Pre-Construction Notification



Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits

(along with corresponding Water Quality Certifications)

December 4, 2023 Ver 4.3

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/DocView.aspx?dbid=0&id=2196924

A. Processing Information

If this is a courtesy copy, please fill in this with the submission date.

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

 (\land)

Is this application for a project associated with emergency response/repairs from Hurricane Helene impacts to your project or property?

🔵 Yes 💿 No

Is this project connected with ARPA funding?*

🔵 Yes 🍥 No

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

Davidson

Is this a NCDMS Project*

Yes No Click Yes, only if NCDMS is the applicant or co-applicant.

DO NOT CHECK YES, UNLESS YOU ARE DMS OR CO-APPLICANT.

Is this project a public transportation project?*

Yes No

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

Is this a NCDOT Project?*

Yes No

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

BR-0015

67015.1.1

(for NCDOT use only)

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

Section 404 Permit (wetlands, streams and waters, Clean Water Act)

Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)

Has this PCN previously been submitted?*

Yes

No

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

- Nationwide Permit (NWP)
- Regional General Permit (RGP)

Standard (IP)

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

🔵 Yes 🍥 No

NWP Numbers (for multiple NWP	S):	
List all NW numbers you are applying for no	ot on the drop down list.	
1d. Type(s) of approval sought free	om the DWR: *	
check all that apply		
401 Water Quality Certification -	Regular	401 Water Quality Certification - Express
Non-404 Jurisdictional General I	Permit	Riparian Buffer Authorization
Individual 401 Water Quality Cer	rtification	
1e. Is this notification solely for t	he record because written approval is no	t required?
		*
For the record only for DWR 401	Certification:	🔾 Yes 🍥 No
For the record only for Corps Per	rmit:	◯ Yes ⊚ No
1f. Is this an after-the-fact permit	application?*	
Ves	No	
1g. Is payment into a mitigation b	oank or in-lieu fee program proposed for	mitigation of impacts?
If so, attach the acceptance letter from mitig	gation bank or in-lieu fee program.	
Yes	No	
Acceptance Letter Attachment		
Click the upload button or drag and drop file	es here to attach document	
FILE TYPE MUST BE PDF		
1h. Is the project located in any o	of NC's twenty coastal counties?*	
Ves	No	
1j. Is the project located in a desi	gnated trout watershed?*	
🔿 Yes 💿 No		
Link to trout information: http://www	.saw.usace.army.mil/Missions/Regulatory-P	ermit-Program/Agency-Coordination/Trout.aspx

B. Applicant Information

(xxx)xxx-xxxx (919)707-6013 2f. Fax Number: (xxx)xxx-xxxx

B. Applicant Information		\bigcirc
1a. Who is the Primary Contact?* William A. Barrett		
	1c. Primary Contact Phone: *	
1b. Primary Contact Email: *		
wabarrett@ncdot.gov	(919)707-6103	
1d. Who is applying for the permit? *		
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:*		
NCDOT		
2b. Deed book and page no.:		
2c. Contact Person:		
(for Corporations)		
2d. Address*		
Street Address		
1598 Mail Service Center		
Address Line 2	Otate (Devices / Device	
Raleigh	NC	
Postal / Zip Code	Country	
27699-1598	US	
2e. Telephone Number: *		

ekcheely@ncdot.gov

3. Applicant Information (if different from owner)

3a. Name:*	
William A. Barrett	
3b. Business Name:	
(if applicable)	
3c. Address*	
Street Address	
1598 Mail Service Center	
Address Line 2	
City	State / Province / Region
Raleigh	NC
Postal / Zip Code	Country
27699-1598	US
3d. Telephone Number: *	
(919)707-6103	3e. Fax Number:
χοαν-χααίχα	(xxxx)xxxx-xxxxxx
3f. Email Address: *	
wabarrett@ncdot.gov	

 \bigcirc

 \bigcirc

 \bigcirc

C. Project Information and Prior Project History 1. Project Information

1a. Name of project: *

BR-0015 - Bridges 67 & 68 on US 29/US 70 over SR 1192

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Lexington

2. Project Identification

2a. Property Identification Number:	2b. Property size:
(tax Mix or parcel ID) 2c. Project Address	(in acres)
Street Address	
Address Line 2	
City Postel / 75 Octo	State / Province / Region
Postal / Zip Code	Country

2d. Site coordinates in decimal degrees

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

Latitude:*	Longitude: *
35.826220	-80.275311
ex: 34.208504	-77.796371

3. Surface Waters

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

Michael Branch

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

С

Surface Water Lookup

3c. What river basin(s) is your project located in? $\ensuremath{^{\star}}$

Yadkin-PeeDee

030401030104

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: *

Existing roadway consists of four 12-foot lanes divided with 2-foot paved shoulders. Existing side slopes range from 2:1 to 4:1.

General land use: intermixed residential with some commercial, and forested land.

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

🔵 Yes 💿 No 🔵 Unknown

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

0

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

(intermittent and perennial)

3.354

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

The purpose of the proposed project is to remove two structurally deficient bridges and replace them with one wider bridge that will carry both northbound and southbound lanes, and to revise the ramps and Y-lines within the project limits.

NCDOT Structures Management Unit records from January 2022 indicate Bridge No. 280067 currently has a sufficiency rating of 45 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to Federal Highway Administration (FHWA) standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

NCDOT Structures Management Unit records from January 2022 indicate Bridge No. 280068 currently has a sufficiency rating of 48 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

Utilities Note: Within the project limits, the Lexington Gas relocations do not impact the jurisdictional sites (Michael Branch and the UT to Michael Branch) and the only impacts currently shown on the permit drawings are due to the project itself. Capital improvements will be constructed by Lexington Gas outside the project limits to locate a new regulator station and upgrade to 4" MDPE along National Drive to Center Street.

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

The North Carolina Department of Transportation (NCDOT) Project BR-0015 proposes to replace Bridge Nos. 280067 and 280068 on US 29/US 70 over SR 1192 (W. 5th Avenue) in Davidson County, North Carolina. The project will remove the existing bridges and replace them with one wider bridge in the existing location. Also, the project will provide interchange improvements at the US 29/US 70 and W. 5th Avenue interchange. The project is state-funded.

Bridges:

The project extends north and south along US 29/US 70 for approximately 1,900 feet in each direction of the new bridge. The proposed bridge will include two 12-foot travel lanes, a 12-foot right-turn only lane, and a 6-foot outside shoulder in each direction. A 22-foot wide median, including a 2-foot concrete barrier, will separate each travel direction over the bridge. The replacement bridge will be constructed using phased construction. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and to maintain two-way traffic on one bridge as the other bridge is demolished and replaced.

The roadway will be designed as a Principal Arterial using Statewide Tier Guidelines, with a 60-mile per hour design speed. The roadway has partially-controlled access.

Ramps:

In the northwest quadrant of the interchange, the redundant southbound US 29/US 70 ramp at Murphy Drive (SR 1239) will be eliminated. In the southwest quadrant of the interchange, Loop B (LPB) from and Ramp B (RPB) to southbound US 29/US 70 will be realigned to accommodate an improved 25-mile per hour design speed for the loop ramp and 45-mile per hour design speed for the adjacent ramp. In the northeast quadrant, a small off-ramp from northbound US 29/US 70 will be realigned at National Boulevard (SR 1291) to access W. 5th Avenue. The existing on-ramp access from National Boulevard to US 29/US 70 northbound will be maintained.

W. 5th Avenue:

The project also extends approximately 300 feet east and 600 feet west along W. 5th Avenue to allow for ramp improvements and widening along W. 5th Avenue. W. 5th Avenue will include three undivided 12-foot lanes with a 4-foot outside shoulder, curb and gutter, and a 10-foot berm on each side. W. 5th Avenue will be designed as a Major Collector using Statewide Tier Guidelines with a 40-mile per hour design speed.

Other Improvements:

Murphy Drive will be slightly realigned to tie into its existing intersection with W. 5th Avenue. Pinecroft Boulevard (SR 1276) will be terminated at Summit Drive (SR 1270) and the existing portion of Pinecroft Boulevard from Summit Drive to W. 5th Avenue will be eliminated. National Boulevard will continue to provide access to businesses located northeast of the interchange along National Boulevard.

Standard road and bridge building equipment such as trucks, dozers, and cranes will be used.

5. Jurisdictional Determinations

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

No

Yes

Impacts are all to perennial streams, no wetlands.

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

Unknown

Name (if known):

Nathan Howell and Lizzy Stokes-Cowley

Agency/Consultant Company:

Other:

6. Future Project Plans

6a. Is this a phased project?*

Yes

No

Three Oaks

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".

	3a. Reason for impact* (?)	3b.Impact type *	3c. Type of impact*	3d. S. name [*]	3e. Stream Type * (?)	3f. Type of Jurisdiction *	3g. S. width *	3h. Impact length *
S1	Dewatering	Temporary	Dewatering	UT to Michael Branch (SB)	Perennial	Both	5 Average (feet)	33 (linear feet)
S2	armoring toe of wingwalls	Permanent	Bank Stabilization	UT to Michael Branch (SB)	Perennial	Both	5 Average (feet)	6 (linear feet)
S3	pipe extension/wingwall	Permanent	Fill	UT to Michael Branch (SB)	Perennial	Both	5 Average (feet)	15 (linear feet)
S4	bank stabilization	Permanent	Bank Stabilization	UT to Michael Branch (SB)	Perennial	Both	5 Average (feet)	117 (linear feet)
S5	bank stabilization	Permanent	Bank Stabilization	Michael Branch	Perennial	Both	16 Average (feet)	47 (linear feet)
S6	bank stabilization	Temporary	Bank Stabilization	Michael Branch	Perennial	Both	16 Average (feet)	35 (linear feet)

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

3i. Total jurisdictional ditch impact in square feet:

3i. Total permanent stream impacts:

185

0

- 3i. Total temporary stream impacts:
- 68
- 3i. Total stream and ditch impacts:

253

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: *

Existing erosion identified during a field review justifies the construction of downstream bank stabilization. The limits of this bank stabilization will be proposed on both the left and right banks of the unnamed tributary (approximately 114 feet) until it meets up with Michael Branch. Skimmer basins will be utilized at 16+85 -L-RT, 21+58 -L-RT, and 10+71 -LPB-RT to allow for stormwater treatment before water makes its way into the jurisdictional streams.

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

Best management practices and sedimentation and erosion control measures will be used during construction of the proposed project.

 \diamond

 \bigcirc

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? No Yes 2c. If yes, mitigation is required by (check all that apply): DWR Corps 2d. If yes, which mitigation option(s) will be used for this project? Mitigation bank Payment to in-lieu fee program Permittee Responsible Mitigation 4. Complete if Making a Payment to In-lieu Fee Program 4a. Approval letter from in-lieu fee program is attached. Yes No 4b. Stream mitigation requested: 4c. If using stream mitigation, what is the stream temperature: (linear feet) 15 warm NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's RIBITS website.

4d. Buffer mitigation requested (DWR only):	4e. Riparian wetland mitigation requested:
(square feet)	(acres)
4f. Non-riparian wetland mitigation requested:	4g. Coastal (tidal) wetland mitigation requested:

4h. Comments

Bank stabilization and temporary impacts do not result in loss of Waters of the US, therefore do not require mitigation.

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

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

 \bigcirc

 (\land)

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?

For a list of options to meet the diffuse flow requirements, click here.

If no, explain why:

The proposed project is located within the Yadkin-Pee Dee River Basin, which does not have Riparian Buffer Rules administered by NCDWR.

2. Stormwater Management Plan

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

No

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

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

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.)*

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)?*

Ves

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?*

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

The proposed project will not add additional roadway travel lanes or create new access to surrounding properties. No new development is anticipated to occur as a result of this bridge replacement project.

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 No 5b. Have you checked with the USFWS concerning Endangered Species Act impacts?* Yes No 5c. If yes, indicate the USFWS Field Office you have contacted. Asheville 5d. Is another Federal agency involved?* Yes No No Unknown What Federal Agency is involved? FHWA (lead federal agency) 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.armv.mil/NLEB/1-30-17-signed NLEB-SLOPES&apps.pdf If you answered "Yes" to 5g(1), did you discover any signs of bat use?* 🔍 Yes 🔍 No 🔍 Unknown *** If yes, please show the location of the bridge on the permit drawings/project plans. 5h. Does this project involve the construction/installation of a wind turbine(s)?** 🔵 Yes 🔘 No 5i. Does this project involve (1) blasting, and/or (2) other percussive activities that will be conducted by machines, such as jackhammers, mechanized pile drivers, etc.?* Yes No 5j. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat?* USFWS Information for Planning and Consultation (IPaC) was consulted. Only Endangered Schweinitz's sunflower and Proposed tricolored bat are listed for the project area. No Schweinitz's sunflower was found in the project area (most recent survey Sept-2023), therefore the biological conclusion for that species is No Effect. An informal Section 7 concurrence/conference request was sent to USFWS on November 25, 2024 proposing a biological conclusion of May Affect, Not Likely to Adversely Affect for tricolored bat. Response from USFWS is pending.

6. Essential Fish Habitat (Corps Requirement)

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

Yes

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

NOAA Fisheries Essential Fish Habitat Mapper. https://www.habitat.noaa.gov/apps/efhmapper/

7. Historic or Prehistoric Cultural Resources (Corps Requirement)

No

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

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

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

No

Please see attached:

- "No Archaeological Survey Required" form, and

- "Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges" document.

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

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

NCDOT Division 9 shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction. The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP) to determine the status of the project with regard to applicability of NCDOT's Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMAR).

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

FEMA Floodmaps

Miscellaneous

Comments

Please use the space below to attach all required documentation or any additional information you feel is helpful for application review. Documents should be combined into one file when possible, with a Cover Letter, Table of Contents, and a Cover Sheet for each Section preferred.
Click the uplead button or drag and drop files here to attach document
BR-0015 Davidson December 16 2024.pdf 19.83MB
File must be PDF or KMZ
Signature

 (\land)

*

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:* Erin K. Cheely

-

Signature *

Erin K. Cheely

Date 12/16/2024

Permit Drawings

Highway – Stormwat			North C	arolina Departn Highway Storm RMWATER MAN	nent of Transporta water Program AGEMENT PLAN	tion			
(Version 3.00; Released	August 2021)			FOR NCDOT P	ROJECTS				
WBS Element:	BR-0015	TIP/Proj No: BR-0015		County(ies):	Davidson				
			G	eneral Proiect I	nformation				
WBS Element:		BR-0015	TIP Number:	BR-0015		Project Ty	/pe:	Roadway Widening	1
NCDOT Contact:		Jennifer Hernandez PE		Bittoolo	Contractor / Desig	nor:	elson Kin	a PE	
Nobol contact.	Address:	1592 Mail Sonvice Contor			Contractor / Desig	Address: 20	1 Equation	y, r L villa St	
	Addition.	Poloigh 07600 1592					JI Fayelli	ville St.,	
		Raleign, 27699-1582				31		0.07004	
					-	Ra	aleigh, N	C 27601	
	Phone:	(919) 707-6048				Phone: (9	19) 882-7	7839	
	Email:	jdhernandez@ncdot.gov				Email: nk	king@kca	eng.com	
City/Town:		Le>	kington		County(ies):	Davidso	n		
River Basin(s):		Yadkin-Pee Dee			CAMA County?	No			
Wetlands within Pro	ject Limits?	No							
				Project Desc	ription				
Project Length (lin.	miles or feet):	0.71 miles	Surrounding	Land Use:			Lo	w-Density Residenti	al
Ŭ (,							Existin	na Site
Project Built-Upon	Area (ac.)	29.2		ac.			24.8	ac	J
Typical Cross Section	on Description:	The proposed typical section for -L-	will be divided (4) 12'	lanes with normal	crown and a median	Existing roadway	vs consis	ts of four 12' lanes d	livided with
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	••••	that transitions to super elevated at	.02 with a concrete ba	arrier. See typical s	section for cross	slopes range fro	, m 2:1 to	4:1.	
		sections for ramps and Y lines. For	any additional informa	ation on typical cro	ss sections, please				
		see Roadway plans. The proposed	I bridge typical is norm	al crown, consistir	ng of six 12' lanes with				
		6 paved shoulder and 22 median w	ween 6:1 and 2:1	irrier rails for a tota	I out-to-out width of				
Annual Avg Dailv Tr	affic (veh/hr/dav):	Design/Euture:	17800	Year [.]	2044	Existing		14500	
General Proje	ect Narrative:	State project BR-0015 will consis	st of replacing the st	ructurally deficier	nt NCDOT bridges #	280067 and #280)068 on L	IS 29/ US 70/ I-85 B	us NB/SB c
		maximum extent practicable with system. The existing 54" pipe wil headwall and endwall constructed erosion identified during a field re- banks of the unnamed tributary (a allow for stormwater treatment be Utilities Note: Within the project I currently shown on the permit dra station and upgrade to 4" MDPE	proposed stormwat I be with lined with a d.The existing pipe of eview justifies the co approximately 114 for efore water makes it imits, the Lexington awings are due to th along National Drive	er systems conv a CIPP liner to re carries the unnar onstruction of dov eet) until it meets ts way into the ju Gas relocations e project itself. C e to Center Stree	eying water to existi pair interior damage ned tributary under t vnstream bank stabi a up with Micheal Bra risdictional streams. do not impact the ju Capital improvements t.	ng outlets where to the pipe, with the project corrido lization. The limits anch. Skimmer ba risdictional sites (s will be construct	they will I a propose or that ulti s of this b asins will (Michael's ted by Le	be discharged to ove ed downstream exte imately ends with the bank stabilization will be utilized at 16+85 is Branch and the UT xington Gas outside	rland flow o nsion appro confluence be propose -L-RT, 21+5 to Michael's the project l

		And Company	a cardina de la
,	1	of	11
	Date:	5/21/2024	
٦	2' paved sho	oulders. Exi	sting side
	Year	. 20	22
	over SR 119	2 (W. 5th A	ve). The
w	een 6:1 and	2:1, with th	e tho
C	or tie into exis	sting draina	ige
O	ximately 10	feet, and ha	ave a
Ce Se	ed on both th	e left and r	ight
+{	58 -L-RT, an	d 10+71 -L	PB-RT to
el'	s Branch) ar	nd the only	impacts
t	limits to loca	ate a new re	gulator

North Carolina Department of Transportation Highway Stormwater Program STORWATER MAAGE MENT PLAN DR NODT PROJECTS Wester Sold (2011) DRR NODT PROJECTS WSS Element: BR-0015 Stratew Mater Dody (1): Strate Marka Carolina Department of Transportation Surface Water Body (1): Michael Branch Surface Water Classification for Water Body Primary Classification:: NCDWR Stream Index No.: 12-113-3 PCFWR Stream Index No.: 12-113-3 Other Stream Classification: None Augustic T&E Species? None Augustic T&E Species? None Project Includes Bridge Spanning Water Body? No Other Stream Classification in the General Project Narrative) (If yes, provide justification in the General Project Narrative) Surface Water Body (2): No Other Stream Classification in the General Project Narrative) (If yes, provide justification in the General Project Narrative) Surface Water Body (2): None If yes, describe in the General Project Narrative) Surface Water Classification for Water Body Primary Classification: None Surface Water Classification in the General Project Narrative) (If yes, describe in t								SHOW NORTH CARD	A A A A A A A A A A A A A A A A A A A
WBS Element: BR-0015	TIP/Proj No.:	BR-0015			Page 2	of	11		
Waterbody Information Surface Water Body (1): Michael Branch NCDWR Stream Index No.: 12-113-3								5/21/2024	
Version 3.00; Released August 2021) WBS Element: BR-0015 TIP/Proj No.: BR-0015 Surface Water Body (1): Mill Surface Water Body (1): Mill None Impairments: None Aquatic T&E Species? No Comm None Aquatic T&E Species? No Comm NRTR Stream ID: Project Includes Bridge Spanning Water Body? No Other Stream Classification in the General Project Narrative) Surface Water Body (2): None None (If yes, provide justification for Water Body? Other Stream Classification: None Impairments: Of replacing the structural Aquatic T&E Species? Comm None Impairments: Of replacing the structural Aquatic T&E Species? Comm None Impairments: Comm		Michae	l Branch	NCDWR Stream Ir	ndex No.:		12-113-3		
NCDWR Surface Water Classification for Water Body			Primary Classification: Supplemental Classification:	Class None	C				
Other Stream Classification:	Non	e							
Impairments:	Non	e							
Aquatic T&E Species?	No	Comments:							
NRTR Stream ID:						Buffer Rules in Effect:		N/A	
Project Includes Bridge Spanning Water	r Body?	No	Deck Drains Discharge Over Bu	Iffer?	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 Gene	eral Project Narrative; if	no, justify in the G	General
(If yes, provide justification in the C	General Project Na	rrative)					Project Narrative)		
Surface Water Body (2):				NCDWR Stream Index No.:			[
NCDWR Surface Water Classification for Water Body			Primary Classification:	None					
NCDWR Surface Water Classification for Water Body			Supplemental Classification:	None	9				
Other Stream Classification:	Non	e		-					
Impairments:	of replacing the	e structurally							
Aquatic T&E Species?		Comments:							
NRTR Stream ID:						Buffer Rules in Effect:		N/A	
Project Includes Bridge Spanning Water	r Body?		Deck Drains Discharge Over Bu	Iffer?	No	Dissipator Pads Provided	in Buffer?	No	
Deck Drains Discharge Over Water Body	y?		(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Gene	eral Project Narrative; if	no, justify in the G	General
(If yes, provide justification in the C	General Project Na	rrative)					Project Narrative)		
				1					
Surface Water Body (3):			Γ	NCDWR Stream Ir	ndex No.:				
NCDWR Surface Water Classification for	r Water Body		Primary Classification:						
	•		Supplemental Classification:						
Other Stream Classification:									
Impairments:									
Aquatic T&E Species?		Comments:							
NRTR Stream ID:						Buffer Rules in Effect:			
Burface Water Body (1): Image: Classification for Water Body MCDWR Surface Water Classification for Water Body Non Dether Stream Classification: Non Aquatic T&E Species? No IRTR Stream ID: Project Includes Bridge Spanning Water Body? Deck Drains Discharge Over Water Body? (If yes, provide justification in the General Project Na Surface Water Body (2): Image: Classification for Water Body Deck Drains Discharge Over Water Classification for Water Body Non Deck Drains Discharge Over Water Classification for Water Body Non Deck Drains Discharge Over Water Body? Non Murface Water Body (2): Image: Classification for Water Body Deck Drains Discharge Over Water Body? Non Murface Water Body (2): Image: Classification for Water Body? Deck Drains Discharge Over Water Body? Image: Classification for Water Body? Opther Stream ID: Image: Classification for Water Body? Deck Drains Discharge Over Water Classification for Water Body Image: Classification for Water Body? Dether Stream Classification: Image: Classification for Water Body? Dether Stream ID: Image: Classification for Water Body? Dether Stream ID: Image: C			Deck Drains Discharge Over Bu	Iffer?		Dissipator Pads Provided	in Buffer?		
Deck Drains Discharge Over Water Body	y?		(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Gene	eral Project Narrative; if	no, justify in the G	General
(If yes, provide justification in the 0	rrative)					Project Narrative)			







STA. -Y1- 17+47 TO 18+65 RT.

8R-0015 PERMIT NORTH CAROLINA ARTMENT OF TRANSPORTAT HIGHWAY DIVISION 9 ROADWAY DESIGN ENGINEER HYDRAULICS ENGINEER INCOMPLETE PLANS DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED PREPARED BY КС≁ HISINGER CAMPO & ASSOCIATES NC FIRM LICENSE No: C-1506 301 Fayetteville Street, Suite 1500 Raleigh, NC 27601 (919)882-7839 REVISIONS













			WF					S SUMMAR	RY			
				WE	TLAND IMP	ACTS			SURFACE	WATER IM	PACTS	
			Permanent	Temp.	Excavation	Mechanized	Hand Clearing	Permanent	Temp.	Existing	Existing Channel	Natural
Site	Station	Structure	Fill In	- Fill In	in	Clearing	in	SW	sw	Impacts	Impacts	Stream
No.	(From/To)	Size / Type	Wetlands	Wetlands	Wetlands	in Wetlands	Wetlands	impacts	impacts	Permanent	Temp.	Design
			(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ft)	(ft)	(ft)
1	-Y2-11+14 / 11+21 LT	CIPP Liner Installation (Dewatering)							< 0.01		33	
1	-Y2-11+14 / 11+21 LT	Bank Stabilization						< 0.01		6		
2	-Y1- 17+64 / 17+80 RT	Ex. Pipe Extension / Endwall Construction						< 0.01		15	0	
2	-Y1- 17+72 / 18+58 RT	Bank Stabilization						0.02		117		
3	-Y1- 18+58 / 18+71 RT	Bank Stabilization						< 0.01	< 0.01	47	35	
TOTAL	S*:							0.03	< 0.01	185	68	0
			•									
*Roun	ded totals are sum of act	ual impacts										
NOTES	:											
			Si Si	ite 1 Permar Site 1 Tempo ite 2 Permar	nent Surface \ prary Surface nent Surface \	Water Impacts: Water Impacts Water Impacts:	39.2 148.1 1036.7	sq. ft. sq. ft. sq. ft.	NC DE	PARTMENT O DIVISION OI 12/12	F TRANSPC F HIGHWAY 2/2024	RTATION S
			S	ite 3 Permar Site 3 Tempo	prary Surface V	Water Impacts: Water Impacts	252.6 139.4	sq. π. sq. ft.		DAVI BR-(DSON 0015	

SHEET

11

OF

11

Mitigation

ROY COOPER Governor MARY PENNY KELLEY Secretary MARC RECKTENWALD Director



December 12, 2024

Mr. Jamie Lancaster, P.E. Environmental Analysis Unit North Carolina Department of Transportation 1598 Mail Service Center Raleigh, North Carolina 27699-1598

Dear Mr. Lancaster:

Subject: Mitigation Acceptance Letter:

TIP Project BR-0015 – Replace Bridge Numbers 280067 and 280068 on I-85 Business over SR 1192, Davidson County

The purpose of this letter is to notify you that the North Carolina Division of Mitigation Services (NCDMS) will provide the mitigation for the subject project. Based on the information received from you on December 10, 2024, the impacts are located in CU 03040103 of the Yadkin River basin in the Central Piedmont (CP) Eco-Region, and are as follows:

Yadkin		Stream			Buffer (Sq. Ft.)			
03040103	Cold	Cool	Warm	Riparian	Non-Riparian Coastal Mar		Zone 1	Zone 2
Impacts (feet/acres)	0	0	15.000	0	0	0	0	0

NCDMS commits to implementing sufficient mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of the In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from NCDEQ – DMS.

If you have any questions or need additional information, please contact Ms. Beth Harmon at 919-707-8420.

Sincerely,

lizabeth Harmon

Elizabeth A. Harmon DMS NCDOT ILF Coordinator

cc: Mr. Scott Jones, USACE Ms. Kristie Carpenter, NCDWR Mr. Brad Chilton, NCDOT – EAU File: BR-0015



North Carolina Department of Environmental Quality | Division of Mitigation Services 217 West Jones Street | 1652 Mail Service Center | Raleigh, North Carolina 27699-1652 919.707.8976

Protected Species/ Section 7



STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER GOVERNOR J.R. "JOEY" HOPKINS Secretary

November 25, 2024

Ms. Janet A. Mizzi Field Office Supervisor US Fish and Wildlife Service 160 Zilicoa Street Asheville, NC 28801

Subject:	Section 7 Concurrence Request for Replacement of Bridge No. 67 (NB) and Bridge No. 68 (SB) on US 29/US 70/I-85 Business over SR 1192 (W. Fifth Ave.),
	Davidson County, Division 9, WBS No. 67015.1.1, TIP BR-0015.

Reference: Bat Survey Report, dated November 25, 2024 Schweinitz's sunflower Survey Memo, dated October 16, 2023

Dear Ms. Mizzi:

The purpose of this letter is to request concurrence from the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.) (ESA). The North Carolina Department of Transportation (NCDOT) proposes replacement of Bridge No. 67 (NB) and Bridge No. 68 (SB) on US 29/US 70/I-85 Business over SR 1192 (W. Fifth Avenue), Davidson County.

As of October 10, 2024, the USFWS's Information for Planning and Consultation (IPaC) lists the following federally protected species in the project area.

Scientific Name	Common Name Federal Status		Habitat Present	Biological Conclusion	
Helianthus schweinitzii	Schweinitz's sunflower	E	Yes	No Effect	
Perimyotis subflavis	Tricolored bat	PE	Yes	MA-NLAA	

E: Endangered; PE: Proposed Endangered

MA-NLAA: May Affect - Not Likely to Adversely Affect

Species Summary – Bats

On July 29, 2024, VHB biologists assessed all the structures in the project study area. Two bridges and all the culverts (three) meeting NCDOT's Standard Operating Procedures for Preliminary Bat Habitat Assessments were surveyed within the project area. This survey found no evidence of bats

(bats, staining, guano) using these structures. There are no known caves or mines within one half mile of the project footprint and no caves or mines were observed during the field visit. Foraging, roosting, and commuting habitat were identified within the study area for tricolored bats during the surveys.

Trees greater than 3"dbh occur within the project footprint. Tree clearing is expected to occur outside of the tricolored bat maternity season when bats may be non-volant, therefore, avoiding direct impacts to species unable to fly. Tree clearing can be completed during the inactive season based on the current schedule, this includes work for utilities. Bats may experience indirect effects to their roosting behavior in the form of habitat loss within the cracks and crevices of trees that are cut down as part of road widening activities. If bats were potentially using the trees as roosting habitat and less trees are available to roost the following year when they return, there would be an indirect loss due to vegetation removal. These potential effects from bats choosing alternate roosting areas are expected to be insignificant due to the availability of alternative roosts in the surrounding landscape.

Crevices or rough surfaces suitable for roosting are present on some of the structures. Little to no impacts are expected from culvert work due to other available culverts and the lack of any bat usage within the culverts in the project area.

There is potential for blasting for BR-0015. There is potential for a variety of tools that will be vibratory or percussive in nature to be used during project construction including but not limited to pneumatic wrenches, pile drivers and jackhammers. The maximum noise level for activities that will occur as part of this project is 101-110 dBA, attributed to a combination of tools listed above. Bats exposed to the noise associated with this project are not anticipated to respond in a meaningful or detectable manner as this is below the noise level matching natural background sounds (i.e., thunder, 110 dBA).

Permanent roadway lighting does exist in the project area. New lighting will be installed to replace the old with downcast lighting to reduce backlighting and glare. Temporary lighting is anticipated but will be directed to the active work area and will be turned off when not in use. This will be used intermittently throughout the project, and some temporary lighting will likely occur during the tricolored bat active season in North Carolina.

Species	Federal Status	Habitat Present ¹	Biological Conclusion	Distance to Nearest Record ²
PESU	Proposed Endangered	Yes	MA-NLAA	25 miles SE

¹ Detailed habitat information shown in Table below

² Nearest know record from latest NHP, WRC, or NCDOT data

PESU = Perimyotis subflavis (tricolored bat)

MA-NLAA – May Affect-Not Likely to Adversely Affect

Presence (\checkmark)	or Probable Absence	(X) of	various hat	oitat types	for bat sp	pecies	present in p	project area.
-------------------------	---------------------	--------	-------------	-------------	------------	--------	--------------	---------------

Species	Summer	Roosting	Winter	Foraging	Commuting Habitat	
	Tree	Structure	Roosting	Habitat		
PESU	\checkmark	\checkmark	\checkmark	\checkmark	\checkmark	

PESU = Perimyotis subflavis (tricolored bat)

Given the proposed conservation measures regarding time of year restrictions on tree clearing, the construction of BR-0015 is not expected to result in adverse effects to tricolored bat commuting, foraging or roosting habitat. The proposed project "May Affect, Not Likely to Adversely Affect" PESU.

Pursuant to the ESA Handbook Section 3.5, NCDOT does not request concurrence from the USFWS for the remaining species, but identifies it in the Table below:

Scientific Name	Common Name	Federal Status	Survey Date(s)	Habitat Present	Biological Conclusion
Helianthus schweinitzii	Schweinitz's sunflower	Е	9-19-2018; 9-21-2023	Yes	No Effect

E: Endangered

NCDOT, under the delegation authority provided in 50 CFR § 402.08 by the Federal Highway Administration (FHWA), believes that the requirements of Section 7(a)(2) of the ESA have been satisfied and hereby request your concurrence.

If you have any questions, please contact Bill Barrett at <u>wabarrett@ncdot.gov</u> or 919-707-6103.

Sincerely,

William A. Barrett

William A. Barrett Environmental Coordinator Environmental Analysis Unit

Enclosures: Bat Survey Report, dated November 25, 2024 Schweinitz's sunflower Survey Memo, dated October 16, 2023

ec: Ms. Holland Youngman, USFWS Ms. Amy Euliss, NCDOT Division 9 Mr. George M. Boules, PE, NCDOT PMU Mr. Tyler Stanton, NCDOT EAU-BSG <u>ecap@ncdot.gov</u>



STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER GOVERNOR J.R. "JOEY" HOPKINS Secretary

November 25, 2024

TO: William Barrett, Environmental Program Consultant Environmental Coordination & Permitting Group, EAU

- FROM: Chris Manley, Environmental Program Consultant Biological Surveys Group, EAU
- SUBJECT: Section 7 survey results for the tricolored bat (*Perimyotis subflavus*, *PESU*) associated with the proposed bridge replacements (280067 and 280068) on US 29/US 70/I-85 Business over SR 1192 (West 5th Avenue) in Davidson County, North Carolina, **TIP No. BR-0015.**

The North Carolina Department of Transportation (NCDOT, Division 9) proposes to replace Bridge Nos. 280067 and 280068 on US 29/US 70/I-85 Business over SR 1192 (West 5th Avenue), in Davidson County, North Carolina; TIP No. BR-0015.

On July 29, 2024, VHB biologists assessed all the structures in the project study area. Two bridges and all the culverts (three) meeting NCDOT's Standard Operating Procedures for Preliminary Bat Habitat Assessments were surveyed within the project area. This survey found no evidence of bats (bats, staining, guano) using these structures. There are no known caves or mines within one half mile of the project footprint and no caves or mines were observed during the field visit. Foraging, roosting, and commuting habitat were identified within the study area for tricolored bats during the surveys.

As of November 25, 2024, the following federally protected bat species are listed in IPaC (<u>https://ipac.ecosphere.fws.gov/</u>) as occurring in the action area:

Species	Federal Status	Habitat Present*	Biological Conclusion	Distance to Nearest Record**	
PESU	PE	Yes	MANLTAA	25 miles SE	

*See detailed habitat information in table below

**Nearest known record from latest NHP, WRC, or NCDOT data

MANLTAA=May Affect Not Likely To Adversely Affect

Telephone: (919) 707-6000 Customer Service: 1-877-368-4968 Website: www.ncdot.gov *Location:* 1000 BIRCH RIDGE DRIVE RALEIGH NC 27610

Presence (\checkmark) or Probable Absence (X) of various habitat types for bat species present in project area.

Snecies	Summer	Roosting	Winter	Foraging	Commuting Habitat	
species	Tree	Structure	Roosting	Habitat		
PESU	\checkmark	\checkmark	\checkmark	\checkmark	\checkmark	

Trees greater than 3"dbh occur within the project footprint. Tree clearing is expected to occur outside of the tricolored bat maternity season when bats may be non-volant, therefore, avoiding direct impacts to species unable to fly. Tree clearing can be completed during the inactive season based on the current schedule, this includes work for utilities. Bats may experience indirect effects to their roosting behavior in the form of habitat loss within the cracks and crevices of trees that are cut down as part of road widening activities. If bats were potentially using the trees as roosting habitat and less trees are available to roost the following year when they return, there would be an indirect loss due to vegetation removal. These potential effects from bats choosing alternate roosting areas are expected to be insignificant due to the availability of alternative roosts in the surrounding landscape.

Crevices or rough surfaces suitable for roosting are present on some of the structures. Little to no impacts are expected from culvert work due to other available culverts and the lack of any bat usage within the culverts in the project area.

There is potential for blasting for BR-0015. There is potential for a variety of tools that will be vibratory or percussive in nature to be used during project construction including but not limited to pneumatic wrenches, pile drivers and jackhammers. The maximum noise level for activities that will occur as part of this project is 101-110 dBA, attributed to a combination of tools listed above. Bats exposed to the noise associated with this project are not anticipated to respond in a meaningful or detectable manner as this is below the noise level matching natural background sounds (i.e., thunder, 110 dBA).

Permanent roadway lighting does exist in the project area. New lighting will be installed to replace the old with downcast lighting to reduce backlighting and glare. Temporary lighting is anticipated but will be directed to the active work area and will be turned off when not in use. This will be used intermittently throughout the project, and some temporary lighting will likely occur during the tricolored bat active season in North Carolina.

Given the proposed conservation measures regarding time of year restrictions on tree clearing, the construction of BR-0015 is not expected to result in adverse effects to tricolored bat commuting, foraging or roosting habitat. The proposed project "May Affect, Not Likely to Adversely Affect" PESU.

If you need any additional information, please contact Chris Manley at 919-707-6127.





STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER GOVERNOR J.R. "JOEY" HOPKINS Secretary

DATE:	October 16, 2023
TO:	William Barrett Environmental Program Consultant Environmental Coordination & Permitting Group
FROM:	Anne Burroughs Environmental Scientist II Biological Surveys Group
SUBJECT:	Schweinitz's Sunflower (<i>Helianthus schweinitzii</i>) Survey Memorandum for TIP No. BR-0015, WBS 67015.1.1, in Davidson County, North Carolina

The North Carolina Department of Transportation (NCDOT) is proposing to replace Bridge No. 280067 and 280068 on I-85 BUS over SR 1192 (West 5th Avenue) in Davidson County, North Carolina. The project vicinity map is shown in the attached Figure 1, from the Natural Resources Technical Report (NRTR). A review of the Information for Planning and Consultation database (IPaC) conducted on October 2, 2023, confirmed the Federally Endangered Schweinitz's Sunflower could occur in the project study area.

NCDOT biologists Jared Gray, Matt Haney, and Anne Burroughs, and Transportation Engineering Associates Chris Arnette and Mohammad Haidari visited the BR-0015 study area on September 21, 2023, to update protected species surveys for Schweinitz's Sunflower. The previously completed survey was conducted by Three Oaks Engineering Inc. on September 19, 2018.

The project has marginal habitat for Schweinitz's Sunflower in the form of roadside rights-ofway, which can be observed in the NRTR mapped terrestrial communities (shown in attached NRTR Figure 4). Although the whole project was reviewed from vehicles, observed potential habitats were surveyed on foot. On-site field surveys of all potential habitat found these areas to be either overrun with kudzu or mowed. No Schweinitz's' Sunflower was found in the project area. A review of the North Carolina Natural Heritage Program (NCNHP) July 2023 dataset conducted on October 2, 2023, indicates that no known Schweinitz's Sunflower occurrences are located within one mile of the project study area.

Due to the negative survey results of this survey and no known occurrences within one mile, the Biological Conclusion rendered for Schweinitz's Sunflower is "No Effect."

Telephone:919-707-6000

Customer Service: 1-877-368-4968

Location: 1000 BIRCH RIDGE DRIVE RALEIGH, NC 27610

Website: ncdot.gov

The previously completed Schweinitz's Sunflower survey had the same biological conclusion.

Please let me know if you have any questions or require any additional information.

Anne Burroughs

Attached Maps from:

Natural Resources Technical Report, Replacement of Bridge Nos. 67 and 68 on US 29/US 70/I-85 BUS. NB/SB over SR 1192 (W. 5th Avenue) Davidson County, North Carolina STIP BR-0015 WBS Element No. 67015.1.1 The North Carolina Department of Transportation Environmental Coordination and Permitting, December 2018.

Figure 1. Vicinity Map Figure 4. Terrestrial Communities Map





Archaeology

18-01-0038



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:	BR-0015		Count	<i>v</i> :	Davi	idson	
WBS No:	67015.1.1		Docun	nent:	MC	С	
<i>F.A. No:</i>	na		Fundii	ng:	$\boxtimes S$	tate	E Federal
Federal Permit Requ	uired?	Xes Yes	🗌 No	Permit Ty	vpe:	NWP	

Project Description: The North Carolina Department of Transportation (NCDOT) Division 9 intends to replace Bridge Nos. 67 and 68 on I-85 Business over SR 1192, Old Highway 64 in Lexington. In February 2018, an area of potential effects was established, prior to the development of conceptual plans, that encompassed approximately 113.1 acres (nearly 45.77 hectares). As outlined below, this large APE was recommended for further archaeological investigation. However, in August 2019, conceptual designs were made available that allowed for refinement of the APE based on proposed alternatives, cut-and-fill lines, and existing rights-of-way (ROW). This revised APE is estimated to encompass 27.4 acres (nearly 11.09 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 (OSA) was conducted on February 19, 2018. No previously recorded archaeological resources are located within the proposed APE. An archaeological survey for US 52 to the west of Lexington (and the current APE) was conducted by NCDOT archaeologists in 1986 (Padgett: 3). Two sites appear to have been recorded during those efforts in the vicinity of the current project: site 31DV355 and site 31DV356. Both of these sites were described as Archaic period lithic sites on uplands overlooking an unnamed tributary of Michael Branch (Padgett 1986: 5). Neither site was considered to be archaeologically significant at the time. As a result of similar landforms and soil conditions observed in the 2018 APE and the archaeological survey for US 52, the proposed APE for the replacement of Bridge Nos. 67 and 68, was recommended for a reconnaissance investigation, followed by intensive archaeological survey in appropriate areas.

An examination of the data presented on the North Carolina State Historic Preservation Office HPOWEB GIS Service (<u>http://gis.ncdcr.gov/hpoweb/</u>) reveals a large number of recorded historic property locations within .5-mile of the proposed project, including: the former location of the National Register-listed Henry Shoaf Farm (DV0342); the A. N. Sink farm (DV0330); the former location of a historic house (DV1162) as well as the houses within the National Register-listed Lexington Residential Historic District (DV0992); the former location of the Winston-Salem Southbound Railroad depot (DV0031); and historic bridges (i.e. DV0017), including the bridges on I-85 Business over Old Highway 64.

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 fall within the delineated APE: Cecil sandy loam, 2 to 8 percent slopes (CcB); Cecil sandy loam, 8 to 15 percent slopes (CcD); Chewacla loam, 0 to 2 percent slopes, frequently flooded (ChA);

1 of 3
Mecklenburg loam, 2 to 8 percent slopes (MeB); Mecklenburg loam, 8 to 15 percent slopes (MeD); Pacolet sandy loam, 15 to 25 percent slopes (PaE); Udorthents, loamy (Ud); and Urban land (Ur).

No further archaeological investigations are required for the project within the area established as the APE for the project as it is currently described. The project, as currently delineated by the APE, is considered compliant with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, as well as North Carolina General Statute 121-12(a). Should the project expand beyond the areas currently encompassed by the archaeological APE as defined in this review, additional consultation with be required. In the unlikely event that historic cultural materials are encountered during the course of the project, all work should cease in the associated area and this office should be contacted immediately.

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

Unlike the original APE, most of the current (updated) APE fall within existing ROW for I-85, SR 1192, SR 1291, SR 1276, or SR 1277. The most notable exception (but not the sole exception) to this generalization is the area west of the southbound on-ramp from SR 1192 to I-85. Much of this area have likely been disturbed by residential properties in the area. Portions of the APE have might have relatively less disturbance than others are likely to be small and are not expected to contain archaeological sites of significance.

References Cited:

Padgett, T. J.

1986 Archaeological Survey, US 52 from SR 1815 North of Welcome to US 29-70 South of Lexington, Davidson County, Project R-74. Ms. on file, Environmental Analysis Unit, North Carolina Department of Transportation, Raleigh.

SUPPORT DOCUMENTATION

See attached:

Map(s) Previous Survey Info

Photos

Correspondence

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED

August 23, 2019

Date

NCDOT ARCHAEOLOGIST

18-01-0038



Aerial photograph depicting the location for the APE (green lines) for the proposed replacement of Bridge Nos. 67 and 68 on I-85 Business over SR 1192.

Soil Map-Davidson County, North Carolina (Revised Replacement of Bridge Nos. 67 & 68)



National Cooperative Soil Survey

Conservation Service

8/22/2019 Page 1 of 3

	MAP LEGEND			MAP INFORMATION		
Area of Inte	e rest (AOI) Area of Interest (AOI)	8	Spoil Area Stony Spot	The soil surveys that comprise your AOI were mapped at 1:24,000.		
Solis ~~ D Special P	Soil Map Unit Polygons Soil Map Unit Lines Soil Map Unit Points Point Features	© ☆ ~	Very Stony Spot Wet Spot Other Special Line Features	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.		
Special P Special P S S S S S S S S S S S S S	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	Water Fea	Atures Streams and Canals Streams and Canals Station Rails Interstate Highways US Routes Major Roads Local Roads Aerial Photography	 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 19, Sep 10, 2018 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. 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					
СсВ	Cecil sandy loam, 2 to 8 percent slopes	5.4	19.7%					
CcD	Cecil sandy loam, 8 to 15 percent slopes	3.8	13.9%					
ChA	Chewacla loam, 0 to 2 percent slopes, frequently flooded	0.5	1.8%					
MeD	Mecklenburg loam, 8 to 15 percent slopes	0.2	0.9%					
PaE	Pacolet sandy loam, 15 to 25 percent slopes	0.0	0.1%					
Ud	Udorthents, loamy	12.3	45.0%					
Ur	Urban land	5.1	18.6%					
Totals for Area of Interest		27.4	100.0%					

Historic Architecture and Landscapes



Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges

Federal Highway Administration (FHWA)-NC Division & North Carolina Department of Transportation (NCDOT)

STIP Project Nos.	BR-0015
WBS Element	67015.1.1
Federal Aid Project No.	TBD

Project Description

NCDOT Project BR-0015 proposes to replace Bridge Nos. 67 and 68 on US 29/US 70 over S.R. 1192 (W. 5th Avenue) in Davidson County, North Carolina (Figures 1 and 2). The project will remove the existing bridges and replace them with new bridges in their existing locations. In addition to the replacement of the existing bridges, the project will provide interchange improvements at the US 29/US 70 at W. 5th Avenue interchange.

The bridges will be replaced with one structure. Each travel direction will include two 12-foot travel lanes and a 12-foot right-turn only lane as well as a 6-foot outer shoulder. A 22-foot median separates the northbound and southbound traffic. The median includes two 10-foot inside shoulders separated by a 2-foot concrete barrier. The replacement bridges will be constructed using phased construction. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and to maintain twoway traffic on one bridge as the other bridge is demolished and replaced.

The study area extends north and south along US 29/US 70 for approximately 2,100 feet in each direction. The study area also extends east and west along W. 5th Avenue for approximately 1,300 feet in each direction to allow for ramp improvements.

Description of the 4(f) Resource

Two "Determined Eligible" properties for the National Register of Historic Places (NRHP) are within the study area. Bridge Nos. 67 and 68, both three-span, 115-foot long, steel stringer/multi-beam structures, are components of the Lexington Bypass (1949-1952), the oldest and most complete example of a limited access highway in North Carolina. The bridges are considered eligible for the NRHP under Criterion A and C as contributing resources to the Lexington Bypass.

A Section 106 Effects Consultation occurred on February 23, 2023. FHWA, NCDOT, and HPO determined that this project will have an adverse effect on Bridge Nos. 67 and 68 due to their removal and replacement. A Memorandum of Agreement for Section 106 compliance was signed on October 11, 2023 by FHWA, NCDOT and SHPO. Project commitments are established and include the following:

- Photodocumentation
- Context for Interstate Highways

Applicability of Project for Programmatic Section 4(f) Evaluation:

1. Is the bridge to be replaced or rehabilitated with Federal funds?	☑ YES	
2. Does the project require the use of a historic bridge structure which is on or is eligible for listing on the National Register of Historic Places?	☑ YES	□ NO
3. Is the bridge a National Historic Landmark?	□ YES	⊠ NO
4. Has the Federal Highway Administration (FHWA) Division Administrator determined that the facts of the project match those set forth in the <u>Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that</u> <u>Necessitate the Use of Historic Bridges</u> under Alternatives, Findings, and Mitigation?	☑ YES	□ NO
5. Has agreement among the FHWA, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) been reached through procedures pursuant to Section 106 of the National Historic Preservation Act (NHPA)?	☑ YES	□ NO

If any grey shaded boxes are marked, this Programmatic Section 4(f) Evaluation cannot be used.

Alternatives Considered and Findings

NCDOT evaluated the following alternatives and found them to not be feasible and prudent:

1. Do Nothing.

Finding:

Bridge Nos. 67 and 68 are structurally deficient bridges.

NCDOT Structures Management Unit records from March 2022 indicate Bridge No. 67 currently has a sufficiency rating of 45 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

NCDOT Structures Management Unit records from March 2022 indicate Bridge No. 68 currently has a sufficiency rating of 48 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

Do Nothing Alternative is not a viable option because it would pose serious and unacceptable safety hazards.

2. Build on New Location Without Using the Old Bridge.

Finding:

US 29/70 is a Principal Arterial with a 60-mile per hour design speed. This highway has 13,900 vehicles per day (vpd) in 2018 and predicted to increase to 18,700 vpd in 2045. Replacing the bridges on new

location and preserving the old bridges would not be feasible due to the high traffic volumes and adjacent commercial and residential properties that would suffer from adverse social and economic impacts. The cost and engineering difficulties would reach extraordinary magnitudes by rerouting the highway. The replacement bridges will be constructed using phased construction in the same location as the old bridges. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and two-way traffic will travel on the existing bridge in Stage 1 prior to demolishing the existing bridge in Stage 2.

3. Rehabilitation Without Affecting the Historic Integrity of the Bridge.

Finding:

Rehabilitation would not alleviate the structural deficiency or functionally obsolete characteristics of each bridge. Furthermore, the replacement structure will be extended to accommodate a berm width along W. 5th Avenue for a future sidewalk.

Measures to Minimize Harm

An agreement among the NCDOT, HPO, ACHP, and FHWA was reached through the Section 106 process of the NHPA on measures to minimize harm. Those measures will be incorporated into the project. Measures to minimize harm are included in the Section 106 MOA, found in Appendix A.

Coordination

The Catawba Indian Nation (THPO) has expressed no specific concerns about the undertaking. To date no consulting or other interested parties have come forward. The signatory parties for the MOA will be NCDOT, HPO, and FHWA (lead federal agency). NCDOT has completed coordination for the proposed project with the HPO, ACHP, and FHWA. Correspondence relevant to the Section 106 process and this Section 4(f) programmatic evaluation are attached in Appendix B.

The FHWA and NCDOT will ensure that the following measures are carried out:

Photodocumentation

Prior to the initiation of construction, the NCDOT will record the existing condition of Davidson County Bridge Numbers 67 and 68 in accordance with the Historic Structures and Landscape Recordation Plan. Copies of the documentation will be deposited in the files of the North Carolina State Historic Preservation Office and the NCDOT Environmental Analysis Unit.

Context for Interstate Highways

Beginning in the early 2000s, NCDOT, in cooperation with the SHPO and FHWA, has created and maintained the North Carolina Historic Bridge Inventory. A companion website is the public face of the inventory and related research findings. NCDOT will add new online commentary expanding both state and national contexts to the sections addressing interstate highways and their bridges.

Summary and Approval

This project meets all criteria included in the <u>Programmatic Section 4(f) Evaluation and Approval</u> for FHWA Projects that Necessitate the Use of Historic Bridges. NCDOT has evaluated all required alternatives and the findings made are clearly applicable to this project. There are no feasible and prudent alternatives to the use of the historic bridge. The project includes all possible planning to minimize harm, and there are assurances that the measures to minimize harm will be incorporated in the project.

All appropriate coordination has been successfully completed.

This approval is made Pursuant to Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303, and Section 18(a) of the Federal-Aid Highway Act of 1968 23 U.S.C. 138.

Prepared By:

Jennifer Hernandez

Jennifer Hernandez, PE, NCDOT Project Management Unit

Approved By:

DocuSigned by: Clarence W Coleman Mr.

Clarence Coleman, PE, Federal Highway Administration Preconstruction and Environment Director

Attachments

Figure 1 – Vicinity Map Figure 2 – Project Study Area/Environmental Features Map Appendix A – Electronic Section 106 Documentation Submittal System (e106) Form and MOA Appendix B – Section 106 Coordination Correspondence

Figures





DAVIDSON COUNTY NORTH CAROLINA

Date:

JUNE 2023

Appendix A



Advisory Council on Historic Preservation Electronic Section 106 Documentation Submittal System (e106) Form *MS Word* format

Send to: e106@achp.gov

Please review the instructions at <u>www.achp.gov/e106-email-form</u> prior to completing this form. Questions about whether to use the e106 form should be directed to the assigned ACHP staff member in the Office of Federal Agency Programs.

I. Basic information

- 1. Purpose of notification. Indicate whether this documentation is to:
 - Notify the ACHP of a finding that an undertaking may adversely affect historic properties
 - Invite the ACHP to participate in a Section 106 consultation
 - □ Propose to develop a project Programmatic Agreement (project PA) for complex or multiple undertakings in accordance with 36 C.F.R. 800.14(b)(3)
 - □ Supply additional documentation for a case already entered into the ACHP record system
 - □ File an executed MOA or PA with the ACHP in accordance with 800.6(b)(iv) (where the ACHP did not participate in consultation)
 - \Box Other, please describe

Click here to enter text.

2. ACHP Project Number (If the ACHP was previously notified of the undertaking and an ACHP Project Number has been provided, enter project number here and skip to Item 7 below): N/A

- **3.** Name of federal agency (If multiple agencies, list them all and indicate whether one is the lead agency): The Federal Highway Administration (FHWA) is the lead federal agency responsible for Section 106 consultation for the proposed undertaking.
- 4. Name of undertaking/project (Include project/permit/application number if applicable): Replace Davidson County Bridge Numbers 67 and 68 on US 70/US 29/I-85 Business over Secondary Road (SR) 1192 (West 5th Avenue). The undertaking is identified as North Carolina Transportation Improvement Project (TIP) BR-0015, WBS No. 67015.1.1, and PA Project Tracking No. 18-01-0038.
- 5. Location of undertaking (Indicate city(s), county(s), state(s), land ownership, and whether it would occur on or affect historic properties located on tribal lands): The undertaking is located just within the western municipal limits of the city of Lexington in central Davidson County, North Carolina (see Attachment A). It occupies predominantly North Carolina Department of Transportation (NCDOT) right-of-way, but also extends into adjacent, privately held lands. The undertaking will not occur on or affect known historic properties located on tribal lands.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

6. Name and title of federal agency official and contact person for this undertaking, including email address and phone number:

Seth Wilcher Preconstruction and Environment Specialist U.S. Department of Transportation Federal Highway Administration Terry Sanford Federal Building 310 New Bern Avenue, Suite 410 Raleigh, North Carolina 27601 919-747-7019 seth.wilcher@dot.gov

II. Information on the Undertaking

7. Describe the undertaking and nature of federal involvement (if multiple federal agencies are involved, specify involvement of each): NCDOT proposes to use federal funds to replace Davidson County Bridge Numbers 67 and 68. The existing bridges are considered structurally deficient and no longer responsive to maintenance and repair. The proposed undertaking will remove both bridges and build a single structure, as well as remove some and realign other existing entry and exit ramps, on the established alignment (see Attachment A). Staged construction will utilize both the existing and new structures to maintain traffic on half of the bridge while work on the other half proceeds.

8. Describe the Area of Potential Effects (APE): The Area of Potential Effects (APE) for both historic architectural and archaeological resources is described below and delineated on an attached map (Attachment A).

The APE for historic architecture extends approximately 2200 feet north and south along I-85 Business and 1500 feet west and east along SR 1192 (West 5th Avenue) from the center of the existing bridges. The APE for archaeology is smaller, but similarly centered on the existing bridges and encompasses about 27.4 acres, inclusive of the existing roadways.

9. Describe steps taken to identify historic properties: In February of 2018 and August of 2019 an NCDOT architectural historian and archaeologist identified and assessed historic architectural and archaeological resources within the APE established for the undertaking.

Review of existing cultural resources survey data, historic maps and other documentation, current GIS mapping, aerial photography, and tax records for Davidson County, as well as on-site investigation revealed two above-ground resources of significance, Davidson County Bridge Numbers 67 and 68. Both bridges are determined eligible for listing in the National Register of Historic Places (NRHP) (see item 10). Several properties in the APE contain residential and commercial resources dating from the 1920s to the 2000s, all unexceptional examples of their types. The APE

3

is unlikely to contain NRHP-eligible archaeological resources as it is disturbed by the bridge and road building of recent decades and otherwise topographically and geologically inconsistent with the presence of such resources.

10. Describe the historic property (or properties) and any National Historic Landmarks within the APE (or attach documentation or provide specific link to this information): Documentation, on-site investigation, and evaluation of Davidson County Bridge Numbers 67 and 68 occurred as part of the state-wide Historic Bridge Inventory carried out by NCDOT in consultation with the North Carolina State Historic Preservation Office (NCHPO) in 2003-2005. The structures figure among a number of bridges subsequently recommended as eligible for listing in the NRHP, determinations with which NCHPO concurred in 2005. The bridges are assigned state architectural survey site numbers DV1913 and DV1914 and are considered eligible for the NRHP under Criteria A and C as components of the Lexington Bypass (1949-1952), the oldest and most intact example of a limited-access highway in North Carolina. A map illustrating their positions within the proposed National Register boundary of the Lexington Bypass, a potential linear historic district, as well as current photographs, are included in Attachment A.

Davidson County Bridge Numbers 67 and 68, built in 1950, are paired, three-span, 115-foot-long steel stringer/multibeam structures with concrete decks and single-bar concrete railings. The three-mile-long Lexington Bypass, located to the northwest of the city, is characterized by tight ramps, short acceleration/deceleration lanes, concrete curbs and islands at ramps and interchanges, grass infields and medians with central concrete gutters, and, most definitively, frontage roads, which facilitate limited vehicular access to the main roadway. Widened in 1951-1952, the Lexington Bypass is otherwise largely unchanged, retaining its original geometry and receiving routine resurfacing and maintenance and minimal addition of guardrails in later years. In 1956-1957 the Bypass entered the Interstate system as part of I-85, renamed I-85 Business at the relocation of I-85 in 1983. Of the nine original standard overpass bridges, Davidson County Bridge Numbers 67 and 68 will be the third and fourth to be replaced.

Since the late 1910s the state highway department focused on designing and building rural highways, but in the immediate post-war years expanded its efforts by creating a series of linked city bypasses between Greensboro and Charlotte. While Davidson County Bridge Numbers 67 and 68 are not individually distinctive for their technical or aesthetic design, they are contributing elements to a resource of significance in the transportation history of the state. The Lexington Bypass is one of the first projects to address complex, grade-separated interchanges and anticipate the Interstate Highway era in North Carolina.

11. Describe the undertaking's effects on historic properties: NCDOT, NCHPO, and FHWA determined that the undertaking will result in an *adverse effect* to Davidson County Bridge Numbers 67 and 68 (see Attachment B). The undertaking will replace both existing bridges in their entirety.

12. Explain how this undertaking would adversely affect historic properties (include information on any conditions or future actions known to date to avoid, minimize, or mitigate adverse effects): The undertaking will result in an *adverse effect* to Davidson County Bridge Numbers 67 and 68 as it requires their complete replacement with a new structure.

To avoid or minimize harm to Davidson County Bridge Numbers 67 and 68 NCDOT considered several alternatives to the proposed replacement. Neither partial replacement nor rehabilitation of the existing bridges promises to extend their utility or relieve structural problems and current design deficiencies. Relocation is not practicable due to the nature of their construction and condition. Construction of a replacement on a new alignment not only imposes additional environmental impacts and right-of-way acquisition needs, but disrupts an existing road pattern serving high traffic volumes. A "no build" option clearly fails to meet the purpose and need of the undertaking, leaving in place deteriorating structures with insufficiently wide roadways and ultimately necessitating closure of SR 1192 (West 5th Avenue). Replacing the existing bridges in place with a new structure and reconfiguring the surrounding ramps will eliminate inevitable safety and economic impacts and maintain the configuration and function of the roadway.

A Memorandum of Agreement (MOA) will be developed, presenting a plan for mitigating the *adverse effect* to Davidson County Bridge Numbers 67 and 68. At this time, the plan likely will include photo-documentation of both bridges and their surrounds prior to construction and the addition of an interstate highway context to NCDOT's historic bridges website.

13. Provide copies or summaries of the views provided to date by any consulting parties, Indian tribes or Native Hawai'ian organizations, or the public, including any correspondence from the SHPO and/or THPO. NCDOT and NCHPO have concurred with the lead agency's determination of effects. NCDOT, NCHPO, and FHWA will craft an MOA to address the *adverse effect*. The Catawba Indian Nation (THPO) has expressed no specific concerns about the undertaking. To date no consulting or other interested parties have come forward. The signatory parties for the MOA will be NCDOT, NCHPO, and FHWA (lead federal agency) (see Attachment B).

III. Additional Information

14. Please indicate the status of any consultation that has occurred to date, including whether there are any unresolved concerns or issues the ACHP should know about in deciding whether to participate in consultation. Providing a list of consulting parties, including email addresses and phone numbers if known, can facilitate the ACHP's review response. See item 13.

15 Does your agency have a website or website link where the interested public can find out about this project and/or provide comments? Please provide relevant links: The project is part of North Carolina's State Transportation Improvement Program (STIP). Information about projects included in the STIP can be accessed by the public at: https://connect.ncdot.gov.projects/planning/pages/state-transportation-improvement-

program.aspx. Public involvement is solicited for the STIP via open-house events and consultation with various stakeholder groups. Comments on projects in the STIP can be submitted in person, online, or by mail.

16. Is this undertaking considered a "major" or "covered" project listed on the Federal **Infrastructure Projects Permitting Dashboard?** If so, please provide the link: NO.

The following are attached to this form (check all that apply):

- Section 106 consultation correspondence
- Maps, photographs, drawings, and/or plans
- □ Additional historic property information
- □ Consulting party list with known contact information
- **Other:** Click here to enter text.

ATTACHMENT A

Project Location Map

Project Design

Areas of Potential Effects Map

Proposed National Register Boundary for Lexington Bypass

Photographs



August 2023





9



NCDOT – Historic Architecture PA Tracking No. 18-01-0038 January 2023



Davidson County Bridge Numbers 67 and 68 Base map: NCDOT GIS 2023, nts



Davidson County Bridge Numbers 67 and 68 On W. 5th Avenue looking SE (above) and on I-85 Business looking SW (below).



NCDOT – Historic Architecture August 2023



Davidson County Bridge Numbers 67 and 68 On W. 5th Avenue looking NE towards outer elevation of Bridge No. 68 (above) and SW inner elevations of Bridge Nos. 68 (left) and 67 (right) (below).



NCDOT – Historic Architecture August 2023

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. BR-0015 REPLACEMENT OF BRIDGE NUMBERS 67 AND 68 ON US 70/US 29/I-85 BUSINESS OVER SR 1192 (WEST 5TH AVENUE) LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA

WHEREAS, the Federal Highway Administration (FHWA) proposes to fund the replacement of Davidson County Bridge Numbers 67 and 68 over SR 1192 (West 5th Avenue) in Lexington (hereafter, the Undertaking) through the Federal Highway Bridge Replacement and Rehabilitation Program; and

WHEREAS, the FHWA has been designated the lead federal agency for this Undertaking with regard to compliance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); 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. § 306108); and

WHEREAS, the FHWA has determined that the Undertaking will have an adverse effect upon Davidson County Bridge Numbers 67 and 68, properties 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 **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 Davidson County Bridge Numbers 67 and 68.

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 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108).

- I. Davidson County Bridge Numbers 67 and 68.
 - A. Photodocumentation. Prior to the initiation of construction, the NCDOT will record the existing condition of Davidson County Bridge Numbers 67 and 68 in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A). Copies of the documentation will be deposited in the files of the North Carolina State Historic Preservation Office and the NCDOT Environmental Analysis Unit.
 - B. Context for Interstate Highways. Beginning in the early 2000s, NCDOT, in cooperation with the North Carolina State Historic Preservation Office and the North Carolina Division of FHWA, has created and maintained the North Carolina Historic Bridge Inventory. A companion website is the public face of the inventory and related research findings. NCDOT will add new online commentary expanding both state and national contexts to the sections addressing interstate highways and their bridges.
- II. Unanticipated Discovery.

In accordance with 36 CFR 800.13(b), if the NCDOT identifies additional cultural resources during construction all work will be halted within the limits of the resource(s) and the FHWA will be contacted. The FHWA will initiate the appropriate agency and/or Tribal coordination required for a determination of eligibility or recovery effort. If after consultation between the Signatories additional mitigation is determined necessary, the NCDOT, in consultation with the other Signatories, will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70. If human remains are associated with Native American occupation, NCDOT and

the FHWA will consult with the appropriate tribe prior to the development and execution of a treatment plan.

III. Dispute Resolution.

Should any of the Signatories 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 Signatories 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). This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy, signed by all of the Signatories, is filed with the ACHP. If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation III will be followed.

V. Termination.

Any of the Signatories 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 the FHWA, in consultation with the other Signatories, determines that all of its terms have been fulfilled satisfactorily or if NCDOT is unable or decides not to construct the Undertaking. However, if the terms of the MOA are not carried out within five (5) years from the date of its execution, the MOA will expire. Prior to such time, the FHWA may consult with the other Signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation IV above.

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 Davidson County Bridge Numbers 67 and 68.

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. BR-0015 REPLACEMENT OF BRIDGE NUMBERS 67 AND 68 ON US 70/US 29/I-85 BUSINESS OVER SR 1192 (WEST 5TH AVENUE) LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA

SIGNATORY: Federal Highway Administration

Clarene W. Obleman, B.

10/10/2023

Yolonda Jordan North Carolina Division Administrator Federal Highway Administration Date

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. BR-0015 REPLACEMENT OF BRIDGE NUMBERS 67 AND 68** ON US 70/US 29/I-85 BUSINESS OVER SR 1192 (WEST 5TH AVENUE) LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA

SIGNATORY: North Carolina State Historic Preservation Officer

ali

Darin J. Waters, Ph.D. North Carolina State Historic Preservation Officer North Carolina Department of Cultural Resources

10/6/23 Date

Memorandum of Agreement BR-0015, Davidson County

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. BR-0015 REPLACEMENT OF BRIDGE NUMBERS 67 AND 68 ON US 70/US 29/I-85 BUSINESS OVER SR 1192 (WEST 5TH AVENUE) LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA

SIGNATORY: North Carolina Department of Transportation

10-10-23

Date

Jamie J. Lancaster, P.E. Environmental Analysis Unit Head North Carolina Department of Transportation

Memorandum of Agreement BR-0015, Davidson County

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. BR-0015 REPLACEMENT OF BRIDGE NUMBERS 67 AND 68 ON US 70/US 29/I-85 BUSINESS OVER SR 1192 (WEST 5TH AVENUE) LEXINGTON, DAVIDSON COUNTY, NORTH CAROLINA

FILED:

By: ____

Advisory Council on Historic Preservation

Memorandum of Agreement BR-0015, Davidson County Date

APPENDIX A

Historic Structures and Landscape Recordation Plan Replacement of Davidson County Bridge Numbers 67 and 68 On US 70/US 29/I-85 Business Over SR 1192 (West 5th Avenue) Lexington, Davidson County, North Carolina TIP Project BR-0015

PHOTOGRAPHIC REQUIREMENTS

- Overall views of Davidson County Bridge Numbers 67 and 68 and their surroundings.
- Images showing the details of the superstructures and substructures of Davidson County Bridge Numbers 67 and 68.

PHOTOGRAPHIC FORMAT

- Color digital images (all views). Images are to be shot on a SLR digital camera and labeled according to the North Carolina State Historic Preservation Office standards.
- All processing to be done to archival standards.
- The accompanying printed inventory of the images -- including subject, location, date, and photographer information for each image -- is to be completed according to the North Carolina State Historic Preservation Office standards.

COPIES AND CURATION

- One (1) set each of all photographic documentation, including a compact disc of labeled images, will be deposited with the North Carolina Division of Archives and History/State Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection.
- One (1) contact sheet will be deposited in the files of the Environmental Analysis Unit of NCDOT.
Appendix B

15

Project Tracking No. (Internal Use) 18-01-0038

22



HISTORIC ARCHITECTURE AND LANDSCAPES ASSESSMENT OF EFFECTS FORM

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

PROJECT INFORMATION

Project No:	BR-0015	County:	Davidson
WBS No.:	67015.1.1	Document Type:	Federal CE
Fed. Aid No:		Funding:	X State Federal
Federal Permit(s):	X Yes No	Permit Type(s):	USACE
Project Descript 5 th Avenue) (no	tion: Replace Bridge No o off-site detour specifie	s. 67 and 68 on I-6 ed in review reques	85 Business over SR 1192 (W. st).

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

DESCRIPTION OF REVIEW ACTIVITIES, RESULTS, AND CONCLUSIONS: HPOWeb reviewed on 30 January 2018 and yielded two DE and no NR, SL, LD, or SS properties in the Area of Potential Effects (APE). APE equates with the study area provided in the review request (see attached). Davidson County current GIS mapping, aerial photography, and tax information indicated a moderately developed APE of highway rights-of-way and residential and commercial resources dating from the 1920s to the 2000s (viewed 30 January 2018). Most pre-1970 resources are unexceptional, and many are altered, examples of their types. Constructed in 1950, Bridge Nos. 67 and 68 are three-span, 115-foot-long, steel stringer/multibeam structures determined eligible for the National Register (NCDOT Historic Bridge Inventory) as components of the Lexington Bypass (1949-52), the oldest and most complete example of a limited-access highway in North Carolina. Google Maps "Street View" and other visuals confirmed the presence and relative placement of the historic architectural and landscape resources in the APE (viewed 30 January 2018). The comprehensive county architectural survey (1981) and later investigations recorded no properties in the APE apart from those associated with the Lexington Bypass (Paul B. Touart, Building the Backcountry: The Architectural History of Davidson County, North Carolina ([Lexington, NC]: The Davidson County Historical Association, 1987)). An effects consultation with HPO and FHWA. required under Section 106 to determine how the proposed project may or may not affect the NR-eligible resources, took place on February 23, 2023.

Historic Architecture and Landscapes EFFECTS ASSESSMENT form for Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement. Page 1 of 6 website.

ASSESSMENT OF EFFECTS

Property Name:	Bridge No. 67	Status:	DE (contributing to Lexington Bypass)
Survey Site No.:	DV1913	PIN:	-
	A	dverse Effect	
(Numbers 67 an improvement of L-line underneat	d 68) with a single, no ramps, improvement h structure constitute	ew structure, plus of Y-line and add an adverse effect	ition of retaining wall parallel to t on the eligible resource.
List of Environme effect document per Section 106. others, will deve plan including th	ental Commitments: Nation to be filed with NCDOT-Historic Arcl lop a Memorandum of a addition of an inter	CDOT-Historic Arc the Advisory Cour hitecture, in consu of Agreement (MO, state highway cor	chitecture will prepare adverse ncil on Historic Preservation as ultation with NCHPO, FHWA, and A). MOA will detail a mitigation ntext to NCDOT's historic bridges

2

ASSESSMENT OF EFFECTS

Property Name:	Bridge No. 68	Status:	DE (contributing to Lexington Bypass)
Survey Site No.:	DV1914	PIN:	
	Adv	erse Effect	
Explanation of Ep (Numbers 67 and improvement of L-line underneat	<i>fects Determination</i> : Red 68) with a single, new ramps, improvement of h structure constitute ar	moval and rep structure, plus Y-line and add adverse effect	blacement of dual bridges s removal (quadrant A) and dition of retaining wall parallel to ct on the eligible resource.
List of Environme effect documents per Section 106. others, will deve plan including th website.	<u>intal Commitments</u> : NCD ation to be filed with the NCDOT-Historic Archite lop a Memorandum of A e addition of an intersta	OT-Historic Ar Advisory Cou ecture, in cons greement (MC ite highway co	chitecture will prepare adverse incil on Historic Preservation as sultation with NCHPO, FHWA, and DA). MOA will detail a mitigation ntext to NCDOT's historic bridges

FHWA intends to apply its Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges.

Page 2 of 6

SUPPORT DOCUMENTATION

X Map(s)

Previous Survey Info. X Photos

Correspondence X Design Plans

FINDING BY NCDOT AND STATE HISTORIC PRESERVATION OFFICE Historic Architecture and Landscapes – ASSESSMENT OF EFFECTS

NCDOT Architectural Historian

23 February 2023 Date

Date

3/3/2023	
Date	
3/3/2023	N
	3/3/2023 Date 3/3/2023

Federal Agency Representative

Historic Architecture and Landscapes EFFECTS ASSESSMENT form for Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement. Page 3 of 6 Catawba Indian Nation Tribal Historic Preservation Office 1536 Tom Steven Road Rock Hill, South Carolina 29730

Office 803-328-2427



March 1, 2023

Attention: Jennifer Hernandez NC Department of Transportation 375 Silas Creek Parkway Winston-Salem, NC 27127

Re. THPO #	TCNS #	Project Description	T
		Proposed replacement of Bridge Nos 67 & 68 on northbound/southbound US 29/US 70	N
2023-193-84		over SR 1192 in Davidson County as project BR-0015	5

Dear Ms. Hernandez,

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 <u>questions</u> please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail Caitlin.Rogers@catawba.com.

Sincerely,

Cattle Rogers for

Wenonah G. Haire Tribal Historic Preservation Officer

Tribal Coordination

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

Office 803-328-2427



March 1, 2023

Attention: Jennifer Hernandez NC Department of Transportation 375 Silas Creek Parkway Winston-Salem, NC 27127

Re. THPO #TCNS #Project Description2023-193-84Proposed replacement of Bridge Nos 67 & 68 on northbound/southbound US 29/US 70over SR 1192 in Davidson County as project BR-0015

Dear Ms. Hernandez,

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

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

Sincerely,

Cattle Rogers for

Wenonah G. Haire Tribal Historic Preservation Officer

NEPA/SEPA Document

Type II Categorical Exclusion Action Classification Form

STIP Project No.	BR-0015
WBS Element	67015.1.1
Federal Project No.	N/A

A. <u>Project Description:</u>

The North Carolina Department of Transportation (NCDOT) Project BR-0015 proposes to replace Bridge Nos. 280067 and 280068 on US 29/US 70 over SR 1192 (W. 5th Avenue) in Davidson County, North Carolina (Figures 1 and 2). The project will remove the existing bridges and replace them with one wider bridge in the existing location. Also, the project will provide interchange improvements at the US 29/US 70 and W. 5th Avenue interchange. The project is state-funded.

Bridges:

The project extends north and south along US 29/US 70 for approximately 1,900 feet in each direction of the new bridge. The proposed bridge will include two 12-foot travel lanes, a 12-foot right-turn only lane, and a 6-foot outside shoulder in each direction. A 22-foot wide median, including a 2-foot concrete barrier, will separate each travel direction over the bridge. The replacement bridge will be constructed using phased construction. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and to maintain two-way traffic on one bridge as the other bridge is demolished and replaced. The roadway will be designed as a Principal Arterial using Statewide Tier Guidelines, with a 60-mile per hour design speed. The roadway has partially-controlled access.

Ramps:

In the northwest quadrant of the interchange, the redundant southbound US 29/US 70 ramp at Murphy Drive (SR 1239) will be eliminated. In the southwest quadrant of the interchange, Loop B (LPB) from and Ramp B (RPB) to southbound US 29/US 70 will be realigned to accommodate an improved 25-mile per hour design speed for the loop ramp and 45-mile per hour design speed for the adjacent ramp. In the northeast quadrant, a small off-ramp from northbound US 29/US 70 will be realigned at National Boulevard (SR 1291) to access W. 5th Avenue. The existing on-ramp access from National Boulevard to US 29/US 70 northbound will be maintained.

W. 5th Avenue:

The project also extends approximately 300 feet east and 600 feet west along W. 5th Avenue to allow for ramp improvements and widening along W. 5th Avenue. W. 5th Avenue will include three undivided 12-foot lanes with a 4-foot outside shoulder, curb and gutter, and a 10-foot berm on each side. W. 5th Avenue will be designed as a Major Collector using Statewide Tier Guidelines with a 40-mile per hour design speed.

Other Improvements:

Murphy Drive will be slightly realigned to tie into its existing intersection with W. 5th Avenue. Pinecroft Boulevard (SR 1276) will be terminated at Summit Drive (SR 1270) and the existing portion of Pinecroft Boulevard from Summit Drive to W. 5th Avenue will be eliminated. National Boulevard will continue to provide access to businesses located northeast of the interchange along National Boulevard.

B. <u>Description of Need and Purpose:</u>

The purpose of the proposed project is to remove two structurally deficient bridges and replace them with one wider bridge that will carry both northbound and southbound lanes.

NCDOT Structures Management Unit records from January 2022 indicate Bridge No. 280067 currently has a sufficiency rating of 45 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to Federal Highway Administration (FHWA) standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

NCDOT Structures Management Unit records from January 2022 indicate Bridge No. 280068 currently has a sufficiency rating of 48 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

C. Categorical Exclusion Action Classification:

Type II(B)

D. Proposed Improvements:

13. Actions described in paragraphs 26, 27, and 28 of Appendix A that do not meet the constraints in 23 CFR 771.117(e)(1-6)

E. Special Project Information:

<u>US 29/US 70</u>

Estimated Traffic: Current Year (2022) Future Year (2042) Tractor-Trailer Semi-truck (TTST) Dual Axle Trucks (Dual)

14,800 vehicles per day (vpd) 17,800 vpd 5% 4%

Design:

Design Standards: Statewide Tier Design Speed: 60 miles per hour (mph) Posted Speed: 55 mph Design Exceptions: There is a design exception for maximum grade on RPD and RPD_RT Functional Classification: Urban Principal Arterial

W. 5th Avenue

Estimated Traffic: Current Year (2017 NCDOT AADT Map) 6,500 vpd

Design:

Design Standards: Statewide Tier Design Speed: 40 mph Posted Speed: 35 mph Design Exceptions: N/A Functional Classification: Major Collector

Estimated Costs:

The proposed project is included in the NCDOT State Bridge Program. Right of way acquisition and construction are scheduled for April 2024 and June 2025, respectively. Current cost estimates, based on NCDOT 2023 prices, are as follows:

Right of Way:	\$ 2,691,000
Utilities:	\$ 400,000
Construction	\$ 17,200,000
Total:	\$ 20,291,000

Pedestrian and Bicycle Accommodations:

The City of Lexington's Comprehensive Transportation Plan (CTP) recommends sidewalks along W. 5th Avenue from US 29/US 70 to 0.07 mile west of Glenwood Drive to tie to the existing sidewalk on the southside of the roadway. Although no dedicated bicycle facilities were observed during the field visit, both the City of Lexington's CTP and the High Point Metropolitan Planning Organization's 2040 Metropolitan Transportation Plan (MTP), which covers areas within the City of Lexington, list W. 5th Avenue through the Direct Community Impact Area as a dedicated local bicycle route.

NCDOT Integrated Mobility Division (IMD) recommends a shared-use facility for bicycle and pedestrian traffic under the bridges along W. 5th Avenue. In accordance with this recommendation, the typical section under the bridge will include two 12-foot travel lanes and one center 12-foot left turn lane, as well as 4-foot paved outside shoulder available for bicycle use, 2-foot curb and gutter, and a 10-foot berm on either side of the bridge. However, coordination with IMD is ongoing, and the multimodal accommodations included in the project design may be subject to change.

Cultural Resources:

Two architectural resources of significance are present in the project area. Bridge Nos. 280067 and 280068 were constructed in 1950 and are three-span, 115-foot-long, steel stringer/multibeam structures determined eligible for the National Register (NCDOT Historic Bridge Inventory, 2005) as components of the Lexington Bypass (1949-1952), the oldest and most complete example of a limited-access highway in North Carolina. Removal and replacement of the dual bridges with a single, new structure, plus removal (quadrant A) and improvement of ramps, improvement of Y-line, and addition of retaining wall parallel to L-line underneath structure constitute an adverse effect on the eligible resources. NCDOT, NCHPO, and FHWA established the adverse effect finding at a Section 106 effects consultation in February 2023.

On August 23, 2019, NCDOT archaeologists determined that no archaeological survey was required and that sites were not likely present in the project study area. Most of the current (updated) area of potential effects (APE) falls within existing NCDOT ROW. The most notable exception (but not the sole exception) to this generalization is the area west of the southbound on-ramp from SR 1192 to US 29/US 70. Much of this area has been disturbed by residential development in the area. Portions of the APE are relatively less disturbed than others, are likely to be small. and are not expected to contain archaeological sites of significance.

Natural Resources:

There are no Outstanding Resource Waters (ORW), High Quality Waters (HQW), or Water Supply I or II watersheds (WS-I or WS-11) within the study area or within 1.0 mile downstream of the study area. The North Carolina 2022 Final 303(d) list of impaired waters does not identify any waters within 1.0 mile downstream of the study area as impaired.

Table 1.	Federally protected	species listed on the	USFWS IPaC Database
----------	---------------------	-----------------------	----------------------------

Scientific Name	Common Name	Federal Status*	Habitat Present	Biological Conclusion	
Perimyotis subflavus	Tricolored bat	PE	Unknown	Unresolved	
Helianthus schweinitzii	Schweinitz's sunflower	E	Yes	No Effect	

* PE- Proposed Endangered, E- Endangered

Tricolored bat:

Biological Conclusion: Unresolved (The project is not anticipated to jeopardize the existence of the tricolored bat.)

On September 14, 2022, the USFWS announced a proposal to list the tricolored bat (*Perimyotis subflavus* - PESU) as endangered under the Endangered Species Act. If listed, NCDOT will resolve Section 7 prior to ground-disturbing activities as appropriate. Ground-disturbing activities for this project will not take place until NCDOT (in coordination with our lead federal agency) satisfies Endangered Species Act compliance for PESU.

Schweinitz's sunflower:

United States Fish and Wildlife Service (USFWS) Optimal Survey Window: late August – October Biological Conclusion: No Effect

Suitable habitat (e.g., dry, clayey, early successional roadsides and utility rights-of-way) for Schweinitz's sunflower is present within the study area. Schweinitz's sunflower surveys were conducted on September 15, 2023; no plants were found. The memo that presents the findings of the 2023 surveys is anticipated to be available before the end of October 2023. A review of the most recent North Carolina Natural Heritage Program (NCNHP) database (date 09/06/23) indicates no known Schweinitz's sunflower occurrences within 1.0 mile of the study area.

Four potential jurisdictional streams were identified in the study area and shown in Table 4 and Figure 3 of the Natural Resources Technical Report, December 2018. All potential jurisdictional streams have been designated as warm water streams for the purposes of stream mitigation. The unnamed tributary that flows from the northwest quadrant of the interchange to the southeast quadrant of the interchange is piped. The piped tributary will be moved so that it is no longer diagonal under W. 5th Avenue. It will travel along the north side of W. 5th Avenue and cross under W. 5th Avenue to its existing outlet. No potential jurisdictional wetlands were found within the study area.

A Nationwide Permit (NWP) will likely be applicable for the project. The United States Army Corps of Engineers (USACE) holds the final discretion as to what permit may be required to authorize project construction. If a Section 404 permit is required, then a Section 401 Water Quality Certification (WQC) from the NC Division of Water Resources (DWR) will also be needed. Final impact determinations will be made during the permitting phase of the project.

Tribal Coordination:

The Catawba Indian Nation have claimed active consultation areas that include the project area within Davidson County; therefore, a coordination letter was sent on January 26, 2023. The Catawba Indian Nation responded on March 1, 2023 that they 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.

Public Involvement:

A landowner letter was sent to all property owners affected directly by this project. Approximately 300 postcards were mailed on June 5, 2023 to inform local residents and businesses of the project. A public input webpage (<u>https://ncdot.publicinput.com/l4773</u>) was also created to provide information to the public and solicit comments about the project. The comment period was between June 5, 2023 to July 14, 2023. Five comments were received; three comments expressed support for the project,

and two expressed concerns regarding residential relocations. The website counted 380 views and logged eight subscribers. General comments supported the project noting that the project is needed, makes the area safer, limits access to the highway, and should provide pedestrian accommodations and low-maintenance landscaping. The two comments opposing the residential relocation emphasized the high personal and monetary value of the property, the increased noise level, and disturbance to wildlife and removal of the tree canopy. On July 11, 2023, NCDOT met with the property owner of the potential residential relocation to discuss the history and value of his property and to hear the owner's concerns. To the best extent possible, NCDOT will continue to minimize impacts and relocations where reasonable and feasible.

Demographics:

Census data indicates a notable presence of minority and low-income populations meeting the criteria for Environmental Justice within the Demographic Study Area (DSA), and minority and low-income communities were observed within the DCIA during the field visit.

While minority and low-income populations are present in the Direct Community Impact Area (DCIA), no notably adverse community impacts are anticipated with this project; 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. No disparate impacts are anticipated under Title VI and related statutes.

Census data does not indicate Limited English Proficiency (LEP) populations meeting the US Department of Justice LEP Safe Harbor threshold, but does indicate an Asian/Pacific language-speaking population exceeding 50 persons within the DSA that may require language assistance.

F. Project Impact Criteria Checklists:

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)

Proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22 (ground disturbing), 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B) answer the project impact threshold questions (below) and questions 8 – 31.

- If any question 1-7 is checked "Yes" then NCDOT certification for FHWA approval is required.
 - If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G.

PROJECT IMPACT THRESHOLDS (FHWA signature required if any of the questions 1-7 are marked "Yes".)			No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?		N
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?		\mathbf{N}
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?		\mathbf{V}
4	Does the project cause disproportionately high and adverse impacts relative to low- income and/or minority populations?		\checkmark

5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	A	
6	Does the project require an Individual Section 4(f) approval?		\mathbf{N}
7	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)?		V

If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G.

Othe	Other Considerations		
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?	A	
9	Is the project located in anadromous fish spawning waters?		$\mathbf{\nabla}$
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)?		V
11	Does the project impact Waters of the United States in any of the designated mountain trout streams?		\checkmark
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?		\checkmark
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?		V
<u>Othe</u>	er Considerations for Type I and II Ground Disturbing Actions (continued)	Yes	No
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	V	
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	A	
16	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?	A	
17	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?		V
18	Does the project require a U.S. Coast Guard (USCG) permit?		$\mathbf{\nabla}$
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?		V
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?		$\mathbf{\nabla}$
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?		V
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	$\mathbf{\nabla}$	
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?		\checkmark
24	Will maintenance of traffic cause substantial disruption?		\checkmark

25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?		\mathbf{N}
26	Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), Tribal Lands, or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property?		V
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?		\mathbf{N}
28	Does the project include a de minimis or programmatic Section 4(f)?	$\mathbf{\overline{\mathbf{A}}}$	
29	Is the project considered a Type I under the NCDOT Noise Policy?		V
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?		\checkmark
31	Are there other issues that arose during the project development process that affected the project decision?		\checkmark

G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):

Response to Question 5 – Residential and Commercial Displacements

One residential and one commercial property will be relocated with the current preliminary design. The residential property located at 136 Pinecroft Boulevard is impacted by the relocation of US 29/US 70 Ramp B shifting closer to the house and the new slopes impact the structure. The commercial property is Citgo Gas Station, located at 1100 W. 5th Avenue, and is impacted by proposed right of way and utility easement at the Citgo's gas pumps and underground storage tanks. NCDOT is committed to minimizing or avoiding impacts to the residence and gas station as much as possible. The Right of Way Relocation Report is included in the Appendix.

Response to Question 8 – Biological Conclusions Unresolved:

On September 14, 2022, the U.S. Fish and Wildlife Service announced a proposal to list the tricolored bat (*Perimyotis subflavus* - PESU) as endangered under the Endangered Species Act. If listed, NCDOT will resolve Section 7 prior to ground-disturbing activities, as appropriate. Ground-disturbing activities for this project will not take place until NCDOT (in coordination with our lead federal agency) satisfies Endangered Species Act compliance for PESU.

Response to Question 14 – Section 106

NCDOT and FHWA prepared an e-106 (adverse effect documentation), which FHWA submitted to the Advisory Council on Historic Preservation (ACHP) on August 15, 2023. The e-106 notifies the ACHP of a finding that an undertaking may adversely affect historic properties and invites the ACHP to participate in the Section 106 consultation. The ACHP declined to participate, indicating that there are no concerns with the e-106.

NCDOT, FHWA, and the North Carolina State Historic Preservation Office (NCHPO) developed a Memorandum of Agreement (MOA) presenting a plan for mitigating the adverse effect to Davidson County Bridge Nos. 280067 and 280068. The plan includes photodocumentation of both bridges and their surroundings prior to construction and the expansion of the interstate highway context on NCDOT's historic bridges website.

Response to Question 15 – Hazardous Materials and/or Landfills:

Five (5) sites of concern were identified within the project study area, as identified in the BR-0015 GeoEnvironmental Planning Report (November 6, 2018). These sites of concern are listed in the table below, and the locations of these sites are shown in Figure 2. Low monetary and scheduling impacts are

anticipated for these sites. Sites of concern that will be impacted by the project will have a Phase II GeoEnvironmental Investigation performed on them and Right of Way Acquisition Recommendations will be provided prior to the right of way being acquired. Contaminated soil, underground fuel storage tanks, and ground water monitoring wells in conflict with the project will be removed prior to let or addressed in a Project Special Provision.

Property Name	Property Address	Facility ID	Incident Type/ Number	Anticipated Impact	
National Wholesale 400 National Co. Boulevard		00-0- 0000025506	17826	Low	
S&R Import Auto Service	408 National Boulevard	00-0- 0000030818	N/A	Low	
Davidson Daycare Child Development	500 National Boulevard	N/A	N/A	Low	
5 th Avenue Speedway	1100 W. 5 th Avenue	00-0- 0000011528	13902	Low	
DGI Import Wholesale	1102 W. 5 th Avenue	N/A	N/A	Low	

Response to Question 16 – Floodplain

The project resurfaces the existing roadway from Central Avenue to National Boulevard, staying within the footprint of W. 5th Avenue. The resurfacing is adjacent to but does not appear to encroach or adversely affect a regulatory floodway or the base floodplain (100-year flood) elevations of Michael's Branch. Just outside of the roadway between Central Avenue and National Boulevard, the area is classified as "AE Floodway" and "0.2 % Annual chance of flood hazard."

Response to Question 22 – Control of Access

New control of access is being implemented in the southwest quadrant of the interchange to accommodate the exit and entrances, Loop B (LPB) from and Ramp B (RPB) to US 29/US 70. Pinecroft Boulevard (SR 1276) will be terminated at Summit Drive (SR 1270) and the existing portion of Pinecroft Boulevard from Summit Drive (SR 1270) to W. 5th Avenue (SR 1192) will be eliminated.

Response to Question 28 – Programmatic Section 4(f)

In 2018, NCDOT architectural historians identified Bridge Nos. 280067 and 280068 and established their eligible listing in the National Register of Historic Places under Criteria A and C as components of the Lexington Bypass, the oldest and most intact example of a limited-access highway in North Carolina.

Per Section 106, an effects consultation occurred on February 23, 2023. NCHPO, NCDOT, and FHWA determined that this undertaking will have an **Adverse Effect** on Bridge Nos. 280067 and 280068 due to their removal and replacement. (Historic Architecture and Landscapes Assessment of Effects concurrence form is attached.)

A Programmatic Section 4(f) was completed and approved by FHWA on October 24, 2023. See Appendix.

PROJECT COMMITMENTS

Replace Bridges 67 & 68 on US 29/US 70 over W. 5th Avenue (SR 1192) T.I.P Number: BR-0015 Davidson County Federal Aid Number: N/A WBS: 67015.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

EAU - Biological Surveys - USFWS Proposed Endangered - Tricolored Bat

On September 14, 2022, the U.S. Fish and Wildlife Service announced a proposal to list the tricolored bat (*Perimyotis subflavus* - PESU) as endangered under the Endangered Species Act. If listed, NCDOT will resolve Section 7 prior to ground-disturbing activities as appropriate. Ground-disturbing activities for this project will not take place until NCDOT (in coordination with our lead federal agency) satisfies Endangered Species Act compliance for PESU.

EAU – Cultural Resources - Adverse Effect to Bridges 67 and 68

NCDOT, FHWA, and the North Carolina State Historic Preservation Office (NCHPO) developed a Memorandum of Agreement (MOA) presenting a plan for mitigating the adverse effect to Davidson County Bridge Nos. 67 and 68. The plan includes photodocumentation of both bridges and their surroundings prior to construction and the expansion of the interstate highway context on NCDOT's historic bridges website.

*****END OF PROJECT COMMITMENTS*****

I. <u>Categorical Exclusion Approval:</u>

STIP Project No.	BR-0015
WBS Element	67015.1.1
Federal Project No.	N/A

Prepared By:	
11/16/2023	Joanna Salvucci
Date	Joanna Salvucci, Transportation Planner Three Oaks Engineering
Prepared For:	Jennifer D. Hernandez, PE, NCDOT Project Management Unit
Reviewed By: 11/16/2023 Date	JocuSigned by: CA084B4A6412432 John Jamison, Environmental Policy Unit North Carolina Department of Transportation
Approv	 If NO grey boxes are checked in Section F (pages 2 and 3), NCDOT approves the Type I or Type II Categorical Exclusion.
Certifie	 If ANY grey boxes are checked in Section F (pages 2 and 3), NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval. If classified as Type III Categorical Exclusion.
11/16/2023	Junifer Hernandez
Date	Jennifer D. Hernandez, PE, Project Management Unit North Carolina Department of Transportation
FHWA Approved: F	For Projects Certified by NCDOT (above), FHWA signature required.

	DocuSigned by:	
11/16/2023	Suzette Morales	
Date	for Yolonda Jordan, Division Administrator	
	Federal Highway Administration	

Note: Prior to ROW or Construction authorization, a consultation may be required (please see Section VII of the NCDOT-FHWA CE Programmatic Agreement for more details).





DAVIDSON COUNTY NORTH CAROLINA



DocuSign Envelope ID: CEA06433-5839-446F-91CB-0ECDD9A93704







HISTORIC ARCHITECTURE AND LANDSCAPES ASSESSMENT OF EFFECTS FORM

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

	PROJECT I	INFORMATION	N				
Project No:	BR-0015	County:	Davidson				
WBS No.:	67015.1.1	Document	Federal CE				
		Type:					
Fed. Aid No:		Funding:	X State Federal				
Federal	X Yes No	Permit	USACE				
Permit(s):		<i>Type</i> (<i>s</i>):					
Project Description: Replace Bridge Nos. 67 and 68 on I-85 Business over SR 1192 (W.							
5 th Avenue) (no c	off-site detour specified in r	review request)).				

PROJECT INFORMATION

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

DESCRIPTION OF REVIEW ACTIVITIES, RESULTS, AND CONCLUSIONS: HPOWeb reviewed on 30 January 2018 and yielded two DE and no NR, SL, LD, or SS properties in the Area of Potential Effects (APE). APE equates with the study area provided in the review request (see attached). Davidson County current GIS mapping, aerial photography, and tax information indicated a moderately developed APE of highway rights-of-way and residential and commercial resources dating from the 1920s to the 2000s (viewed 30 January 2018). Most pre-1970 resources are unexceptional, and many are altered, examples of their types. Constructed in 1950, Bridge Nos. 67 and 68 are three-span, 115-foot-long, steel stringer/multibeam structures determined eligible for the National Register (NCDOT Historic Bridge Inventory) as components of the Lexington Bypass (1949-52), the oldest and most complete example of a limited-access highway in North Carolina. Google Maps "Street View" and other visuals confirmed the presence and relative placement of the historic architectural and landscape resources in the APE (viewed 30 January 2018). The comprehensive county architectural survey (1981) and later investigations recorded no properties in the APE apart from those associated with the Lexington Bypass (Paul B. Touart, Building the Backcountry: The Architectural History of Davidson County, North Carolina ([Lexington, NC]: The Davidson County Historical Association, 1987)). An effects consultation with HPO and FHWA. required under Section 106 to determine how the proposed project may or may not affect the NR-eligible resources, took place on February 23, 2023.

website.

Property Name:	Bridge No. 67	Status:	DE (contributing to Lexington Bypass)				
Survey Site No.:	DV1913	PIN:	-				
	Advers	se Effect					
<i>Explanation of Effects Determination</i> : Removal and replacement of dual bridges (Numbers 67 and 68) with a single, new structure, plus removal (quadrant A) and improvement of ramps, improvement of Y-line and addition of retaining wall parallel to L-line underneath structure constitute an adverse effect on the eligible resource.							
<u>List of Environmental Commitments</u> : NCDOT-Historic Architecture will prepare adverse effect documentation to be filed with the Advisory Council on Historic Preservation as per Section 106. NCDOT-Historic Architecture, in consultation with NCHPO, FHWA, and others, will develop a Memorandum of Agreement (MOA). MOA will detail a mitigation plan including the addition of an interstate highway context to NCDOT's historic bridges website.							

ASSESSMENT OF EFFECTS

ASSESSMENT OF EFFECTS

Property Name :	Bridge No. 68	Status:	DE (contributing to Lexington Bypass)					
Survey Site No.:	DV1914	PIN:	-					
	Advers	se Effect						
<i>Explanation of Effects Determination</i> : Removal and replacement of dual bridges (Numbers 67 and 68) with a single, new structure, plus removal (quadrant A) and improvement of ramps, improvement of Y-line and addition of retaining wall parallel to L-line underneath structure constitute an adverse effect on the eligible resource.								
<u>List of Environmental Commitments</u> : NCDOT-Historic Architecture will prepare adverse effect documentation to be filed with the Advisory Council on Historic Preservation as per Section 106. NCDOT-Historic Architecture, in consultation with NCHPO, FHWA, and others, will develop a Memorandum of Agreement (MOA). MOA will detail a mitigation plan including the addition of an interstate highway context to NCDOT's historic bridges								

FHWA intends to apply its Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges.

SUPPORT DOCUMENTATION

X Map(s)

Previous Survey Info. X

X Photos

Correspondence X Design Plans

FINDING BY NCDOT AND STATE HISTORIC PRESERVATION OFFICE

Historic Architecture and Landscapes – ASSESSMENT OF EFFECTS

NCDOT Architectural Historian

Renee Gledhill-Earley

State²FFA1097@P47493ryation Office Representative

Seth Wilder

Federal Agency Representative

Historic Architecture and Landscapes EFFECTS ASSESSMENT form for Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.

3/3/2023

Date

Date

FECTS

23 February 2023

Date

3/3/2023



Bridge Nos. 67 and 68 ReplacementDavidson CountyWBS No. 67015.1.1Base map: HPOWeb, nts

NCDOT – Historic Architecture February 2018 Tracking No. 18-01-0038



NCDOT – Historic Architecture PA Tracking No. 18-01-0038 January 2023



Historic Architecture and Landscapes EFFECTS ASSESSMENT form for Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.



Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges

Federal Highway Administration (FHWA)-NC Division & North Carolina Department of Transportation (NCDOT)

STIP Project Nos.	BR-0015
WBS Element	67015.1.1
Federal Aid Project No.	TBD

Project Description

NCDOT Project BR-0015 proposes to replace Bridge Nos. 67 and 68 on US 29/US 70 over S.R. 1192 (W. 5th Avenue) in Davidson County, North Carolina (Figures 1 and 2). The project will remove the existing bridges and replace them with new bridges in their existing locations. In addition to the replacement of the existing bridges, the project will provide interchange improvements at the US 29/US 70 at W. 5th Avenue interchange.

The bridges will be replaced with one structure. Each travel direction will include two 12-foot travel lanes and a 12-foot right-turn only lane as well as a 6-foot outer shoulder. A 22-foot median separates the northbound and southbound traffic. The median includes two 10-foot inside shoulders separated by a 2-foot concrete barrier. The replacement bridges will be constructed using phased construction. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and to maintain twoway traffic on one bridge as the other bridge is demolished and replaced.

The study area extends north and south along US 29/US 70 for approximately 2,100 feet in each direction. The study area also extends east and west along W. 5th Avenue for approximately 1,300 feet in each direction to allow for ramp improvements.

Description of the 4(f) Resource

Two "Determined Eligible" properties for the National Register of Historic Places (NRHP) are within the study area. Bridge Nos. 67 and 68, both three-span, 115-foot long, steel stringer/multi-beam structures, are components of the Lexington Bypass (1949-1952), the oldest and most complete example of a limited access highway in North Carolina. The bridges are considered eligible for the NRHP under Criterion A and C as contributing resources to the Lexington Bypass.

A Section 106 Effects Consultation occurred on February 23, 2023. FHWA, NCDOT, and HPO determined that this project will have an adverse effect on Bridge Nos. 67 and 68 due to their removal and replacement. A Memorandum of Agreement for Section 106 compliance was signed on October 11, 2023 by FHWA, NCDOT and SHPO. Project commitments are established and include the following:

- Photodocumentation
- Context for Interstate Highways

Applicability of Project for Programmatic Section 4(f) Evaluation:

1. Is the bridge to be replaced or rehabilitated with Federal funds?	☑ YES	
2. Does the project require the use of a historic bridge structure which is on or is eligible for listing on the National Register of Historic Places?	☑ YES	□ NO
3. Is the bridge a National Historic Landmark?	□ YES	⊠ NO
4. Has the Federal Highway Administration (FHWA) Division Administrator determined that the facts of the project match those set forth in the <u>Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that</u> <u>Necessitate the Use of Historic Bridges</u> under Alternatives, Findings, and Mitigation?	☑ YES	□ NO
5. Has agreement among the FHWA, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) been reached through procedures pursuant to Section 106 of the National Historic Preservation Act (NHPA)?	☑ YES	□ NO

If any grey shaded boxes are marked, this Programmatic Section 4(f) Evaluation cannot be used.

Alternatives Considered and Findings

NCDOT evaluated the following alternatives and found them to not be feasible and prudent:

1. Do Nothing.

Finding:

Bridge Nos. 67 and 68 are structurally deficient bridges.

NCDOT Structures Management Unit records from March 2022 indicate Bridge No. 67 currently has a sufficiency rating of 45 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

NCDOT Structures Management Unit records from March 2022 indicate Bridge No. 68 currently has a sufficiency rating of 48 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to superstructure and substructure condition appraisals of 4 out of 9 according to FHWA standards. The bridge also meets the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9.

Do Nothing Alternative is not a viable option because it would pose serious and unacceptable safety hazards.

2. Build on New Location Without Using the Old Bridge.

Finding:

US 29/70 is a Principal Arterial with a 60-mile per hour design speed. This highway has 13,900 vehicles per day (vpd) in 2018 and predicted to increase to 18,700 vpd in 2045. Replacing the bridges on new

location and preserving the old bridges would not be feasible due to the high traffic volumes and adjacent commercial and residential properties that would suffer from adverse social and economic impacts. The cost and engineering difficulties would reach extraordinary magnitudes by rerouting the highway. The replacement bridges will be constructed using phased construction in the same location as the old bridges. Traffic will utilize crossovers constructed with temporary pavement in the existing medians, and two-way traffic will travel on the existing bridge in Stage 1 prior to demolishing the existing bridge in Stage 2.

3. Rehabilitation Without Affecting the Historic Integrity of the Bridge.

Finding:

Rehabilitation would not alleviate the structural deficiency or functionally obsolete characteristics of each bridge. Furthermore, the replacement structure will be extended to accommodate a berm width along W. 5th Avenue for a future sidewalk.

Measures to Minimize Harm

An agreement among the NCDOT, HPO, ACHP, and FHWA was reached through the Section 106 process of the NHPA on measures to minimize harm. Those measures will be incorporated into the project. Measures to minimize harm are included in the Section 106 MOA, found in Appendix A.

Coordination

The Catawba Indian Nation (THPO) has expressed no specific concerns about the undertaking. To date no consulting or other interested parties have come forward. The signatory parties for the MOA will be NCDOT, HPO, and FHWA (lead federal agency). NCDOT has completed coordination for the proposed project with the HPO, ACHP, and FHWA. Correspondence relevant to the Section 106 process and this Section 4(f) programmatic evaluation are attached in Appendix B.

The FHWA and NCDOT will ensure that the following measures are carried out:

Photodocumentation

Prior to the initiation of construction, the NCDOT will record the existing condition of Davidson County Bridge Numbers 67 and 68 in accordance with the Historic Structures and Landscape Recordation Plan. Copies of the documentation will be deposited in the files of the North Carolina State Historic Preservation Office and the NCDOT Environmental Analysis Unit.

Context for Interstate Highways

Beginning in the early 2000s, NCDOT, in cooperation with the SHPO and FHWA, has created and maintained the North Carolina Historic Bridge Inventory. A companion website is the public face of the inventory and related research findings. NCDOT will add new online commentary expanding both state and national contexts to the sections addressing interstate highways and their bridges.

Summary and Approval

This project meets all criteria included in the <u>Programmatic Section 4(f) Evaluation and Approval</u> for FHWA Projects that Necessitate the Use of Historic Bridges. NCDOT has evaluated all required alternatives and the findings made are clearly applicable to this project. There are no feasible and prudent alternatives to the use of the historic bridge. The project includes all possible planning to minimize harm, and there are assurances that the measures to minimize harm will be incorporated in the project.

All appropriate coordination has been successfully completed.

This approval is made Pursuant to Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303, and Section 18(a) of the Federal-Aid Highway Act of 1968 23 U.S.C. 138.

Prepared By:

Jennifer Hernandez

Jennifer Hernandez, PE, NCDOT Project Management Unit

Approved By:

DocuSigned by: Clarence W Coleman Mr.

Clarence Coleman, PE, Federal Highway Administration Preconstruction and Environment Director

Attachments

Figure 1 – Vicinity Map Figure 2 – Project Study Area/Environmental Features Map Appendix A – Electronic Section 106 Documentation Submittal System (e106) Form and MOA Appendix B – Section 106 Coordination Correspondence DocuSign Envelope ID: CEA06433-5839-446F-91CB-0ECDD9A93704

EIS RELOCATION REPORT

North Carolina Department of Transportation RELOCATION ASSISTANCE PROGRAM

WBS ELEMENT: 670515.1.1 COUNTY Davidson Alternate 1 of 1 Alternate														
T.I.P. No.: BR-0015														
DESCRIPTION OF PROJECT: Bridge 280067 & 280068)68 repl	acen	nents d	on US 2	29/US 7	0 NB &	SB o	over	
				SR	1192 (W.	. 5 th Ave.)								
ESTI	MATED	DISF	PLACEE	es (% Mino	DRITY = 44	%)*				INCO	ME LEVE	L		
Туре	of													
Displ	acees	0	wners	Tenants	Total	Minorities	0-15k	(15-25K	2	5-35K	35-50	K	50K UP
Resid	dential		1	0	1	0		0		0	0		1	0
Busir	nesses		1	0	1	1	VA	LUE OI	DWELLI	IG	DSS	5 DWELLIN	IG AVA	ILABLE
Farm	IS		0	0	0	0	Owners	r —	Tenar	nt Rent	For	Sale	F	or Rent
Non-	Profit		0	0	0	0	0-100K		\$ 0-25)	0-100K	1	\$ 0-2	50 0
			ANSWEI	R ALL QUEST	IONS		200K	1	250-50	,	200K	27	250-5	00 0
Yes	No	Expl	ain all '	'YES" answe	ers.		200-		500		200-	47	50	00- 10
	X	1	Will spe	cial relocation	services be	necessary?	300K 300-		100	-	300K	/3	10	00)0- Q
	^		vin ope			noooodary .	400K		150)	400K	73	15	00
	Х	2.	Will sch	nools or churc	ches be affe	cted by	400K UP		1 500 U	2	400K UP	25	1500	UP 2
			displac	ement?			TOTAL	1		0		143		21
X		3.	Will bu	siness service	es still be av	ailable	REMARKS (Respond by Number)							
			after pr	oject?	-1'	16	*% Minority is based on Census data - Please provide							
X		4.	indicate	y business be	e displaced?	If SO, mhor of	Census data for the area							
			employ	e size, type, e rees minoritie	sumated nu		3. Busin	ess se	ervices w	vill still b	e availabl	e after th	e proj	ect
	X	5.	Will rel	ocation cause	a housing s	shortage?								
		6.	Source	for available	housing (lis	t).	 UIGO, 1SBIOCK BUSINESS, 4561sqtt, 5 employees, minority employees (ves) 							
	Х	7.	Will ad	ditional housi	ng programs	be	empid	Jyees	(yes)					
			needeo	1?			6. Zillow	.com;	Trulia.co	om; Rea	ltor.com,	web-bas	ed hou	ising
Х		8.	Should	Last Resort	Housing be (considered?	sites,	news	paper, re	altors, N	<i>I</i> LS			
	X	9.	Are the	ere large, disa	bled, elderly	, etc.	9 Loct I	Docor			availabla	ac mand	latad k	w low and
	V	10		S?	a paadad fay	nroiget?	the U	RA	nousinį	y will be	avaliable	as manu		y law allu
v	^	10.	le public	hit housing be	ilabla?	project?								
×		12	ls it felt	there will he :	adequate DS	S housing	11. Pub	lic hou	ising is a	vailable				
		12.	housing	g available du	iring relocati	on period?	12 099	hous	ina is av	ailahla o	r can ha	huilt if na	~~~~~	nv.
	Х	13.	Will the	re be a proble	em of housin	g within	12. 000	nous	ing is av				00330	у
			financia	al means?		•	14. Zillo	w.con	n; Trulia.	com; Re	altor.com	, web-ba	sed ho	ousing
Х		14.	Are suit	able business	s sites availa	ble (list	sites,	news	paper, re	altors, N	<i>I</i> LS			
			source).										
		15.	Number	months estir	nated to con	nplete								
			RELOCAT	10N? 11 n	nonths									
	٨								0	P.				
and R. Hors 9-29-2023							09/2	29/2023						
	JJ	anet R	. Harris			Date			Relocation	on Coord	inator			Date
	Division Right of Way Agent													