



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 29, 2021

U.S. Army Corps of Engineers  
151 Patton Avenue, Room 208  
Asheville, NC 28801-5006

ATTN: Ms. Lori Beckwith  
NCDOT Coordinator

Subject: **Application for Section 404 Reginal General Permit 50, and Section 401 Water Quality Certification** for the Proposed Replacement of Bridge 26 on NC 106 over Middle Creek in Macon County, Division 14, TIP No. BR-0029, Debit \$570 from WBS 67029.1.1.

Dear Madam:

The North Carolina Department of Transportation (NCDOT) proposes to replace bridge number 26 on NC 106 over Middle Creek with a new bridge directly north of the existing alignment. Traffic will utilize the existing bridge during construction.

As a result of replacing the existing bridge, there will be 93 linear feet of permanent stream bank stabilization, and <0.01 acre (21 linear feet) of temporary stream bank stabilization impacts.

Please see enclosed copies of the Pre-Construction Notification (PCN), which includes the following attachments: Stormwater Management Plan, Permit Drawings, CE Checklist, USFWS Concurrence Letter, Historic Archaeological Letter, Historic Architecture Letter, Tribal Coordination/Response Letters. The CE Checklist was completed in July 2019 and distributed shortly thereafter.

This project calls for a letting date of March 15, 2022, and a review date of January 25, 2022.

A copy of this permit application and its distribution list will be posted on the NCDOT Website at: <http://connect.ncdot.gov/resources/Environmental>. If you have any questions or need additional information, please contact Bill Barrett at [wabarrett@ncdot.gov](mailto:wabarrett@ncdot.gov) or (919) 707-6103.

Sincerely,

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

cc: NCDOT Permit Application Standard Distribution List



## Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits  
(along with corresponding Water Quality Certifications)

June 1, 2021 Ver 4.1

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.

Also, if at any point you wish to print a copy of the E-PCN, all you need to do is right-click on the document and you can print a copy of the form.

Below is a link to the online help file.

<https://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf>

### A. Processing Information



County (or Counties) where the project is located: \*

Macon

Is this a NCDMS Project? \*

☐ Yes ☒ No

Click Yes, only if NCDMS is the applicant or co-applicant.

Is this project a public transportation project? \*

☒ Yes ☐ No

This is any publicly funded by municipal, state or federal funds road, rail, airport transportation project.

Is this a NCDOT Project? \*

☒ Yes ☐ No

(NCDOT only) T.I.P. or state project number:

BR-0029

WBS # \*

67027.1.1

(for NCDOT use only)

1a. Type(s) of approval sought from the Corps: \*

- ☒ Section 404 Permit (wetlands, streams and waters, Clean Water Act)  
☐ Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)

Has this PCN previously been submitted? \*

☐ Yes  
☒ No

1b. What type(s) of permit(s) do you wish to seek authorization? \*

- ☐ Nationwide Permit (NWP)  
☒ Regional General Permit (RGP)  
☐ Standard (IP)

1c. Has the NWP or GP number been verified by the Corps? \*

☐ Yes ☒ No

Regional General Permit (RGP) Number:

201902350 - Work associated with bridge construction, widening, replacement, and interchanges

RGP Numbers (for multiple RGPs):

List all RGP numbers you are applying for not on the drop down list.

1d. Type(s) of approval sought from the DWR: \*

check all that apply

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> 401 Water Quality Certification - Regular | <input type="checkbox"/> 401 Water Quality Certification - Express |
| <input type="checkbox"/> Non-404 Jurisdictional General Permit                | <input type="checkbox"/> Riparian Buffer Authorization             |
| <input type="checkbox"/> Individual 401 Water Quality Certification           |  |

### Pre-Filing Meeting Information

Before submitting this form please ensure you have submitted the Pre-Filing Meeting Request Form as we will not be able to accept your application without this important first step. The Pre-Filing Meeting Request Form is used in accordance with 40 C.F.R. Section 121.4(a) "At least 30 days prior to submitting a certification request, the project proponent shall request a pre-filing meeting with the certifying

agency" and in accordance with 40 C.F.R. Section 121.5(b)(7), and (c)(5) all certification requests shall include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request. Click [here](#) to read more information on when this form is needed prior to application submission or [here](#) to view the form.

Is this a courtesy copy notification? \*

☐ Yes ☒ No

ID#	Version
20210555	1

Pre-filing Meeting or Request Date  
5/25/2021

Attach documentation of Pre-Filing Meeting Request here:

Click the upload button or drag and drop files here to attach document

BR-0029 Pre-Filing Documents.pdf	146.44KB
----------------------------------	----------

File type must be PDF

1e. Is this notification solely for the record because written approval is not required?

For the record only for DWR 401 Certification: ☐ Yes ☒ No

For the record only for Corps Permit: ☐ Yes ☒ No

1f. Is this an after-the-fact permit application? \*

☐ Yes ☒ No

1g. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts?

If so, attach the acceptance letter from mitigation bank or in-lieu fee program.

☐ Yes ☒ No

Acceptance Letter Attachment

Click the upload button or drag and drop files here to attach document

FILE TYPE MUST BE PDF

1h. Is the project located in any of NC's twenty coastal counties? \*

☐ Yes ☒ No

1j. Is the project located in a designated trout watershed? \*

☒ Yes ☐ No

You must submit a copy of the appropriate Wildlife Resource Commission Office.

Link to trout information: <http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx>

## B. Applicant Information

1a. Who is the Primary Contact? \*

NCDOT

1b. Primary Contact Email: \*

wabarrett@ncdot.gov

1c. Primary Contact Phone: \*

(xxx)xxx-xxxx  
(919)707-6103

1d. Who is applying for the permit? \*

☒ Owner  
(Check all that apply)

☐ Applicant (other than owner)

1e. Is there an Agent/Consultant for this project? \*

☐ Yes ☒ No

### 2. Owner Information

2a. Name(s) on recorded deed: \*

n/a

2b. Deed book and page no.:

2c. Contact Person:

(for Corporations)

## 2d. Address \*

Street Address

1598 Mail Service Center

Address Line 2

City

Raleigh

Postal / Zip Code

27699

State / Province / Region

NC

Country

US

## 2e. Telephone Number: \*

(xxx)xxx-xxxx

(919)707-6103

## 2f. Fax Number:

(xxx)xxx-xxxx

## 2g. Email Address: \*

wabarrett@ncdot.gov

# C. Project Information and Prior Project History

## 1. Project Information

### 1a. Name of project: \*

BR-0029 - Replacement of Bridge 26 on NC 106 over Middle Creek in Macon County

### 1b. Subdivision name:

(if appropriate)

### 1c. Nearest municipality / town: \*

Highlands

## 2. Project Identification

### 2a. Property Identification Number:

(tax PIN or parcel ID)

### 2b. Property size:

(in acres)

### 2c. Project Address

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

### 2d. Site coordinates in decimal degrees

Please collect site coordinates in decimal degrees. Use between 4-6 digits (unless you are using a survey-grade GPS device) after the decimal place as appropriate, based on how the location was determined. (For example, most mobile phones with GPS provide locational precision in decimal degrees to map coordinates to 5 or 6 digits after the decimal place.)

### Latitude: \*

35.008340

ex: 34.208504

### Longitude: \*

-83.325544

-77.796371

## 3. Surface Waters

### 3a. Name of the nearest body of water to proposed project: \*

Middle Creek

### 3b. Water Resources Classification of nearest receiving water: \*

C; Tr

[Surface Water Lookup](#)

### 3c. What river basin(s) is your project located in? \*

Little Tennessee

### 3d. Please provide the 12-digit HUC in which the project is located. \*

060102020102

[River Basin Lookup](#)

## 4. Project Description and History



4a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: \*

Undeveloped woodlands and a few scattered residences

4b. Have Corps permits or DWR certifications been obtained for this project (including all prior phases) in the past? \*

☐ Yes ☒ No ☐ Unknown

4f. List the total estimated acreage of all existing wetlands on the property:

0

4g. List the total estimated linear feet of all existing streams on the property:

(intermittent and perennial)

170 (perennial)

4h. Explain the purpose of the proposed project: \*

The purpose of this project is to replace a functionally obsolete bridge.

4i. Describe the overall project in detail, including indirect impacts and the type of equipment to be used: \*

NCDOT proposes to replace Bridge 26 on NC 106 (Dillard Road) over Middle Creek in Macon County. The project length is approximately 0.40 mile (see Figure 1 – Vicinity Map in the attached CE). The project proposes to replace the existing 88-foot long, 18.75' structure with a 107' long, 40' wide bridge. As no practicable off-site detours are available for this project, the bridge will be replaced as close as feasible to the existing bridge using staged/phased construction. This also minimizes the project footprint, thus minimizing impacts to Middle Creek. Standard bridge/roadbuilding heavy equipment will be used such as cranes, bulldozers, and other earth-moving equipment.

5. Jurisdictional Determinations

5a. Have the wetlands or streams been delineated on the property or proposed impact areas? \*

☒ Yes ☐ No ☐ Unknown

Comments:

The only jurisdictional feature impacted is the named stream (Middle Creek).

5b. If the Corps made a jurisdictional determination, what type of determination was made? \*

☐ Preliminary ☐ Approved ☒ Not Verified ☐ Unknown ☐ N/A

Corps AID Number:

Example: SAW-2017-99999

5c. If 5a is yes, who delineated the jurisdictional areas?

Name (if known):

Agency/Consultant Company:

Other:

6. Future Project Plans

6a. Is this a phased project? \*

☐ Yes ☒ No

Are any other NWP(s), regional general permit(s), or individual permits(s) used, or intended to be used, to authorize any part of the proposed project or related activity? This includes other separate and distant crossing for linear projects that require Department of the Army authorization but don't require pre-construction notification.

No

D. Proposed Impacts Inventory

1. Impacts Summary

1a. Where are the impacts associated with your project? (check all that apply):

☐ Wetlands ☒ Streams-tributaries ☐ Buffers  
☐ Open Waters ☐ Pond Construction

3. Stream Impacts

If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.

"S." will be used in the table below to represent the word "stream".

	3a. Reason for impact * (?)	3b.Impact type *	3c. Type of impact *	3d. S. name *	3e. Stream Type * (?)	3f. Type of Jurisdiction *	3g. S. width * Average (feet)	3h. Impact length * (linear feet)
S1	Minimize erosion	Permanent	Bank Stabilization	Middle Creek	Perennial	Corps	60	93
S2	Minimize erosion	Temporary	Bank Stabilization	Middle Creek	Perennial	Corps	60	21

\*\* All Perennial or Intermittent streams must be verified by DWR or delegated local government.

3i. Total jurisdictional ditch impact in square feet:

0

3i. Total permanent stream impacts:

93

3i. Total temporary stream impacts:

21

3i. Total stream and ditch impacts:

114

3j. Comments:

The total temporary impacts = <0.01 acre.

## E. Impact Justification and Mitigation

### 1. Avoidance and Minimization

1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing the project: \*

The bridge will be replaced as close as feasible to the existing bridge using staged/phased construction. This also minimizes the project footprint, thus minimizing impacts to Middle Creek.

Riprap / bank stabilization at pipe outlets, ditches, and streambanks has been incorporated to minimize erosion on slopes where vegetation will not be adequate.

1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques: \*

NCDOT standards for ground cover, vegetation, and slope stabilization will be adhered to during the life of this project and will be specified in the NCDOT Erosion and Sediment Control Plan for the project.

### 2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State

2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?

☐ Yes ☒ No

2b. If this project DOES NOT require Compensatory Mitigation, explain why:

Bank stabilization impacts do not require fill in the stream bed, and therefore, under Section 404 of the Clean Water Act, do not constitute Loss of Waters of the U.S. and are not subject to compensatory mitigation.

NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's [RIBITS](#) website.

## F. Stormwater Management and Diffuse Flow Plan (required by DWR)

\*\*\* Recent changes to the stormwater rules have required updates to this section .\*\*\*

### 1. Diffuse Flow Plan

1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?

☐ Yes ☒ No

For a list of options to meet the diffuse flow requirements, click [here](#).

If no, explain why:

The project is not located within, or adjacent to, any of the NC Riparian Buffers.

### 2. Stormwater Management Plan

2a. Is this a NCDOT project subject to compliance with NCDOT's Individual NPDES permit NCS000250? \*

☒ Yes ☐ No

Comments:

see attached Permit Drawings.

## G. Supplementary Information

### 1. Environmental Documentation

1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? \*

☒ Yes ☐ No

1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)? \*

☒ Yes ☐ No

1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) \*

☒ Yes ☐ No

## 2. Violations (DWR Requirement)

2a. Is the site in violation of DWR Water Quality Certification Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), or DWR Surface Water or Wetland Standards or Riparian Buffer Rules (15A NCAC 2B .0200)? \*

☐ Yes ☒ No

## 3. Cumulative Impacts (DWR Requirement)

3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? \*

☐ Yes ☒ No

3b. If you answered "no," provide a short narrative description.

Due to the minimal transportation impact resulting from this bridge replacement, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.

## 4. Sewage Disposal (DWR Requirement)

4a. Is sewage disposal required by DWR for this project? \*

☐ Yes ☒ No ☐ N/A

## 5. Endangered Species and Designated Critical Habitat (Corps Requirement)

5a. Will this project occur in or near an area with federally protected species or habitat? \*

☒ Yes ☐ No

5b. Have you checked with the USFWS concerning Endangered Species Act impacts? \*

☒ Yes ☐ No

5c. If yes, indicate the USFWS Field Office you have contacted.

Asheville

5d. Is another Federal agency involved? \*

☒ Yes ☐ No ☐ Unknown

What Federal Agency is involved?

US Forest Service

5e. Is this a DOT project located within Division's 1-8? \*

☐ Yes ☒ No

5f. Will you cut any trees in order to conduct the work in waters of the U.S.? \*

☒ Yes ☐ No

5g. Does this project involve bridge maintenance or removal? \*

☒ Yes ☐ No

5g(1). If yes, have you inspected the bridge for signs of bat use such as staining, guano, bats, etc.? Representative photos of signs of bat use can be found in the NLEB SLOPES, Appendix F, pages 3-7.

☒ Yes ☐ No

Link to the NLEB SLOPES document: [http://saw-reg.usace.army.mil/NLEB/1-30-17-signed\\_NLEB-SLOPES&apps.pdf](http://saw-reg.usace.army.mil/NLEB/1-30-17-signed_NLEB-SLOPES&apps.pdf)

If you answered "Yes" to 5g(1), did you discover any signs of bat use? \*

☒ Yes ☐ No ☐ Unknown

\*\*\* If yes, please show the location of the bridge on the permit drawings/project plans.

5h. Does this project involve the construction/installation of a wind turbine(s)? \*

☐ Yes ☒ No

5i. Does this project involve (1) blasting, and/or (2) other percussive activities that will be conducted by machines, such as jackhammers, mechanized pile drivers, etc.? \*

☒ Yes ☐ No

5j. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? \*

Informal concurrence; IPaC; NC Natural Heritage Program (NHP) Biotics database; bat surveys; aquatic surveys, plant surveys.

## 6. Essential Fish Habitat (Corps Requirement)

6a. Will this project occur in or near an area designated as an Essential Fish Habitat? \*

☐ Yes ☒ No

6b. What data sources did you use to determine whether your site would impact an Essential Fish Habitat? \*

NMFS County Index

## 7. Historic or Prehistoric Cultural Resources (Corps Requirement)

Link to the State Historic Preservation Office Historic Properties Map (does not include archaeological data: <http://gis.ncdcr.gov/hpweb/>)

**7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)? \***

☐ Yes ☒ No

**7b. What data sources did you use to determine whether your site would impact historic or archeological resources? \***

NEPA documentation, and attachments.

## 8. Flood Zone Designation (Corps Requirement)

Link to the FEMA Floodplain Maps: <https://msc.fema.gov/portal/search>

**8a. Will this project occur in a FEMA-designated 100-year floodplain? \***

☐ Yes ☒ No

**8c. What source(s) did you use to make the floodplain determination? \***

FEMA Floodmap 3700740800J

## Miscellaneous

### Comments

Please use the space below to attach all required documentation or any additional information you feel is helpful for application review. Documents should be combined into one file when possible, with a Cover Letter, Table of Contents, and a Cover Sheet for each Section preferred.

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

BR-0029 Cover Letter.pdf	167.02KB
BR-0029_Final_CE_Checklist_Signed.pdf	8.86MB
No National Register Eligible or Listed Archaeological Sites Present PA 17-12-0040.pdf	1.16MB
2018-01-08 Historic Architecture and Landscapes - No Survey Required Form.pdf	964.85KB
BR-0029 2021-11-24 FWS Concurrence.pdf	326.86KB
BR-0029 SMP and Permit Drawings.pdf	3.17MB
BR-0029 Tribal Coordination.pdf	5.74MB

File must be PDF or KMZ

## Signature

\*

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

- The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief; and
- 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 have given true, accurate, and complete information on this form;
- I agree that submission of this PCN 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 PCN form.

**Full Name: \***

Michael Turchy

**Signature \***



**Date**

11/29/2021



## North Carolina Department of Transportation

Highway Stormwater Program  
STORMWATER MANAGEMENT PLAN

FOR NCDOT PROJECTS



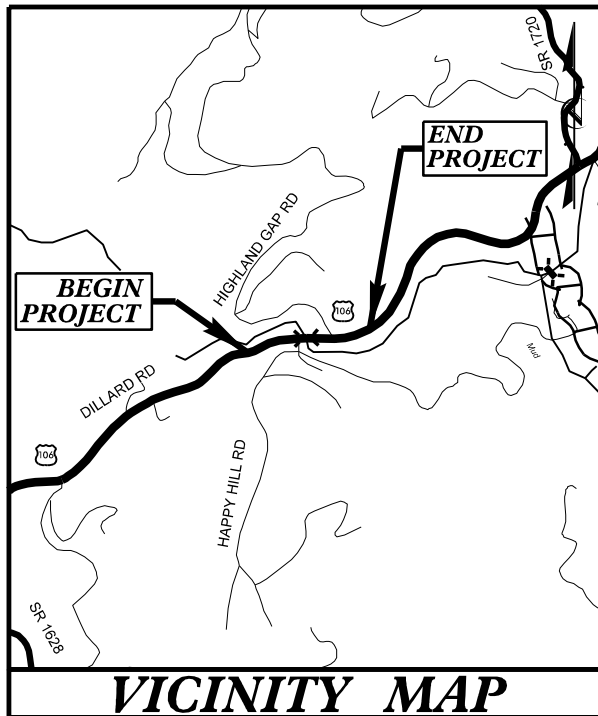
(Version 2.08; Released April 2018)

WBS Element:	67029.1.1	TIP No.:	BR-0029	County(ies):	Macon	Page	1	of	1
General Project Information									
WBS Element:	67029.1.1	TIP Number:	BR-0029	Project Type:	Bridge Replacement	Date:	10/28/2021		
NCDOT Contact:	David Stutts, P.E.			Contractor / Designer:	DRMP / Ryan P. Mitchell, P.E.				
Address:	Structures Management Unit 1000 Birch Ridge Drive Raleigh, NC 27610			Address:	8000 Regency Parkway Suite 110 Cary, NC 27518				
	Phone: (919) 707-6442				Phone: (919) 650-1038				
	Email: <a href="mailto:dstutts@ncdot.gov">dstutts@ncdot.gov</a>				Email: <a href="mailto:rmitchell@drmp.com">rmitchell@drmp.com</a>				
City/Town:	Scaly Mountain			County(ies):	Macon				
River Basin(s):	Little Tennessee			CAMA County?	No				
Wetlands within Project Limits?	No								
Project Description									
Project Length (lin. miles or feet):	0.227 mi		Surrounding Land Use:	Undeveloped/Open Land					
	Proposed Project			Existing Site					
Project Built-Up Area (ac.)	0.94 ac.			0.71 ac.					
Typical Cross Section Description:	One (1) 12' travel lane each direction. 2' paved shoulders with grass roadway ditches, both sides, and guardrail where applicable. Expressway gutter or 8' paved shoulders with guardrail in certain sections.			A 22' paved roadway with grass roadway ditches, both sides.					
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	5600	Year:	2040	Existing:	3200	Year:	2017	
General Project Narrative: (Description of Minimization of Water Quality Impacts)	BR-0029 proposes to replace the existing bridge over Middle Creek with additional roadway and drainage improvements upstation/downstation of the proposed bridge. Riprap / bank stabilization at pipe outlets, ditches, and streambanks has been incorporated to minimize erosion on slopes where vegetation will not be adequate. NCDOT standards for ground cover, vegetation, and slope stabilization will be adhered to during the life of this project, and will be specified in the NCDOT Erosion and Sediment Control Plan for the project.								
Waterbody Information									
Surface Water Body (1):	Middle Creek			NCDWR Stream Index No.:	2-8				
NCDWR Surface Water Classification for Water Body	Primary Classification:			Class C					
	Supplemental Classification:			Trout Waters (Tr)					
Other Stream Classification:	None								
Impairments:	None								
Aquatic T&E Species?	No			Comments:					
NRTR Stream ID:	N/A			Buffer Rules in Effect:		N/A			
Project Includes Bridge Spanning Water Body?	Yes			Deck Drains Discharge Over Buffer?	N/A		Dissipator Pads Provided in Buffer?	N/A	
Deck Drains Discharge Over Water Body?	N/A			(If yes, provide justification in the General Project Narrative)			(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)		
(If yes, provide justification in the General Project Narrative)									

05/23/17

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

TIP PROJECT: BR-0029



75% PLANS

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

MACON COUNTY

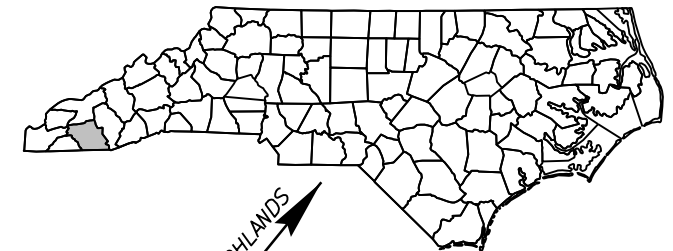
LOCATION: REPLACE BRIDGE NO. 26 ON NC 106 (DILLARD ROAD) OVER  
MIDDLE CREEK

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

WETLAND AND SURFACE WATER IMPACTS PERMIT

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0029	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
67029.1.1	N/A	P.E.	
67029.2.1	N/A	R/W	
67029.2.1	N/A	UTILITIES	
67029.3.1	N/A	CONST.	

PERMIT DRAWING  
SHEET 1 OF 5



BEGIN TIP PROJECT BR-0029  
-L- STA. 10 + 00.00

BEGIN CONSTRUCTION  
-L- STA. 9 + 95.98

END TIP PROJECT BR-0029  
-L- STA. 22 + 00.00

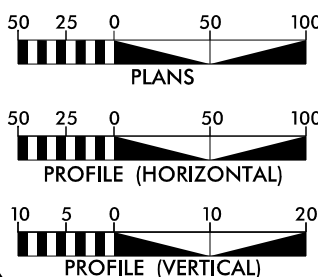
END CONSTRUCTION  
-L- STA. 22 + 03.28

THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.

THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE  
LIMITS ESTABLISHED BY METHOD \_\_\_\_\_.

GRAPHIC SCALES



DESIGN DATA

ADT 2017 = 3,200  
ADT 2040 = 5,600  
K = 9 %  
D = 70 %  
T = 7 % \*  
V = 45 MPH  
\* TTST = 2% DUAL 5%  
FUNC CLASS =  
MAJOR COLLECTOR  
REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT BR-0029 ..... 0.207 MI  
LENGTH STRUCTURE TIP PROJECT BR-0029 ..... 0.020 MI  
TOTAL LENGTH OF TIP PROJECT BR-0029 ..... 0.227 MI

PLANS PREPARED BY:

**DRMP**  
ENGINEERS • SURVEYORS • PLANNERS • SCIENTISTS

FOR  
DIVISION OF HIGHWAYS

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:  
MARCH 19, 2021

LETTING DATE:  
MARCH 15, 2022

PROJECT ENGINEER  
CHRISTOPHER K. HAIRE, PE  
PROJECT DESIGN ENGINEER  
NATHAN E. WRIGHT, PE

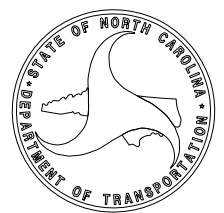
NCDOT CONTACT:  
DAVID STUTTS, PE  
TEAM LEAD - PEF COORDINATION

HYDRAULICS  
ENGINEER

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

ROADWAY DESIGN  
ENGINEER

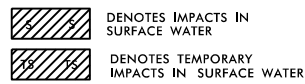
SIGNATURE: \_\_\_\_\_ P.E.



DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

10/28/2021 1:24:48 PM  
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ADAVIS







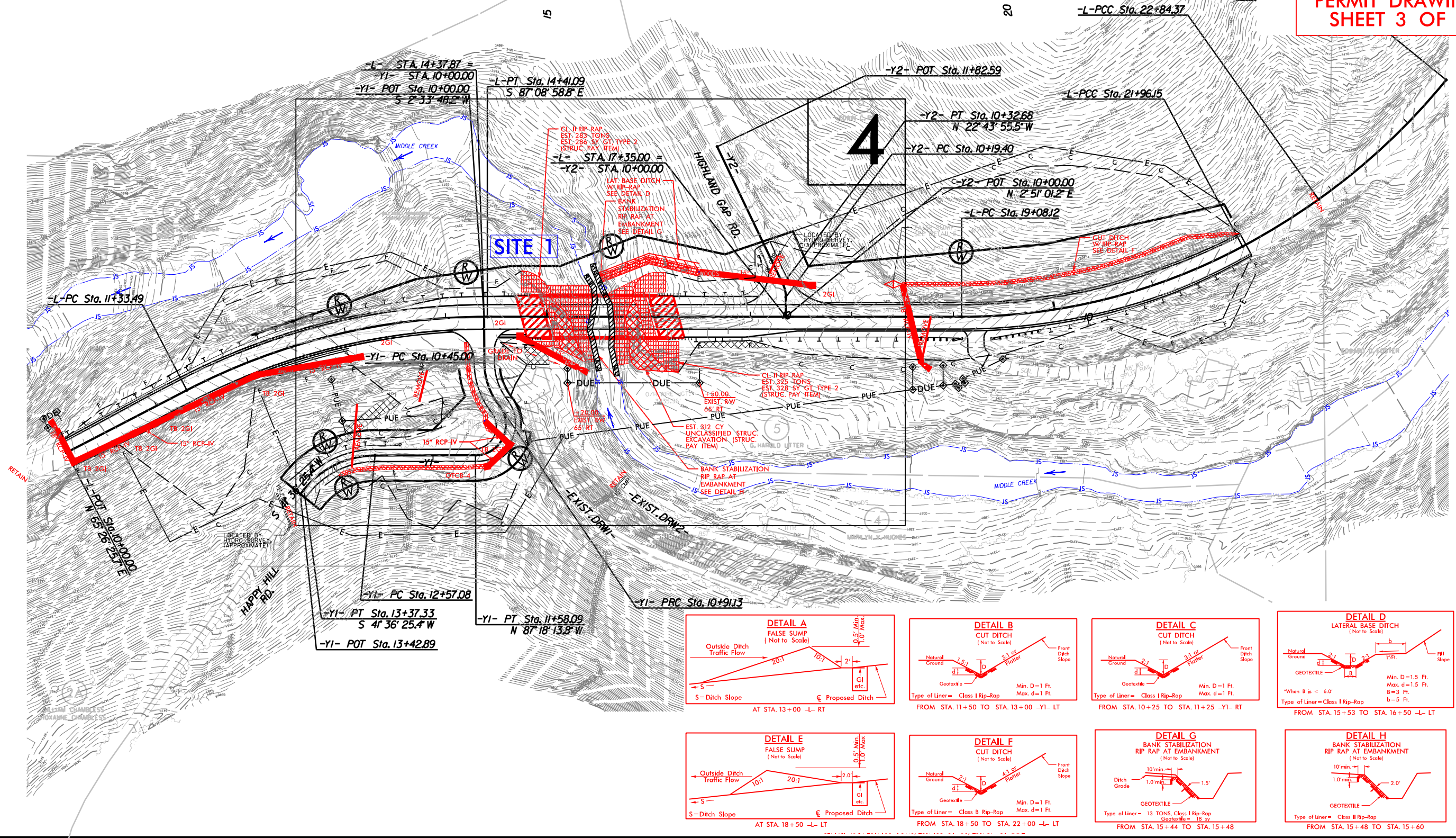
/// DENOTES IMPACTS IN  
SURFACE WATER  
/// DENOTES TEMPORARY  
IMPACTS IN SURFACE WATER

PROJECT REFERENCE NO.		SHEET NO.	
BR-0029		04	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			

PLANS PREPARED BY:

**DRMP** DRMP, INC.  
4235 SOUTH STREAM BLVD., SUITE 150  
CHARLOTTE, NC 28217  
NC LICENSE NO. C-2213 (TDA) 332-2289

**PERMIT DRAWING  
SHEET 3 OF 5**





DDE CREEK

- EST. 229 CY  
UNCLASSIFIED STRUC.  
EXCAVATION (STRUC.  
PAY ITEM)

$$\frac{-L- \quad STA. 17+35.00}{-Y2- \quad STA. 10+00.00}$$

LAT. BASE DITCH -  
W/ RIP-RAP  
SEE DETAIL D

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STABILIZATION  
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— LOCATED BY  
HYDRO SURVEY  
(APPROXIMATE)

PERMIT DRAWING  
SHEET 4 OF 5

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WETLAND AND SURACE WATER IMPACTS SUMMARY												
			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	-L- 15+40/15+44	Bank Stabilization							< 0.01		11	
1	-L- 15+44/15+60	Bank Stabilization						0.02		93		
1	-L- 15+60/15+62	Bank Stabilization							< 0.01		10	
TOTALS*								0.02	< 0.01	93	21	0

NOTES:

5



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

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



November 24, 2021

Philip S. Harris  
Environmental Analysis Unit Head  
North Carolina Department of Transportation  
1000 Birch Ridge Drive  
Raleigh, NC 27610

Subject: Informal Consultation for Bridge 26 Replacement on NC 106 over Middle Creek in Macon County (WBS No. 67029.1.1, TIP BR-0029)

Dear Mr. Harris:

On November 9, 2021, we received (via e-mail) your request for informal consultation and section 7 concurrence on effects the subject project may have on federally listed species. We have reviewed the information you submitted along with information from a prior scoping letter (September 25, 2018), additional correspondence and meetings (March 3, March 23, May 25, June 1, and June 4, 2021), and responses to our follow up questions discussed on November 18 and 23, 2021 and the following is provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.); the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661 - 667e); and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 - 1543) (Act).

### **Project Description**

According to the information provided, the North Carolina Department of Transportation (NCDOT) is proposing to replace Bridge 26 on NC 106 over Middle Creek in the Little Tennessee River Basin. The existing bridge is a three-span, 88-foot structure with steel and concrete beams, concrete deck, end walls, and guard rails. Approximately 2.5 acres of trees will be removed for the project. NCDOT has committed to the following conservation measures:

1. NCDOT will remove trees between October 15 and April 1 of any given year, outside the bat active season for northern long-eared bat (*Myotis septentrionalis*, NLEB) and Indiana bat (*Myotis sodalis*).
2. NCDOT will not perform night work and will not install permanent or temporary lighting.
3. NCDOT will perform day roost surveys prior to any percussive activities required for construction of the new bridge and within 14 days of bridge demolition. If gray or Indiana bats are found day roosting, the U.S. Fish and Wildlife Service (Service) will be contacted for further discussion.

**Federally Listed Species**

Your letter provides a recent and complete list of species that may occur within the project area per our Information for Planning and Consultation (IPaC) website and an effect determination for each species. Based upon a review of our records and the information provided, we agree with your “No Effect” determinations for mountain sweet pitcher plant (*Sarracenia rubra ssp. Jonesii*), rock gnome lichen (*Gymnoderma lineare*), and swamp pink (*Helonias bullata*).

The information provided states that suitable habitat for small whorled pogonia (*Isotria medeoloides*) and Virginia spiraea (*Spiraea virginiana*) is present; however, the species were not observed during surveys. Based on negative results of visual surveys conducted in 2018 and 2021, we would concur with a “May affect, not likely to adversely affect” (NLAA) determination from the NCDOT for these species.

You did not provide a conclusion about whether suitable habitat was present for Appalachian elktoe (*Alasmidonta raveneliana*), spotfin chub (*Erimonax monachus*), or little wing pearl mussel (*Pegias fabula*). Your mussel and fish survey conducted in October 2021 did not detect any of them nor any other freshwater mussel. Based on the survey findings and the habitat description provided in the mussel report, we would conclude that the project will have no effect on these species.

Suitable tree and bridge roosts for gray and Indiana bat occur within the action area. Bridge surveys in 2018 and July 2021 found large and small guano under the bridge, but no bats were detected. Small guano indicates bridge use by *Myotis* species and guano detection over a three-year period indicates site fidelity by roosting bats. Based on the information provided, we are not convinced that listed bats are absent nor that the bridge is solely a night roost. However, because the proposed conservation measures ensure that listed bats are not present during construction activities, we concur with a NLAA determination for gray and Indiana bats.

NCDOT identified suitable roosting habitat for NLEB within the action area. Based on the information provided, the project is consistent with the final section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016 for NLEB. This rule exempts take of this species for any tree cutting activity that occurs more than 0.5 mile from a known hibernation site or more than 150 feet from a known maternity roost during the pup rearing season (June 1 - July 31). Because this project meets the “exempt” criteria, any take associated with the project has already been addressed in the Biological Opinion for the 4(d) rule, and no further action under section 7 of the Act is required for this species. Because the listing status of NLEB is being reconsidered by the U.S. Fish and Wildlife Service (Service), we also evaluated the effects of the action on the species without the 4d rule. Based on conservation measures listed above, we would concur with an NCDOT determination that the project may affect but is NLAA NLEB.

Little brown bat (*Myotis lucifugus*) and tricolored bat (*Perimyotis subflavus*) are at-risk species (ARS). ARS are not legally protected under the Act and are not subject to any of its provisions, including section 7, unless they are formally proposed or listed as endangered or threatened. The Service is expected to make listing determinations on these species in the near future. While lead federal agencies are not prohibited from jeopardizing the continued existence of an ARS or proposed species unless the species becomes listed, the prohibition against jeopardy and taking a listed species under section 9 of the Act applies as soon as a listing becomes effective, regardless of the stage of completion of the proposed action. We include this notification to make you aware of their current status and potential occurrence within the action area; your proposed conservation measures should be protective of these species.

We believe the requirements under section 7 of the Act are fulfilled for the federally listed species discussed above. However, obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this proposed action may affect listed species or critical habitat in a manner not previously considered, (2) this proposed action is subsequently modified in a manner that was not

considered in this review, or (3) a new species is listed, or critical habitat is determined that may be affected by the proposed action.

We appreciate the opportunity to provide these comments. Please contact Ms. Lauren B. Wilson of our staff at [lauren\\_wilson@fws.gov](mailto:lauren_wilson@fws.gov) if you have any questions. In any future correspondence concerning this project, please reference our Log Number 18-457.

Sincerely,

Janet Mizzi  
Field Supervisor



## ◊ North Carolina Wildlife Resources Commission ◊

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Gordon Myers, Executive Director

September 17, 2018

### MEMORANDUM

**TO:** Carla Dagnino, Western Region Environmental Program Supervisor II  
Environmental Analysis Unit, NC Department of Transportation

**FROM:** Marla Chambers, Western NCDOT Coordinator *Marla Chambers*  
Habitat Conservation Program, NCWRC

**SUBJECT:** Scoping review of NCDOT's proposed 33 bridge replacement projects in NCDOT Divisions 9 through 14; Davidson, Forsyth, Stokes, Mecklenburg, Union, Alleghany, Ashe, Surry, Yadkin, Cleveland, Gaston, Iredell, Lincoln, Buncombe, Burke, Madison, McDowell, Cherokee, Haywood, Macon, and Polk Counties.

North Carolina Department of Transportation has requested comments from the North Carolina Wildlife Resources Commission regarding impacts to fish and wildlife resources resulting from the subject project. Staff biologists have reviewed the information provided. The following preliminary comments are provided in accordance with the provisions of the state and federal Environmental Policy Acts (G.S. 113A-1 through 113-10; 1 NCAC 25 and 42 U.S.C. 4332(2)(c), respectively), the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d), as applicable.

Our standard recommendations for bridge replacement projects of this scope are as follows:

1. We generally prefer spanning structures. Spanning structures usually do not require work within the stream and do not require stream channel realignment. The horizontal and vertical clearances provided by bridges allows for human and wildlife passage beneath the structure, does not block fish passage, and does not block navigation by canoeists and boaters.
2. Bridge deck drains should not discharge directly into the stream.

3. Live concrete should not be allowed to contact the water in or entering into the stream.
4. If possible, bridge supports (bents) should not be placed in the stream.
5. If temporary access roads or detours are constructed, they should be removed back to original ground elevations immediately upon the completion of the project. Disturbed areas should be seeded or mulched to stabilize the soil and native tree species should be planted with a spacing of not more than 10'x10'. If possible, when using temporary structures, the area should be cleared but not grubbed. Clearing the area with chain saws, mowers, Bush Hogs, or other mechanized equipment and leaving the stumps and root mat intact, allows the area to revegetate naturally and minimizes disturbed soil.
6. A clear bank (riprap free) area of at least 10 feet should remain on each side of the stream underneath the bridge.
7. In trout waters, the Commission reviews all U.S. Army Corps of Engineers nationwide and general '404' permits. We have the option of requesting additional measures to protect trout and trout habitat and we can recommend that the project require an individual '404' permit.
8. In streams that contain threatened or endangered species, Mr. Logan Williams with the NCDOT - ONE should be notified. Special measures to protect these sensitive species may be required. NCDOT should also contact the U.S. Fish and Wildlife Service for information on requirements of the Endangered Species Act as it relates to the project.
9. In streams that are used by anadromous fish, the NCDOT official policy entitled "Stream Crossing Guidelines for Anadromous Fish Passage" (May 12, 1997) should be followed.
10. In areas with significant fisheries for sunfish, seasonal exclusions may also be recommended.
11. Sedimentation and erosion control measures sufficient to protect aquatic resources must be implemented prior to any ground disturbing activities. Structures should be maintained regularly, especially following rainfall events.
12. Temporary or permanent herbaceous vegetation should be planted on all bare soil within 15 days of ground disturbing activities to provide long-term erosion control.
13. All work in or adjacent to stream waters should be conducted in a dry work area. Sandbags, rock berms, cofferdams, or other diversion structures should be used where possible to prevent excavation in flowing water.
14. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams.

15. Only clean, sediment-free rock should be used as temporary fill (causeways), and should be removed without excessive disturbance of the natural stream bottom when construction is completed.
16. During subsurface investigations, equipment should be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.
17. If culvert installation is being considered, conduct subsurface investigations prior to structure design to determine design options and constraints and to ensure that wildlife passage issues are addressed.

If corrugated metal pipe arches, reinforced concrete pipes, or concrete box culverts are used:

1. The culvert must be designed to allow for aquatic life and fish passage. Generally, the culvert or pipe invert should be buried at least 1 foot below the natural streambed (measured from the natural thalweg depth). If multiple barrels are required, barrels other than the base flow barrel should be placed on or near stream bankfull or flood plain bench elevation (similar to Lyonsfield design). These should be reconnected to flood plain benches as appropriate. This may be accomplished by utilizing sills on the upstream end to restrict or divert flow to the base flow barrel. Silled barrels should be filled with sediment so as not to cause noxious or mosquito breeding conditions. Sufficient water depth should be provided in the base flow barrel during low flows to accommodate fish movement. If culverts are longer than 40-50 linear feet, alternating or notched baffles should be installed in a manner that mimics existing stream pattern. This should enhance aquatic life passage: 1) by depositing sediments in the barrel, 2) by maintaining channel depth and flow regimes and 3) by providing resting places for fish and other aquatic organisms. In essence, the base flow barrel should provide a continuum of water depth and channel width without substantial modifications of velocity.
2. If multiple pipes or cells are used, at least one pipe or box should be designed to remain dry during normal flows to allow for wildlife passage.
3. Culverts or pipes should be situated along the existing channel alignment whenever possible to avoid channel realignment. Widening the stream channel must be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
4. Riprap should not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be professionally designed, sized, and installed.

In most cases, we prefer the replacement of the existing structure at the same location with road closure. If road closure is not feasible, a temporary detour should be designed and located to avoid wetland impacts, minimize the need for clearing and to avoid destabilizing stream banks.



If the structure will be on a new alignment, the old structure should be removed and the approach fills removed from the 100-year floodplain. Approach fills should be removed down to the natural ground elevation. The area should be stabilized with grass and planted with native tree species. Tall fescue should not be used in riparian areas. If the area that is reclaimed was previously wetlands, NCDOT should restore the area to wetlands. If successful, the site may be used as wetland mitigation for the subject project or other projects in the watershed.

Project specific comments:

1. Davidson County, BR-0015, Bridge No. 67 and 68 over SR 1192 on US 29/US 70/I-85 Business. It appears Michael Branch and one of its unnamed tributaries are in the project area. Michael Branch flows to Swearing Creek, which appears to be on the 303(d) list of impaired waters. Sedimentation control will be important to prevent further degradation. Stringent sedimentation and erosion control measures and standard recommendations should apply.
2. Davidson County, BR-0016, Bridge No. 150 over SR 2123W on US 29/US 70/I-85 Business. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
3. Forsyth County, BR-0018, Bridge No. 48 over US 52 on NC 8. Leak Fork is in the project area and flows to Mill Creek and then to Muddy Creek. Muddy Creek is on the 303(d) list of impaired waters. Sedimentation control will be important to prevent further degradation. Stringent sedimentation and erosion control measures and standard recommendations should apply.
4. Stokes County, BR-0047, Bridge No. 10 over US 52 on SR 1105 (Meadowbrook Dr.). We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
5. Davidson County, B-5765, Bridge No. 115 over Winston Salem SB Railroad on SR 1711. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
6. Mecklenburg County, B-5990, Bridge No. 1 over Sugar Creek on SR 1138. Sugar Creek is on the 303(d) list of impaired waters. Sedimentation control will be important to prevent further degradation. Stringent sedimentation and erosion control measures and standard recommendations should apply.
7. Mecklenburg County, B-5983, Bridge No. 54 over the Southern Railroad on NC 160. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
8. Mecklenburg County, B-5984, Bridge No. 88 over the Southern Railroad on NC 49. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.

9. Union County, BR-0049, Bridge No. 34 over US 74 and NC 200 on Concord Avenue. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
10. Alleghany County, BR-0001, Bridge No. 30 over Little River on US 21. The Eastern Hellbender (*Cryptobranchus a. alleghaniensis*), a Federal Species of Concern and state Special Concern aquatic salamander that is under review for possible listing as federally Threatened or Endangered, occurs in the project area. This population of hellbenders is one of the best in the New River drainage. Construction and demolition techniques should avoid, if possible, disturbance of the river bed as this animal is vulnerable to being crushed under the rocks. If complete avoidance isn't possible, disturbance should be minimized to the maximum extent practicable and NCDOT should work with our agency to see that appropriate surveys are conducted and hellbenders are relocated prior to construction. No rock-lifting surveys or disturbance of hellbenders should occur after August 15 and through their nesting season (mid-November). We strongly recommend sediment and erosion control measures that adhere to the Design Standards in Sensitive Watersheds to protect the hellbender. The site is popular with Hatchery Supported trout anglers and access to the parking currently used behind businesses adjacent to the bridge should be maintained. Natural trout reproduction is not expected to be significant, therefore, we are not requesting a trout moratorium.
11. Ashe County, BR-0002, Bridge No. 8 over North Fork New River on NC 194. The Eastern Hellbender (*Cryptobranchus a. alleghaniensis*), a Federal Species of Concern and state Special Concern aquatic salamander that is under review for possible listing as federally Threatened or Endangered, occurs in the project area. The status of this population of hellbenders is unknown. Construction and demolition techniques should avoid, if possible, disturbance of the river bed as this animal is vulnerable to being crushed under the rocks. If complete avoidance isn't possible, disturbance should be minimized to the maximum extent practicable and NCDOT should work with our agency to see that appropriate surveys are conducted and hellbenders are relocated prior to construction. No rock-lifting surveys or disturbance of hellbenders should occur after August 15 and through their nesting season (mid-November). We strongly recommend sediment and erosion control measures that adhere to the Design Standards in Sensitive Watersheds to protect the hellbender. Public access should be incorporated into the project plans to provide safe access to public waters, according to the MOA between our agencies. Please contact me for details. Significant trout resources are not expected; therefore, we are not requesting a trout moratorium.
12. Surry County, BR-0048, Bridge No. 103 over the Mitchell River on NC 268. Mitchell River joins the Yadkin River just downstream of the project. The Brook Floater (*Alasmodonta varicosa*), State Endangered and Federal Species of Concern, and the Creeper (*Strophitus undulatus*), State Threatened, are mussel species that occur in the project area or not far downstream. Sedimentation control will be important for this project. Stringent sedimentation and erosion control measures and standard recommendations should apply.
13. Yadkin County, BR-0051, Bridge No. 90 over US 421 on SR 1711 (Speer Bridge Road). We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.

14. Cleveland County, BR-0012, Bridge No. 49 over Sandy Run on US 74 west bound lane. Stringent sedimentation and erosion control measures and standard recommendations should apply.
15. Gaston County, BR-0019, Bridge No. 56 over South Fork Catawba River on NC 275. We request that a small pull-off or parking area, enough for two vehicles to park, be incorporated into the plans for this project for safe public access, in accordance with the MOA between our agencies. Stringent sedimentation and erosion control measures and standard recommendations should apply.
16. Gaston County, BR-0020, Bridge No. 91 over the Catawba River on US 29/US 74. Stringent sedimentation and erosion control measures and standard recommendations should apply.
17. Iredell County, BR-0023, Bridge No. 90 over I-40 on SR 1005. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
18. Iredell County, BR-0025, Bridge No. 118 over I-40 on SR 1639. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
19. Lincoln County, BR-0027, Bridge No. 30 over NC 150 on US 321 Business. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
20. Buncombe County, B-5988, Bridge No. 7 over the French Broad River and Southern Railroad on SR 1620 (Fletcher Martin Road). Significant trout resources are not expected; therefore, we are not requesting a trout moratorium for this project. Stringent sedimentation and erosion control measures and standard recommendations should apply.
21. Buncombe County, BR-0009, Bridge No. 79 over the Broad River on NC 9. Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from January 1 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
22. Burke County, BR-0010, Bridge No. 105 over Johns River on US 64/NC 18. Johns River is classified WS-IV HQW. A popular Boating Access Area that provides boaters access to the lower Johns River and the Catawba River exists in the project area. Also, NCWRC's Johns River Game Land surrounds the project and a portion of it is a Dedicated Nature Preserve. Impacts to the Boating Access Area and Game Land should be avoided if possible. The MOA between our agencies regarding public access applies. NCDOT should work with our agency to ensure minimal impacts to these facilities. Significant trout resources are not expected; therefore, we are not requesting a trout moratorium for this project. Stringent sedimentation and erosion control measures and standard recommendations should apply.

23. Madison County, B-5992, Bridge No. 71 over Big Laurel Creek on SR 1395 (Walnut Creek Road). The Eastern Hellbender (*Cryptobranchus a. alleghaniensis*), a Federal Species of Concern and state Special Concern aquatic salamander that is under review for possible listing as federally Threatened or Endangered, occurs in the project area. This site is also a research stream for the NC Zoo and our collaborative nest hut project for hellbenders. Construction and demolition techniques should avoid, if possible, disturbance of the river bed as this animal is vulnerable to being crushed under the rocks. If complete avoidance isn't possible, disturbance should be minimized to the maximum extent practicable and NCDOT should work with our agency to see that appropriate surveys are conducted and hellbenders are relocated prior to construction. No rock-lifting surveys or disturbance of hellbenders should occur after August 15 and through their nesting season (mid-November). Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from January 1 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
24. Madison County, BR-0032, Bridge No. 84 over Meadow Fork on NC 209. Brown and Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from October 15 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
25. McDowell County, BR-0033, Bridge 84 over I-40 on SR 1234. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
26. Cherokee County, BR-0011, Bridge No. 2 over Slow Creek on NC 141. Significant trout resources are not expected; therefore, we are not requesting a trout moratorium for this project. Stringent sedimentation and erosion control measures and standard recommendations should apply.
27. Haywood County, B-5982, Bridge No. 95 over the Southern Railroad on US 74. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
28. Haywood County, BR-0022, Bridge Nos. 121 and 122 over NC 209 on US 19/23/74. We are unaware of any waterway in the project area. Stringent sedimentation and erosion control measures and standard recommendations should apply.
29. Macon County, BR-0028, Bridge No. 23 over the Nantahala River on US 64. Brown and Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from October 15 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
30. Macon County, BR-0029, Bridge No. 26 over Middle Creek on NC 106. Brown and Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance

within the 25-foot trout buffer is recommended from October 15 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.

31. Macon County, BR-0030, Bridge No. 85 over Cowee Creek on NC 28. Brown and Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from October 15 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
32. Macon County, BR-0031, Bridge Nos. 226, 227, 228, 229, and 230 over the Nantahala River on SR 1310 (Wayah Road). Brown and Rainbow Trout occur in the project area. A moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer is recommended from October 15 to April 15 to protect the egg and fry stages of trout. Sediment and erosion control measures should adhere to the Design Standards in Sensitive Watersheds.
33. Polk County, BR-0040, Bridge No. 37 over the Green River on NC 9. Stringent sedimentation and erosion control measures and standard recommendations should apply.

We request that NCDOT routinely minimize adverse impacts to fish and wildlife resources in the vicinity of bridge replacements. The NCDOT should install and maintain sedimentation control measures throughout the life of the project and prevent wet concrete from contacting water in or entering into these streams. Replacement of bridges with spanning structures of some type, as opposed to pipe or box culverts, is recommended in most cases. Spanning structures allow wildlife passage along streambanks, reducing habitat fragmentation and vehicle related mortality at highway crossings.

If you need further assistance or information on NCWRC concerns regarding bridge replacements, please contact me at [marla.chambers@ncwildlife.org](mailto:marla.chambers@ncwildlife.org) or (704) 244-8907. Thank you for the opportunity to review and comment on this project.



17-12-0040



## HISTORIC ARCHITECTURE AND LANDSCAPES NO SURVEY REQUIRED 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

<b>Project No:</b>	BR-0029	<b>County:</b>	Macon
<b>WBS No.:</b>	67029.3.1	<b>Document Type:</b>	MCC
<b>Fed. Aid No:</b>	N/A	<b>Funding:</b>	<input checked="" type="checkbox"/> State <input type="checkbox"/> Federal
<b>Federal Permit(s):</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Permit Type(s):</b>	USACE
<b><u>Project Description:</u></b> Replace Bridge No. 550026 on NC106 over Middle Creek.			

### SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

**Description of review activities, results, and conclusions:**

Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on January 8, 2018. Based on this review, there are no existing NR, SL, LD, DE, or SS properties in the Area of Potential Effects, which is 500' from each end of the bridge and 75' from the centerline each way. 48 Happy Hill Road, a one-story frame house, is within the APE. The mid-20<sup>th</sup> century house is unremarkable and not eligible for NR listing. Bridge No. 26 is not eligible for NR listing based on the NCDOT historic bridge inventory. There are no National Register listed or eligible properties and no survey is required. If design plans change, additional review will be required.

**Why the available information provides a reliable basis for reasonably predicting that there are no unidentified significant historic architectural or landscape resources in the project area:**

HPO quad maps and GIS information recording NR, SL, LD, DE, and SS properties for the Macon County survey, Macon County GIS/Tax information, and Google Maps are considered valid for the purposes of determining the likelihood of historic resources being present. There are no National Register listed or eligible properties within the APE and no survey is required.

### SUPPORT DOCUMENTATION

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

### FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes -- NO SURVEY REQUIRED

*Kate Hubert*

NCDOT Architectural Historian

*1/8/2018*

Date

17-12-0040

UPDATE



## HISTORIC ARCHITECTURE AND LANDSCAPES NO SURVEY REQUIRED FORM

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### PROJECT INFORMATION

<b>Project No:</b>	BR-0029	<b>County:</b>	Macon
<b>WBS No.:</b>	67029.3.1	<b>Document Type:</b>	MCC
<b>Fed. Aid No:</b>	N/A	<b>Funding:</b>	<input checked="" type="checkbox"/> State <input type="checkbox"/> Federal
<b>Federal Permit(s):</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Permit Type(s):</b>	USACE
<b><u>Project Description:</u></b> Replace Bridge No. 550026 on NC106 over Middle Creek.			

### SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

**Description of review activities, results, and conclusions:**

Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on January 8, 2018. The project study area was updated in February 2021. Based on this review on February 9, 2021, there are no existing NR, SL, LD, DE, or SS properties in the updated Area of Potential Effects, which is defined on the following maps. 48 Happy Hill Road, a one-story frame house, is within the APE. The mid-20<sup>th</sup> century house is unremarkable and does not warrant further evaluation. Bridge No. 26 is not eligible for NR listing based on the NCDOT historic bridge inventory. There are no other additional resources within the updated APE that warrant further evaluation. There are no National Register listed or eligible properties and no survey is required. If design plans change, additional review will be required.

**Why the available information provides a reliable basis for reasonably predicting that there are no unidentified significant historic architectural or landscape resources in the project area:**

HPO quad maps and GIS information recording NR, SL, LD, DE, and SS properties for the Macon County survey, Macon County GIS/Tax information, and Google Maps are considered valid for the purposes of determining the likelihood of historic resources being present. There are no National Register listed or eligible properties within the APE and no survey is required.

### SUPPORT DOCUMENTATION

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

### FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes -- NO SURVEY REQUIRED

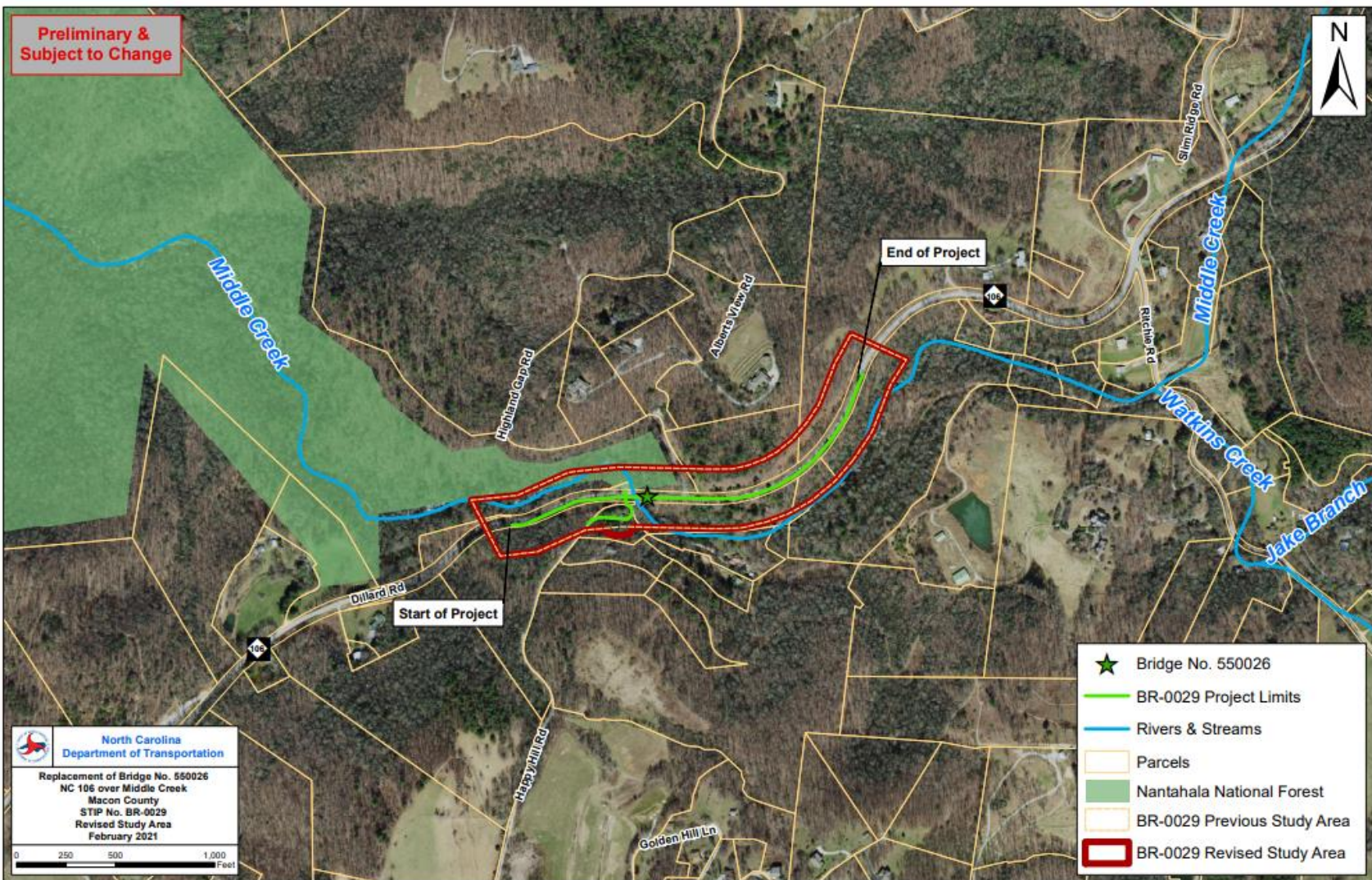
*Kate Husband*

NCDOT Architectural Historian

*February 9, 2021*

Date









State Historic Preservation Office GIS. Updated Study Area/APE.



7408563001 06/12/2013

48 Happy Hill Road



**NO NATIONAL REGISTER OF HISTORIC PLACES  
ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES  
PRESENT 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: **Bridge 26** County: **Macon**  
 WBS No: **67029.1.1** Document: **Minimum Criteria**  
 F.A. No: **N/A** Funding: ☒ State ☐ Federal

Federal Permit Required? ☒ Yes ☐ No Permit Type: **NWP#3 or 14**

### Project Description:

The project calls for the replacement of Bridge No. 26 on NC 106 (Dillard Road) over Middle Creek in Macon County (Figure 1). The archaeological Area of Potential Effects (APE) for the project is defined as a 4,350-foot (1,325.88 m) long corridor running 2,130 feet (649.22 m) east and 2,220 feet (676.66 m) west along NC 106 from the center of Bridge No. 26. The corridor is approximately 500 feet (152.40 m) wide extending 250 feet (76.20 m) on either side of the road from its present centerline.

## SUMMARY OF ARCHAEOLOGICAL FINDINGS

*The North Carolina Department of Transportation (NCDOT) Archaeology Group reviewed the subject project and determined:*

- ☒ **There are no National Register listed or eligible ARCHAEOLOGICAL SITES present within the project's area of potential effects. (Attach any notes or documents as needed)**
- ☐ No subsurface archaeological investigations were required for this project.
- ☒ **Subsurface investigations did not reveal the presence of any archaeological resources.**
- ☐ Subsurface investigations did not reveal the presence of any archaeological resources considered eligible for the National Register.
- ☒ **All identified archaeological sites located within the APE have been considered and all compliance for archaeological resources with Section 106 of the National Historic Preservation Act and GS 121-12(a) has been completed for this project.**

**RECOMMENDATION**

New South Associates, Inc. conducted an intensive archaeological survey and evaluation for proposed replacement of Bridge No. 26 in Macon County on May 3 and 4, 2018, under the direction of James Stewart and the supervision of Shawn Patch (see Figures 1 and 2). During the course of the survey, no archaeological resources were identified. Based on these results, no further archaeological investigations are recommended for this project as currently defined. I concur with this recommendation as the proposed project will not impact significant archaeological resources. However if the project expands and impacts subsurface areas beyond the defined APE, further archaeological consultations will be necessary.

**SUPPORT DOCUMENTATION**

See attached: ☒ Map(s)    ☐ Previous Survey Info    ☒ Photos    ☐ Correspondence

Other: **Cultural Review**

Signed:



**C. Damon Jones**

**NCDOT ARCHAEOLOGIST**

6/21/18

**Date**

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

A site file search was conducted at the Office of State Archaeology (OSA) on January 11, 2018. No previously recorded sites are recorded within or adjacent to the APE, but six sites (31MA276-31MA280 and 31MA282) were identified within one mile of the bridge. A review of the site files shows only one previous archaeological investigation in the region. Conducted by the U.S. Forest Service, this work included properties north of NC 106 mostly along ridge tops outside of the current APE (Radisch et al. 1989). Testing consisted of a fire rake survey and no subsurface testing. Six prehistoric sites (31MA276-31MA280 and 31MA282) were identified, one (31MA282) of which yielded historic resources as well. These sites were lithic scatters that were determined not eligible for the National Register of Historic Places (NRHP). According to the North Carolina State Historic Preservation Office (SHPO) online database (HPOWEB 2018), there are no known historic architectural resources within the APE that may yield intact archaeological deposits.

An NCDOT archaeologist also examined topographic maps, USDA soil survey maps, aerial photographs (NC One Map), historic maps (North Carolina maps website), and the Google Street View application for information on environmental and cultural variables that may have contributed to prehistoric or historic settlement within the project limits and to assess the level of ground disturbance. The 1907 USGS Cowee topographic map was the earliest map in which an accurate location for the project could be determined. It shows a road with a similar alignment as NC 106, but Middle Creek is plotted further towards the northeast. This location is probably incorrect as it does not appear that the creek has been moved during the 20th century. Two structures are also depicted either within or near the APE, but it appears neither is still standing. The circa 1910 U.S. Post Office map also depicts the road but with a distorted alignment that is likely due to the schematic nature of the postal map. The postal map also shows structures nearby, but outside of the project limits. The 1933 Soil Map for Macon County shows a more accurate and modern road layout with structures on either side of the bridge (Devereux et. al 1933). Although it is very likely that structures found on these maps are no longer standing, remains could still be present. NCDOT recommended additional work in the form of a reconnaissance and field survey to record and evaluate archaeological sites that might be impacted by the proposed replacement of Bridge 26.

New South Associates, Inc. (New South) conducted an intensive archaeological survey of the project APE on May 3 and May 4, 2018 (Figure 2). This survey sought to identify and evaluate archaeological sites for NRHP eligibility according to 36 CFR §60.4 criterion. The survey included a visual inspection of the entire APE and systematic shovel-testing of areas identified as having a moderate to high probability for the presence of archaeological sites. These areas consisted of moderately well-drained and well-drained soils that were not impacted by modern development and have less than 15 percent slope, according to available LiDAR data.

The Bridge 26 APE encompassed an area of mountainous terrain. The principal road, NC 106, through the APE was constructed along the side slope of the dominant ridgeline. NC 106 and Bridge 26 run east to west, while Middle Creek drains to the northwest into the Little Tennessee River. An unnamed tributary to Middle Creek also falls within the APE. The project area is mostly covered by a pine and hardwood canopy with some grassy lawns present in residential properties and open spaces (Figure 3a-c). The understory was mostly composed of

rhododendron and light-density scrub vegetation. A portion of the project's APE northwest of the bridge is owned by the U.S. Forest Service.

Shovel testing of the moderate to high probability areas relied on pre-plotted 15-meter interval shovel test grids (see Figure 2). Field technicians visited all accessible test locations during the survey. Test locations plotted in potentially hazardous conditions (e.g., on excessively steep slopes) were visually inspected from a distance. Excavated tests measured 30-centimeters in diameter and were excavated to sterile subsoil or impenetrable substrate. All soil was screened through 0.25-inch mesh hardware cloth for artifact recovery. Shovel test results (including soil color, texture, depths, and the presence/absence of cultural material) were recorded using smartphones equipped with a Memento data collection application. Sub-meter Global Positioning System (GPS) data for selected shovel tests was also collected.

New South technicians examined 362 pre-plotted shovel test locations in the APE (Appendix A; see Figure 2). Of these, 97 negative tests were excavated. These tests generally revealed 5-25 centimeters of brownish yellow (10YR 6/6) sandy loam overlying yellowish brown (10YR 5/4) sandy clay subsoil (Figure 4a-c). Several tests revealed three strata. In these, the profiles generally included five centimeters of grayish brown (10YR 5/2) loam overlying 15 centimeters of brown (7.5YR 5/4) clayey loam. A 10-centimeter-thick zone of reddish brown (5YR 5/4) loamy clay subsoil was encountered 20 centimeters below ground surface. The 265 remaining test locations were not excavated due to the presence of steep slope, surface water, buildings, or pavement.

## Conclusions

New South conducted an intensive archaeological survey of the project's APE from May 3-4, 2018. Although the APE had the potential for the presence of historic house sites, none of the locations identified by the map review yielded artifacts or evidence of cultural activity. New South's shovel testing and visual inspection of the Bridge 26 APE did not locate any archaeological resources. No further work is needed. If the project area expands and impacts subsurface areas beyond what has been defined as the APE, further archaeological studies may be necessary.

New South Associates, Inc.  
James Stewart  
Archaeologist



## **References Cited**

Devereux, Robert, William Davis, and Eugene Goldston

- 1933 *Soil Map for Macon County, North Carolina*. U.S. Department of Agriculture, Government Printing Office, Washington D.C. On file at North Carolina Collections, University of North Carolina, Chapel Hill.

## **HPOWEB**

- 2018 North Carolina State Historic Preservation Office GIS Web Service. <http://gisNCDCCR.gov/hpoweb/>. Accessed February 15, 2018.

Radisch, William H., Rodney J. Snedeker, Michael Harmon, and Robert Noel

- 1989 *Cultural Resources Survey for the Proposed Manning Land Exchange, Compartments 81 and 83, Highland Ranger District, Nantahala National Forest, Macon County, North Carolina*. United States Forest Service, Asheville, North Carolina.

United States Geological Survey (USGS)

- 1907 Cowee. North Carolina-South Carolina, 30-minute quadrangle map. Reprinted 1934.  
 1970 Rabun Bald. Georgia, 7.5-minute quadrangle map.  
 1980 Scaly Mountain, North Carolina-Georgia, 7.5-minute quadrangle map.

United States Post Office

- c. 1910 *Rural Delivery Routes for Macon County, North Carolina*. U.S. Post Office Department, Washington D.C. On file at North Carolina Collections, University of North Carolina, Chapel Hill.

## **Figure List**

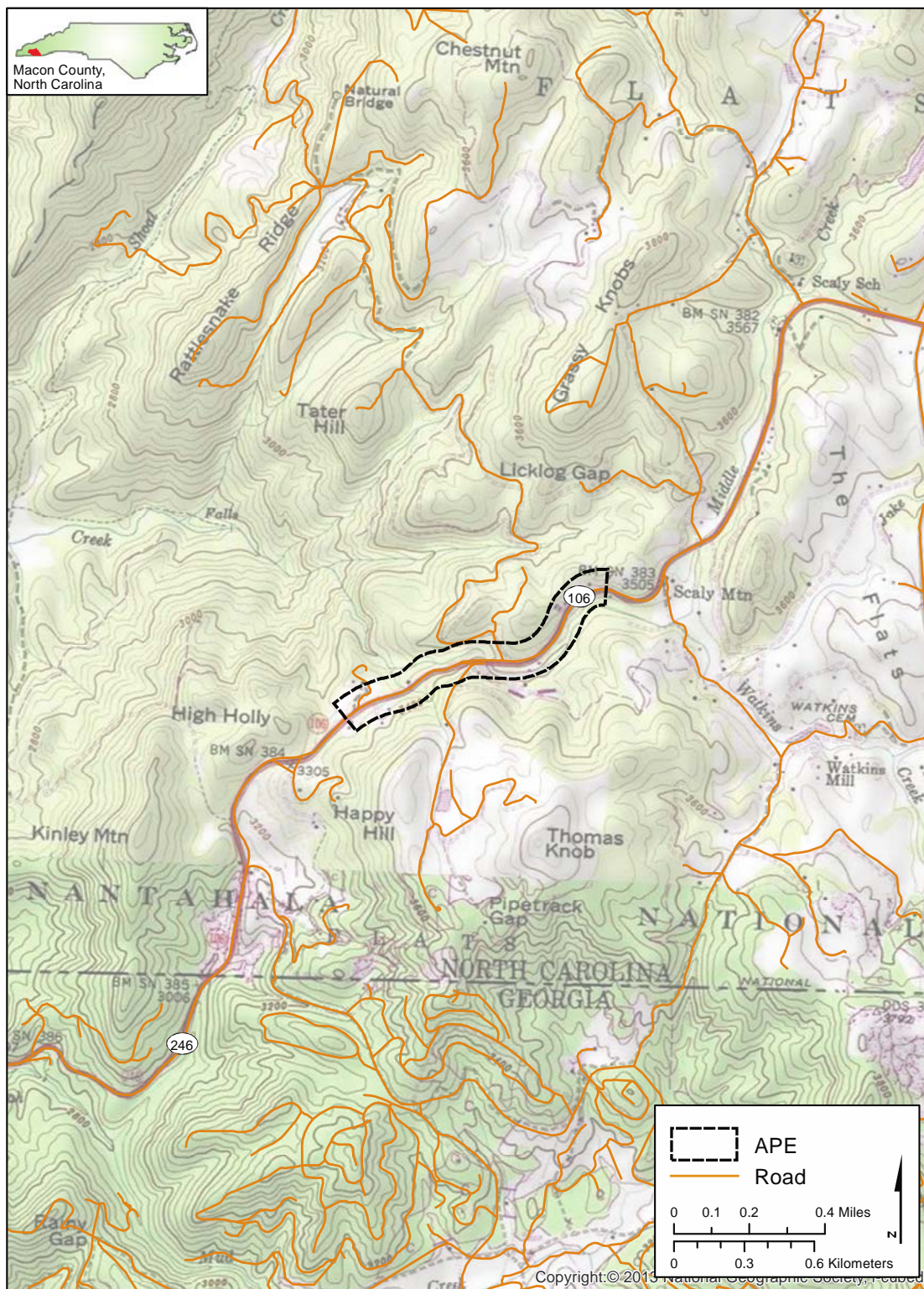
*Figure 1. Bridge 26 APE in Macon County*

*Figure 2. Pre-Plotted Shovel Test Locations*

*Figure 3. Current Conditions in the Bridge 26 APE*

*Figure 4. Typical Shovel Tests Profiles in the Bridge 26 APE*

Figure 1. Bridge 26 APE in Macon County



Sources: USGS Topographic Quadrangle Maps, Scaly Mountain, NC (1980) and Rabun Bald, GA (1970)



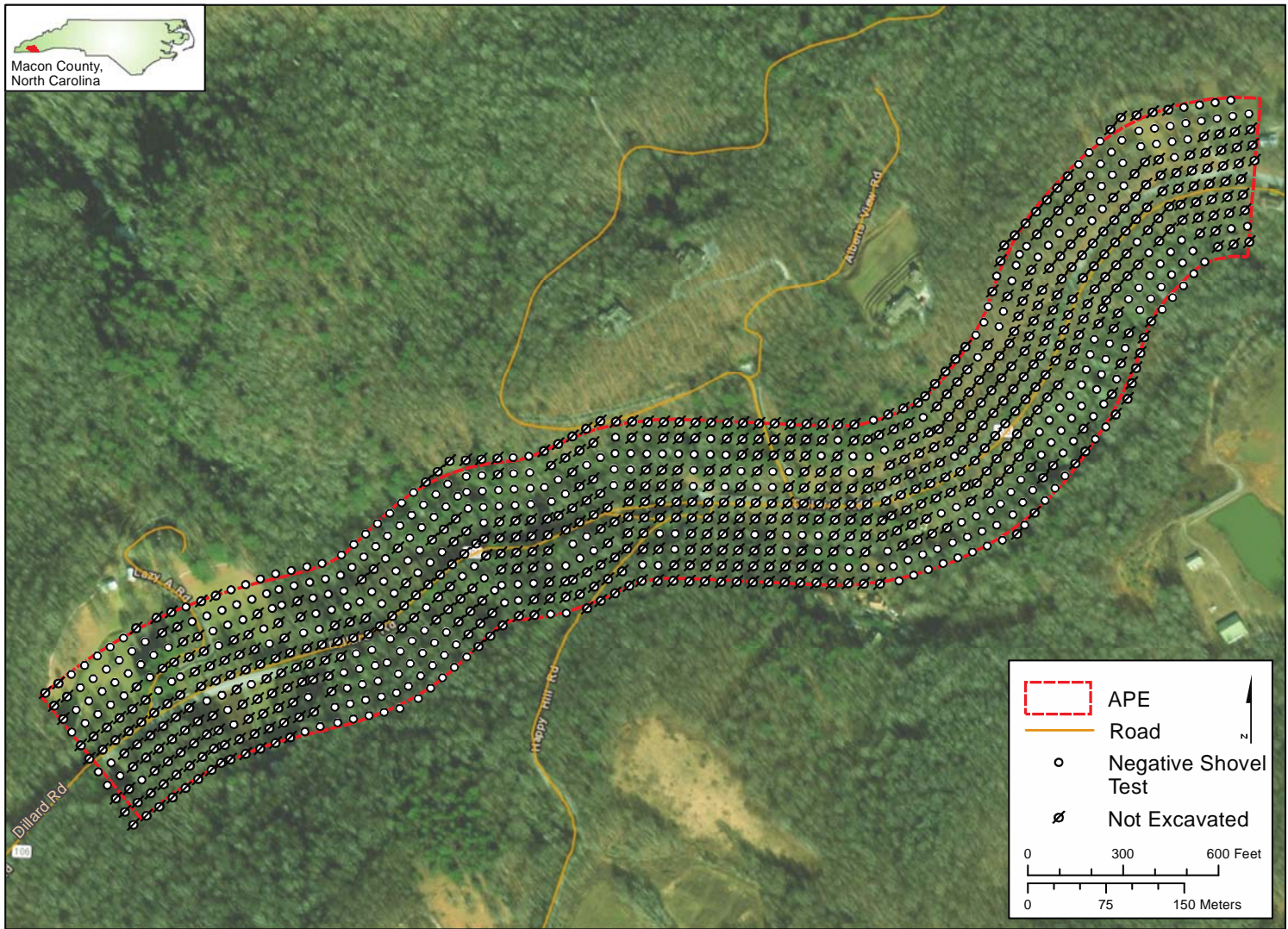


Figure 2. Pre-Plotted Shovel Test Locations

Source: ESRI World Imagery (2018)



Figure 3. Current Conditions in the Bridge 26 APE



A. Typical Pine and Hardwood Forest



B. Rhododendron and Scrub Understory



C. Middle Creek



Figure 4. Typical Shovel Test Profiles in the Bridge X APE



A. Shovel Test 963



B. Shovel Test 539



C. Shovel Test 184

**Appendix A: Shovel Test Log**

STP ID	Results	Stratum	Description
14	Not Excavated	-	>15 degree slope
15	Not Excavated	-	>15 degree slope
16	Not Excavated	-	>15 degree slope
17	Not Excavated	-	>15 degree slope
18	Not Excavated	-	>15 degree slope
19	Not Excavated	-	>15 degree slope
20	Not Excavated	-	>15 degree slope
21	Not Excavated	-	>15 degree slope
22	Not Excavated	-	>15 degree slope
23	Not Excavated	-	>15 degree slope
24	Not Excavated	-	>15 degree slope
25	Not Excavated	-	>15 degree slope
31	Not Excavated	-	Gravel Access Road
32	Negative	I	(blank)
51	Not Excavated	-	Artificial Surface Over Drainage
54	Not Excavated	-	Surface Water
55	Negative	I	0-10 10R3/4 Dusky Red
		II	10-20 7.5YR3/1 Very Dark Gray Silty Clay
56	Negative	I	0-5 10R3/2 Dusky Red
		II	5-15 5YR3/1 Very Dark Gray Loam
		III	15-25 5YR7/6 Reddish Yellow Clay
57	Not Excavated	-	>15 degree slope
58	Not Excavated	-	>15 degree slope
59	Not Excavated	-	>15 degree slope
60	Not Excavated	-	>15 degree slope
62	Not Excavated	-	>15 degree slope
64	Negative	I	0-15 7.5YR4/2 Brown Loam
		II	15-20 10R3/2 Dusky Red
		III	20-35 10YR4/2 Dark Grayish Brown Clay Loam
65	Negative	I	0-10 7.5YR4/2 Brown Clay
		II	10-15 10YR4/2 Dark Grayish Brown Loam
		III	15-25 10YR5/2 Grayish Brown Clay
66	Not Excavated	-	>15 degree slope
69	Not Excavated	-	>15 degree slope
70	Negative	I	0-15 10YR4/2 Dark Grayish Brown Clay Loam
		II	15-15 2.5YR5/3 Reddish Brown Clay
78	Not Excavated	-	>15 degree slope
79	Not Excavated	-	>15 degree slope
80	Not Excavated	-	>15 degree slope
81	Not Excavated	-	Stp In River

STP ID	Results	Stratum	Description
82	Not Excavated	-	Stp In River
98	Not Excavated	-	>15 degree slope
99	Not Excavated	-	>15 degree slope
100	Not Excavated	-	>15 degree slope
101	Not Excavated	-	>15 degree slope
102	Not Excavated	-	>15 degree slope
103	Not Excavated	-	>15 degree slope
104	Not Excavated	-	>15 degree slope
105	Not Excavated	-	>15 degree slope
106	Not Excavated	-	>15 degree slope
107	Not Excavated	-	>15 degree slope
111	Not Excavated	-	>15 degree slope
112	Not Excavated	-	>15 degree slope
120	Negative	I	0-30 10YR3/4 Dark Yellowish Brown Loamy Sand
		II	30-33 10YR3/4 Dark Yellowish Brown Sand
121	Negative	I	0-23 10YR5/4 Yellowish Brown Sandy Loam
		II	23-30 7.5YR5/8 Strong Brown Clay Silt
122	Not Excavated	-	Fenced Garden Area
123	Not Excavated	-	Bamboo Thickett, See Photo For209
129	Negative	I	0-15 7.5YR3/2 Dark Brown Silty Loam
		II	15-25 5YR4/1 Dark Gray Silt
135	Not Excavated	-	>15 degree slope
136	Not Excavated	-	>15 degree slope
137	Not Excavated	-	Stp In Stream
138	Not Excavated	-	Surface Water
139	Not Excavated	-	Surface Water
140	Not Excavated	-	Surface Water
141	Not Excavated	-	Surface Water
142	Not Excavated	-	Surface Water
143	Not Excavated	-	Surface Water
144	Not Excavated	-	Surface Water
145	Not Excavated	-	Surface Water
146	Not Excavated	-	Surface Water
149	Not Excavated	-	Surface Water
150	Not Excavated	-	Surface Water
152	Not Excavated	-	Surface Water
153	Not Excavated	-	Surface Water
155	Negative	I	0-20 10YR5/2 Grayish Brown Loam
		II	20-25 2.5Y6/1 Gray Clay
		III	25-35 2.5YR5/1 Reddish Gray Clay
156	Negative	I	0-15 7.5YR3/3 Dark Brown Clay Loam
		II	15-15 7.5YR3/4 Dark Brown Clay

STP ID	Results	Stratum	Description
157	Not Excavated	-	St Would Be In The Stream, Most Of The Terraced Area For The Structure Is Southeast Of Survey Area
159	Not Excavated	-	>15 degree slope
160	Not Excavated	-	>15 degree slope
161	Not Excavated	-	>15 degree slope
162	Not Excavated	-	>15 degree slope
163	Not Excavated	-	>15 degree slope
164	Not Excavated	-	>15 degree slope
170	Not Excavated	-	Slope, Garage, And Gravel.
177	Not Excavated	-	Surface Water
182	Not Excavated	-	Building
184	Negative	I	0-19 5YR3/4 Dark Reddish Brown Silty Loam
		II	19-28 2.5YR3/6 Dark Red Clay
185	Not Excavated	-	>15 degree slope
186	Not Excavated	-	>15 degree slope
187	Not Excavated	-	>15 degree slope
188	Not Excavated	-	>15 degree slope
189	Not Excavated	-	>15 degree slope
190	Not Excavated	-	>15 degree slope
191	Not Excavated	-	Surface Water
195	Not Excavated	-	>15 degree slope
196	Not Excavated	-	>15 degree slope
197	Not Excavated	-	>15 degree slope
198	Not Excavated	-	>15 degree slope
206	Not Excavated	-	>15 degree slope
208	Negative	I	0-32 5YR5/4 Reddish Brown Loamy Silt
		II	32-40 7.5YR5/8 Strong Brown Sand
209	Not Excavated	-	Building
211	Not Excavated	-	Surface Water
218	Not Excavated	-	(blank)
226	Not Excavated	-	Construction Disturbance
227	Not Excavated	-	>15 degree slope
228	Not Excavated	-	>15 degree slope
229	Not Excavated	-	>15 degree slope
230	Not Excavated	-	>15 degree slope
231	Not Excavated	-	>15 degree slope
233	Not Excavated	-	>15 degree slope
234	Not Excavated	-	>15 degree slope
235	Not Excavated	-	>15 degree slope
236	Not Excavated	-	>15 degree slope
237	Not Excavated	-	>15 degree slope
238	Not Excavated	-	>15 degree slope
239	Not Excavated	-	>15 degree slope

STP ID	Results	Stratum	Description
240	Not Excavated	-	>15 degree slope
241	Not Excavated	-	>15 degree slope
244	Not Excavated	-	Disturbed. Field Road
245	Not Excavated	-	>15 degree slope
246	Negative	I	0-15 10YR4/3 Brown Silty Loam
247	Negative	I	0-13 10YR4/3 Brown Silty Loam
248	Not Excavated	-	>15 degree slope
249	Negative	I	0-38 10YR5/6 Yellowish Brown Sandy Loam
252	Not Excavated	-	>15 degree slope
253	Not Excavated	-	>15 degree slope
254	Negative	I	0-45 10R6/6 Light Red Sandy Clay Loam
		II	45-51 10YR5/8 Yellowish Brown Sandy Clay
255	Not Excavated	-	Slope Grading And Propane Tank Buried Utilities.
263	Not Excavated	-	Surface Water
271	Not Excavated	-	>15 degree slope
272	Not Excavated	-	>15 degree slope
273	Not Excavated	-	>15 degree slope
274	Not Excavated	-	>15 degree slope
275	Not Excavated	-	>15 degree slope
276	Not Excavated	-	>15 degree slope
277	Not Excavated	-	Drainage Area
282	Not Excavated	-	>15 degree slope
286	Not Excavated	-	>15 degree slope
287	Not Excavated	-	>15 degree slope
288	Not Excavated	-	>15 degree slope
289	Not Excavated	-	>15 degree slope
295	Not Excavated	-	Construction Berm/Access Road
296	Negative	I	0-35 5YR4/3 Reddish Brown Silty Loam
297	Negative	I	0-21 10YR4/4 Dark Yellowish Brown Loamy Sand
		II	21-31 10YR6/3 Pale Brown Sand
299	Not Excavated	-	Surface Water
304	Not Excavated	-	Paved
305	Not Excavated	-	Bedrock Adjacent To Driveway
311	Not Excavated	-	(blank)
312	Not Excavated	-	Construction Disturbance
319	Not Excavated	-	Access Road
320	Not Excavated	-	Access Road
321	Not Excavated	-	Access Road
322	Not Excavated	-	Access Road
323	Not Excavated	-	Access Road
324	Not Excavated	-	Access Road
325	Not Excavated	-	Disturbed. Field Road

STP ID	Results	Stratum	Description
326	Not Excavated	-	Disturbed. Field Road
327	Not Excavated	-	>15 degree slope
334	Not Excavated	-	>15 degree slope
342	Negative	I	0-20 7.5YR4/2 Brown Sandy Loam
		II	20-30 5YR4/3 Reddish Brown Sandy Clay
343	Not Excavated	-	Road Side Ditch. Slope. Gravel
350	Negative	I	0-5 10YR6/2 Light Brownish Gray Clay Loam
		II	5-15 10YR5/4 Yellowish Brown Sandy Clay
351	Negative	I	0-5 10YR6/2 Light Brownish Gray Clay Loam
		II	5-15 10YR5/4 Yellowish Brown Sandy Clay
353	Negative	I	0-18 10YR4/4 Dark Yellowish Brown Silty Loam
360	Not Excavated	-	>15 degree slope
361	Not Excavated	-	>15 degree slope
362	Not Excavated	-	>15 degree slope
365	Negative	I	0-5 10YR5/2 Grayish Brown Sandy Loam
		II	5-15 10YR5/4 Yellowish Brown Sandy Clay
368	Negative	I	0-5 7.5YR3/3 Dark Brown Silty Clay Loam
		II	5-20 10YR4/2 Dark Grayish Brown Clay Loam
		III	20-30 10YR5/2 Grayish Brown Sandy Loam
369	Not Excavated	-	>15 degree slope
375	Not Excavated	-	>15 degree slope
376	Not Excavated	-	>15 degree slope
420	Not Excavated	-	>15 degree slope
521	Not Excavated	-	Paved
522	Not Excavated	-	Gravel Drive And Slope
523	Not Excavated	-	>15 degree slope
529	Negative	I	0-15 5YR4/3 Reddish Brown Sandy Clay
531	Not Excavated	-	>15 degree slope
532	Not Excavated	-	>15 degree slope
536	Negative	I	0-11 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	11-18 10YR5/8 Yellowish Brown Sandy Clay
537	Negative	I	0-21 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	21-26 10YR5/8 Yellowish Brown Clay Sand
539	Negative	I	0-35 10YR6/6 Brownish Yellow Sandy Loam
		II	35-42 10YR8/6 Yellow Clay Sand
540	Negative	I	0-23 10YR6/6 Brownish Yellow Sandy Loam
		II	23-30 2.5Y2.5/1 Black Clay Sand
541	Not Excavated	-	>15 degree slope
544	Not Excavated	-	>15 degree slope
559	Not Excavated	-	>15 degree slope
560	Negative	I	0-41 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	41-46 10YR5/8 Yellowish Brown Sandy Clay

STP ID	Results	Stratum	Description
562	Not Excavated	-	Surface Water
564	Not Excavated	-	>15 degree slope
570	Not Excavated	-	>15 degree slope
575	Negative	I	>15 degree slope
605	Not Excavated	-	Surface Water
606	Not Excavated	-	>15 degree slope
607	Negative	I	0-10 7.5YR3/2 Dark Brown Sandy Clay
		II	10-20 5YR3/2 Dark Reddish Brown Clay
608	Not Excavated	-	>15 degree slope
609	Not Excavated	-	>15 degree slope
611	Not Excavated	-	Paved
616	Not Excavated	-	>15 degree slope
619	Not Excavated	-	>15 degree slope
622	Not Excavated	-	>15 degree slope
623	Not Excavated	-	>15 degree slope
624	Not Excavated	-	>15 degree slope
625	Not Excavated	-	>15 degree slope
626	Negative	I	0-65 7.5YR4/2 Brown Sandy Loam
		II	65-80 7.5YR4/3 Brown Sandy Clay
627	Negative	I	0-40 7.5YR4/2 Brown Sandy Loam
		II	40-50 5YR4/3 Reddish Brown Sandy Clay
628	Not Excavated	-	>15 degree slope
629	Negative	I	0-80 7.5YR4/2 Brown Sandy Loam
630	Negative	I	0-60 7.5YR6/3 Light Brown Sandy Loam
		II	60-70 5YR6/3 Light Reddish Brown Sandy Clay
634	Not Excavated	-	>15 degree slope
635	Not Excavated	-	>15 degree slope
636	Not Excavated	-	>15 degree slope
637	Not Excavated	-	>15 degree slope
638	Not Excavated	-	>15 degree slope
639	Not Excavated	-	>15 degree slope
640	Not Excavated	-	>15 degree slope
644	Not Excavated	-	>15 degree slope
648	Not Excavated	-	>15 degree slope
649	Not Excavated	-	>15 degree slope
651	Negative	I	0-30 7.5YR4/2 Brown Sandy Loam
		II	30-40 5YR5/3 Reddish Brown Sandy Clay
654	Not Excavated	-	>15 degree slope
658	Not Excavated	-	>15 degree slope
659	Not Excavated	-	>15 degree slope
680	Negative	I	0-17 10YR6/6 Brownish Yellow Loamy Sand
		II	17-41 10YR5/8 Yellowish Brown Sand



STP ID	Results	Stratum	Description
681	Negative	I	0-11 10YR6/6 Brownish Yellow Sandy Loam
		II	11-17 10YR5/8 Yellowish Brown Sand
683	Negative	I	0-12 10YR6/6 Brownish Yellow Sandy Loam
		II	12-17 10YR5/8 Yellowish Brown Clay Sand
687	Negative	I	0-17 7.5YR5/3 Brown Silty Loam
		II	17-23 7.5YR5/8 Strong Brown Clay Silt
694	Negative	I	0-20 7.5YR3/2 Dark Brown Sandy Loam
		II	20-30 5YR3/2 Dark Reddish Brown Sandy Clay
695	Negative	I	0-15 7.5YR3/2 Dark Brown Sandy Loam
		II	15-25 5YR3/2 Dark Reddish Brown Sandy Clay
696	Not Excavated	-	>15 degree slope
697	Not Excavated	-	>15 degree slope
698	Not Excavated	-	>15 degree slope
699	Negative	I	0-15 7.5YR3/2 Dark Brown Sandy Loam
		II	15-25 5YR3/2 Dark Reddish Brown Sandy Clay
700	Negative	I	0-15 7.5YR3/2 Dark Brown Sandy Loam
		II	15-25 5YR3/2 Dark Reddish Brown Clay
701	Negative	I	0-13 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	13-19 10YR5/8 Yellowish Brown Loam
704	Not Excavated	-	>15 degree slope
705	Not Excavated	-	>15 degree slope
706	Not Excavated	-	>15 degree slope
708	Not Excavated	-	>15 degree slope
709	Not Excavated	-	>15 degree slope
711	Not Excavated	-	>15 degree slope
712	Not Excavated	-	>15 degree slope
713	Not Excavated	-	>15 degree slope
716	Not Excavated	-	>15 degree slope
718	Not Excavated	-	>15 degree slope
719	Not Excavated	-	>15 degree slope
720	Not Excavated	-	>15 degree slope
721	Not Excavated	-	>15 degree slope
722	Not Excavated	-	>15 degree slope
723	Not Excavated	-	>15 degree slope
724	Not Excavated	-	>15 degree slope
725	Not Excavated	-	>15 degree slope
726	Not Excavated	-	>15 degree slope
727	Not Excavated	-	>15 degree slope
728	Not Excavated	-	>15 degree slope
729	Not Excavated	-	>15 degree slope
731	Not Excavated	-	>15 degree slope
732	Not Excavated	-	>15 degree slope

STP ID	Results	Stratum	Description
733	Not Excavated	-	>15 degree slope
734	Not Excavated	-	(blank)
736	Not Excavated	-	>15 degree slope
742	Negative	I	0-39 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	39-44 10R5/8 Red Sandy Clay
743	Not Excavated	-	>15 degree slope
744	Not Excavated	-	>15 degree slope
745	Not Excavated	-	>15 degree slope
746	Not Excavated	-	>15 degree slope
747	Not Excavated	-	>15 degree slope
748	Not Excavated	-	>15 degree slope
749	Not Excavated	-	>15 degree slope
750	Not Excavated	-	>15 degree slope
767	Negative	I	0-8 10YR6/6 Brownish Yellow Sandy Loam
		II	8-15 10YR8/6 Yellow Sand
768	Negative	I	0-12 10YR8/6 Yellow Sandy Loam
		II	12-28 10YR8/6 Yellow Sand
769	Negative	I	0-10 10YR6/6 Brownish Yellow Sandy Loam
		II	10-18 10YR8/6 Yellow Sand
770	Negative	I	0-17 10YR6/6 Brownish Yellow Sandy Loam
		II	17-23 10YR8/6 Yellow Sand
772	Negative	I	0-10 10YR6/6 Brownish Yellow Sandy Loam
		II	10-17 10YR5/8 Yellowish Brown Sand
		III	10-17 10YR5/8 Yellowish Brown Sand
773	Negative	I	0-9 10YR6/6 Brownish Yellow Sandy Loam
		II	9-15 10YR5/8 Yellowish Brown Sand
		III	9-15 10YR5/8 Yellowish Brown Sand
774	Negative	I	0-4 10YR6/8 Brownish Yellow Sandy Loam
775	Negative	I	0-16 10YR6/6 Brownish Yellow Sandy Loam
		II	16-23 10YR8/6 Yellow Sand
776	Negative	I	0-20 7.5YR3/2 Dark Brown Sandy Loam
		II	20-30 10YR7/3 Very Pale Brown Sand
777	Negative	I	0-5 10YR4/2 Dark Grayish Brown Loam
		II	5-15 7.5YR6/3 Light Brown Loam
		III	15-20 2.5YR4/3 Reddish Brown Loamy Clay
778	Not Excavated	-	Cinder Block Pile, Blocks Were Used For Small Garden Plot/Arbor
779	Negative	I	0-20 7.5YR6/3 Light Brown Loam
		II	20-40 2.5Y6/2 Light Brownish Gray Loamy Silt
		III	40-50 2.5YR7/3 Light Reddish Brown Silty Clay
786	Negative	I	0-26 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	26-32 10YR5/8 Yellowish Brown Sandy Clay
787	Not Excavated	-	>15 degree slope

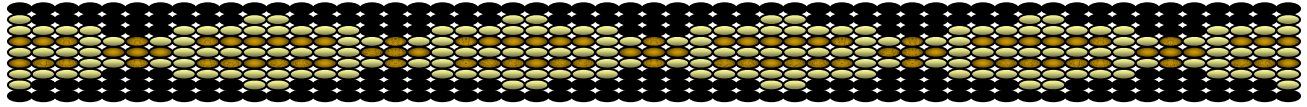
STP ID	Results	Stratum	Description
788	Not Excavated	-	>15 degree slope
789	Negative	I	0-5 10YR5/8 Yellowish Brown Sandy Clay Loam
		II	5-11 10YR5/8 Yellowish Brown Sandy Clay
790	Negative	I	(blank)
791	Negative	I	0-16 10YR5/8 Yellowish Brown Sandy Clay Loam
		II	16-21 10YR8/6 Yellow Clay
794	Negative	I	0-25 7.5YR5/2 Brown Sandy Loam
		II	25-35 5YR3/2 Dark Reddish Brown Sandy Clay
795	Negative	I	0-10 10YR3/3 Dark Brown Sandy Loam
		II	10-20 5YR3/2 Dark Reddish Brown Clay
796	Negative	I	0-33 10YR2/2 Very Dark Brown Sandy Loam
		II	33-39 10YR5/8 Yellowish Brown Clay
797	Negative	I	0-15 7.5YR3/2 Dark Brown Sandy Loam
		II	15-25 5YR3/2 Dark Reddish Brown Sandy Clay
798	Negative	I	0-15 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	15-23 10YR5/8 Yellowish Brown Sandy Clay
799	Not Excavated	-	>15 degree slope
800	Not Excavated	-	>15 degree slope
801	Not Excavated	-	>15 degree slope
802	Not Excavated	-	>15 degree slope
803	Not Excavated	-	>15 degree slope
804	Not Excavated	-	>15 degree slope
805	Not Excavated	-	>15 degree slope
806	Not Excavated	-	>15 degree slope
807	Not Excavated	-	>15 degree slope
808	Not Excavated	-	>15 degree slope
809	Not Excavated	-	>15 degree slope
810	Not Excavated	-	>15 degree slope
811	Not Excavated	-	>15 degree slope
812	Not Excavated	-	>15 degree slope
813	Not Excavated	-	>15 degree slope
814	Not Excavated	-	>15 degree slope
815	Not Excavated	-	>15 degree slope
817	Not Excavated	-	>15 degree slope
818	Not Excavated	-	>15 degree slope
824	Not Excavated	-	>15 degree slope
833	Not Excavated	-	>15 degree slope
837	Not Excavated	-	>15 degree slope
839	Not Excavated	-	>15 degree slope
843	Not Excavated	-	>15 degree slope
848	Not Excavated	-	>15 degree slope
850	Negative	I	0-24 10YR6/6 Brownish Yellow Sandy Loam

STP ID	Results	Stratum	Description
		II	24-30 10YR5/8 Yellowish Brown Sandy Clay
851	Negative	I	0-23 10YR6/6 Brownish Yellow Sandy Loam
		II	23-30 10YR5/8 Yellowish Brown Sandy Clay
853	Negative	I	0-17 10R6/6 Light Red Sandy Loam
		II	17-23 10YR5/8 Yellowish Brown Sandy Clay
854	Negative	I	0-10 10YR6/6 Brownish Yellow Sandy Loam
		II	10-17 10YR8/6 Yellow Sand
855	Negative	I	0-20 7.5YR3/2 Dark Brown Sandy Loam
		II	20-30 7.5YR6/3 Light Brown Sandy Clay
856	Negative	I	0-18 10YR6/6 Brownish Yellow Sandy Loam
		II	18-25 10YR8/6 Yellow Sand
862	Not Excavated	-	>15 degree slope
863	Negative	I	0-21 10YR6/6 Brownish Yellow Sandy Loam
		II	21-30 10YR5/8 Yellowish Brown Clay Sand
864	Negative	I	0-25 7.5YR4/4 Brown Silty Loam
		II	25-33 7.5YR5/8 Strong Brown Clay Silt
865	Negative	I	0-9 10YR6/6 Brownish Yellow Sandy Loam
		II	9-13 10YR8/6 Yellow Sand
866	Negative	I	0-20 7.5YR4/2 Brown Sandy Loam
		II	20-30 7.5YR6/3 Light Brown Sand
867	Negative	I	0-25 7.5YR4/2 Brown Sandy Loam
868	Negative	I	0-8 10YR4/3 Brown Sandy Loam
869	Negative	I	0-15 10YR3/3 Dark Brown Sandy Loam
		II	15-25 7.5YR4/6 Strong Brown Sandy Clay
870	Not Excavated	-	Building
871	Negative	I	0-3 10YR3/3 Dark Brown Sandy Loam
		II	3-10 7.5YR6/3 Light Brown Sandy Clay
872	Negative	I	0-10 10YR3/3 Dark Brown Sandy Clay
		II	10-30 7.5YR6/3 Light Brown Sandy Clay
		III	30-40 5YR4/3 Reddish Brown Clay
873	Negative	I	0-30 7.5YR6/3 Light Brown Sandy Loam
		II	30-40 10YR3/3 Dark Brown Clay
876	Not Excavated	-	>15 degree slope
877	Not Excavated	-	>15 degree slope
878	Negative	I	0-12 10YR6/6 Brownish Yellow Sandy Clay Loam
		II	12-17 10YR5/8 Yellowish Brown Sandy Clay
879	Not Excavated	-	>15 degree slope
880	Not Excavated	-	>15 degree slope
884	Not Excavated	-	Building
887	Negative	I	0-25 10YR3/3 Dark Brown Sandy Loam
		II	25-35 5YR3/2 Dark Reddish Brown Sandy Clay
888	Not Excavated	-	>15 degree slope

STP ID	Results	Stratum	Description
889	Not Excavated	-	>15 degree slope
890	Not Excavated	-	>15 degree slope
891	Not Excavated	-	>15 degree slope
892	Not Excavated	-	>15 degree slope
893	Not Excavated	-	>15 degree slope
894	Not Excavated	-	>15 degree slope
895	Not Excavated	-	>15 degree slope
896	Not Excavated	-	>15 degree slope
897	Not Excavated	-	>15 degree slope
898	Not Excavated	-	>15 degree slope
899	Not Excavated	-	>15 degree slope
900	Not Excavated	-	>15 degree slope
907	Not Excavated	-	>15 degree slope
908	Not Excavated	-	>15 degree slope
930	Negative	I	0-10 7.5YR3/2 Dark Brown Sandy Loam
		II	10-20 7.5YR5/6 Strong Brown Sandy Clay
939	Not Excavated	-	>15 degree slope
940	Negative	I	0-20 7.5YR3/3 Dark Brown Sandy Loam
		II	20-30 7.5YR4/6 Strong Brown Sandy Clay
941	Negative	I	0-30 7.5YR3/2 Dark Brown Sandy Loam
		II	30-40 7.5YR4/6 Strong Brown Sandy Clay
943	Negative	I	0-15 7.5YR4/2 Brown Sandy Loam
		II	15-30 5YR4/3 Reddish Brown Sandy Clay Loam
952	Not Excavated	-	>15 degree slope
953	Negative	I	0-26 10YR6/6 Brownish Yellow Sandy Loam
		II	26-33 10YR5/8 Yellowish Brown Sandy Clay
954	Negative	I	0-30 10YR3/3 Dark Brown Sandy Loam
		II	30-40 7.5YR6/3 Light Brown Sandy Clay
960	Negative	I	0-5 10YR4/2 Dark Grayish Brown Clay Loam
		II	5-15 10YR5/2 Grayish Brown Clay
961	Negative	I	0-10 10YR5/2 Grayish Brown Clay Loam
		II	10-20 7.5YR4/2 Brown Sand
962	Negative	I	0-10 10YR4/2 Dark Grayish Brown Loam
		II	10-20 10YR4/2 Dark Grayish Brown Clay
963	Negative	I	0-5 10YR5/2 Grayish Brown Loam
		II	5-20 7.5YR4/2 Brown Clay Loam
		III	20-30 5YR5/4 Reddish Brown Loamy Clay
JWK-Judgmental	Negative	I	0-23 10YR3/4 Dark Yellowish Brown Sandy Loam
		II	23-34 10YR6/4 Light Yellowish Brown Sand

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

Office 803-328-2427  
Fax 803-328-5791



April 20, 2021

Attention: David Stutts  
NC Department of Transportation  
1581 Mail Service Center  
Raleigh, NC 27699

Re. THPO #	TCNS #	Project Description
2021-193-90		Replacement of Bridge No. 26 on NC 106 over Middle Creek in Macon Co. BR-0029

Dear Mr. Stutts,

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](mailto:Caitlin.Rogers@catawba.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer



**From:** Peterson, Tierre R <trpeterson@ncdot.gov>  
**Sent:** Monday, May 3, 2021 7:51 AM  
**To:** Shawn Blanchard  
**Cc:** Bowles, Jacquelyn K; Stutts, David S; George Hoops; Wilkerson, Matt T  
**Subject:** Fw: [External] Re: NCDOT Project BR-0029 - Project Study Letter

Good morning Shawn,  
Please see the response below from the Muscogee (Creek) Nation. Please upload a copy of this response to the project SharePoint site.

Thank you,  
Tierre

---

**From:** LeeAnne Wendt <[LWendt@mcn-nsn.gov](mailto:LWendt@mcn-nsn.gov)>  
**Sent:** Sunday, May 2, 2021 10:52 PM  
**To:** Peterson, Tierre R <[trpeterson@ncdot.gov](mailto:trpeterson@ncdot.gov)>  
**Subject:** [External] Re: NCDOT Project BR-0029 - Project Study Letter

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Tierre,

Thank you for contacting the Muscogee (Creek) Nation concerning the Proposed Replacement of Bridge No. 26 on N.C. 106 over Middle Creek in Macon County, North Carolina. This project is located in our Tribes historic area of interest and is of importance to the Muscogee (Creek) Nation. After careful review of the material provided and noting that the archaeological fieldwork covered the area and no archaeological resources were noted, **the Muscogee (Creek) Nation concurs that there should be no effects to any known historic properties for the proposed project.** However, due to the historic presence of Muscogee people in the project area, there is always the possibility of inadvertent discoveries of cultural resources, human remains and related NAGPRA items, etc. Even if the proposed project is occurring in areas of existing or prior development, there is still a possibility. With that being stated, if this does occur during ground disturbing activities, the Muscogee (Creek) Nation requests that all work in the area ceases and that our office as well as other appropriate agencies be notified immediately. Additionally, if any changes take place for the project, we require that the information is sent to us for further review. If you have any questions regarding this, please do not hesitate to ask me.

Regards,  
LeeAnne Wendt

**LeeAnne Wendt, M.A., RPA**  
Historic and Cultural Preservation Department, Tribal Archaeologist  
Muscogee (Creek) Nation

P.O. Box 580 | Okmulgee, OK 74447  
T 918.732.7852  
F 918.758.0649  
[lwendt@mcn-nsn.gov](mailto:lwendt@mcn-nsn.gov)  
<http://www.muscogeenation-nsn.gov/>

---

**From:** Peterson, Tierre R <[trpeterson@ncdot.gov](mailto:trpeterson@ncdot.gov)>  
**Sent:** Thursday, March 18, 2021 4:20 PM  
**To:** LeeAnne Wendt <[LWendt@mcn-nsn.gov](mailto:LWendt@mcn-nsn.gov)>  
**Cc:** Hoops, George (FHWA) <[George.Hoops@dot.gov](mailto:George.Hoops@dot.gov)>; Stutts, David S <[dstutts@ncdot.gov](mailto:dstutts@ncdot.gov)>; Bowles, Jacquelyn K <[jkbowles@ncdot.gov](mailto:jkbowles@ncdot.gov)>; Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>; Wilkerson, Matt T <[mtwilkerson@ncdot.gov](mailto:mtwilkerson@ncdot.gov)>  
**Subject:** Re: NCDOT Project BR-0029 - Project Study Letter

Ms. LeeAnne Wendt,

Please see the attached project study letter for NCDOT Project BR-0029.  
If you have any questions or comments, please let us know by April 23, 2021.

Sincerely,

**Tierre Peterson, PE**  
Team Leader - PEF Coordination  
Structures Management Unit

919 707 6488 office  
[trpeterson@ncdot.gov](mailto:trpeterson@ncdot.gov)

1000 Birch Ridge Drive  
Raleigh, NC 27610



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**From:** [Turchy, Michael A](#)  
**To:** [Amschler, Crystal C CIV USARMY CESAW \(USA\)](#)  
**Cc:** [Barrett, William A](#)  
**Subject:** BR-0029 Tribal Coordination  
**Date:** Wednesday, May 19, 2021 4:04:09 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[NCDOT BR-0029 Tribal Coordination Letter & Package-Cherokee Nation.pdf](#)  
[NCDOT BR-0029 Tribal Coordination Letter & Package-Eastern Band of Cherokee Indians.pdf](#)  
[NCDOT BR-0029 Tribal Coordination Letter & Package-Muscogee \(Creek\) Nation.pdf](#)  
[NCDOT BR-0029 Tribal Coordination Letter & Package-United Keetowah Band of Cherokee Indians.pdf](#)

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Hi Crystal,

Feel free to reach out to any of us, anytime something doesn't seem right. We'll be glad to make sure the right people are involved to help.

For BR-0029- Just to clarify, we will need environmental permits for this project, although hopefully, we can get it down to temporary impacts and bank stabilization. If the project stays on track, we will be applying for a GP 50 in the fall.

For your files, here's a link to the environmental document for the project. Since it is a Categorical Exclusion, FHWA is our lead federal agency.

[https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/STIP\\_B-Projects/BR0029\\_Final\\_CE\\_Checklist\\_Signed.pdf](https://xfer.services.ncdot.gov/pdea/EnvironmentalDocs/Documents/STIP_B-Projects/BR0029_Final_CE_Checklist_Signed.pdf)

Also for your files, attached are the tribal coordination letters that went out for this project. It does not appear that response was received for them, but we will verify that prior to project permitting.

Thanks again!

-Michael

---

**From:** Amschler, Crystal C CIV USARMY CESAW (USA) <Crystal.C.Amschler@usace.army.mil>  
**Sent:** Wednesday, May 19, 2021 3:24 PM  
**To:** Turchy, Michael A <maturchy@ncdot.gov>  
**Subject:** [External] FW: BR-0029 Tribal Coordination

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Hey Michael,

It was good to talk to you and Carla today. Below is the email string on Br 0029 Macon county between myself and Shawn.

Crystal C. Amschler  
Project Manager  
Asheville Regulatory

Field Office  
151 Patton Avenue,  
Room 208  
Asheville, NC 28801  
(828)-271-7980 Ext 4231

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**From:** Amschler, Crystal C CIV USARMY CESAW (USA)  
**Sent:** Friday, April 23, 2021 3:41 PM  
**To:** Shawn Blanchard <SBlanchard@drmp.com>  
**Cc:** Christopher K. Haire <CHaire@drmp.com>; Ryan Mitchell <RMitchell@drmp.com>  
**Subject:** RE: BR-0029 Tribal Coordination

Shawn,

Thanks for the clarification. With riprap below the OHWM that WOULD trigger a permit. To go back to our original discussion regarding tribal coordination, sounds like you should go ahead and forward the information to all the tribes (I believe previously only the EBCI was contacted) and the information can go out on NCDOT letter head with NCDOT's signature rather than me sending it out (and cc me). I think that resolves the questions you had previously. Let me know if there is anything else you need from me at this time.

Thanks,  
Crystal C. Amschler  
Project Manager  
Asheville Regulatory  
Field Office  
151 Patton Avenue,  
Room 208  
Asheville, NC 28801  
(828)-271-7980 Ext 4231

---

**From:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>  
**Sent:** Monday, April 19, 2021 3:37 PM  
**To:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>  
**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>; Ryan Mitchell <[RMitchell@drmp.com](mailto:RMitchell@drmp.com)>  
**Subject:** [Non-DoD Source] RE: BR-0029 Tribal Coordination

Good Afternoon Crystal,

To clarify, there will be riprap below the OHWM. Sorry for the confusion.



Thank you,



**Shawn Blanchard**

**Senior Transportation Planner**

Main: 919.650.1038 | Direct: [919.230.7855](tel:919.230.7855) | Cell: [919.946.8759](tel:919.946.8759)

[sblanchard@drmp.com](mailto:sblanchard@drmp.com)

**DRMP, Inc.**

8000 Regency Parkway, Suite 110, Cary, NC 27518



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**From:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>

**Sent:** Friday, April 16, 2021 1:49 PM

**To:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>

**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>; Ryan Mitchell <[RMitchell@drmp.com](mailto:RMitchell@drmp.com)>

**Subject:** RE: BR-0029 Tribal Coordination

Hi Shawn,

I'm a bit confused. I do recall discussing this project with you and that you had indicated that after speaking to the hydraulic team that the stream wouldn't be dewatered and that riprap would not be placed below the OHWM. With the information below you've stated that riprap will be placed below the OHWM and that it won't be placed below the OHWM in the same sentence??

"In the Hydraulic Survey Report (HSR), it does not appear that there is dewatering or riprap below the OHWM. Riprap will be placed to the toe of the stream bank at the normal water surface elevation; most certainly below the OHWM. In the BR-0029 Environmental Document, Question 12 pertaining towards the requirement of a 404 permit is selected "no"."

Thinking that there is a typo in one of these phrases. Can you please clarify whether riprap will be placed below the OHWM or not as that will determine if a permit is required or not.

Thanks,

Crystal C. Amschler

Project Manager

Asheville Regulatory

Field Office

151 Patton Avenue,

Room 208

Asheville, NC 28801

(828)-271-7980 Ext 4231

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**From:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>  
**Sent:** Wednesday, April 14, 2021 5:05 PM  
**To:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>  
**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>; Ryan Mitchell <[RMitchell@drmp.com](mailto:RMitchell@drmp.com)>  
**Subject:** [Non-DoD Source] FW: BR-0029 Tribal Coordination

Good Afternoon Crystal,

We have been coordinating with Division 14 regarding BR-0029 and just wanted to verify some information. When we last spoke in March, it appeared that a 404 permit was not going to be required based on the information below:

“In the Hydraulic Survey Report (HSR), it does not appear that there is dewatering or riprap below the OHWM. Riprap will be placed to the toe of the stream bank at the normal water surface elevation; most certainly below the OHWM. In the BR-0029 Environmental Document, Question 12 pertaining towards the requirement of a 404 permit is selected “no”.”

Based on this information, can you confirm if a permit is not needed assuming the following is accurate?

Thank you,



**Shawn Blanchard**

**Senior Transportation Planner**

Main: 919.650.1038 | Direct: [919.230.7855](tel:919.230.7855) | Cell: [919.946.8759](tel:919.946.8759)  
[sblanchard@drmp.com](mailto:sblanchard@drmp.com)

**DRMP, Inc.**

8000 Regency Parkway, Suite 110, Cary, NC 27518



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**From:** Shawn Blanchard  
**Sent:** Monday, March 8, 2021 8:54 AM  
**To:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>  
**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>  
**Subject:** RE: BR-0029 Tribal Coordination

Good Morning Crystal,

Based on our conversation with our Hydro Team, it doesn't appear that a 404 permit will be required. Confirming what was presented in the environmental document. With this being said, would the USACE like to contact only the ECBI, or all tribes identified for Macon County? In doing so, do you defer to NCDOT SMU to send out the letter(s)/email(s) or do you want this to come from the USACE?

Thank you,



**Shawn Blanchard**

**Senior Transportation Planner**

Main: 919.650.1038 | Direct: [919.230.7855](tel:919.230.7855) | Cell: [919.946.8759](tel:919.946.8759)  
[sblanchard@drmp.com](mailto:sblanchard@drmp.com)

**DRMP, Inc.**

8000 Regency Parkway, Suite 110, Cary, NC 27518



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**From:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>

**Sent:** Wednesday, March 3, 2021 4:32 PM

**To:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>

**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>

**Subject:** RE: BR-0029 Tribal Coordination

Shawn,

Thanks for the additional information and clarification. Since this project was previously consulted with ECBI, it might be a good idea to go ahead and include the other tribes in consultation and give them a chance to see the project as well. But first we really need to figure out if there will be a Section 404 permit first. If no permit is required, then from a 404 permitting standpoint, there would be no need for additional coordination with the tribes. Once you verify the need for a 404 permit one way or the other let me know and we can continue the discussion on how to move forward.

Crystal C. Amschler  
Project Manager  
Asheville Regulatory  
Field Office  
151 Patton Avenue,  
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**From:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>

**Sent:** Tuesday, March 2, 2021 4:22 PM

**To:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>

**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>

**Subject:** [Non-DoD Source] RE: BR-0029 Tribal Coordination

Crystal,

In the Hydraulic Survey Report (HSR), it does not appear that there is dewatering or riprap below the OHWM. In the BR-0029 Environmental Document, Question 12 pertaining towards the requirement of a 404 permit is selected "no". I will verify with our hydro group and give you a definitive answer when I can.

BR-0029 is the Structures Management Unit Program Number/ similar to the STIP Project Number. The bridge is actually Bridge No. 26. That can be confusing between the two numbers. I have talked with Damon about the revised study area and the APE. The APE went out nearly 500' from the existing centerline and incorporates the land included in the revised study area. At this time, he has not seen the furthest limits identified in the map as we are still waiting for confirmation if we have to go that far out. He did state that the revised study area that has been approved, is covered in the APE and nothing else would need to be changed in the Archaeological Survey form. I have attached the Archaeological Survey form for you to have. You can also access the document on SharePoint [here](#).

I looked in to the previous Tribal Coordination and it appears that the only Tribe that was contacted about the project was the Eastern Band of Cherokee back on August 30, 2018. Since this time, NCDOT has revised coordination and implemented the Tribal Protocol Package. For Macon County, the following Tribes are listed to contact.

- Cherokee Nation
- Eastern Band of Cherokee Indians
- United Keetoowah Band of Cherokee Indians
- Catawba Indian Nation
- Muscogee (Creek) Nation

I spoke with Damon again this afternoon and he agrees we should contact all the Tribes. In doing so, he asked if the Corps wants to have the PM on the project – Structures Management Unit (SMU) sign the NCDOT letterhead and provide to you to send out to the Tribes; or do you want SMU to send out to the Tribes and cc you on the correspondence? The Survey attached would be included with the correspondence letter. Please let me know how you want to proceed and DRMP will work with SMU to get the correspondence together.

Thanks again,



**Shawn Blanchard**  
**Senior Transportation Planner**

Main: 919.650.1038 | Direct: [919.230.7855](tel:919.230.7855) | Cell: [919.946.8759](tel:919.946.8759)  
[sblanchard@drmp.com](mailto:sblanchard@drmp.com)

**DRMP, Inc.**

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**From:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>

**Sent:** Monday, March 1, 2021 3:34 PM

**To:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>

**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>

**Subject:** RE: BR-0029 Tribal Coordination

Hi Shawn,

Thanks for the maps and additional information. My first question after looking at the environmental document and plan is will a 404 permit even be triggered? Looks like this is a bridge replaced with bridge and the document indicates that riprap will be placed up to the top of bank, but I don't necessarily see any work that might trigger a 404 permit. Will there be temporary causeways, dewatering or riprap below the OHWM?

I reviewed the archaeological reports in the environmental document, but they indicate the information is for bridge 26 rather than bridge 29? Is this a typo or are the wrong reports included in the environmental document? Also, the reports indicate a survey was required but I don't see the survey report or the map showing where the subsurface studies took place like I normally see? Is there some documentation missing or just the mapping that shows the subsurface study locations? Also the no eligible resources found document indicates that if the APE is expanded then additional studies may be required. As such, and assuming that a Section 404 permit would be required, I would direct you back to Damon Jones with the DOT archaeological group to assess whether the archeological study needs to be expanded into the new area. If not, or even if it is and no resources are identified, then it may not be necessary to coordinate with the tribes, but the new 106 PA and tribal protocol should be followed for this project and should help provide some guidance on how to move forward. I'm still familiarizing myself with the new processes but I expect Damon would have some info in this respect as well.

Hopefully this helps answer your question. if not, feel free to give me a call and we can discuss further.

Sincerely,



Crystal C. Amschler  
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**From:** Shawn Blanchard <[SBlanchard@drmp.com](mailto:SBlanchard@drmp.com)>  
**Sent:** Monday, March 1, 2021 9:45 AM  
**To:** Amschler, Crystal C CIV USARMY CESAW (USA) <[Crystal.C.Amschler@usace.army.mil](mailto:Crystal.C.Amschler@usace.army.mil)>  
**Cc:** Christopher K. Haire <[CHaire@drmp.com](mailto:CHaire@drmp.com)>  
**Subject:** [Non-DoD Source] BR-0029 Tribal Coordination  
**Importance:** High

Good Morning Crystal,

Thank you for speaking with me this morning regarding BR-0029. As I mentioned, the environmental document for BR-0029 was signed back in August 2019 (see attached). Since this time, the Division has presented a realignment of Happy Hill Road; which connects to the west of the bridge. I have included a map showing the previous study area (used in the environmental document); the current/revised study area; as well as the potential study area to accommodate the slope stakes if necessary.

With the duration in time of the signing of the environmental document and the realignment of Happy Hill Road, we are completing a re-evaluation/consultation document for the project. We had sent correspondence to the tribes back in 2018. I don't believe we received any correspondence back from the tribe during that time. I will see if I can find any further documentation. Based on the potential revised study area, is it in your professional judgement for the tribes to be notified once more on the project? Please let me know as we move forward with the consultation. If you have any further questions, please do not hesitate to get in touch with me.

Thank you,



**Shawn Blanchard**

**Senior Transportation Planner**

Main: 919.650.1038 | Direct: [919.230.7855](tel:919.230.7855) | Cell: [919.946.8759](tel:919.946.8759)  
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