

Project Submittal Interim Form



Updated September 4, 2020

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

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

Pre-Filing Meeting Date Request was submitted on:

9/7/2021

Project Contact Information

Name: Jeffrey Hemphill NCDOT ECAP
Who is submitting the information?

Email Address: * jhemphill@ncdot.gov

Project Information

Existing ID #: *

20210345
20170001 (no dashes)

Existing Version: *

1
1

Project Name: * B-4626 – Replacement of Bridge 3 and Deck Preservation of Bridge 8 on NC 8/49 over the Yadkin River and Winston-Salem Southbound Railroad in Rowan, Davidson, and Stanly Counties

Is this a public transportation project? *

- Yes
- No

Is this a DOT project? *

- Yes
- No

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

- Yes
- No
- Unknown

TIP#:

B-4626

WBS#:

38443.1.FS2
(Applies to DOT projects only)

County (ies) *

Rowan

Davidson

Stanly

Please upload all files that need to be submitted.

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

B-4626 Reverification Package November 2022.pdf 20.24MB

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

Describe the attachments or add comments:

NCDOT requests the renewal of the 404 and 401 permits issued May 4, 2021 and April 22, 2021, respectively for B-4626 in Stanly, Davidson & Rowan counties. There is only one change to project impacts since the March 19, 2022 Permit Application: The modification is for an extension of the rip rap that armors the slope in front of the end bent 1 cap. The purpose is to stabilize the slope as it has eroded away/washed out over time and cannot be tied in at the 1.5:1 slope as called for in the original plans. This action will add 6' (0.006 Ac) of permanent bank stabilization impacts for a new total of 24'. Revised Permit Drawing Sheet 7 of 9 with a sketch from a Division 7 Engineer, is attached.

*The project is currently 11.48% complete as of 9/30 and is expected to be complete by the Spring of 2025.

*Tribal Coordination is up to date.

*The project footprint was surveyed for Schweinitz sunflower on October 31, 2022 with no stems found.

NCDOT hereby requests recertification to a RGP 50 for this renewal.

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

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

Signature: *



Submittal Date:

[Is filled in automatically once submitted.](#)

Permit Application



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

March 19, 2021

US Army Corps of Engineers
3331 Heritage Trade Drive, Suite 105
Wake Forest, North Carolina 27587

ATTN: Mr. Eric Alsmeyer
NCDOT Coordinator

Subject: **Application for Section 404 Nationwide Permit 14, and 401 Water Quality Certification** for the proposed Replacement of the superstructure of Bridge No. 3 and the application of deck preservation treatment to Bridge 8 on NC 8/49 over the Yadkin River (Tuckertown Reservoir) in Davidson, Rowan and Stanly Counties, North Carolina, Division 9, TIP No. B-4626, BRNHP-0049(33). Debit \$570 from WBS 38443.1.FS2

Dear Mr. Alsmeyer:

The North Carolina Department of Transportation (NCDOT) proposes to replace the superstructure on Bridge 3 and apply deck preservation treatment to Bridge 8 on NC 8/49 over the Yadkin River (Tuckertown Reservoir) in Davidson, Rowan, and Stanly Counties with the same span arrangement on the existing alignment. This action will result in 18 feet of permanent impacts to the Yadkin River from bank stabilization and 0.57 ac of temporary impacts from causeways for bridge construction/rehabilitation. No stream mitigation will be required for this project.

Please see enclosed copies of the Pre-Construction Notification (ePCN), Stormwater Management Plan, and Permit Drawings. A Minimum Criteria Determination Checklist (MCDC) was completed in April 2018 and distributed shortly thereafter. Additional copies are available upon request.

A copy of this permit application and its distribution list will be posted on the NCDOT Website at: <https://xfer.services.ncdot.gov/pdea/PermApps/>. If you have any questions or need additional information, please contact Jeff Hemphill at (919) 707-6126.

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)

October 26, 2020 Ver 3.3

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:*

Rowan

Davidson

Stanly

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:

B-4626

WBS #*

38443.1.FS2

(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)

This form may be used to initiate the standard/individual permit process with the Corps. Please contact your Corps representative concerning submittals for standard permits. All required items that are not provided in the E-PCN can be added to the miscellaneous upload area located at the bottom of this form.

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

Yes No

Nationwide Permit (NWP) Number:

14 - Linear transportation

NWP Numbers (for multiple NWPS):

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

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

check all that apply

401 Water Quality Certification - Regular

Non-404 Jurisdictional General Permit

Individual Permit

401 Water Quality Certification - Express

Riparian Buffer Authorization

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.

ID#

20210345

Version

1

Pre-filing Meeting or Request Date *

2/15/2021

Attach documentation of Pre-Filing Meeting Request here: *

DWR Pre-Filing Meeting Request Form.pdf

56.45KB

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

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? *

Jeff Hemphill

1b. Primary Contact Email: *

jhemphill@ncdot.gov

1c. Primary Contact Phone: *

(xxx)xxx-xxxx
(919)219-8581

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. Responsible party:

(for Corporations)

2d. Address *

Street Address

N/A

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

2e. Telephone Number: *

(xxx)xxx-xxxx

(919)219-8581

2f. Fax Number:

(xxx)xxx-xxxx

2g. Email Address: *

pharris@ncdot.gov

3. Applicant Information (if different from owner)

3a. Name: *

NCDOT

3b. Business Name:

(if applicable)

3c. Address *

Street Address

1598 Mail Service Center

Address Line 2

City

Raleigh

State / Province / Region

NC

Postal / Zip Code

27699-1598

Country

US

3d. Telephone Number: *

(919)219-8581

(xxx)xxx-xxxx

3e. Fax Number:

(xxx)xxx-xxxx

3f. Email Address: *

pharris@ncdot.gov

C. Project Information and Prior Project History

1. Project Information

1a. Name of project: *

Replace the existing superstructure with a wider superstructure on Bridge 790003 and applying deck preservation treatment to Bridge 790008 on NC 8/NC 49 over Yadkin River and Winston-Salem Southbound railroad in Rowan, Davidson, and Stanly Counties.

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Richfield

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

Postal / Zip Code

State / Province / Region

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: *

Longitude: *

3. Surface Waters

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

Yadkin River (Tuckertown Reservoir)

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

WS-IV,B;CA

[Surface Water Lookup](#)

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

Yadkin-PeeDee

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

030401030604

[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:*

Land use in the project vicinity consists primarily of the Yadkin River/Tuckertown Reservoir surrounded by forestland, including Uwharrie National Forest, with interspersed agricultural and residential land use.

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

Yes No Unknown

4d. Attach an 8 1/2 X 11 excerpt from the most recent version of the USGS topographic map indicating the location of the project site. (for DWR)

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

File type must be pdf

4e. Attach an 8 1/2 X 11 excerpt from the most recent version of the published County NRCS Soil Survey map depicting the project site. (for DWR)

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

File type must be pdf

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)

355'

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

The need of the proposed project is to improve public safety by replacing the structurally deficient, functionally obsolete, and fracture critical bridge (Rowan County Bridge No. 3) from the state's transportation infrastructure and maintaining Bridge 8 through deck preservation treatment. The purpose of the project is to construct a new superstructure that meets current NCDOT bridge design standards. This new superstructure will also eliminate the fracture-critical nature of the structure. The bridge substructure (piers) are in good condition and do not need to be replaced.

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

TIP project B-4626 involves the replacement of the eastbound lane bridge superstructure (Bridge 3) and deck preservation treatment to the westbound lane bridge (bridge 8) over Yadkin River (Tuckertown Reservoir) and Winston-Salem southbound railroad and includes 1.136 miles of roadway improvement in Stanly, Rowan and Davidson Counties. The proposed eastbound bridge (bridge 3) will have a superstructure that does not contain deck drains. All stormwater from the bridge and approaches will be collected by a storm drainage system on the west side of the bridge and discharged into a bio-swale in the median. There is one roadside ditch on this project and is located from Sta. 30+50 to 31+00 RT. The existing westbound bridge (bridge 8) does not contain deck drains. All stormwater from the existing bridge and approaches will continue to be collected by a storm drainage system on the west side of the bridge and discharge to the existing Hazardous Spill Basin (HSB). The outfall structure of the HSB will be retrofitted to include a new orifice plat and trash rack to allow the HSB to provide stormwater detention. Cranes and standard construction equipment will be utilized.

4j. Please upload project drawings for the proposed project.

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

B-4626 Final Permit Drawings.pdf

11.05MB

B-4626 Permit Application Cover Letter.pdf

184.68KB

File type must be pdf

5. Jurisdictional Determinations

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

Yes No Unknown

Comments:

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:

5d1. Jurisdictional determination upload

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

File type must be PDF

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.

D. Proposed Impacts Inventory

1. Impacts Summary

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

- Wetlands, Open Waters, Streams-tributaries, Pond Construction, Buffers

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".

Table with 9 columns: ID, Reason for impact, Impact type, Type of impact, S. name, Stream Type, Type of Jurisdiction, S. width, Impact length. Rows S1 and S2.

** 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:

18

3i. Total temporary stream impacts:

224

3i. Total stream and ditch impacts:

242

3j. Comments:

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: *

All stormwater from Eastbound Bridge 3 and approaches will be discharged into a bio-swale in the median. All stormwater from Westbound Bridge 8 and approaches will continue to discharge to the existing Hazardous Spill Basin (HSB). The outfall structure of the HSB will be retrofitted to include a new orifice plat and trash rack to allow the HSB to provide stormwater detention.

No impacts from an onsite detour bridge will be necessary as each bridge will function as an onsite detour during the rehabilitation or deck preservation application of the other.

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

Best Management Practices will be adhered to.

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:

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:

2. Stormwater Management Plan

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

Yes No

Comments:

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

NEPA or SEPA Final Approval Letter

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

B-4626 Type I Ground Disturbing CE Checklist.pdf 2.02MB

B-4626_Final CIA.pdf 2.43MB

FILETYPE MUST BE PDF

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.

No notably adverse community impacts are anticipated with this project and no Environmental Justice populations appear to be affected; thus, impacts to minority and low income populations do not appear to be disproportionately high and adverse. Benefits and burdens resulting from the project are anticipated to be equitably distributed throughout the community, and no denial of benefit is expected.

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

5d. Is another Federal agency involved? *

Yes No Unknown

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

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

If yes, please provide details to include type of percussive activity, purpose, duration, and specific location of this activity on the property.

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

File must be PDF

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

FWS Website

Schweinitz's sunflower - No Effect, habitat present, last survey 10/21/19

Eagle survey was conducted August 2017 with no nests or birds observed. Another survey will be conducted prior to construction.

Consultation Documentation Upload

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

B-4626_NLEB.pdf

343.78KB

File type must be PDF

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? *

Review of on-line mapping sources

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? *

MCDC, Historical Architecture Final MOA and Archaeology Memo.

Historical Architecture: Through consultation with the NCHPO, it was determined that the undertaking will result in an adverse effect to Rowan County Bridge No. 3 (RW2108) . The undertaking will retain the substructure (piers and bents) of the existing bridge, but replace its superstructure and deck, thereby removing the welded steel elements that define its NRHP-eligibility.

7c. Historic or Prehistoric Information Upload

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

B-4626 ArchNoSurveyRevised.pdf

4.2MB

B-4626_Tribal_Coordination_Letter_Catawba_12-06-2019.pdf

1.87MB

B-4626 Tribal Response.pdf

662.83KB

B-4626FinalMOA.pdf

281.7KB

File must be PDF

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

8b. If yes, explain how project meets FEMA requirements:

No FEMA study is needed as the new superstructure on Bridge 003 is being built on top of the existing interior bents.

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

FEMA Flood Maps

Miscellaneous

Comments

A FERC permit will be required for this project.

This bridge replacements may involve some level of percussive activity in the disassembly of the existing superstructure of Bridge 0003.

Miscellaneous attachments not previously requested.

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

B-4626 Permit Application Cover Letter.pdf

252.74KB

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 Anthony Turchy

Signature *

Michael Anthony Turchy

Date

3/19/2021

DWR Pre-Filing Meeting Request Form



ID#* 20210345 **Version*** 1

Regional Office* Winston-Salem Regional Office - (336) 776-9800

Reviewer List* Dave Wanucha

Pre-Filing Meeting Request submitted 2/15/2021

Contact Name* Jeff Hemphill

Contact Email Address* jhemphill@ncdot.gov

Project Name* B-4626

Project Owner* NCDOT

Project County* Rowan

Owner Address:

Street Address

1598 Mail Service Center

Address Line 2

City

Raleigh

Postal / Zip Code

27699-1598

State / Province / Region

NC

Country

US

Is this a transportation project?* Yes No

Type(s) of approval sought from the DWR:

- 401 Water Quality Certification - Regular 401 Water Quality Certification - Express
 Individual Permit Modification
 Shoreline Stabilization

Does this project have an existing project ID#?*

Yes No

Do you know the name of the staff member you would like to request a meeting with?

Please give a brief project description below.*

The North Carolina Department of Transportation (NCDOT) proposes to replace the superstructure on bridge 0003 and apply deck preservation treatment to Bridge 0008 on NC 8/NC 49 over the Yadkin River (Tuckertown Reservoir) in Davidson, Rowan and Stanly Counties with the same span arrangement on the existing alignment. This action will result in 18 feet of permanent impacts to the Yadkin River from bank stabilization and 0.05 ac of temporary impacts from causeways for bridge construction/rehabilitation. No stream mitigation will be required for this project.

Please give a couple of dates you are available for a meeting.

2/17/2021

2/22/2021

2/24/2021

Please attach the documentation you would like to have the meeting about.

B-4626 Final Permit Drawings.pdf

11.05MB

pdf only

By digitally signing below, I certify that I have read and understood that per the Federal Clean Water Act Section 401 Certification Rule the following statements:

- This form completes the requirement of the Pre-Filing Meeting Request in the Clean Water Act Section 401 Certification Rule.
- I understand by signing this form that I cannot submit my application until 30 calendar days after this pre-filing meeting request.
- I also understand that DWR is not required to respond or grant the meeting request.

Your project's thirty-day clock started upon receipt of this application. You will receive notification regarding meeting location and time if a meeting is necessary. You will receive notification when the thirty-day clock has expired, and you can submit an application.

Signature

A rectangular box containing a handwritten signature in cursive script that reads "Jeff Hemphill".

Submittal Date

2/15/2021



North Carolina Department of Transportation

Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS



(Version 2.07; Released October 2016)

WBS Element: 38443.1.1 TIP No.: B-4626 County(ies): Stanly, Rowan, and Davidson Page 1 of 3

General Project Information

WBS Element:	38443.1.1	TIP Number:	B-4626	Project Type:	Bridge Replacement	Date:	9/25/2019
NCDOT Contact:	Jacquelyn Bowles, P.E.		Contractor / Designer:	HNTB North Carolina, P.C. / Joe Olson, P.E.			
Address:	1000 Birch Ridge Dr. Raleigh, NC 27610		Address:	343 E. Six Forks Road Suite 200 Raleigh, NC 27609			
	Phone:	919-707-6559		Phone:	919-424-0480		
	Email:	jbowles@ncdot.gov		Email:	jsolson@hntb.com		
City/Town:	Richfield		County(ies):	Stanly	Rowan	Davidson	
River Basin(s):	Yadkin-Pee Dee		CAMA County?	No	No	No	
Wetlands within Project Limits?	No						

Project Description

Project Length (lin. miles or feet):	1.14	Surrounding Land Use:	Rural and Agriculture					
	Proposed Project			Existing Site				
Project Built-Upon Area (ac.)	7.1	ac.	6.8	ac.				
Typical Cross Section Description:	2 - 12' asphalt paved lanes with 8' paved shoulders outside and 6' paved shoulders inside. Begin and End Bridge: 2 - 12' asphalt paved lanes with 8' paved shoulders and 12' grass shoulders outside and 6' paved shoulders inside.			2 - 11' paved lanes with grass shoulders.				
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	8100	Year:	2040	Existing:	6800	Year:	2020
General Project Narrative: (Description of Minimization of Water Quality Impacts)	<p>TIP project B-4626 involves replacement of Bridge 790003 and applying a deck preservation treatment to Bridge 790008 over Yadkin River (Tuckertwon Reservoir) and Winston Salem southbound railroad and 1.136 miles of roadway improvement in Stanly, Rowan and Davidson Counties. This project consists replacing bridge 790003 superstructure only. The existing and proposed bridge consists of 4 @ 67'- 6", and 1 @ 67'-3 1/4", and 1 @ 141'-0 3/4", 1 @ 160' - 0", 1 @ 141' - 0 3/4", 1 @ 67' - 3 1/4", 2 @ 67'-6", and 1 @ 62' -9 1/4" and 1 @ 57'-6". Continuous with composite deck on steel beams.</p> <p>The proposed bridge (EBL) 790003 does not contain deck drains. All storm water from the bridge and approaches will be collected by a storm drainage system on the west side of the bridge and discharged into a bio-swale in the median. There is one roadside ditch on this project and is located from Sta. 30+50 to 31+00 RT.</p> <p>The existing bridge (WBL)790008 does not contain deck drains. All storm water from the existing bridge and approaches will continue to be collected by a storm drainage system on the west side of the bridge and discharge to the existing Hazardous Spill Basin (HSB). The outfall structure of the HSB will be retrofitted to include a new orifice plat and trash rack to allow the HSB to provide stormwater detention.</p>							

Waterbody Information

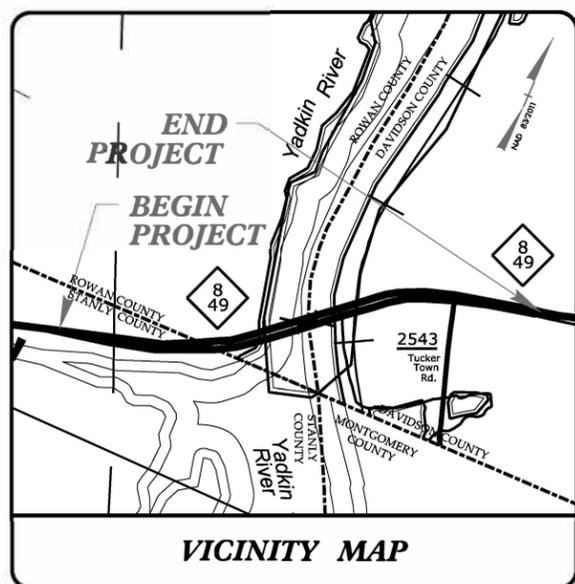
Surface Water Body (1):	Yadkin River		NCDWR Stream Index No.:	12-(124.5)			
NCDWR Surface Water Classification for Water Body	Primary Classification:	Water Supply IV (WS-IV)		Class B			
	Supplemental Classification:						
Other Stream Classification:							
Impairments:							
Aquatic T&E Species?	Comments:						
NRTR Stream ID:				Buffer Rules in Effect:	N/A		
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No	Dissipator Pads Provided in Buffer?	No		
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)		(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)			
(If yes, provide justification in the General Project Narrative)							

09/28/19

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4626	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
38443.1.FS2	BRNHP-0049(33)	PE	
38443.2.3	BRNHP-0049(33)	RW/UTIL	
38443.3.3	BRNHP-0049(33)	CONST	

TIP PROJECT: B-4626



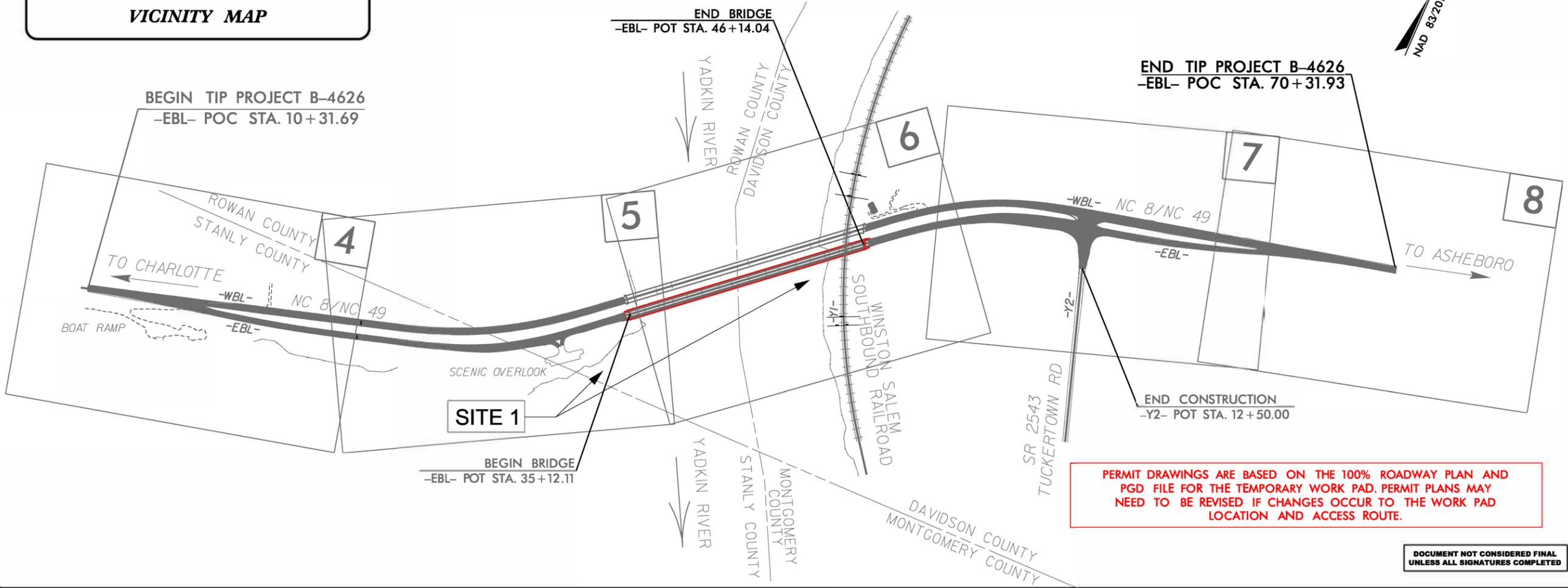
STANLY, ROWAN, AND DAVIDSON COUNTIES

LOCATION: REPLACE BRIDGE 790003 AND APPLY DECK PRESERVATION TREATMENT TO BRIDGE 790008 OVER YADKIN RIVER AND WINSTON-SALEM SOUTHBOUND RAILROAD.

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

WETLAND AND SURFACE WATER IMPACTS PERMIT

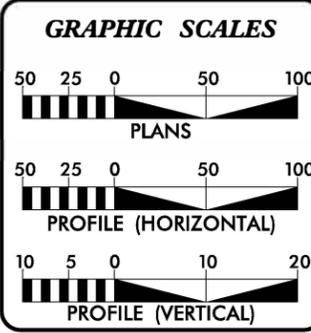
PERMIT DRAWING SHEET 1 OF 9



PERMIT DRAWINGS ARE BASED ON THE 100% ROADWAY PLAN AND PGD FILE FOR THE TEMPORARY WORK PAD. PERMIT PLANS MAY NEED TO BE REVISED IF CHANGES OCCUR TO THE WORK PAD LOCATION AND ACCESS ROUTE.

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

CONTRACT: C204446



DESIGN DATA

ADT 2020 =	6,800
ADT 2040 =	8,100
K =	9 %
D =	55 %
T =	7 % *
V =	60 MPH
* TTST = 5% DUAL 2%	
FUNC CLASS =	RURAL ARTERIAL
STATEWIDE TIER	

PROJECT LENGTH

LENGTH OF ROADWAY T.I.P. PROJECT B-4626	=	0.927 MILES
LENGTH OF STRUCTURE T.I.P. PROJECT B-4626	=	0.209 MILES
TOTAL LENGTH OF T.I.P. PROJECT B-4626	=	1.136 MILES

LENGTH BASED ON -EBL- CENTERLINE

PREPARED IN THE OFFICE OF:

HNTB
HNTB NORTH CAROLINA, P.C.
343 E. Six Forks Road, Suite 200
Raleigh, North Carolina 27609
NC License No: C-1554

FOR DIVISION OF HIGHWAYS

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
FEBRUARY 22, 2019

LETTING DATE:
JUNE 16, 2020

ROY H. TELLIER, PE
PROJECT ENGINEER

ANDREW HALL, PE
PROJECT DESIGN ENGINEER

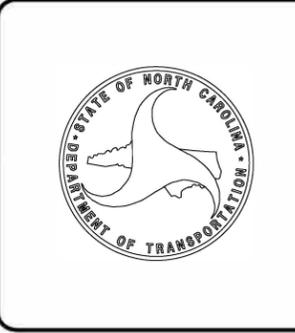
JACQUELYN BOWLES, PE
NCDOT CONTACT

HYDRAULICS ENGINEER

ROY H. TELLIER, PE
SIGNATURE: _____

ROADWAY DESIGN ENGINEER

ANDREW HALL, PE
SIGNATURE: _____

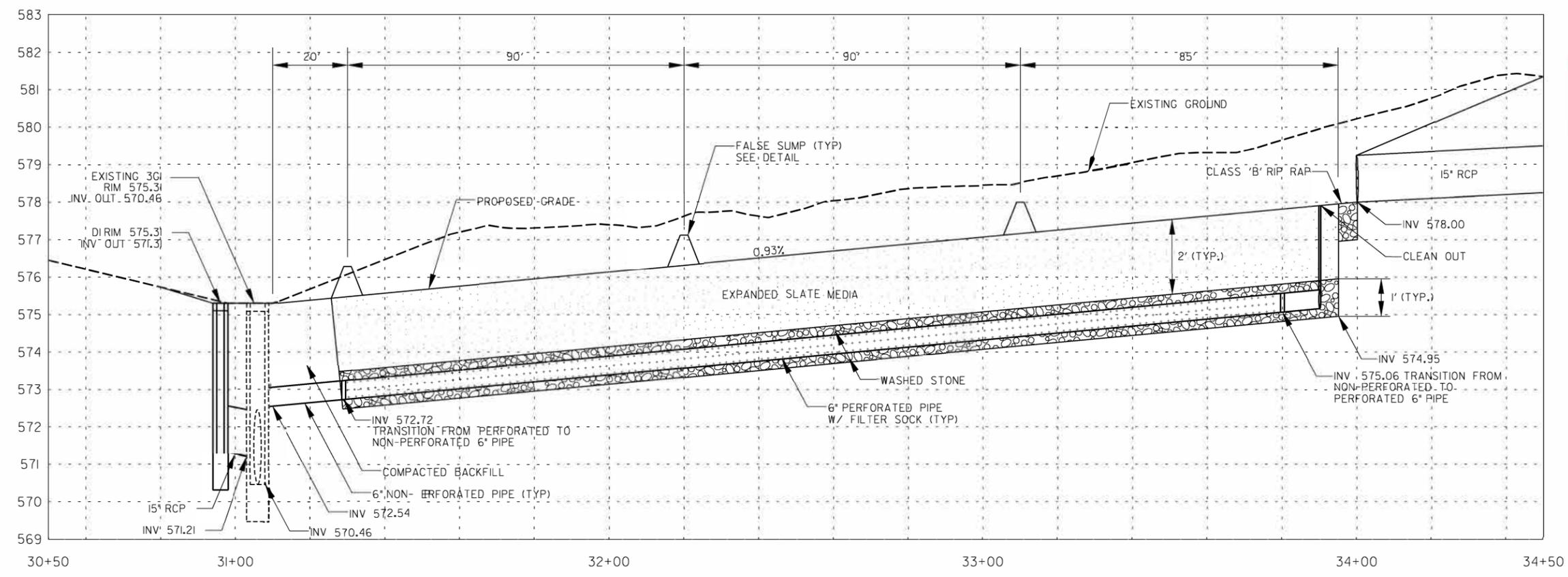


1/28/2020
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HNTB

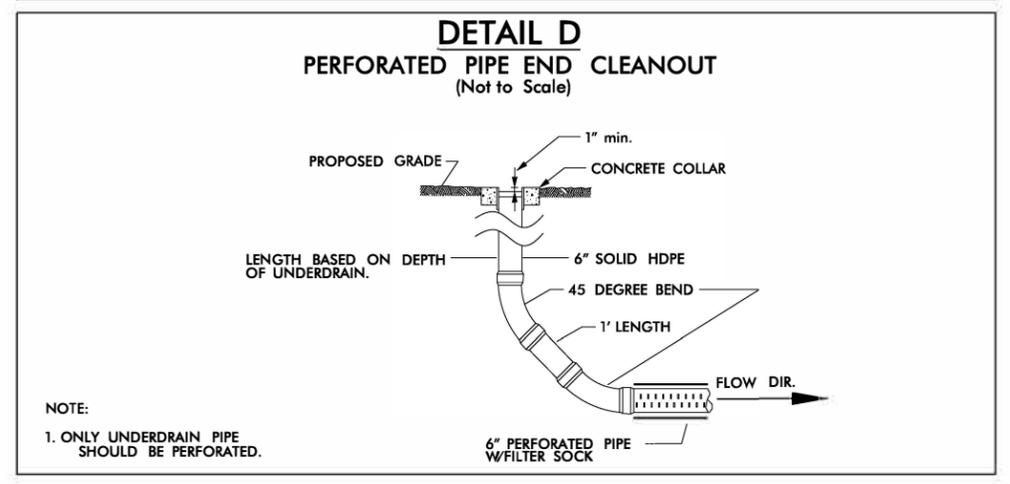
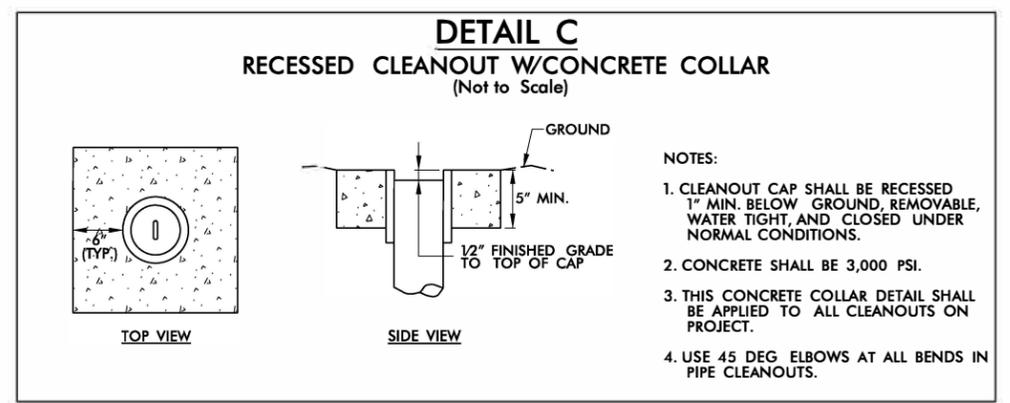
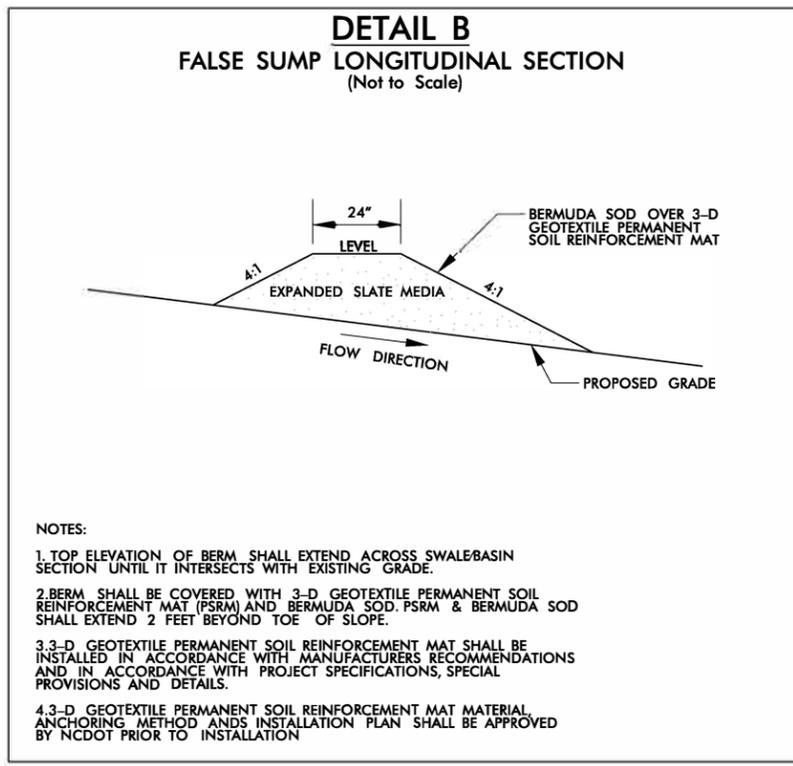
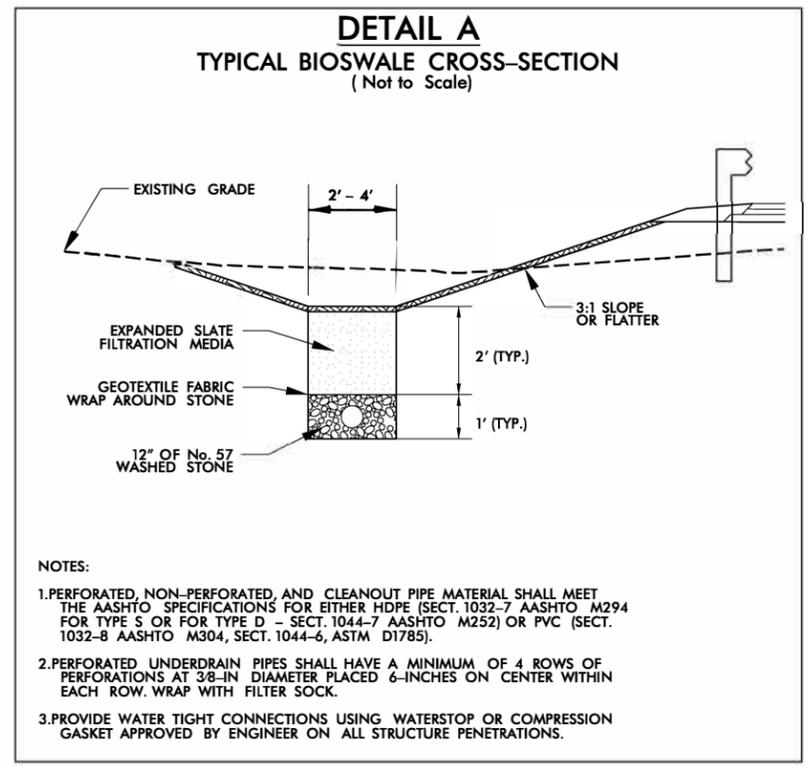
8/17/99

PROJECT REFERENCE NO.	SHEET NO.
B-4626	2D-1
RW SHEET NO.	HYDRAULICS ENGINEER

BIOSWALE PROFILE – STA. 31+00 to STA. 34+00 MEDIAN



**PERMIT DRAWING
 SHEET 2 OF 9**



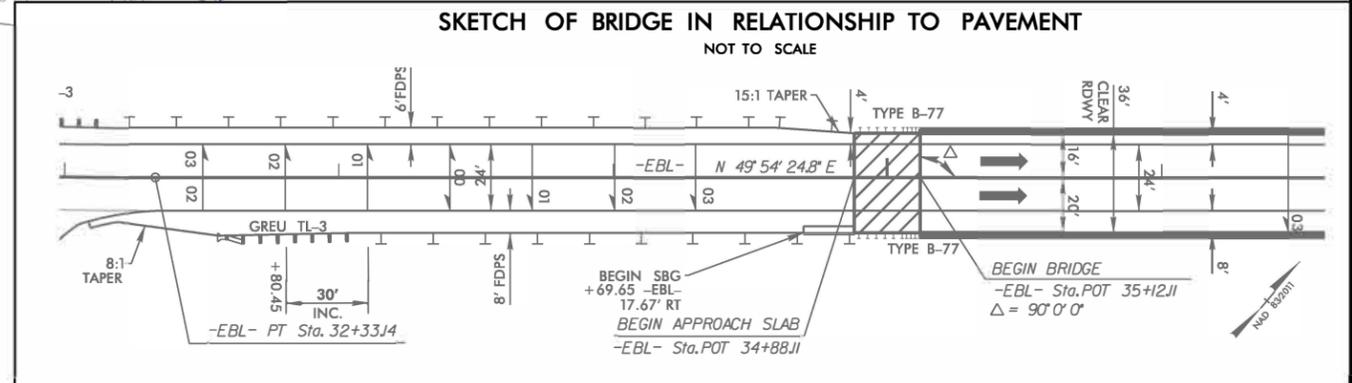
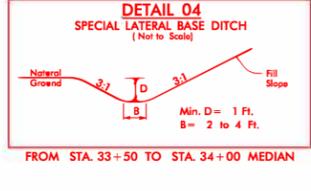
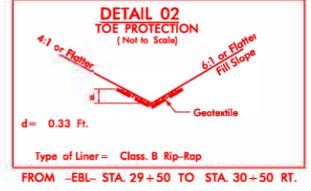
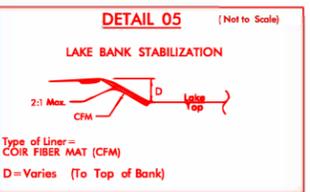
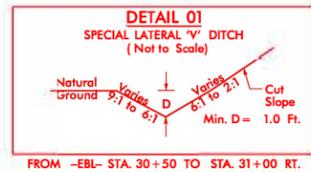
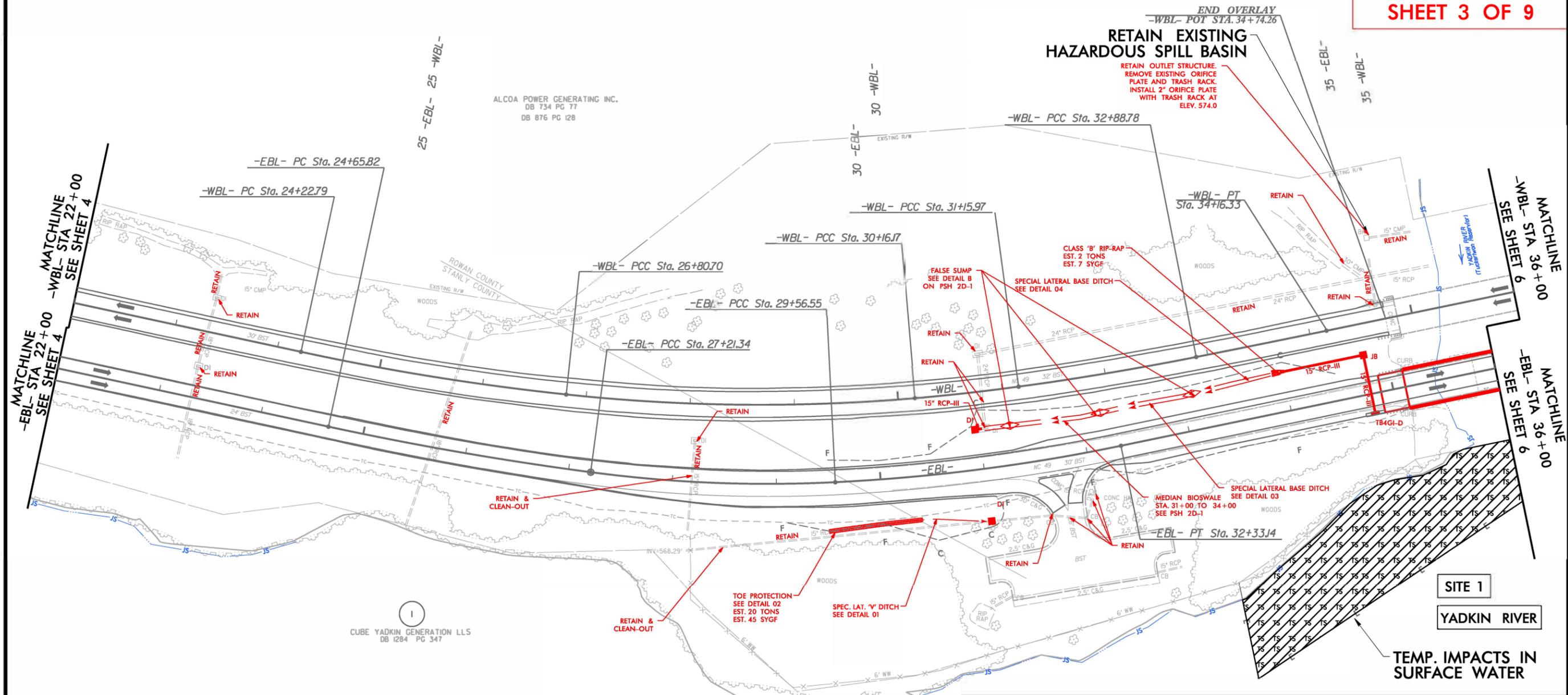
3/16/2008
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 HNTB

PROJECT REFERENCE NO. B-4626	SHEET NO. 5
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

LEGEND
 DENOTES TEMPORARY IMPACTS IN SURFACE WATER

**PERMIT DRAWING
 SHEET 3 OF 9**

WETLAND & STREAM IMPACTS



FOR -EBL- PROFILE, SEE SHEET 9
 FOR -WBL- PROFILE, SEE SHEET 12

FOR STRUCTURE PLANS, SEE SHEET S-1 THRU S-

8/17/99
 4/2/2016
 4/2/2016-HYD_PRRM_PSHS.dgn
 HNTB

8/17/99

PROJECT REFERENCE NO. B-4626	SHEET NO. 5
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

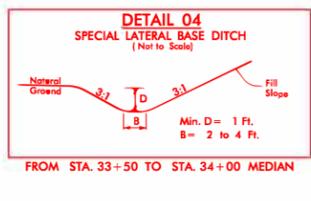
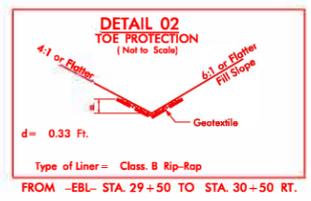
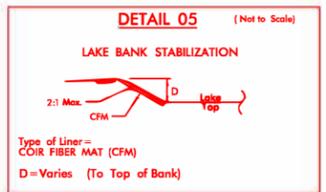
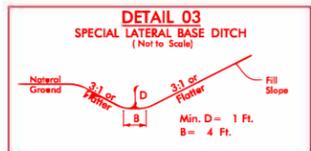
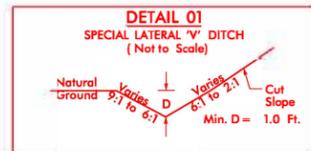
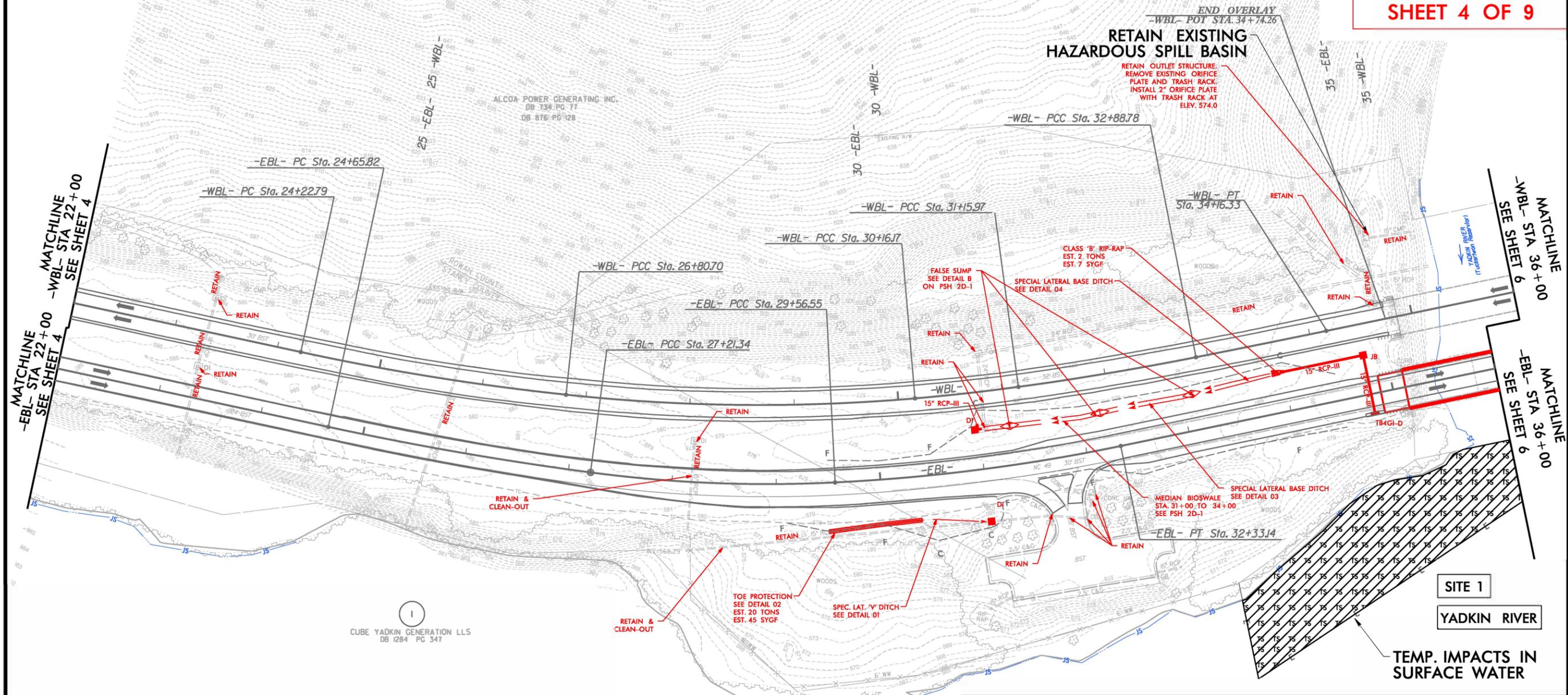
WETLAND & STREAM IMPACTS

LEGEND

DENOTES TEMPORARY IMPACTS IN SURFACE WATER

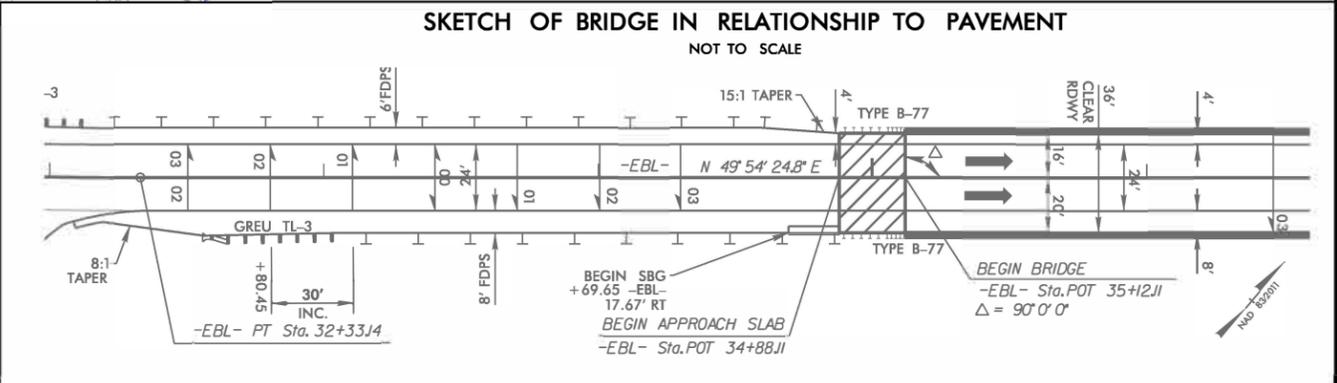
NAD 83/2011

**PERMIT DRAWING
SHEET 4 OF 9**



FOR -EBL- PROFILE, SEE SHEET 9
 FOR -WBL- PROFILE, SEE SHEET 12

FOR STRUCTURE PLANS, SEE SHEET S-1 THRU S-



4/2/2019
 4/2/2019 10:36:36 -HYD_PRL_PSH.dgn

8/17/99

WETLAND & STREAM IMPACTS

HNTB HNTB NORTH CAROLINA, P.C. Suite 200
343 E. Six Forks Road, Raleigh, North Carolina 27609
NC License No: C-1554

PROJECT REFERENCE NO. B-4626	SHEET NO. 6
RW SHEET NO	
ROADWAY DESIGN ENGINEER	HYDRAULIC ENGINEER

**PERMIT DRAWING
SHEET 5 OF 9**

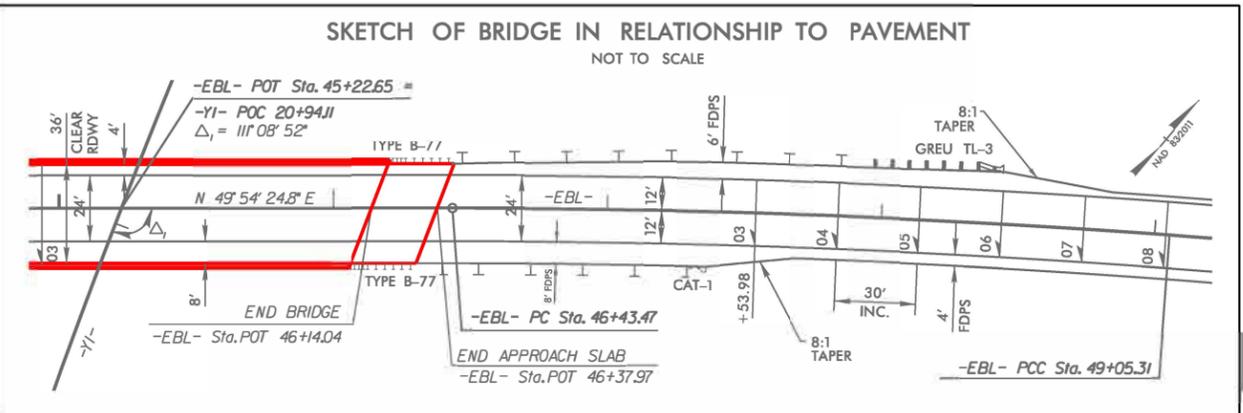
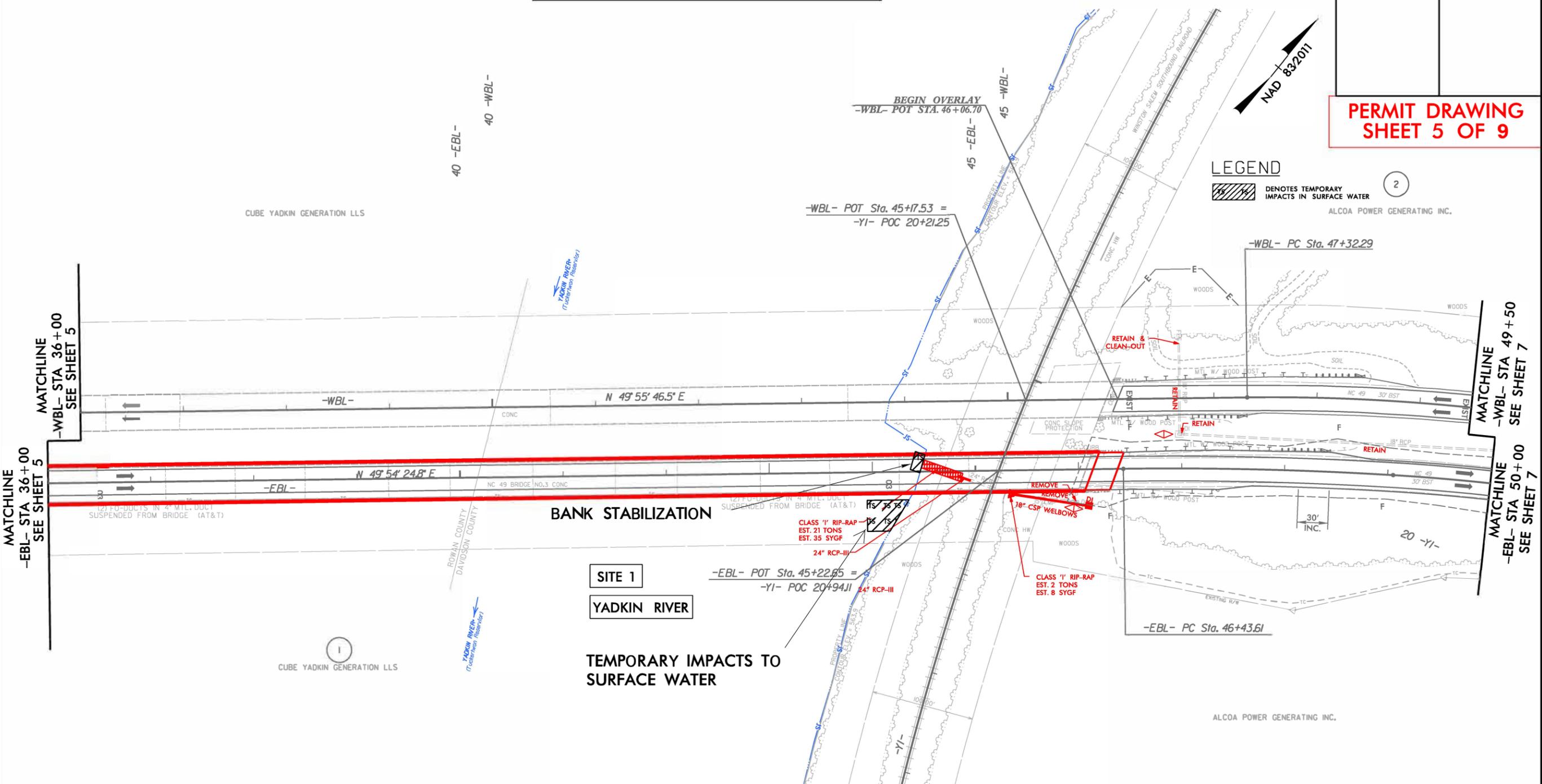


LEGEND

DENOTES TEMPORARY IMPACTS IN SURFACE WATER

2

ALCOA POWER GENERATING INC.



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HNTB

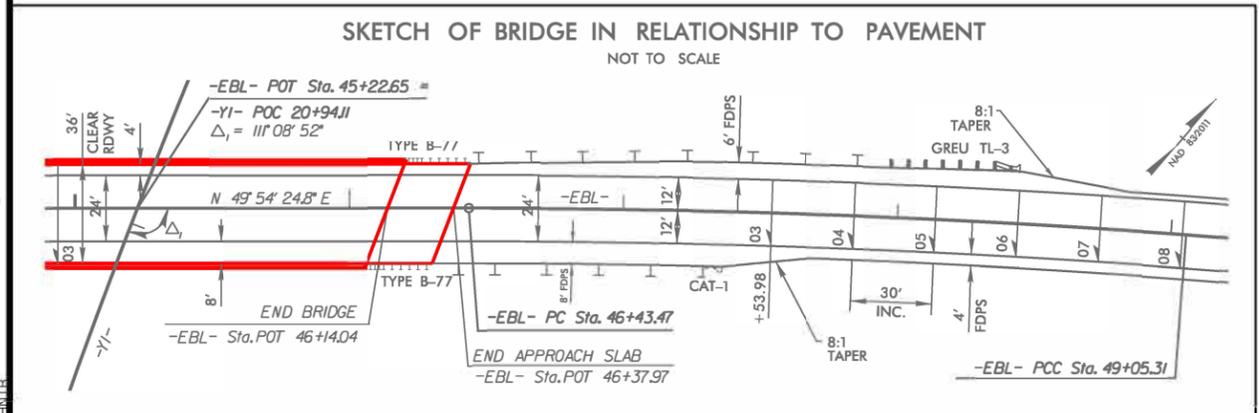
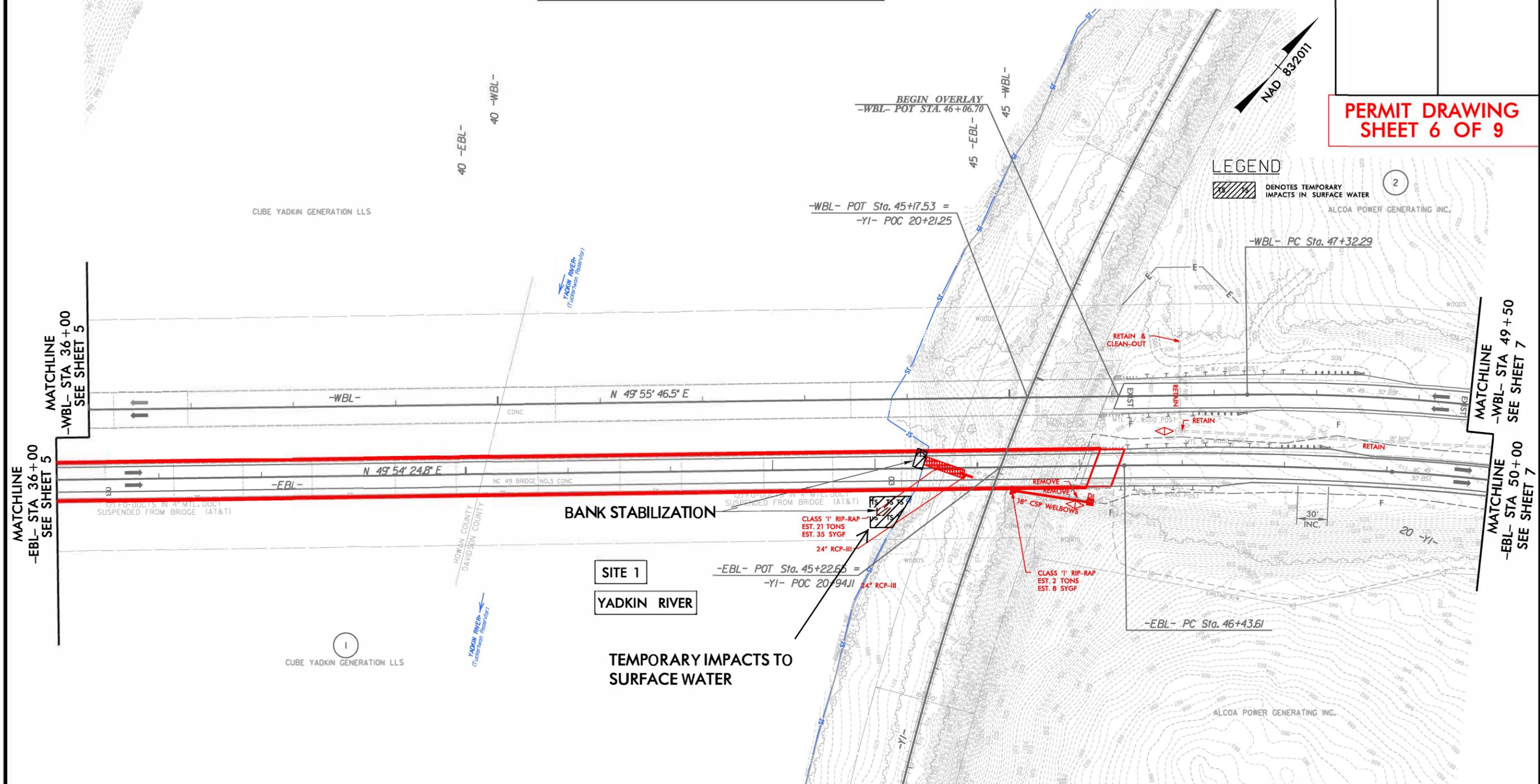
8/17/99

WETLAND & STREAM IMPACTS

HNTB HNTB NORTH CAROLINA, P.C.
343 E. Six Forks Road, Suite 200
Raleigh, North Carolina 27609
NC License No: C-1554

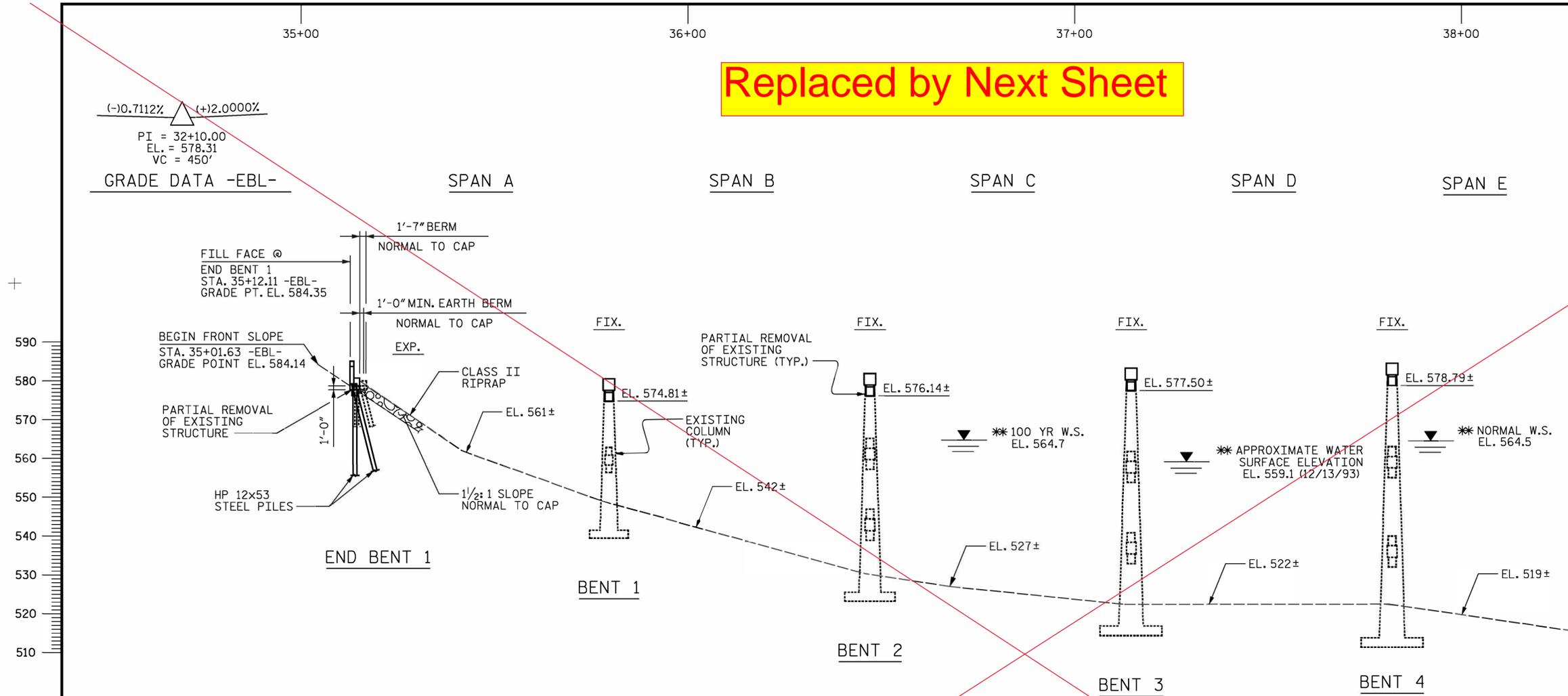
PROJECT REFERENCE NO. B-4626	SHEET NO. 6
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER

**PERMIT DRAWING
SHEET 6 OF 9**



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HNTB

Replaced by Next Sheet

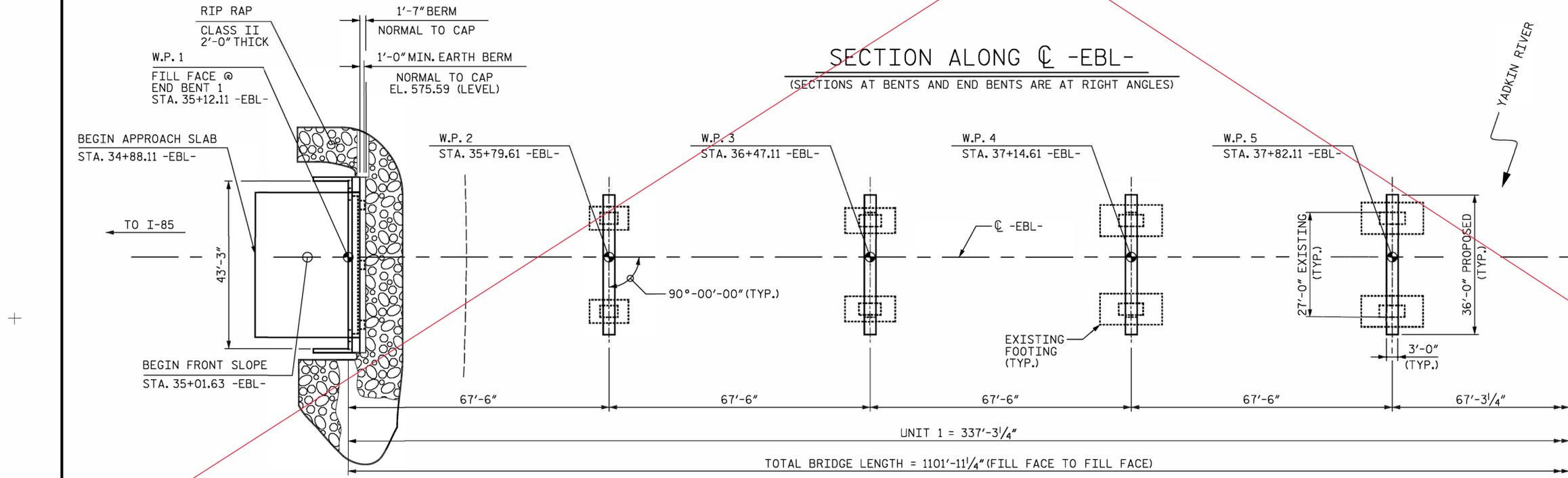


****HYDRAULIC DATA**

DESIGN DISCHARGE	=	129,271 CFS
FREQUENCY OF DESIGN DISCHARGE	=	50 YEAR
DESIGN HIGH WATER ELEVATION	=	564.7
DRAINAGE AREA	=	4,120 SQ. MI.
BASE DISCHARGE (Q100)	=	150,816 CFS
BASE HIGH WATER ELEVATION	=	564.7

****OVERTOPPING FLOOD DATA**

OVERTOPPING DISCHARGE	=	N/A
FREQUENCY OF OVERTOPPING FLOOD	=	>500 YR
OVERTOPPING ELEVATION	=	581.4



PARTIAL PLAN

(PILES NOT SHOWN IN PLAN VIEW)

**PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION**

PLANS PREPARED BY: **Gannett Fleming**
One Glenwood Avenue, Suite 900, Raleigh, NC 27603
(919) 420-7660
Excellence Delivered As Promised NCLic. No. F-0270

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

PROJECT NO. B-4626
STANLY, ROWAN
AND DAVIDSON COUNTIES
STATION: 45+22.65 -EBL-
20+94.11 -Y1-
REHABILITATION OF BRIDGE #790003
MILEPOST W 44.80

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
RALEIGH
**PRELIMINARY
GENERAL DRAWING**
FOR BRIDGE OVER YADKIN
RIVER AND WINSTON-SALEM
SOUTHBOUND RR ON NC 8/49
BETWEEN SR 1578 AND SR 2543

DRAWN BY: I. HARTLEY DATE: 2/19
CHECKED BY: R. FISHER DATE: 2/19
DESIGN ENGINEER OF RECORD: - DATE: -

REVISIONS						SHEET NO.
N.O.	BY	DATE	N.O.	BY	DATE	S-1
1			3			TOTAL SHEETS
2			4			5

** HYDRULIC DATA OBTAINED FROM ADJACENT BRIDGE (BRIDGE NO. 790008) PLANS DATED MARCH 1996.

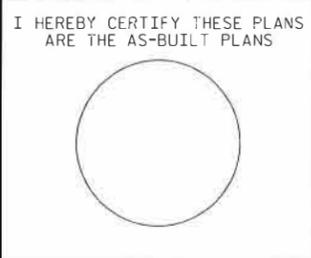
** HYDRULIC DATA	
DESIGN DISCHARGE	= 129,271 CFS
FREQUENCY OF DESIGN DISCHARGE	= 50 YEAR
DESIGN HIGH WATER ELEVATION	= 564.7
DRAINAGE AREA	= 4,120 SQ. MI.
BASE DISCHARGE (Q100)	= 150,816 CFS
BASE HIGH WATER ELEVATION	= 564.7

** OVERTOPPING FLOOD DATA	
OVERTOPPING DISCHARGE	= N/A
FREQUENCY OF OVERTOPPING FLOOD	= >500 YR
OVERTOPPING ELEVATION	= 581.4

SCOPE OF WORK

- REMOVE EXISTING CONCRETE DECK AND STEEL SUPERSTRUCTURE.
- REMOVE EXISTING CONCRETE END BENT CAPS AND CUT STEEL PILES ONE FOOT BELOW GROUNDLINE.
- REMOVE EXISTING CONCRETE BENT CAPS & PORTIONS OF COLUMNS.
- CONSTRUCT END BENTS AND BENT CAPS.
- PLACE STEEL BEAM AND PLATE GIRDERS ON ELASTOMERIC BEARINGS.
- PLACE CONCRETE DECK AND BARRIER RAILS, AND INSTALL STRIP SEAL JOINTS.
- PLACE APPROACH SLABS.
- PLACE RIP RAP AT END BENTS.
- REMOVE UNSOUND CONCRETE AND PROPERLY PREPARE EXISTING BENT COLUMNS FOR SHOTCRETE REPAIRS AND EPOXY RESIN INJECTION.

I HEREBY CERTIFY THESE PLANS ARE THE AS-BUILT PLANS



PROJECT NO. B-4626
STANLY, ROWAN
AND DAVIDSON COUNTY
 STATION: 45+22.65 -EBL-
 MILE POST #44.80 WIDENING AND REHABILITATION OF BRIDGE NO. 790003
 SHEET 1 OF 8

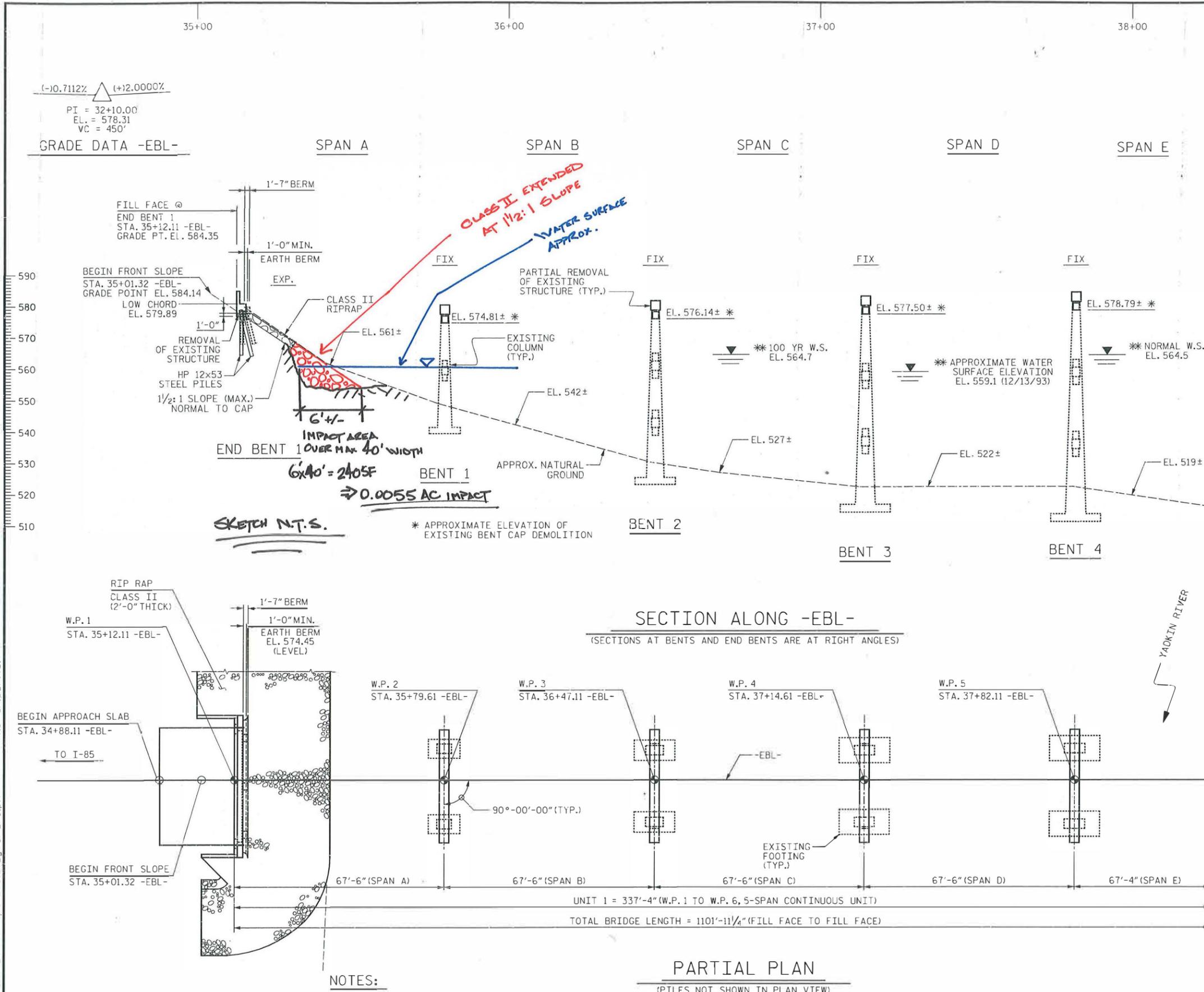
STATE OF NORTH CAROLINA
 DEPARTMENT OF TRANSPORTATION
 RALEIGH

GENERAL DRAWING
 FOR BRIDGE OVER YADKIN RIVER AND WINSTON-SALEM SOUTHBOUND RR ON NC 8/49 BETWEEN SR 1578 AND SR 2543



REVISIONS		SHEET NO.	
NO.	DATE	NO.	DATE
1		3	
2		4	

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

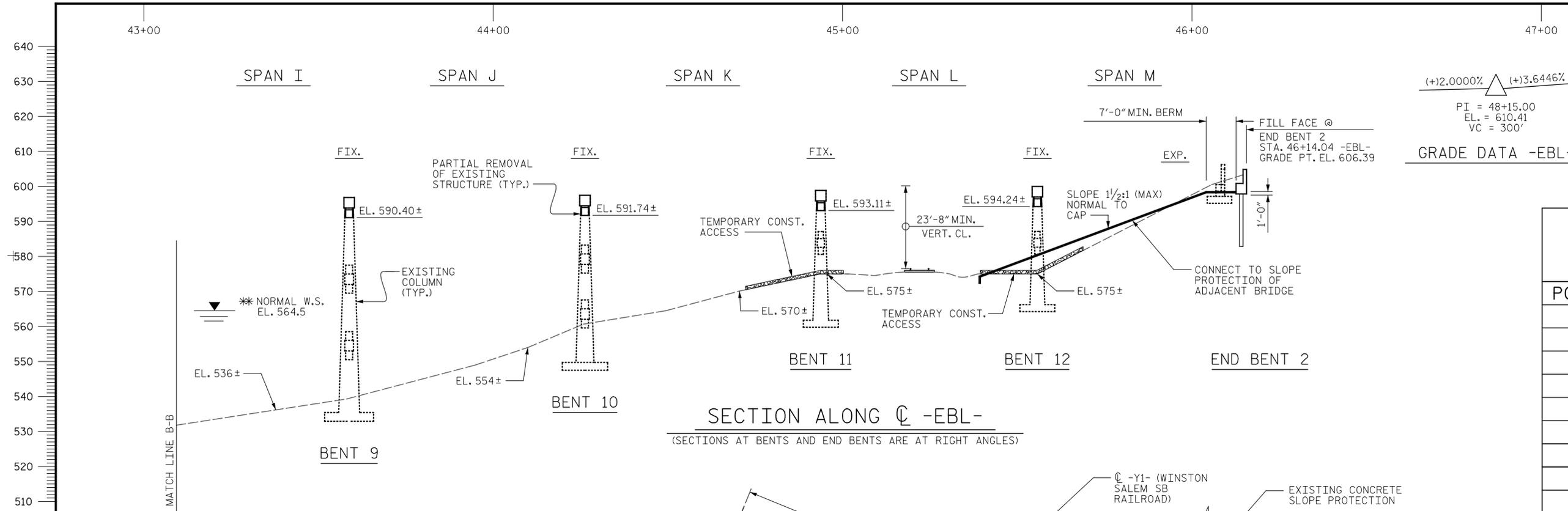


NOTES:
 GENERAL DRAWING INFORMATION IS TAKEN FROM THE FIELD AND LOCATION SURVEYS, THE ORIGINAL PLANS AND THE ROUTINE INSPECTION REPORT DATED 12/22/2016.
 BRIDGE ORIENTATION CONFORMS TO THE EXISTING PLANS AND THE FIELD AND LOCATION SURVEYS.

DRAWN BY: T. HARTLEY/J. MYA DATE: 06/2020
 CHECKED BY: J. YANACCONO DATE: 05/2021
 DESIGN ENGINEER OF RECORD: R. NELSON DATE: 05/2021

PLANS PREPARED BY:
Gannett Fleming
 Excellence Delivered As Promised
 One Glenwood Avenue
 Suite 900
 Raleigh, NC 27603
 (919) 420-7660
 NC Lic. No. F-0270

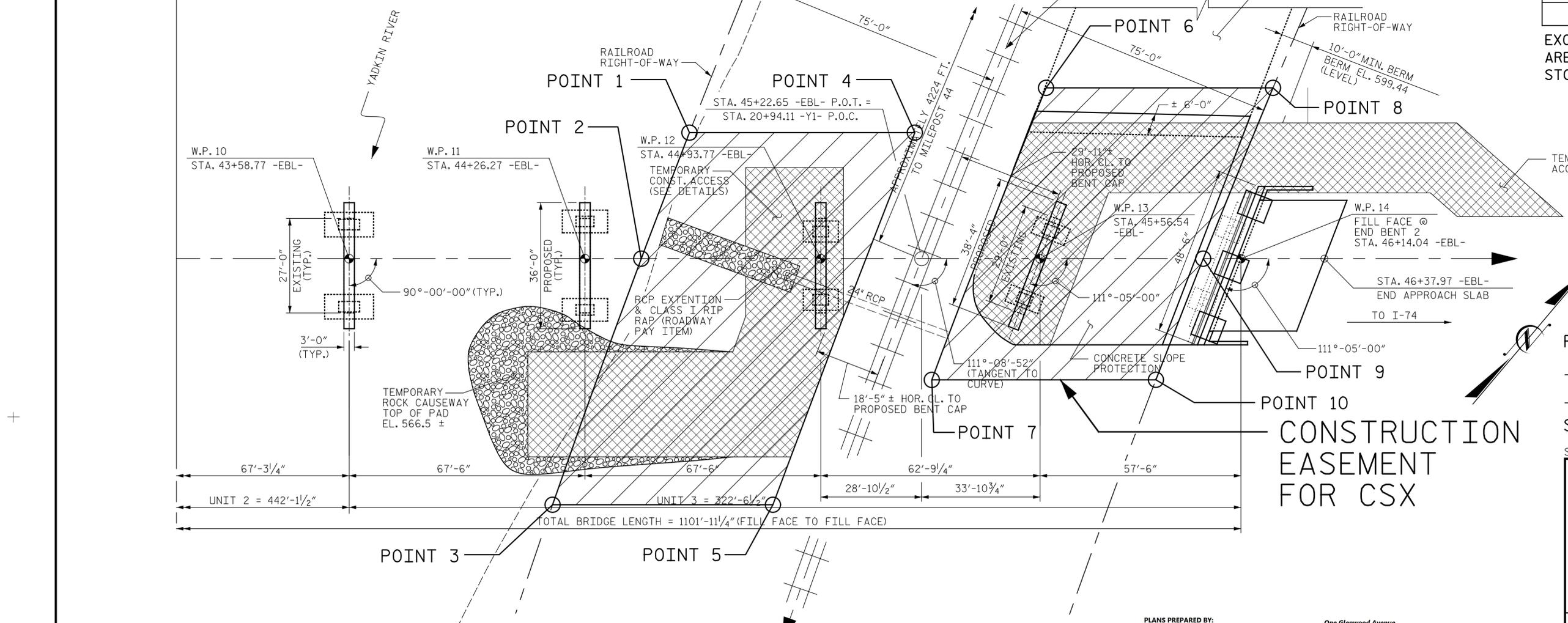
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CSX CONST. EASEMENT

POINT	STATION	OFFSET
1	44+56.17	36.000'
2	44+42.38	0.000'
3	44+17.00	70.293'
4	45+20.69	36.000'
5	44+80.07	70.293'
6	45+58.24	48.788'
7	45+25.55	34.598'
8	46+23.22	48.788'
9	46+03.26	0.000'
10	45+89.70	34.598'

EXCAVATION AREA OF IMPACT: 9.3 C.Y.
STONE QUANTITY: 0.14 AC. 159 TONS



PROJECT NO. B-4626
STANLY, ROWAN
AND DAVIDSON COUNTIES
 STATION: 45+22.65 -EBL-
 SHEET 3 OF 5

CONSTRUCTION EASEMENT FOR CSX

DRAWN BY : T. HARTLEY DATE : 2/19
 CHECKED BY : R. FISHER DATE : 2/19
 DESIGN ENGINEER OF RECORD: DATE :

PLANS PREPARED BY:
Gannett Fleming
 Excellence Delivered As Promised
 One Glenwood Avenue
 Suite 900
 Raleigh, NC 27603
 (919) 420-7660
 NC Lic. No. F-0270

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED

STATE OF NORTH CAROLINA
 DEPARTMENT OF TRANSPORTATION
 RALEIGH

GENERAL DRAWING FOR BRIDGE OVER YADKIN RIVER AND WINSTON-SALEM SOUTHBOUND RR ON NC 8/49 BETWEEN SR 1578 AND SR 2543

REVISIONS						SHEET NO.
NO.	BY:	DATE:	NO.	BY:	DATE:	S-3
1			3			TOTAL SHEETS
2			4			

WETLAND AND SURFACE WATER IMPACTS SUMMARY

Site No.	Station (From/To)	Structure Size / Type	WETLAND IMPACTS					SURFACE WATER IMPACTS				
			Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	Excavation in Wetlands (ac)	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	EBL Sta. 33+18 to Sta. 36+00 RT	Temp. loading pad						0.54			189	
1	EBL Sta. 43+95 to Sta. 44+35 RT	Temp. loading pad / Class'I Rip-Rap						0.02			35	
1	EBL Sta. 44+37 to Sta. 44+51 Med	Bank Stabilization						<0.01	18			
TOTALS*:								0.57	18		224	

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 1/29/2020
 Stanly, Rowan, and Davidson Counties Bridge
 B-4626
 SHEET 9 OF 9



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

April 11, 2017

TO: Jason Dilday, Environmental Senior Specialist
Environmental Coordination & Permitting Group – Eastern Region, NES -
PDEA

CC: John Williams, Project Engineer
Project Development Group - Western Region, PDEA

FROM: Chris Manley, Environmental Program Consultant
Biological Surveys Group, NES - PDEA

SUBJECT: *Streamline Section 7 Consultation for the Northern Long-Eared Bat* associated
with the replacement of Bridge No. 3 over the Yadkin River and the Winston
Salem SB Railroad on NC 49 in Rowan County, **TIP No. B-4626**.

The North Carolina Department of Transportation (NCDOT, Division 9) proposes to replace Bridge No. 3 over the Yadkin River and the Winston Salem SB Railroad NC 49 in Rowan County, TIP No. B-4626. The existing bridge is a 13 span, reinforced concrete deck superstructure with I-beams, steel girders, reinforced concrete caps, piles, abutments, and concrete guardrails. The overall length of the structure is 1094 feet. Construction plans for the new structure have not been finalized as of this writing.

The project to replace Bridge No. 3 has been reviewed for effects on the northern long-eared bat (NLEB). As of May 4, 2015, NLEB is listed by the U.S. Fish and Wildlife Service (USFWS) as “Threatened” under the Endangered Species Act of 1973. As of April 11, 2017, NLEB is listed by USFWS (http://www.fws.gov/raleigh/species/cntylist/nc_counties.html) as “Probable/Potential” in Rowan County. USFWS also established a final rule under the authority of section 4(d) of the Endangered Species Act that provides measures for the conservation of NLEB. The USFWS has tailored the final 4(d) rule to prohibit the take of NLEB from certain activities within areas where they are in decline. This incidental take protection applies only to known NLEB occupied maternity roost trees and known NLEB hibernacula. Effective February 16, 2016, incidental take resulting from tree removal is prohibited if it 1) occurs within a ¼ mile radius of known NLEB hibernacula; or 2) cuts or destroys known occupied maternity roost trees, or any other trees within a 150-foot radius from the known maternity tree during the pup season (June 1-July 31).

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

TELEPHONE: 919-707-6000
FAX: 919-212-5785

WEBSITE: NCDOT.GOV

Location:
CENTURY CENTER, BUILDING B
1020 BIRCH RIDGE DRIVE
RALEIGH NC 27610

According to the North Carolina Natural Heritage Program (NHP) Biotics Database, most recently updated January 2017, **the nearest NLEB hibernacula record is 99 miles northwest of the project (EO ID 32171) and no known NLEB roost trees occur within 150 feet of the project area.** EO 32171 represents Black Rock Cliffs cave site with multiple observations from 1986 to 2011.

NCDOT has also reviewed the USFWS Asheville Field office website (http://www.fws.gov/asheville/htmls/project_review/NLEB_in_WNC.html) for consistency with NHP records. This project is located entirely outside of the red highlighted areas (12-digit HUC) that the USFWS Asheville Field Office has determined to be representative of an area that may require consultation.

For the proposed action, NCDOT has committed to the conservation measures listed below:

- 1) No alterations of a known hibernacula entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31);
- 2) No tree removal within a 0.25 mile radius of a known hibernacula (January 1 through December 31); and
- 3) No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

NCDOT has determined that the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016. NCDOT may presume its determination is informed by best available information and consider Section 7 responsibilities fulfilled for NLEB.

If you need any additional information, please contact Chris Manley at 919-707-6135.



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

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



PROJECT INFORMATION

Project No: **B-4626** County: **Davidson, Rowan, Stanly**
 WBS No: **38443.1.FS2** Document: **PCE or CE**
 F.A. No: **BRNHP-0049(33)** Funding: State Federal

Federal Permit Required? Yes No Permit Type: ?

Project Description: NCDOT intends to replace Bridge No. 3 on NC 49/NC 8 over the Yadkin River near the intersection of the Davidson, Rowan, and Stanly County lines. The original request for cultural resources review did not include preliminary design, but proposed a study area 1100 feet long and 300 feet wide. Based on updated mapping, a revised corridor roughly 6000 feet (1828.8 meters) long was subsequently established along with preliminary designs that reduce the project footprint to existing right-of-way (ROW) with the exception of two areas along the south side of the project, close to the bridge footings where additional ROW is anticipated. Additionally, a 25-foot easement for construction and utilities was added to that revised area of potential effects (APE). Based on further planning, an additional area along the south side of NC 49 in Stanly County (west of the Yadkin River) was added to the proposed APE to accommodate a proposed haul road for launching a work barge, and for construction equipment to reach the water's edge during the bridge replacement and construction along the bridge approaches. This revised APE is now estimated to encompass 27.5 acres (nearly 11.13 hectares).

SUMMARY OF CULTURAL RESOURCES REVIEW

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

The initial review of the site maps and files archived at the North Carolina Office of State Archaeology was conducted on March 5, 2015. While no previously identified archaeological sites are recorded within the proposed APE, some landforms within the project APE appear to retain potential for archaeological resources. Additionally, several known sites are documented in similar settings, outside the current APE, but in the general vicinity (i.e. 31Dv500, 31Dv501, 31Dv269, 31Dv490, 31Dv491, 31St97, 31St98). Soils documented in the area are consistent with expectations for steeply sloped, well-drained, areas in the Uwharries region. Some of these soils are not dissimilar to those encountered in areas surrounding more significant archaeological sites identified to the south (i.e. Doerschuk). It was noted that portions of the proposed APE have clearly been modified by the construction of highway and bridge facilities, as well as nearby parking areas.

An examination of the data presented on the North Carolina State Historic Preservation Office HPOWEB GIS Service (<http://gis.ncdcr.gov/hpoweb/>) reveals that historic property locations within .5-mile of the proposed project are the former location of the Stokes Ferry Bridge (RW0653) and the current Bridge No. 3 over the Yadkin River (RW2108). No previously documented cemeteries are located within the same .5-mile radius.

An examination of soils in Davidson County presented on the National Resources Conservation Service Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>) indicates the following soil types are mapped within the proposed APE: Georgeville silt loam, 4 to 15 percent slopes, extremely boulder (GmD); and Georgeville silt loam, 15 to 45 percent slopes, extremely boulder (GmF). For the portion of the

APE within Rowan County, the following soils are mapped: Badin channery silt loam, 15 to 30 percent slopes (BaD); and Uwharrie loam, 15 to 45 percent slopes, very stony (UhE). For the portion of the proposed APE that falls within Stanly County, the following soil types are mapped: Badin channery silt loam, 8 to 15 percent slopes (BaD); Goldston very channery silt loam, 15 to 45 percent slopes (GoF). The most recent additions to the proposed APE all fall within areas mapped as possessing GoF soils.

The first (preliminary) APE for the project included a 300-foot wide corridor and, as a result, an archaeological reconnaissance to determine the scope for any further investigations seemed prudent. Archaeological Survey Required form was submitted on March 27, 2015. In 2017, the APE was revised (along with preliminary design) to reflect a much narrower project footprint that would largely remain within existing ROW. It was determined, at that time, to conduct the archaeological reconnaissance on the portions of the proposed project footprint that would extend outside the severely disturbed ROW.

An archaeological reconnaissance, consisting largely of windshield survey with visual inspection in the areas added to accommodate a 25-foot easement for construction and utilities was conducted on March 10, 2017 by NCDOT archaeologists, Shane Petersen and Brian Overton. As expected, existing ROW areas are dominated by steep slopes, cut banks, and terracing. Exposed soils appear to suggest moderate to severe erosion in some areas. In other areas outside existing ROW, exposed and exfoliating bedrock is visible in areas that are not severely sloped. None of the APE investigated in 2017 was considered to have a reasonable potential for intact significant archaeological resources. On March 14, 2017, a No Archaeological Survey Required form was produced based on these results.

On January 31, 2018, revised mapping was received based on information used to support NCDOT's permit applications (United States Army Corps of Engineers and Federal Energy Regulatory Commission permits) for the project. This mapping was used to revise the APE to its current dimensions and was used to guide further archaeological reconnaissance investigations along the south side of NC 40 in Stanly County. These reconnaissance investigations were conducted by NCDOT archaeologists, Shane Petersen and Brian Overton on April, 12, 2018. The archaeological reconnaissance was accomplished through the visual inspection (including walkover examination) of the entire portion of APE added in the January 2017 mapping.

No further archaeological investigations are required for the project within the area established as the current APE. Should the project expand outside the archaeological APE, as defined herein, further consultation will be necessary.

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

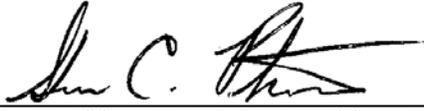
As noted on the soil mapping for Stanly County, the portion of expanded APE still falls within the area mapped as Goldston very channery silt loam, 15 to 45 percent slopes. Nevertheless, topographic mapping of the area suggested that portions of this additional APE might exhibit far less slope than suggested by the soil mapping. While portions of the additional APE do exhibit little slope, the vast majority of the additional APE is steeply sloped from the existing highway facility shoulders. Aerial photographs taken in 1026, in advance of the creation of the Tuckertown Reservoir reveal that much of this area was cleared at one time and may have been used for agricultural purposes. Nevertheless, the portion of APE that stretches between the easement for NC 49 in Stanly County and the edge of Tuckertown Reservoir/Yadkin River, is very narrow (no more than 24 meters at its widest point; generally far more narrow). This area is still considered to be very unlikely to possess intact archaeological deposits that would be considered eligible for the National Register of Historic Places.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Other: soil map

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED



NCDOT ARCHAEOLOGIST

July 10, 2018

Date



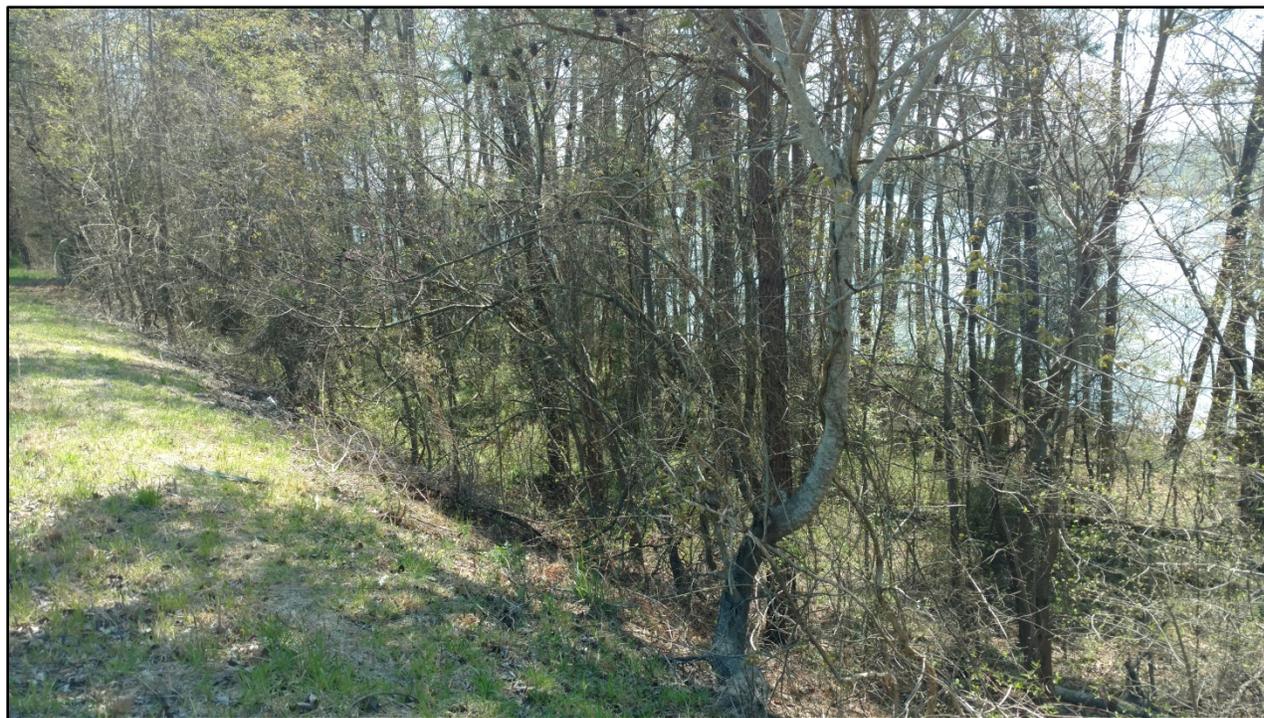
Aerial photograph illustrating the updated APE (orange lines) for the proposed replacement of Bridge No. 3 over the Yadkin River on NC 49.



Aerial photograph with 2-foot contours illustrating the western end of the proposed project, the original APE (yellow) and the updated APE (orange) accommodating temporary water access.



Detail of the 1926 aerial photograph of the Tuckertown Reservoir vicinity along the Yadkin River at the Stokes Ferry location
(<https://library.digitalnc.org/cdm/compoundobject/collection/ncimages/id/11874/rec/6>).



Photograph illustrating the location of additional ROW south of NC 49, facing east.



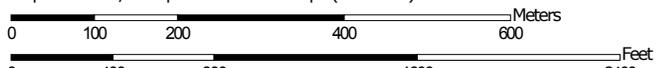
Photograph of the base of the sloped easement east of the Yadkin River boat access, facing east.

Soil Map—Davidson County, North Carolina, Rowan County, North Carolina, and Stanly County, North Carolina
(Replacement of Bridge No. 3 over the Yadkin River)



Soil Map may not be valid at this scale.

Map Scale: 1:9,030 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Davidson County, North Carolina

Survey Area Data: Version 18, Sep 26, 2017

Soil Survey Area: Rowan County, North Carolina

Survey Area Data: Version 14, Oct 3, 2017

Soil Survey Area: Stanly County, North Carolina

Survey Area Data: Version 19, Oct 3, 2017

Your area of interest (AOI) includes more than one soil survey area. These survey areas may have been mapped at different scales, with a different land use in mind, at different times, or at different levels of detail. This may result in map unit symbols, soil properties, and interpretations that do not completely agree across soil survey area boundaries.

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

MAP LEGEND

MAP INFORMATION

Date(s) aerial images were photographed: Jul 18, 2011—Oct 25, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
GmD	Georgeville silt loam, 4 to 15 percent slopes, extremely bouldery	6.4	23.2%
GmF	Georgeville silt loam, 15 to 45 percent slopes, extremely bouldery	5.9	21.5%
W	Water	1.6	5.9%
Subtotals for Soil Survey Area		14.0	50.7%
Totals for Area of Interest		27.5	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaD	Badin channery silt loam, 15 to 30 percent slopes	1.5	5.5%
UhE	Uwharrie loam, 15 to 45 percent slopes, very stony	0.9	3.3%
W	Water	2.0	7.4%
Subtotals for Soil Survey Area		4.4	16.2%
Totals for Area of Interest		27.5	100.0%

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BaD	Badin channery silt loam, 8 to 15 percent slopes	1.2	4.2%
GoF	Goldston very channery silt loam, 15 to 45 percent slopes	7.1	25.9%
W	Water	0.8	3.0%
Subtotals for Soil Survey Area		9.1	33.1%
Totals for Area of Interest		27.5	100.0%

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
REGARDING
TIP NO. B-4626
REPLACEMENT OF ROWAN COUNTY BRIDGE NO. 3
ON NC 49/NC 8 OVER THE TUCKERTOWN RESERVOIR/YADKIN RIVER
AND THE WINSTON SALEM SOUTHBOUND RAILWAY
DAVIDSON, ROWAN, AND STANLY COUNTIES, NORTH CAROLINA

WHEREAS, the Federal Highway Administration (FHWA) proposes to fund the replacement of Rowan County Bridge No. 3 over the Tuckertown Reservoir/Yadkin River and Winston Salem Southbound Railway in North Carolina (hereafter, the Undertaking) through the Federal Highway Bridge Replacement and Rehabilitation Program; and

WHEREAS, the FHWA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.); and

WHEREAS, the FHWA has determined that the Undertaking will have an adverse effect upon Rowan County Bridge No. 3, a property determined eligible for listing in the National Register of Historic Places (NRHP); and

WHEREAS, the FHWA has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect and the ACHP has chosen not to participate in the consultation; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) has participated in the consultation and has been invited by the FHWA and SHPO to be a signatory to this Memorandum of Agreement (MOA); and

WHEREAS, the FHWA has consulted with Cube Hydro Carolinas, the Catawba Indian Nation Tribal Historic Preservation Officer, the Trading Ford Historic District Preservation Association, the Badin Museum, and the United States

Forest Service regarding the effects of the Undertaking on Rowan County Bridge No. 3 and has invited them to be concurring parties to this MOA;

NOW, THEREFORE, the FHWA, SHPO, and NCDOT agree that the Undertaking will be implemented in accordance with the following stipulations to take into account the effects of the Undertaking on Rowan County Bridge No. 3.

STIPULATIONS

The FHWA will ensure that the following measures are made part of any approval or funding issued to the NCDOT for the Undertaking to fulfill the FHWA's responsibilities under 36 CRF Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.).

- I. Rowan County Bridge No. 3.
 - A. Photodocumentation. Prior to the initiation of construction, the NCDOT will record the existing condition of Rowan County Bridge No. 3 in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A).

The results of the photographic recordation will be submitted to the SHPO in advance of any work taking place. The SHPO will have fifteen (15) days from receipt of the materials to review and comment. If no comments are received by the NCDOT after the fifteen (15) days, work may commence.

Additional photography may be undertaken during demolition if feasible. Dismantling of the superstructure may allow enhanced views of those structural elements for which the bridge is considered significant.

- B. Historical Record. Rowan County Bridge No. 3 is represented in the North Carolina Historic Bridge Inventory and the state architectural survey. Documentation and findings established for the B-4626 project will be added to both records. As Rowan County Bridge No. 3 derives its significance from its engineering, it will appear on NCDOT's "Historic Bridges of North Carolina" website as the first featured example in a new section devoted to technological innovation. By highlighting specific bridges, the educational utility of the website should achieve increased focus and effectiveness in

alerting the public to historic bridges, as well as NCDOT's efforts to preserve and record them.

SHPO and the concurring parties will be afforded opportunity to review and comment on the Rowan County Bridge No. 3 website feature. If no comments are received from the SHPO or concurring parties within thirty (30) days of confirmed receipt, the NCDOT can assume that the SHPO and concurring parties do not object to the feature.

Should any of the parties notified have questions, comments or desire a meeting to discuss the feature, the FHWA and NCDOT will arrange a joint consultation to address such questions and comments. If the questions and/or comments cannot be resolved, the parties will use Stipulation III below to resolve any disputes.

II. Unanticipated Discovery.

In accordance with 36 CFR 800.11(a) if the NCDOT identifies additional cultural resources during construction and determines them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted within forty-eight (48) hours. If after consultation with the Signatory Parties additional mitigation is determined necessary, the NCDOT, in consultation with the other Signatory Parties, will develop and implement appropriate protection/mitigation measures for the resource(s). The NCDOT will notify the SHPO and FHWA of any additional cultural resources that are determined to be not eligible for NRHP listing. Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

III. Dispute Resolution.

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

Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute, or

Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. The FHWA will take into account any ACHP comment provided in response to such a request in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute. Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute; the FHWA's and NCDOT's responsibility to carry out all of the actions under this agreement that are not the subject of the dispute will remain unchanged.

IV. Amendments.

Should any of the Signatory or Concurring Parties to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that (those) party(ies) will immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation III will be followed.

V. Termination.

Any of the Signatory Parties may terminate the MOA by providing thirty (30) days written notice to the other parties, provided that the signatories will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

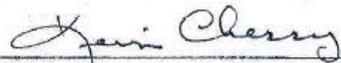
VI. Duration.

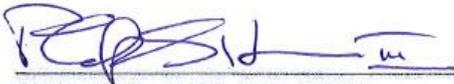
Unless terminated pursuant to Stipulation V, this MOA will be in effect until December 31, 2027.

Execution of this Memorandum of Agreement by the FHWA, SHPO, and NCDOT, its subsequent filing with the ACHP, and implementation of its terms evidence that the FHWA has afforded the ACHP an opportunity to comment on the Undertaking and that the FHWA has taken into account the effects of the Undertaking on Rowan County Bridge No. 3.

AGREE:

 26 March 2018
for John F. Sullivan III, P.E. Date
North Carolina Division Administrator
Federal Highway Administration

 3/26/2018 +
Kevin Cherry, Ph.D. Date
North Carolina State Historic Preservation Officer
North Carolina Department of Cultural Resources

 04/12/2018
Philip S. Harris III, P.E., C.P.M. Date
Environmental Analysis Unit Head
North Carolina Department of Transportation

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
REGARDING
TIP NO. B-4626
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DAVIDSON, ROWAN, AND STANLY COUNTIES, NORTH CAROLINA

Execution of this Memorandum of Agreement by the FHWA, SHPO, and NCDOT, its subsequent filing with the ACHP, and implementation of its terms evidence that the FHWA has afforded the ACHP an opportunity to comment on the Undertaking, defined above, and that the FHWA has taken into account the effects of the Undertaking on the historic property.

CONCUR:

Cube Hydro Carolinas

Date

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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CONCUR:

The Catawba Indian Nation Tribal Historic Preservation Office

Date

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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Execution of this Memorandum of Agreement by the FHWA, SHPO, and NCDOT, its subsequent filing with the ACHP, and implementation of its terms evidence that the FHWA has afforded the ACHP an opportunity to comment on the Undertaking, defined above, and that the FHWA has taken into account the effects of the Undertaking on the historic property.

CONCUR:

Trading Ford Historic District Preservation Association

Date

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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CONCUR:

Badin Museum

Date

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
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Execution of this Memorandum of Agreement by the FHWA, SHPO, and NCDOT, its subsequent filing with the ACHP, and implementation of its terms evidence that the FHWA has afforded the ACHP an opportunity to comment on the Undertaking, defined above, and that the FHWA has taken into account the effects of the Undertaking on the historic property.

CONCUR:

United States Forest Service

Date

APPENDIX A

Historic Structures and Landscape Recordation Plan Replacement of Rowan County Bridge No. 3 on NC 49/NC8 over the Tuckertown Reservoir/Yadkin River and the Winston Salem Southbound Railway Davidson, Rowan, and Stanly Counties, North Carolina TIP Project B-4626

PHOTOGRAPHIC REQUIREMENTS

- Overall views of Rowan County Bridge Number 3 and its surroundings.
- Images showing the details of the superstructure and substructure of Rowan County Bridge Number 3.

PHOTOGRAPHIC FORMAT

- All images will be captured, labeled, and stored according to the North Carolina State Historic Preservation Office's, "Policy and Guidelines for Digital Photography for Historic Property Surveys, National Register Nominations and NRAC PowerPoint Presentations, Revised November 2008."

COPIES AND CURATION

- One (1) set each of all photographic documentation will be deposited with the North Carolina Division of Archives and History/State Historic Preservation, and the Historic Architecture Group of NCDOT.
- Any existing mechanical or engineering drawings of or related to Rowan County Bridge Number 3 will be gathered, stored, and curated by HPO.

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

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



January 15, 2020

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

Re. THPO #	Project #	Project Description
2020-193-66	B-4626	Replacement of Bridge No. 3 on NC 49 over Yadkin River and Winston Salem South-bound Railroad in Davidson, Rowan and Stanly Counties

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 caitlinh@ccppcrafts.com.

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer

Permit Package

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action Id. SAW-2021-00611 County: Davidson County U.S.G.S. Quad: High Rock

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Permittee: Jeff Hemphill
NCDOT
Address: 1598 Mail Service Center
Raleigh, North Carolina 27699
Telephone Number: (919) 707-6126

Size (acres) 7.1 (approximate) Nearest Town New London
Nearest Waterway Yadkin River River Basin Upper Pee Dee
USGS HUC 03040103 Coordinates Latitude: 35.505836
Longitude: -80.183851

Location description: The site is located along NC 8/49 over the Yadkin River at NCDOT Bridge #3 in Rowan and Stanly Counties, North Carolina. The site is approximately 1600 feet southwest of NC 8/49, Tuckertown Road intersection. NCDOT has identified the project as B-4626.

Description of projects area and activity: This authorization is for the permanent and temporary discharge of clean fill material associated with an existing bridge replacement project. Permanent impacts include the placement of rip rap within 18 linear feet of stream channel for bank stabilization. Temporary impacts are within 0.57 acre of jurisdictional tributary/stream and is associated with the installation of a temporary causeway for construction (see attached plans).

Applicable Law: Section 404 (Clean Water Act, 33 USC 1344)
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number and/or Nationwide Permit Number: NWP 14 Linear Transportation Projects
SEE ATTACHED RGP or NWP GENERAL, REGIONAL AND/OR SPECIAL CONDITIONS

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted application and attached information dated March 19, 2021. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

Special Conditions:

- 1. The Permittee shall fully implement the Memorandum of Agreement between the Permittee, the North Carolina State Historic Preservation Officer and the Federal Highway Administration, dated, April 12, 2018, including Appendix A, which is incorporated herein by reference.**

This verification will remain valid until the expiration date identified below unless the nationwide and/or regional general permit authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide and/or regional general permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide and/or regional general permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide and/or regional general permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide and/or regional general permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management in Morehead City, NC, at (252) 808-2808.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Andrew Williams at (919) 554-4884 or Andrew.E.Williams2@usace.army.mil.

Corps Regulatory Official: Maide Matthews Date: 2021.05.04
13:37:41 -04'00' Date: May 4, 2021
Expiration Date of Verification: March 18, 2022

A. Determination of Jurisdiction:

- There are waters, including wetlands, on the above described project area that may be subject to Section 404 of the Clean Water Act (CWA) (33 USC § 1344) and/or Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403). This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331). However, you may request an approved JD, which is an appealable action, by contacting the Corps district for further instruction. Please note, if work is authorized by either a general or nationwide permit, and you wish to request an appeal of an approved JD, the appeal must be received by the Corps and the appeal process concluded prior to the commencement of any work in waters of the United States and prior to any work that could alter the hydrology of waters of the United States.
- There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act (RHA) (33 USC § 403) and Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters, including wetlands, within the above described project area that are subject to the permit requirements of Section 404 of the Clean Water Act (CWA) (33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- A jurisdiction determination was not completed with this request. Therefore, this is not an appealable action. However, you may request an approved JD, which is an appealable action, by contacting the Corps for further instruction.
- The aquatic resources within the above described project area have been identified under a previous action. Please reference the approved jurisdictional determination issued . Action ID: SAW- .

B. Basis For Jurisdictional Determination: N/A. An Approved JD has not been completed.

C. Remarks: USACE has verified the delineation associated with this project, based on a desktop review of information submitted with the application and contained in the administrative record for this project.

D. Attention USDA Program Participants

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

E. Appeals Information for Approved Jurisdiction Determinations (as indicated in A2 and A3 above).

If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the following address:

US Army Corps of Engineers
South Atlantic Division
Attn: Philip Shannin, Appeal Review Officer
60 Forsyth Street SW, FLOOR M9
Atlanta, Georgia 30303-8803

Phone: (404) 562-5136

EMAIL: PHILIP.A.SHANNIN@USACE.ARMY.MIL

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by: **Not Applicable**.

It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.

*Monte
Matthews*

Date: 2021.05.04

13:38:28 -04'00'

Corps Regulatory Official: _____

The Wilmington District is committed to providing the highest level of support to the public. To help us ensure we continue to do so, please complete our Customer Satisfaction Survey, located online at

http://corpsmapu.usace.army.mil/cm_apex/f?p=136:4:0.

Copy furnished (via email):

Amy Euliss
NCDOT Division 9
aeuliss@ncdot.gov

MEMORANDUM OF AGREEMENT
AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER,
AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
REGARDING
TIP NO. B-4626
REPLACEMENT OF ROWAN COUNTY BRIDGE NO. 3
ON NC 49/NC 8 OVER THE TUCKERTOWN RESERVOIR/YADKIN RIVER
AND THE WINSTON SALEM SOUTHBOUND RAILWAY
DAVIDSON, ROWAN, AND STANLY COUNTIES, NORTH CAROLINA

WHEREAS, the Federal Highway Administration (FHWA) proposes to fund the replacement of Rowan County Bridge No. 3 over the Tuckertown Reservoir/Yadkin River and Winston Salem Southbound Railway in North Carolina (hereafter, the Undertaking) through the Federal Highway Bridge Replacement and Rehabilitation Program; and

WHEREAS, the FHWA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.); and

WHEREAS, the FHWA has determined that the Undertaking will have an adverse effect upon Rowan County Bridge No. 3, a property determined eligible for listing in the National Register of Historic Places (NRHP); and

WHEREAS, the FHWA has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect and the ACHP has chosen not to participate in the consultation; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) has participated in the consultation and has been invited by the FHWA and SHPO to be a signatory to this Memorandum of Agreement (MOA); and

WHEREAS, the FHWA has consulted with Cube Hydro Carolinas, the Catawba Indian Nation Tribal Historic Preservation Officer, the Trading Ford Historic District Preservation Association, the Badin Museum, and the United States

Forest Service regarding the effects of the Undertaking on Rowan County Bridge No. 3 and has invited them to be concurring parties to this MOA;

NOW, THEREFORE, the FHWA, SHPO, and NCDOT agree that the Undertaking will be implemented in accordance with the following stipulations to take into account the effects of the Undertaking on Rowan County Bridge No. 3.

STIPULATIONS

The FHWA will ensure that the following measures are made part of any approval or funding issued to the NCDOT for the Undertaking to fulfill the FHWA's responsibilities under 36 CRF Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. 300101 et seq.).

- I. Rowan County Bridge No. 3.
 - A. Photodocumentation. Prior to the initiation of construction, the NCDOT will record the existing condition of Rowan County Bridge No. 3 in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A).

The results of the photographic recordation will be submitted to the SHPO in advance of any work taking place. The SHPO will have fifteen (15) days from receipt of the materials to review and comment. If no comments are received by the NCDOT after the fifteen (15) days, work may commence.

Additional photography may be undertaken during demolition if feasible. Dismantling of the superstructure may allow enhanced views of those structural elements for which the bridge is considered significant.

- B. Historical Record. Rowan County Bridge No. 3 is represented in the North Carolina Historic Bridge Inventory and the state architectural survey. Documentation and findings established for the B-4626 project will be added to both records. As Rowan County Bridge No. 3 derives its significance from its engineering, it will appear on NCDOT's "Historic Bridges of North Carolina" website as the first featured example in a new section devoted to technological innovation. By highlighting specific bridges, the educational utility of the website should achieve increased focus and effectiveness in

alerting the public to historic bridges, as well as NCDOT's efforts to preserve and record them.

SHPO and the concurring parties will be afforded opportunity to review and comment on the Rowan County Bridge No. 3 website feature. If no comments are received from the SHPO or concurring parties within thirty (30) days of confirmed receipt, the NCDOT can assume that the SHPO and concurring parties do not object to the feature.

Should any of the parties notified have questions, comments or desire a meeting to discuss the feature, the FHWA and NCDOT will arrange a joint consultation to address such questions and comments. If the questions and/or comments cannot be resolved, the parties will use Stipulation III below to resolve any disputes.

II. Unanticipated Discovery.

In accordance with 36 CFR 800.11(a) if the NCDOT identifies additional cultural resources during construction and determines them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted within forty-eight (48) hours. If after consultation with the Signatory Parties additional mitigation is determined necessary, the NCDOT, in consultation with the other Signatory Parties, will develop and implement appropriate protection/mitigation measures for the resource(s). The NCDOT will notify the SHPO and FHWA of any additional cultural resources that are determined to be not eligible for NRHP listing. Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

III. Dispute Resolution.

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

Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute, or

Notify the FHWA that it will comment pursuant to 36 CFR 800.7(c) and proceed to comment. The FHWA will take into account any ACHP comment provided in response to such a request in accordance with 36 CFR 800.7(c)(4) with reference to the subject of the dispute. Any recommendation or comment provided by the ACHP will be understood to pertain only to the subject of the dispute; the FHWA's and NCDOT's responsibility to carry out all of the actions under this agreement that are not the subject of the dispute will remain unchanged.

IV. Amendments.

Should any of the Signatory or Concurring Parties to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that (those) party(ies) will immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation III will be followed.

V. Termination.

Any of the Signatory Parties may terminate the MOA by providing thirty (30) days written notice to the other parties, provided that the signatories will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

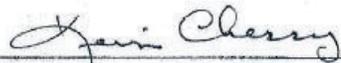
VI. Duration.

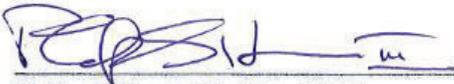
Unless terminated pursuant to Stipulation V, this MOA will be in effect until December 31, 2027.

Execution of this Memorandum of Agreement by the FHWA, SHPO, and NCDOT, its subsequent filing with the ACHP, and implementation of its terms evidence that the FHWA has afforded the ACHP an opportunity to comment on the Undertaking and that the FHWA has taken into account the effects of the Undertaking on Rowan County Bridge No. 3.

AGREE:

 26 March 2018
for John F. Sullivan III, P.E. Date
North Carolina Division Administrator
Federal Highway Administration

 3/26/2018 +
Kevin Cherry, Ph.D Date
North Carolina State Historic Preservation Officer
North Carolina Department of Cultural Resources

 04/12/2018
Philip S. Harris III, P.E., C.P.M. Date
Environmental Analysis Unit Head
North Carolina Department of Transportation

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CONCUR:

Cube Hydro Carolinas

Date

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CONCUR:

The Catawba Indian Nation Tribal Historic Preservation Office

Date

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CONCUR:

Trading Ford Historic District Preservation Association

Date

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CONCUR:

Badin Museum

Date

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CONCUR:

United States Forest Service

Date

APPENDIX A

Historic Structures and Landscape Recordation Plan Replacement of Rowan County Bridge No. 3 on NC 49/NC8 over the Tuckertown Reservoir/Yadkin River and the Winston Salem Southbound Railway Davidson, Rowan, and Stanly Counties, North Carolina TIP Project B-4626

PHOTOGRAPHIC REQUIREMENTS

- Overall views of Rowan County Bridge Number 3 and its surroundings.
- Images showing the details of the superstructure and substructure of Rowan County Bridge Number 3.

PHOTOGRAPHIC FORMAT

- All images will be captured, labeled, and stored according to the North Carolina State Historic Preservation Office's, "Policy and Guidelines for Digital Photography for Historic Property Surveys, National Register Nominations and NRAC PowerPoint Presentations, Revised November 2008."

COPIES AND CURATION

- One (1) set each of all photographic documentation will be deposited with the North Carolina Division of Archives and History/State Historic Preservation, and the Historic Architecture Group of NCDOT.
- Any existing mechanical or engineering drawings of or related to Rowan County Bridge Number 3 will be gathered, stored, and curated by HPO.



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

S. DANIEL SMITH
Director

April 22, 2021
Davidson County
NCDWR Project No. 20210345
Bridges 3 and 8 Yadkin River
TIP No. B-4626

APPROVAL of 401 WATER QUALITY CERTIFICATION with ADDITIONAL CONDITIONS

Mr. Philip S. Harris III
NCDOT Environmental Analysis Unit
1598 MSC
Raleigh, NC 27699

Dear Mr. Harris:

You have our approval, in accordance with the conditions listed below, for the following impacts related to the replacement of Bridge 3 superstructure and deck preservation treatment to Bridge 8 on NC 8/49 over the Yadkin River (Tuckertown Reservoir) in Davidson, Rowan and Stanly Counties.

Stream Impacts in the Yadkin PeeDee River Basin

Site	Permanent Fill in Perennial Stream (linear ft)	Temporary Fill in in Perennial Stream (linear ft)	Total Stream Impact (linear ft)	Stream Impacts Requiring Mitigation (linear ft)
	Bank Stabilization	Work Pad/Causeway		
1	18	224	242	-
Totals	18	224	242	-

Total Stream Impacts: 242 linear feet

The project shall be constructed in accordance with your application dated received March 19, 2021 and subsequent information received on April 19, 2021. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Number 4135. This certification corresponds to the Corps Nationwide Permit 14. In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWR and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total



impacts to perennial streams (now or in the future) exceed 300 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). For this approval to remain valid, you must adhere to the conditions listed in the attached certification(s) and any additional conditions listed below.

Condition(s) of Certification:

Project Specific Conditions

1. The post-construction removal of the workpad/causeway must return the project site to its preconstruction contours and elevations and all riprap removed. The impacted areas along the banks shall be revegetated with appropriate native species. [15A NCAC 02H .0506(b)(2)]
2. Bridge superstructure demolition and construction must be accomplished in strict compliance with the most recent version of NCDOT's Best Management Practices for Construction and Maintenance Activities. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
3. All necessary precautions and management practices shall be in place during deck preservation operations to ensure that discharges of waste materials do not enter surface waters. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]
4. Bridge deck drains shall not discharge directly into the river. Stormwater shall be directed across the bridges and pre-treated through site-appropriate means as described in the application. [15A NCAC 02H .0507(d)(2) and 15A NCAC 02H .0506(b)(5)]

General Conditions

1. If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. [15A NCAC 02B.0200]
2. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S. or protected riparian buffers. [15A NCAC 02H.0506(b)(2)]
3. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions. [15A NCAC 02H.0506(b)(2)]
4. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage. [15A NCAC 02H.0506(b)(2)]
5. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
6. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water. [15A NCAC 02H.0506(b)(3) and (c)(3)]
7. Heavy equipment shall be operated from the banks rather than in the stream channel to minimize sedimentation and reduce the introduction of other pollutants into the stream. [15A NCAC 02H.0506(b)(3)]
8. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials. [15A NCAC 02H.0506(b)(3)]



9. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification. [15A NCAC 02H.0506(b)(3)]
10. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited. [15A NCAC 02H.0506(b)(3)]
11. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If the NCDWR determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, the NCDWR may reevaluate and modify this certification. [15A NCAC 02B.0200]
12. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification. [15A NCAC 02H.0506(b)(2)]
13. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager. [15A NCAC 02H .0507(c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
14. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
15. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer (or appointee) shall complete and return the enclosed "Certification of Completion Form" to notify the NCDWR when all work included in the 401 Certification has been completed. [15A NCAC 02H.0502(f)]
16. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities. [15A NCAC 02H.0506(b)(3) and (c)(3)]
17. Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices to protect surface waters standards [15A NCAC 02H.0506(b)(3) and (c)(3)]:
 - a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
 - b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
 - c. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
 - d. The reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act.
18. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification. [15A NCAC 02H.0506(b)(3) and (c)(3)]

If you wish to contest any statement in the attached Certification you must file a petition for an administrative hearing. You may obtain the petition form from the office of Administrative hearings. You must file the petition



with the office of Administrative Hearings within sixty (60) days of receipt of this notice. A petition is considered filed when it is received in the office of Administrative Hearings during normal office hours. The Office of Administrative Hearings accepts filings Monday through Friday between the hours of 8:00am and 5:00pm, except for official state holidays. The original and one (1) copy of the petition must be filed with the Office of Administrative Hearings.

The petition may be faxed-provided the original and one copy of the document is received by the Office of Administrative Hearings within five (5) business days following the faxed transmission. The mailing address for the Office of Administrative Hearings is:

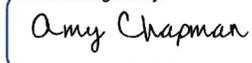
Office of Administrative Hearings
6714 Mail Service Center
Raleigh, NC 27699-6714
Telephone: (919) 431-3000, Facsimile: (919) 431-3100

A copy of the petition must also be served on DEQ as follows:

Mr. Bill F. Lane, General Counsel
Department of Environmental Quality
1601 Mail Service Center

This letter completes the review of the Division of Water Resources under Section 401 of the Clean Water Act. If you have any questions, please contact Dave Wanucha at (336) 403-5655 or dave.wanucha@ncdenr.gov.

Sincerely,

DocuSigned by:

9C9886312DCD474...
S. Daniel Smith, Director
Division of Water Resources

Electronic copy only distribution:

Eric Alsmeyer, US Army Corps of Engineers, Raleigh Field Office
Janet Mizzi, US Fish and Wildlife Service
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