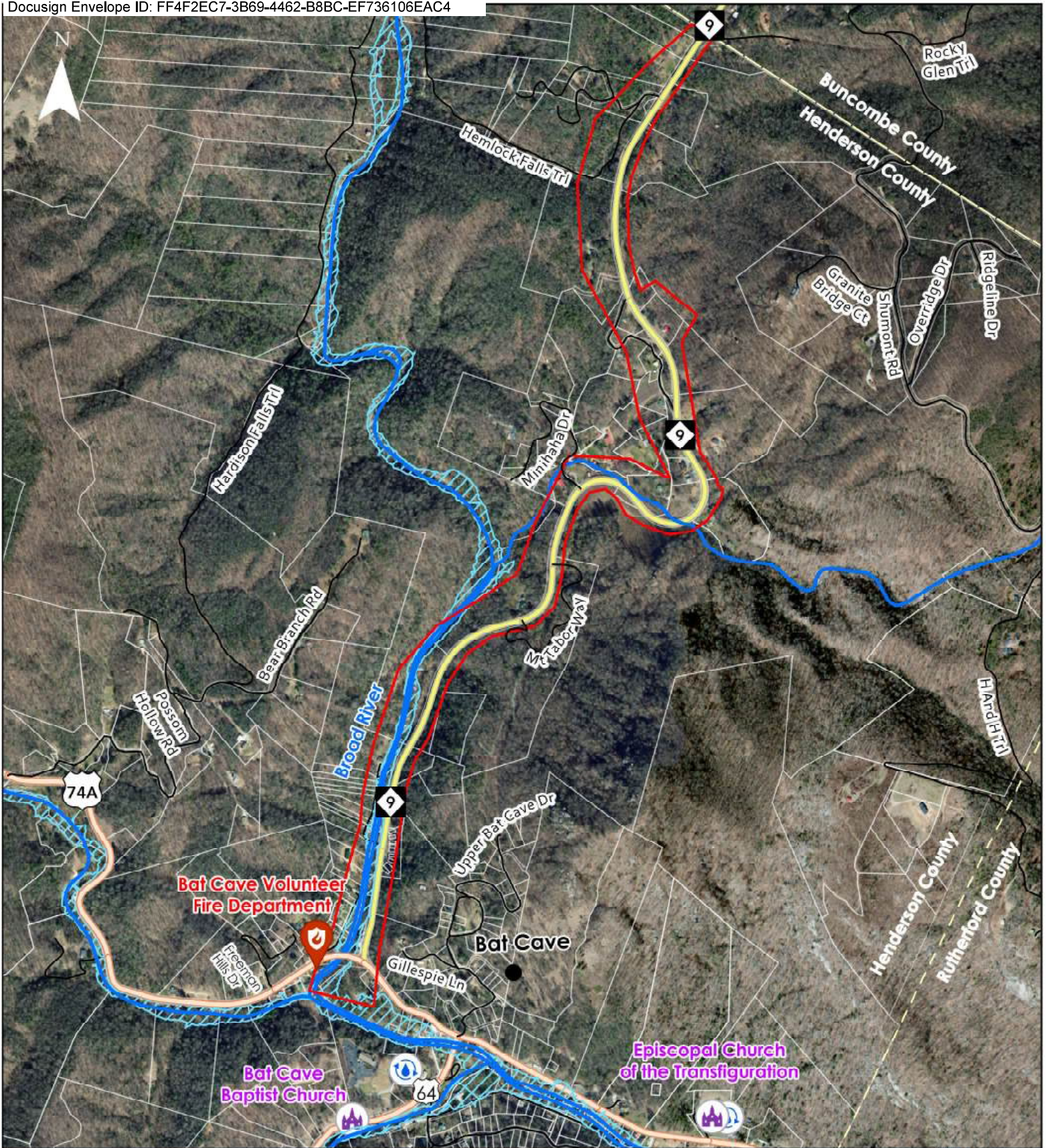


Project Location: Henderson County, NC

Client/Project: NCDOT- Division 14
Hurricane Helene Repairs to NC 9 from Bat Cave to Buncombe County line

Figure No. 1

Project Location



Project Location: Henderson County, NC
 Client/Project: NCDOT- Division 14
 Hurricane Helene Repairs to NC 9 from
 Bat Cave to Buncombe County line

Figure No. 2

Environmental Features

25-02-0003



**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:		County:	Henderson
WBS No.:	DF18314.2045035	Document Type:	Federal CE
Fed. Aid No:		Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	USACE

Project Description:

In response to the aftermath of Hurricane Helene, NCDOT’s Division 14 proposes to repair/reconstruct NC 9 from US 74A in Bat Cave to the Buncombe County Line. The project is approximately 2.90 miles of highway with travel lanes that have been destroyed, damaged, or compromised by flooding. The extreme volume of flooding deposited new terrain and reformed or replaced many of the landforms and structures along the route. Repair, temporary roadway shoring, and permanent road reconstruction are required throughout the project’s length.

No formal design was available at the time of the screening review; therefore the Area of Potential Effects (APE) width was created to allow flexibility to study a range of potential, successful roadway solutions. The width is 500 feet which allows 250 feet to either side of the recent centerline.

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

Description of review activities, results, and conclusion

A North Carolina Department of Transportation (NCDOT) architectural historian reviewed the known historic properties in proximity to the APE using HPOWeb, Henderson and County GIS, survey site files from the HPO Western Office, and NCDOT’s 2023 Historic Bridge Inventory. in February 2025. In March 3-5, 2025, the architectural historian conducted a site visit and determined that there was a potential historic property in the APE for the project -- House (HN1167). The nineteenth century residence has not been previously assessed for eligibility using the National Register of Historic Places (NRHP) criteria.

In order to expedite overall project delivery of DF18314.2045035, the Federal Highway Administration (FHWA) North Carolina Division, NCDOT, and North Carolina Historic Preservation Office (NC-HPO) have mutually agreed to treat House (HN1167) as NRHP-eligible for the sole purpose of advancing the emergency project to assess the potential effects of the project under Section 106 of the National Historic Preservation Act (NHPA).

A NRHP eligibility evaluation is underway and treating this property as eligible for project DF18314.2045035 does not extend to any future undertaking.

ASSESSMENT OF EFFECTS

Property Name:	House	Status:	unassessed
Survey Site No.:	HN1167	PIN:	0624330169
Effects			
<input type="checkbox"/> No Effect <input checked="" type="checkbox"/> No Adverse Effect <input type="checkbox"/> Adverse Effect			
<u>Explanation of Effects Determination:</u>			
Directly adjacent to House (HN1167) there is scour at the creek that requires stabilization with Class II riprap and protection with guardrail. There is 100' (50' each side of centerline) of existing Right of Way (ROW) on the parcel. No additional ROW will be required to stabilize the creek and install the guardrail and will not affect the characteristics for which the house may be potentially eligible. The roadway will also be repaved. The owners (Billie and Travis Warren) are aware of the proposed designs and do not object to the repairs.			
<u>List of Environmental Commitments:</u>			
NCDOT will install standard Class II riprap and stainless-steel guardrail. NCDOT will evaluate the eligibility of HN1167 using National Register criteria and submit the report to HPO for comments.			


SUPPORT DOCUMENTATION

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):

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

FINDING BY NCDOT AND STATE HISTORIC PRESERVATION OFFICE

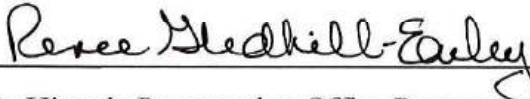
Historic Architecture and Landscapes – ASSESSMENT OF EFFECTS



NCDOT Architectural Historian

5/22/2025


Date



State Historic Preservation Office Representative

5/22/2025

Date



Federal Agency Representative

5/22/2025

Date

25-02-0003



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

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



PROJECT INFORMATION

Project No: **NC 9 Helene** *County:* **Henderson**
WBS No: 18314.1045035 W0920 *Document:* **CE**
F.A. No: **tbd** *Funding:* State Federal

Federal Permit Required? Yes No *Permit Type:* **USACE**

Project Description:

NCDOT proposes to repair and reestablish portions of the NC 9 highway in Henderson County damaged or destroyed by Hurricane Helene parallel to the Broad River from US 74A in Bat Cave and continuing north to the Buncombe County line (see Figure 1). For this emergency restoration and repair for segments of the highway damaged or removed from the landscape following devastating flooding, there is potential for federal funding and USACE coordination is expected. Section 106 of the National Historic Preservation Act applies for this federal undertaking.

The project’s southern limit is near the intersection of US 74A and Red Anderson Road (SR 1611) where US 64 meets in the Bat Cave vicinity. NC 9 continues northward along the Broad River for half of the project before shifting to a tributary, Grassy Creek which it crosses before reaching the Buncombe County line near Old Berlin Way. Overall, the project length covers about 2.0 miles of highway including travel lanes which have been removed, destroyed, damaged, or compromised by flooding. Repair, temporary roadway, or road rebuilding is required throughout the project. Note, PA 24-11-0012 and PA 25-01-0001 are related, separate archaeological reviews for repairs to US 74A and US 64, which travel from Gerton to Chimney Rock project at Bat Cave perpendicular to NC 9.

For the Archaeological Area of Potential Effects (APE), this investigation considers all areas of potential earth disturbing activities, including all the current and any proposed new ROW. The scouring volume of flooding deposited new terrain and reformed or replaced much of the landforms associated with NC 9 (see Figure 2). This unique circumstance requires earthmoving, fill, and cuts to grade and drain the recently modified terrain. The APE length end to end is about 2.0 miles (10,560 feet). No formal design was available at the time of this review; therefore, the APE width is buffered to allow flexibility to study a range of potential, successful roadway solutions. The width is 150 feet to either side of NC 9 with an emphasis on repair and areas immediately adjacent to the highway.

SUMMARY OF CULTURAL RESOURCES REVIEW

Brief description of review activities, results of review, and conclusions:

Portions of NC 9 were strongly affected by Hurricane Helen in late September 2024. Severe flooding, characterized by massive quantities and rapid flow, surpassed the established banks of the Broad River, Grassy Creek, and other drainages. The rushing water expanded and reformed channels, obliterating portions of the highway and removing vulnerable ditches, culverts, retaining walls, and other structures or buildings from the landscape. New deposits are now present, consisting of debris, boulders, and alluvium originating upstream and from the mountain slopes (see Figure 3). Most of the APE now has modified terrain, especially at areas closely parallel to the Broad River and Grassy Creek. The volume and extent of changes caused by flooding results in a rearranged landscape with large areas scoured or filled-in with flood deposits. This flooding event, and previous floods c. 1916, combines with major 20th century grading for the roads to leave little chance for intact soils containing cultural materials and living horizons in situ, a poor archaeological context.

25-02-0003

There are no recorded archaeological sites within, adjacent or in the nearby vicinity of the APE. Seven archaeological sites are recorded within a two-mile buffer of the project. Southeast of the project about 1.65 miles, outside of the Broad River valley bottom on a ridge spur, is the Native American archaeological site, 31Rf177. Site 31Hn68 is located southeast of the APE about 0.9 miles away, a Native American archaeological site near a previously reviewed debris site (Edney Inn 1 & 2). One mile north of the project, off NC 9 on a side road, New Sage Lane, is 31Bn1130, the Old Broad River or Old Field Cemetery. Four unassessed Native American sites are recorded northeast of the project, 31Bn169, 31Bn170, 31Bn171, and 31Bn172, about a mile away. None of these distant sites will be impacted by the current project.

The NC Office of State Archaeology reviewed an area inside of the current APE for a (rock) slide waste site at the bend of NC 9 over Grassy Creek (18-1276) which did not require a survey. Another series of recent, small environmental reviews (ER 25-0621, DR-4827-NC) are associated with the Helene flooding along the Broad River as close as 500 feet (0.1 miles), though, too, none were recommended for survey. A very recent survey has occurred on the north side of the Broad River about a mile to the southeast for the “Chimney Rock Borrow Site.” No sites were identified on the 45-acre, mostly sloped mountainside (ER 24-2608). Also, there are a few, small NCDOT reviews in the general area (ex., PA 12-08-0082 and PA 13-08-0050) that did not receive recommendations for survey. PA 24-11-0012 and PA 25-01-01, the previously mentioned emergency repairs to US 64/US 74A at the south end of the current project, are all strongly associated in nature and scale. Neither of those two projects to restore the highways after flood damage were recommended for archeological survey.

The terrain in the project area is mountainous and steep. Available aerial, drone and roadside imagery was examined for portions of the highway. Contour mapping was studied. The APE for urgently required repairs and restoration of services for NC 9 has portions which were swept away by Helene flooding or are otherwise majorly altered. Construction of the highway and other twentieth century development graded the terrain. A large volume of creek bank has been scoured and new alluvium deposited, most recently by Helene flood waters, but also in 1916 when the mountains endured an earlier damaging flood event of similar scale. The probability to encounter and affect undocumented, intact, and significant archaeological sites within the APE is low. No archaeological survey is required. A separate cultural resources review is underway by NCDOT Architecture Historians which will address above ground structures and properties.

This project falls within a North Carolina County which the following federally recognized tribes have expressed an interest: the Catawba Indian Nation, the Cherokee Nation, the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, and the Muscogee (Creek) Nation. We recommend that this documentation is forwarded to tribes using the process described in the current NCDOT Tribal Protocol and PA Procedures Manual.

Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:

The undertaking involves needed restoration of travel lanes, drainage, and road shoulders which were removed from the landscape or otherwise damaged due to Hurricane Helene flooding. The corridor, which includes the Broad River and Grassy Creek, witnessed massive amounts of soil and rock displacement. The river and creek banks have changed, reshaping the terrain. Earth removed and swept away has been replaced with new alluvium. No archaeological sites are expected to remain where the riverbed and banks have been reformed. Previous road construction work also contributed to the poor archaeological context at damaged areas of the highway. No archaeological survey is warranted for this highway repair project.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Photocopy of County Survey Notes Other:

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED



NCDOT ARCHAEOLOGIST

4/8/2025

Date

EIS RELOCATION REPORT

**North Carolina Department of Transportation
RELOCATION ASSISTANCE PROGRAM**

E.I.S. CORRIDOR DESIGN

WBS ELEMENT:	18314.1045073	COUNTY	Henderson	Alternate	1	of	1	Alternate
T.I.P. No.:	045NC9-334							
DESCRIPTION OF PROJECT:	NC-9 from US74A (Bat Cave) to Buncombe County line							

ESTIMATED DISPLACEDS (% MINORITY = 19.6%)*					INCOME LEVEL									
Type of Displacees	Owners	Tenants	Total	Minorities	0-15K	15-25K	25-35K	35-50K	50K UP					
Residential	1	0	1	0	0	0	0	0	0	1				
Businesses	0	0	0	0	VALUE OF DWELLING				DSS DWELLING AVAILABLE					
Farms	0	0	0	0	Owners		Tenant Rent		For Sale		For Rent			
Non-Profit	0	0	0	0	0-100K	0	\$ 0-250	0	0-100K	0	\$ 0-250	0		
ANSWER ALL QUESTIONS					100-200K	0	250-500	0	100-200K	35	250-500	3		
Yes	No	<i>Explain all "YES" answers.</i>			200-300K	1	500-1000	0	200-300K	61	500-1000	12		
	X	1. Will special relocation services be necessary?			300-400K	0	1000-1500	0	300-400K	117	1000-1500	35		
	X	2. Will schools or churches be affected by displacement?			400K UP	0	1500 UP	0	400K UP	415	1500 UP	99		
X		3. Will business services still be available after project?			REMARKS (Respond by Number)									
	X	4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc.			*% Minority is based on Census data - Please provide Census data for the area 3 – Business services will still be available. 6 – Realtor.com and other online realty sites 8 – As required by 49 CFR Part 24 11 – Public housing is available in Henderson Co. 12 – DSS housing will be available.									
	X	5. Will relocation cause a housing shortage?												
		6. Source for available housing (list).												
	X	7. Will additional housing programs be needed?												
X		8. Should Last Resort Housing be considered?												
	X	9. Are there large, disabled, elderly, etc. families?												
	X	10. Will public housing be needed for project?												
X		11. Is public housing available?												
X		12. Is it felt there will be adequate DSS housing available during relocation period?												
	X	13. Will there be a problem of housing within financial means?												
	X	14. Are suitable business sites available (list source).												
		15. Number months estimated to complete RELOCATION?												
		6-12												

 Jacob B. Day Right of Way Agent	02-19-25 Date	 Chris Coughlin Relocation Coordinator	03/11/2025 Date
--	------------------	--	--------------------

Certificate Of Completion

Envelope Id: FF4F2EC7-3B69-4462-B8BC-EF736106EAC4

Status: Completed

Subject: Attached is the final NC 9 Categorical Exclusion for signature.

Source Envelope:

Document Pages: 17

Signatures: 4

Envelope Originator:

Certificate Pages: 2

Initials: 0

Michael Wray

AutoNav: Enabled

801 Jones Franklin Rd, Ste 300

Envelopeld Stamping: Enabled

Raleigh, NC 27606

Time Zone: (UTC-05:00) Eastern Time (US & Canada)

michaelg.wray@stantec.com

IP Address: 173.42.0.66

Record Tracking

Status: Original

Holder: Michael Wray

Location: DocuSign

6/2/2025 10:02:57 AM

michaelg.wray@stantec.com

Signer Events

Signature

Timestamp

Michael Wray

michaelg.wray@stantec.com

Security Level: Email, Account Authentication
(None)

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Viewed: 6/2/2025 10:09:00 AM

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Signature Adoption: Pre-selected Style

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Electronic Record and Signature Disclosure:

Not Offered via Docusign

Marissa Cox

mrcox2@ncdot.gov

Security Level: Email, Account Authentication
(None)

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Electronic Record and Signature Disclosure:

Not Offered via Docusign

John Jamison

johnjamison@ncdot.gov

Unit Manager

North Carolina Department of Transportation

Security Level: Email, Account Authentication
(None)

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Electronic Record and Signature Disclosure:

Not Offered via Docusign

Clarence Coleman

clarence.coleman@dot.gov

Security Level: Email, Account Authentication
(None)

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Electronic Record and Signature Disclosure:

Not Offered via Docusign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/2/2025 10:08:53 AM
Certified Delivered	Security Checked	6/9/2025 12:03:18 PM
Signing Complete	Security Checked	6/11/2025 5:46:41 PM
Completed	Security Checked	6/11/2025 5:46:41 PM
Payment Events	Status	Timestamps