

### STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

JOSH STEIN
GOVERNOR

July 28, 2025

J.R. "JOEY" HOPKINS
SECRETARY

U. S. Army Corps of Engineers

Regulatory Field Office

Transportation Permitting Branch

151 Pattern Assessing Program 208

151 Patton Avenue, Room 208 2090 U.S. 70 Highway Asheville, NC 28805 Swannanoa, NC 28778-8211

ATTN: Ms. Lori Beckwith, Ms. Amy Annino, NCDOT Coordinator NCDOT Coordinator

Subject: Application for Section 404 Nationwide Permit 3 & 401 Written Water Quality

Certification under the Expedited Processing Provisions for Hurricane Helene Response for the Replacement of Bridge 115 on SR 1569 (Old Northcove School Road) over North Fork

Catawba River in McDowell County, Division 13, WBS DF18313.2059012.PR.

### Dear Madams:

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

The re-establishment of Bridge 115 on SR 1569 over North Fork Catawba River.

### **Brief Damage Summary:**

The bridge was destroyed by the storm.

### **Temporary/ emergency structure:**

A temporary, emergency rail car bridge is currently in-use for this facility.

### **Proposed Replacement:**

A new 2-span, 145' long bridge will replace the destroyed 2-span 70' long bridge.

### **Avoidance and Minimization:**

- -The new structure will be 75' longer (twice as long) providing a larger hydraulic opening.
- -The proposed bridge will have no direct discharge into the river.
- -Stormwater runoff from the bridge will flow to rip rap pads directly outside of the shoulders, where flow will be diffused. All proposed stormwater runoff is discharged as far away from the stream and at the lowest velocities practicable.
- -The interior bent will be placed farther away from the stream bank than the previous bent.
- -A rip rap-free bench will exist under the new structure permitting connectivity for small wildlife along the stream corridor.

Telephone: (919) 707-6000

Customer Service: 1-877-368-4968

Website: www.ncdot.gov

-Bank stabilization is planned to prevent erosion of the stream banks.

**Lead Federal Agency:** FEMA is the lead federal agency for this project.

### **Proposed Activities in Streams:**

Impact Site	Impact Category	Permanent Fill	Bank Stabilization	Temporary Impacts	Permit Proposed/ Impact Description
G1. 4	Maintenance Exemption	1		-	
Site 1	Non-Notifying				
North Fork Catawba River	Notification Required (Not After the fact)	ŀ	101 lf (0.019 ac)	*	NWP 3: Permanent bank stabilization will be provided to secure the unstable banks.  *There will be temporary impacts located within the area depicted for bank stabilization for erosion control devices, and for the removal of the interior bent.
	Notification Required (After the fact)	1		1	
	Totals:	-1	101 lf (0.019 ac)		

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

### **Endangered Species Act**

Protected Species listed from IPaC<sup>1</sup> as of the date of this application:

Common Name	Habitat Present Survey Dates		Proposed Biological Conclusion	FWS Concurrence
Gray bat Northern long-eared bat/ Tricolored bat	No	n/a	No Effect	n/a
Small whorled pogonia	No	May 2025	No Effect	n/a
Monarch butterfly (proposed) <sup>2</sup>	n/a	n/a	n/a	n/a
Bog turtle (SAT) <sup>3</sup>	n/a	n/a	n/a	n/a

- 1 IPaC Information for Planning and Consultation (US Fish and Wildlife Service)
- 2 Due to the recent listings of monarch butterfly within the proposed action area, NCDOT does not have complete information at this time. It is anticipated that construction will be complete by the timeframes proposed for full listing, should the species be formally listed.
- 3 Similarity of Appearance (Threatened); A species that is threatened due to similarity of appearance with another listed species and is listed for its protection.

### **Historic Resources**

Information Attached

106 Topic	Findings
Historic Architecture	The NCDOT 106 Programmatic Agreement (PA) checklist was completed for
	this project (attached). The checklist determined the project is exempt from
Archaeology	further Section 106 review in accordance with NCDOT's Section 106 PA.
Tribal Coordination	The PA checklist exempts the project from tribal coordination.

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

Sincerely,

Digitally signed by
Tuedy Michael
Turchy

Michael A. Turchy

Environmental Coordination and Permitting Group Leader

## ePCN





### **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? Is this application for a project associated with emergency response/repairs from Hurricane Helene impacts to your project or property? Is this project connected with ARPA funding or S.L. 2023-134 (earmark)?\* ○ ARPA ○ S.L. 2023-134 (earmark) ○ No County (or Counties) where the project is located: \* McDowell 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 \( \cap \) No This is any publicly funded by municipal, state or federal funds road, rail, airport transportation project. Is this a NCDOT Project?\* Yes \( \cap \) No (NCDOT only) T.I.P. or state project number: McDowell Bridge 115 **WBS #\*** DF18313.2059012.PR (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

Nationwide Permit (NWP)Regional General Permit (RGP)

Standard (IP)

Yes No

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

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

NWP Numbers (for multiple NWPS):			
List all NW numbers you are applying for not on the drop do	own list.		
1d. Type(s) of approval sought from the DWR check all that apply	<b>k:*</b>		
<ul> <li>401 Water Quality Certification - Regular</li> <li>Non-404 Jurisdictional General Permit</li> <li>Individual 401 Water Quality Certification</li> </ul>		<ul> <li>401 Water Quality Certification - Express</li> <li>Riparian Buffer Authorization</li> </ul>	
1e. Is this notification solely for the record be	ecause written approval is not required?		
		*	
For the record only for DWR 401 Certification	n:	○ Yes ⊚ No	
For the record only for Corps Permit:		○ Yes ⊚ No	
1f. Is this an after-the-fact permit application	?*		
○ Yes	No		
1g. Is payment into a mitigation bank or in-lie If so, attach the acceptance letter from mitigation bank or in-		pacts?	
Yes	No		
Acceptance Letter Attachment  Click the upload button or drag and drop files here to attach  FILE TYPE MUST BE PDF	document		
1h. Is the project located in any of NC's twen	ty coastal counties?*		
○ Yes	No		
1j. Is the project located in a designated trou	t watershed?*		
You must submit a copy to the appropriate W	Vildlife Resources Commission Office.		
Link to trout information: http://www.saw.usace.a	army.mil/Missions/Regulatory-Permit-Program/A	gency-Coordination/Trout.aspx	
		,	
B. Applicant Information	1		
1a. Who is the Primary Contact?*			
1a. Who is the Primary Contact?* Michael Turchy			
Michael Turchy		1c. Primary Contact Phone:*	
Michael Turchy  1b. Primary Contact Email: *		(xxx)xxx-xxxx	
Michael Turchy  1b. Primary Contact Email: * maturchy@ncdot.gov		•	
1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner		(xxx)xxx-xxxx	
1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)	oct2*	(xxx)xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner	ect?*	(xxx)xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project	ect?*	(xxx)xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
Michael Turchy  1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this projection of the permit of the permit?  Yes No  2. Owner Information  2a. Name(s) on recorded deed: *	ect?*	(xxx)xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
Michael Turchy  1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this projection of the permit of the permit?  Yes No  2. Owner Information	ect?*	(xxx)xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx	
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Michael Turchy  1b. Primary Contact Email: * maturchy@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this projection of the permit of the permit of the permit of the permit of the projection of the permit of the	ect?*	(919)707-6157  Applicant (other than owner)  State / Province / Region NC Country	
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### 2f. Fax Number: (xxx)xxx-xxxx 2g. Email Address: \* maturchy@ncdot.gov 3. Applicant Information (if different from owner) 3a. Name: \* Michael Turchy 3b. Business Name: (if applicable) 3c. Address\* 1598 Mail Service Center Address Line 2 City State / Province / Region Raleigh NC Postal / Zip Code Country 27699 United States 3d. Telephone Number: \* 3e. Fax Number: (919)707-6157 (xxx)xxx-xxxx (xxx)xxx-xxxx 3f. Email Address: \* maturchy@ncdot.gov C. Project Information and Prior Project History 1. Project Information 1a. Name of project: \* Replacement of Bridge 115 1b. Subdivision name: (if appropriate) 1c. Nearest municipality / town: \* Woodlawn 2. Project Identification 2a. Property Identification Number: 2b. Property size: (tax PIN or parcel ID) (in acres) 2c. Project Address Street Address Address Line 2 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: \* 35.8376 -81.9888 ex: 34 208504 -77 796371 3. Surface Waters 3a. Name of the nearest body of water to proposed project: \* North Fork Catawba River 3b. Water Resources Classification of nearest receiving water: \* Surface Water Lookup

3c. What river basin(s) is your project	et located in?*						
3d. Please provide the 12-digit HUC in 0305010102	n which the project i	is located.*					
River Basin Lookup							
4. Project Description a	nd History						
<b>4a. Describe the existing conditions o</b> Bridge crossing over North Fork Catawb			nity of the project at the	time of this application: *			
4b. Have Corps permits or DWR certifolds  Yes  No Unknown	fications been obtai	ned for this project (includi	ing all prior phases) in t	he past?*			
4f. List the total estimated acreage of 0	all existing wetland	s on the property:					
4g. List the total estimated linear feet (intermittent and perennial) 200	of all existing strea	ms on the property:					
<b>4h. Explain the purpose of the propos</b> The purpose of this project is to restore		amaged during Hurricane He	elene in late September 2	024.			
4i. Describe the overall project in deta See attached cover letter. Standard road and bridge construction e	-		equipment to be used: *				
5. Jurisdictional Determ							
5a. Have the wetlands or streams bee	en delineated on the	property or proposed impa	act areas?*	○ Unkno	own		
Comments:							
5b. If the Corps made a jurisdictional Preliminary Approved Not Ve Corps AID Number: Example: SAW-2017-99999		**	s made? *				
5c. If 5a is yes, who delineated the jur	risdictional areas?						
Name (if known):							
Agency/Consultant Company:							
Other:							
6. Future Project Plans							
6a. Is this a phased project?*  Yes	No						
Are any other NWP(s), regional gener separate and distant crossing for line						ed activity? This is	ncludes other
separate and distant crossing for line	ar projects triat requ	uire Department of the Arm	iy authorization but dor	t require pre-construction	Houncation.		
D. Proposed Impacts	s Inventory	/					•
1. Impacts Summary							
1a. Where are the impacts associated  Wetlands  Open Waters	with your project?	(check all that apply):  Streams-tributaries Pond Construction		☐ Buffer	s		
3. Stream Impacts If there are perennial or intermitt	ant straam imnaa	ts (including temperate	imnacts) proposed	on the site then comple	ata this quaetion for	all stream sites	impacted
a.o.e are peronnal of intermite		"S." will be used in the			oto ano question lui	an sucam sues	puotou.
	T		<del>-</del>		los mueros		
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 Bridge Restoration	Permanent	Bank Stabilization	N. Fork Catawba River	Perennial	Both	30 Average (feet)	101 (linear feet)
** All Perennial or Intermittent streams	must be verified by D	WR or delegated local govern	nment.				
3i. Total jurisdictional ditch impact in 0	square feet:						
3i. Total permanent stream impacts:							
<b>3i. Total temporary stream impacts:</b> 0							
<b>3i. Total stream and ditch impacts:</b> 101							
3j. Comments:							
E. Impact Justificati	on and Mit	igation					<u> </u>
1. Avoidance and Minim	nization						
1a. Specifically describe measures to See cover letter.	iken to avoid or min	imize the proposed impact	s in designing the project: *				
1b. Specifically describe measures to see cover letter	aken to avoid or min	imize the proposed impact	s through construction technic	ues:*			
2. Compensatory Mitigation	on for Impacts	to Waters of the U	.S. or Waters of the St	ate			
2a. Does the project require Compen  Yes	satory Mitigation fo	r impacts to Waters of the L	J.S. or Waters of the State?				
2b. If this project DOES NOT require	Compensatory Mitig	gation, explain why:					
NC Stream Temperature Classification	Maps can be found u	nder the Mitigation Concepts	tab on the Wilmington District's I	RIBITS website.			
F. Stormwater Mana	gement an	d Diffuse Flow	Plan (required b	y DWR)			<u>^</u>
	*	** Recent changes to the stor	rmwater rules have required upda	ites to this section .***			
1. Diffuse Flow Plan							
1a. Does the project include or is it a  Yes	djacent to protected	riparian buffers identified	within one of the NC Riparian E	Buffer Protection Rule	es?		
For a list of options to meet the diffuse f	low requirements, clic	ck here.					
If no, explain why:							
2. Stormwater Managen	nent Plan						
2a. Is this a NCDOT project subject to  • Yes • No	o compliance with N	CDOT's Individual NPDES	permit NCS000250?*				
Comments:							
G. Supplementary Ir	nformation						<u>•</u>
1. Environmental Docur	mentation						
1a. Does the project involve an exper		deral/state/local) funds or th	he use of public (federal/state)	land?*			
<ul><li>Yes</li><li>1b. If you answered "yes" to the above</li></ul>	<ul><li>No</li><li>ve, does the project</li></ul>	require preparation of an e	environmental document pursu	ant to the requiremen	nts of the National or Sta	te (North Caroli	na)
Environmental Policy Act (NEPA/SEF  Yes		· · · · · · · · · · · · · · · · · · ·	•	•			
1c. If you answered "yes" to the abov		nt review been finalized by t	the State Clearing House? (If so	o, attach a copy of th	e NEPA or SEPA final ap	proval letter.)*	
- 133	UNO INO						

### 2. Violations (DWR Requirement) 2a. Is the site in violation of DWR Water Quality Certification Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), or DWR Surface Water or Wetland Standards or Riparian Buffer Rules (15A NCAC 2B .0200)?\* Yes No 3. Cumulative Impacts (DWR Requirement) 3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? 3b. If you answered "no," provide a short narrative description. 4. Sewage Disposal (DWR Requirement) 4a. Is sewage disposal required by DWR for this project?\* ○ Yes ○ No ◎ N/A 5. Endangered Species and Designated Critical Habitat (Corps Requirement) 5a. Will this project occur in or near an area with federally protected species or habitat?\* Yes No 5b. Have you checked with the USFWS concerning Endangered Species Act impacts?\* O No 5c. If yes, indicate the USFWS Field Office you have contacted. Asheville 5d. Is another Federal agency involved?\* Yes No Unknown What Federal Agency is involved? 5e. Is this a DOT project located within Division's 1-8?\* Yes No 5f. Will you cut any trees in order to conduct the work in waters of the U.S.?\* Yes No 5g. Does this project involve bridge maintenance or removal?\* Yes No 5g(1). If yes, have you inspected the bridge for signs of bat use such as staining, guano, bats, etc.? Representative photos of signs of bat use can be found in the NLEB SLOPES, Appendix F, pages 3-7. Yes No Link to the NLEB SLOPES document: http://saw-reg.usace.army.mil/NLEB/1-30-17-signed NLEB-SLOPES&apps.pdf If you answered "Yes" to 5g(1), did you discover any signs of bat use?\* ○ Yes ○ No ○ Unknown \*\*\* If yes, please show the location of the bridge on the permit drawings/project plans 5h. Does this project involve the construction/installation of a wind turbine(s)?\*\* 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?\* **IPaC** 6. Essential Fish Habitat (Corps Requirement) 6a. Will this project occur in or near an area designated as an Essential Fish Habitat?\* No 6b. What data sources did you use to determine whether your site would impact an Essential Fish Habitat?\* EFH Mapper

7. Historic or Prehistoric Cultural Resources (Corps Requirement)

Link to the State Historic Preservation	Office Historic Properties Map (does	not include archaeological data: <a href="https://doi.org/10.2016/not/include.com/">https://doi.org/10.2016/not/include.archaeological.data</a> : <a href="https://doi.org/10.2016/not/include.com/">https://doi.org/10.2016/not/include.archaeological.data</a> : <a href="https://doi.org/10.2016/not/include.com/">https://doi.org/10.2016/not/include.com/</a> : <a href="https://doi.org/10.2016/not/include.com/">https://doi.org/10.2016/not/include.com/</a> : <a href="https://doi.org/">https://doi.org/10.2016/not/include.com/</a> : <a href="https://doi.org/">https://doi.org/</a> : <a< th=""><th>p://gis.ncdcr.gov/hpoweb/</th><th></th></a<>	p://gis.ncdcr.gov/hpoweb/	

	r an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trunt in North Carolina history and archaeology)? *	ıst
○ Yes	No	
<b>7b. What data sources did you use</b> See cover letter.	to determine whether your site would impact historic or archeological resources?*	
8. Flood Zone Designa	tion (Corps Requirement)	
Link to the FEMA Floodplain Maps:	https://msc.fema.gov/portal/search	
	A-designated 100-year floodplain?*	
Yes	○ No	
8b. If yes, explain how project meet	s FEMA requirements:	
8c. What source(s) did you use to n FEMA flood maps.	nake the floodplain determination?*	
Miscellaneous		
Comments		
		• when
Signature		
<ul> <li>The project proponent here</li> <li>I have given true, accurate</li> <li>I agree that submission of a lagree to conduct this train</li> <li>I understand that an elect</li> </ul>	elow, I certify that:  reby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief'; and reby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time. i.e., and complete information on this form; f this PCN form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act"); insaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act"); ronic signature has the same legal effect and can be enforced in the same way as a written signature; AND ign and submit the PCN form.	
Michael Tunchy		
<b>Date</b> 7/28/2025		

# Permit Drawings



### **North Carolina Department of Transportation**



**Highway Stormwater Program** STORMWATER MANAGEMENT PLAN **FOR NCDOT PROJECTS** Version 3.02; Released April 23, 2024) **TIP/Proj No:** DF18313.2059012.PR WBS Element: N/A County(ies): Mcdowell Page of **General Project Information** TIP Number: DF18313.2059012.PR 7/18/2025 WBS Element: N/A **Project Type: Bridge Replacement** Date: **NCDOT Contact:** Yates Allen (Division Environmental Officer) Contractor / Designer: TGS Engineers (Rusty Lassiter) Address: NCDOT Highway Division 13 Address: 706 Hillsborough Street 55 Orange Street Suite 200 Asheville NC, 28801 Raleigh NC, 27603 Phone: 919-773-8887 ext. 121 Phone: 828-250-3002 yallen@ncdot.gov Email: rlassiter@tgsengineers.com Email: City/Town: Marion County(ies): Mcdowell River Basin(s): **CAMA County?** No Catawba No Wetlands within Project Limits? **Project Description** Rural: Farm Land, low-density residential, manufacturing plant Project Length (lin. miles or feet): 0.083 miles **Surrounding Land Use: Proposed Project Existing Site** 0.3 ac. Project Built-Upon Area (ac.) ac. 0.2 Two 10' paved lanes with 3'-0' paved shoulders. Two 9.0'-paved lanes w/ 5' shoulders. Typical Cross Section Description: Annual Avg Daily Traffic (veh/hr/day): Year: 2050 Design/Future: Existing: 250 Year: NCDOT Project DF18313.2059012.PR involves the emergency replacement of Structure #580115 over North Fork Catawba River on SR-1569 (North Cove School Rd) in **General Project Narrative:** (Description of Minimization of Water McDowell County, NC north of Marion. The bridge was was washed out during Hurricane Helene in September 2024. Proposed 2-span (1@90', 1@55'), OAL=145 ft, 30 ft wide, 33" Box Beam bridge to replace pre-existing 70 ft long by 27 ft wide (prestressed concrete cored slab units) 2-span bridge. **Quality Impacts)** The proposed grade will be from 0.5'-2' above existing grade within the vicinity of the bridge and roughly match existing grade approximately 120 ft south and 95 ft north of the bridge. The existing bridge has one interior bent at the waters edge, whereas the proposed bridge will have one in the overbank area.. The existing bridge had scuppers in the bridge rail that allow for runoff to discharge directly into North Fork Catawba River. The proposed bridge will have no direct discharge into the river. Stormwater runoff from the bridge will flow to rip rap pads directly outside of the shoulders in the north quadrant, where flow will be diffused. All proposed stormwater runoff is discharged as far away from the stream and at the lowest velocities practicable. The existing interior bent is to be removed using a vibratory extractor/ driver and crane. The existing temporary bridge (rail car) will be removed. All impacts to the project have been minimized to the maximum extent practicable.

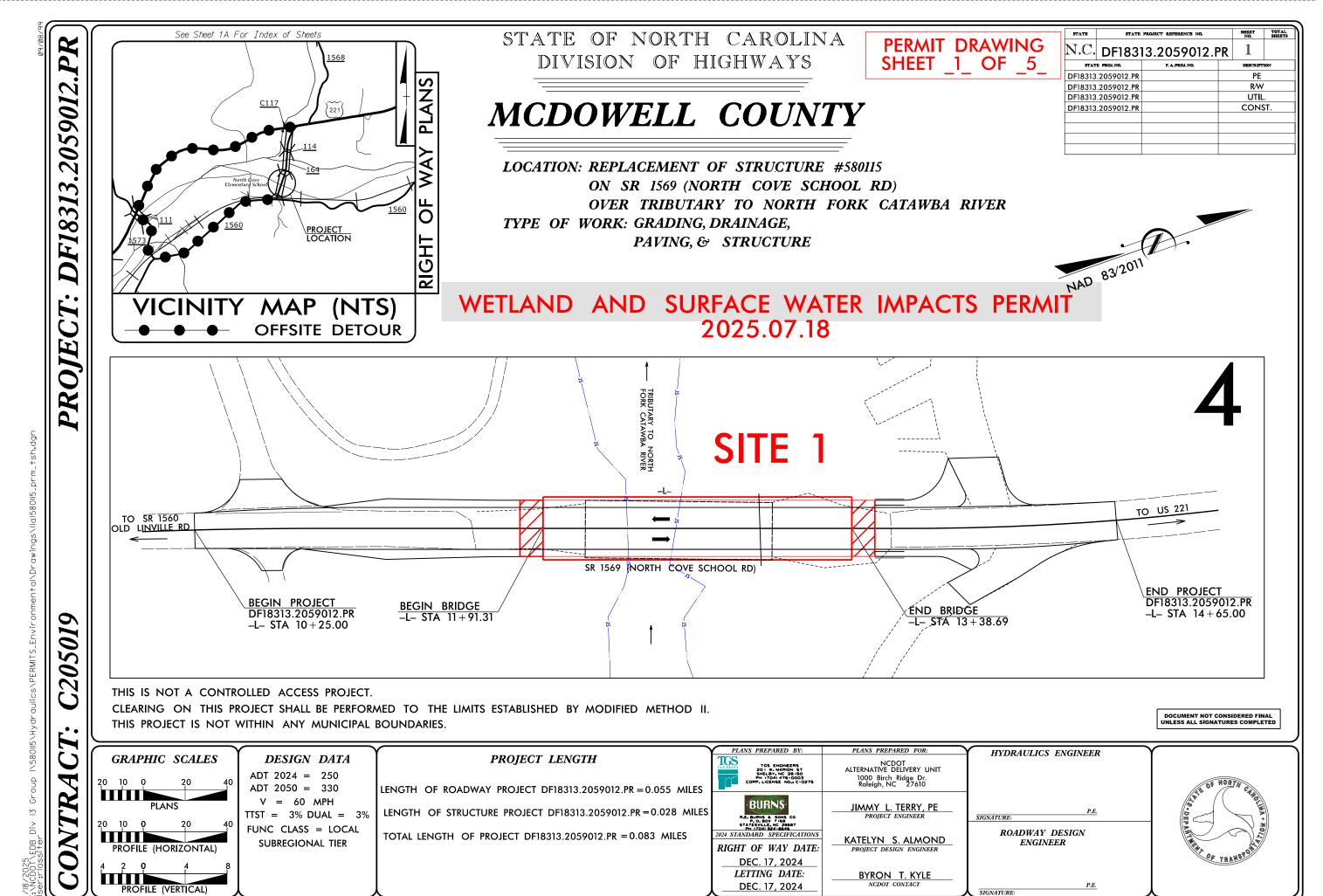


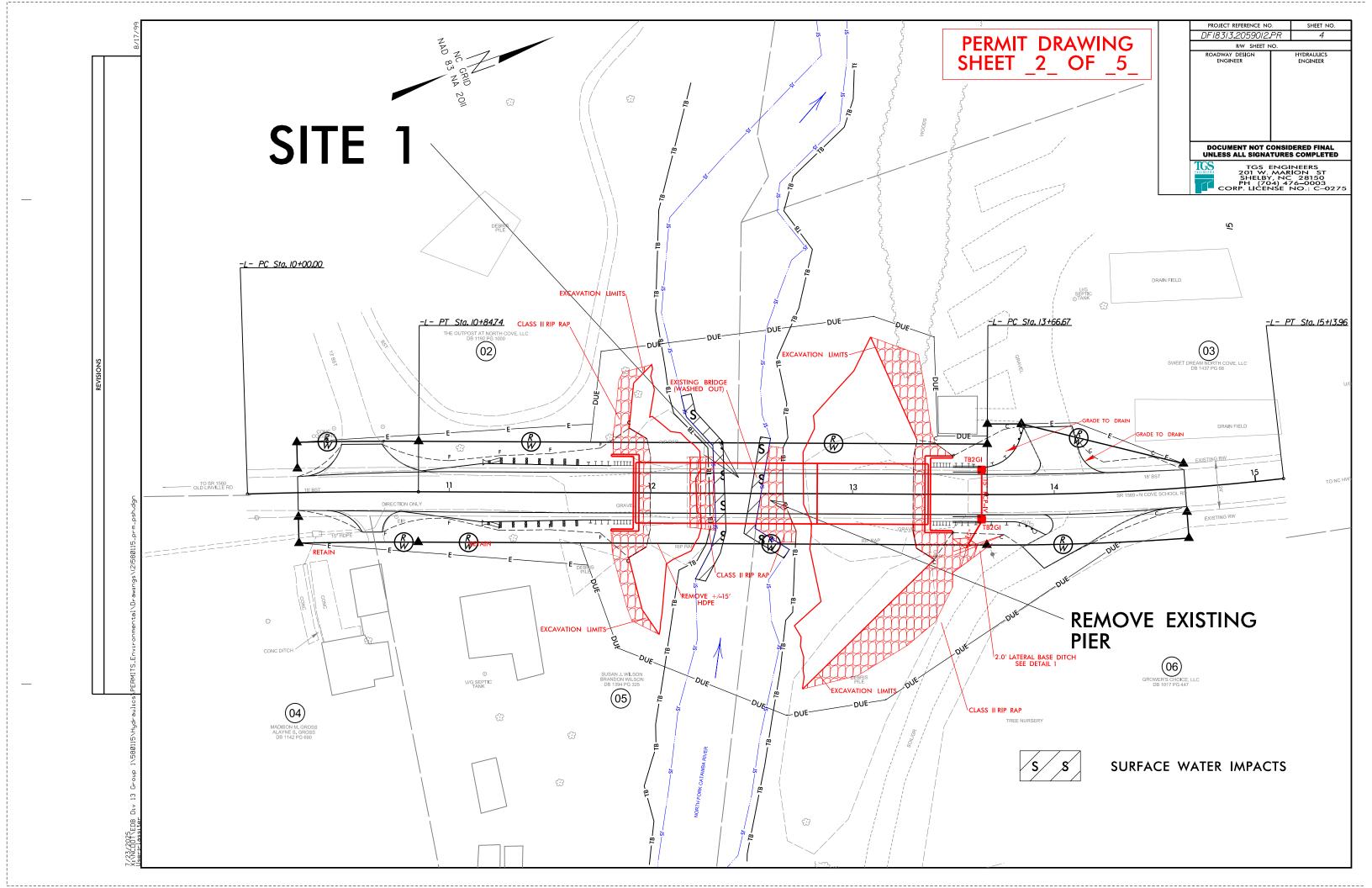
### North Carolina Department of Transportation

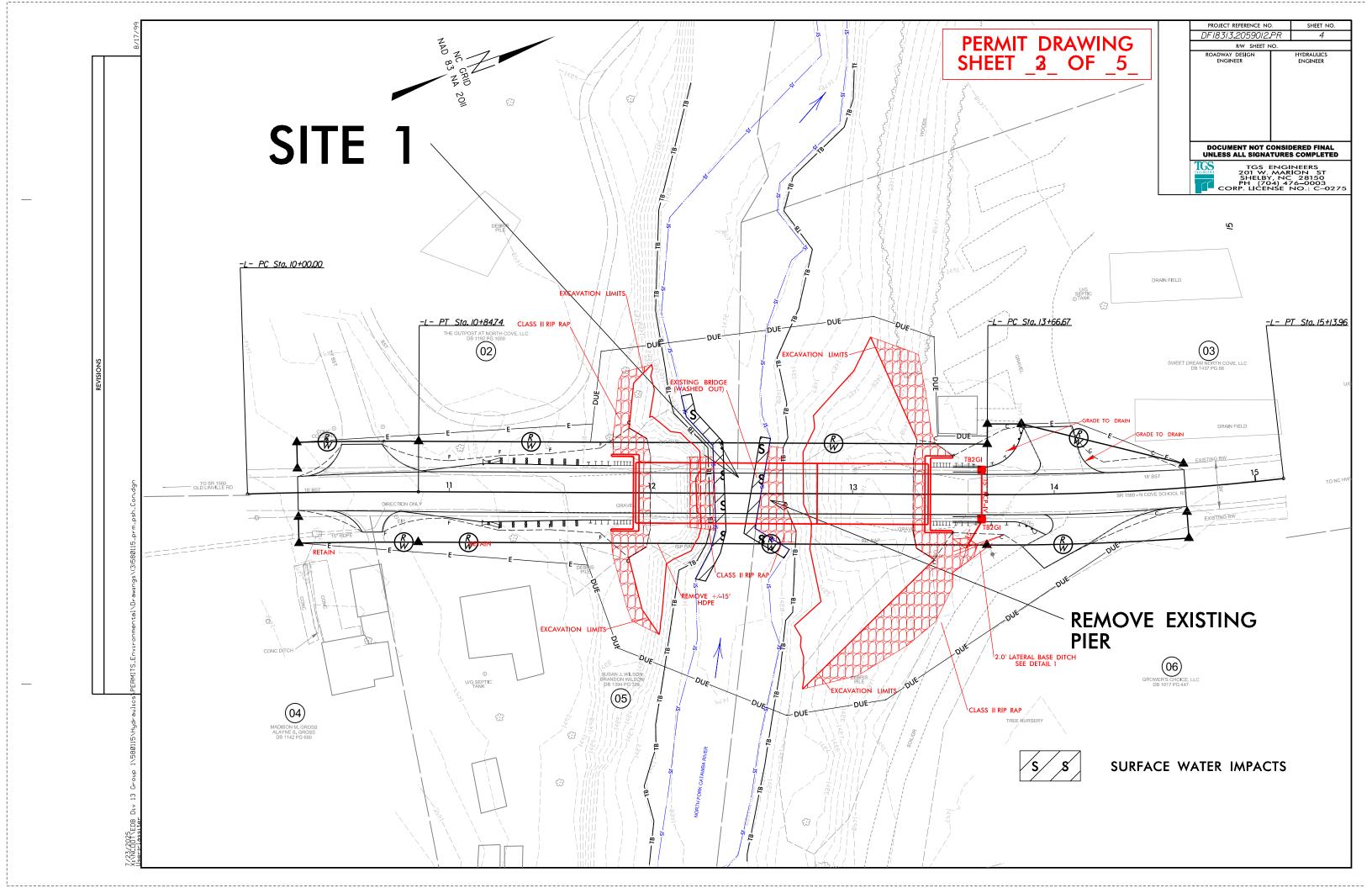


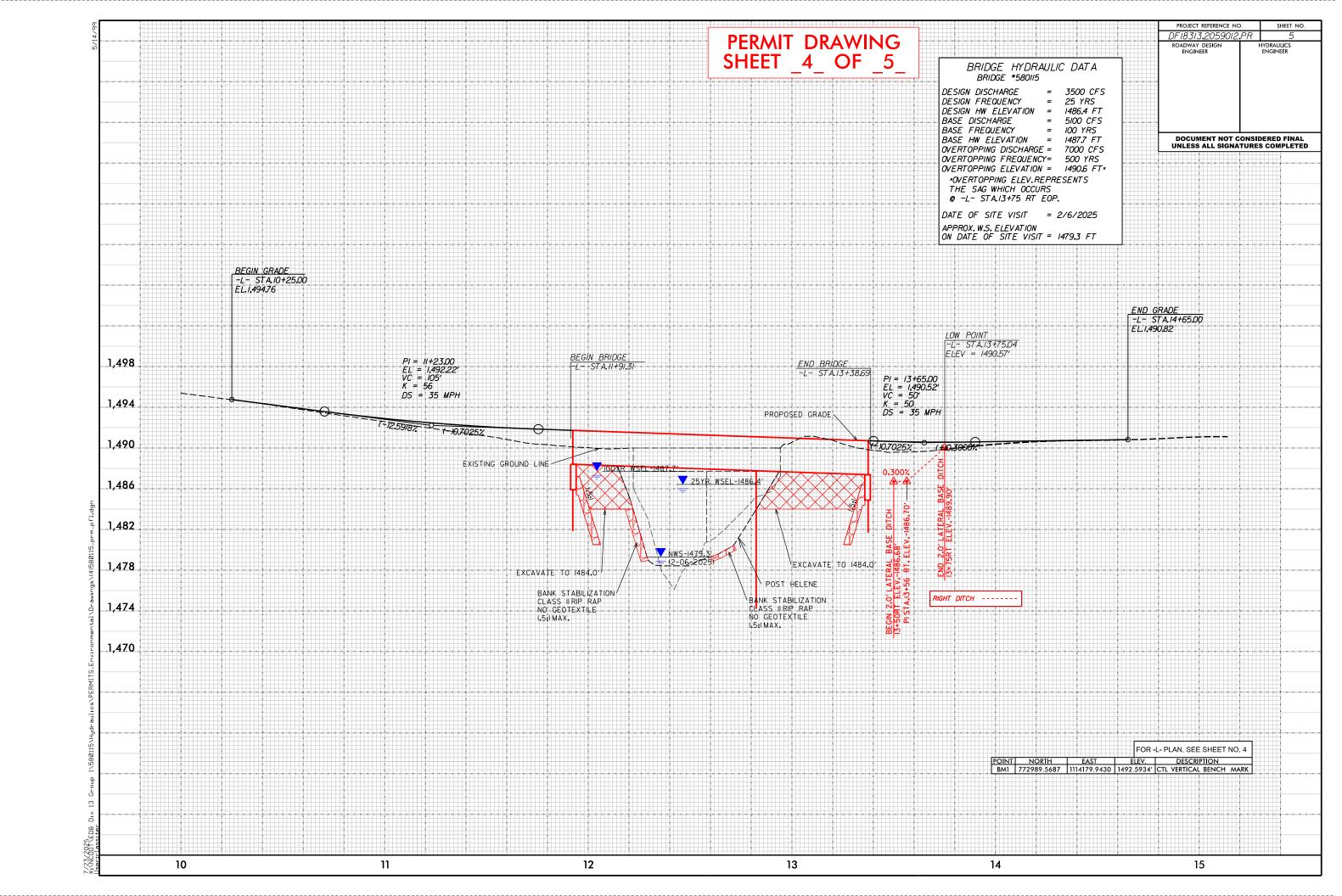
### Highway Stormwater Program STORMWATER MANAGEMENT PLAN

(Version 3.02; Released April 23, 2024)			FOR NCDOT F	PROJECTS					
WBS Element: N/A	TIP/Proj No.:	DF18313.2059	012.PR County(ies):	Mcdowell			Page	2	of 2
			General Project	Information					
			Waterbody Inf	formation					
Surface Water Body (1):		North Fork C	Catawba River	NCDWR Stream In	dex No.:		11-24-(2.5)		
NCDWR Surface Water Classification fo	r Water Body		Primary Classification:	Class	В				
Nobwit Surface Water Glassification to	Water Body		Supplemental Classification:	Trout Water	rs (Tr)				
Other Stream Classification:	No	ne							
Impairments:	No	ne							
Aquatic T&E Species?	No	Comments							
NRTR Stream ID:	North Fork Cataw	ba River				Buffer Rules in Effect:			N/A
Project Includes Bridge Spanning Wate	r Body?	Yes	Deck Drains Discharge Over Bu		N/A	Dissipator Pads Provided			
Deck Drains Discharge Over Water Bod		No	(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Ge			o, justify in the
(If yes, provide justification in the	General Project Na	arrative)				Gene	eral Project Na	rative)	
Surface Water Body (2):				NCDWR Stream In	dex No.:				
NCDWR Surface Water Classification fo	r Water Body		Primary Classification:						
Nebwik Surface Water Classification to	i water body		Supplemental Classification:						
Other Stream Classification:									
Impairments:									
Aquatic T&E Species?		Comments							
NRTR Stream ID:						Buffer Rules in Effect:			
Project Includes Bridge Spanning Wate	r Body?		Deck Drains Discharge Over Bu			Dissipator Pads Provided			
Deck Drains Discharge Over Water Bod	y?		(If yes, provide justification in the General Project Narrative)			(If yes, describe in the General Project Narrative; if no, justify in the			
(If yes, provide justification in the	General Project Na	arrative)				Gene	eral Project Na	rative)	
Surface Water Body (3):				NCDWR Stream In	dex No.:				
NCDWR Surface Water Classification fo	r Water Body		Primary Classification:						
Nobwit Surface Water Glassification to	Water Body		Supplemental Classification:						
Other Stream Classification:									
Impairments:									
Aquatic T&E Species?		Comments							
NRTR Stream ID:						Buffer Rules in Effect:			
Project Includes Bridge Spanning Wate	r Body?		Deck Drains Discharge Over Bu			Dissipator Pads Provided			
Deck Drains Discharge Over Water Bod	y?		(If yes, provide justification in the General Project Narrative)			(If yes, describe in the General Project Narrative; if no, justify in the			
(If yes, provide justification in the	General Project Na	arrative)				Gene	eral Project Na	rative)	









			WE	TLAND IMPA	ACTS			SURFA	CE WATER IM	PACTS			
Site No.	Station (From/To)	Structure Size / Type	Stream Name	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	in	Mechanized Clearing in Wetlands (ac)	in	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	-L- 12+20 to 12+70 LT & RT	Bank Stabilization/ Temporary Erosion Control	North Fork Catawba River						0.019		101		
													_
													-
													+
													-
													+
													1
													-
OTALS	**.			0.000	0.000	0.000	0.000	0.000	0.019	0.000	101	0	0

\*Rounded totals are sum of actual impacts

### NOTES:

1. No wetlands were identified within the study area.

2. Estimate 0.1 acres of trees greater than 3" DBH to be cleared.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
7/18/2025
McDowell County
DF18313.2059012.PR
Bridge 580115
SHEET 5 OF 5

Revised 2018 Feb

### Section 106 Checklist

### **Cultural Resources Programmatic Agreement Screening Checklist for Section 106**

Project Name: repair/replace Bridge 115 County: McDowell

**Project Description:** Repair/replace Bridge 115 over North Fork Catawba River on N Cove School Road due to damages incurred

by Hurricane Helene

Funding Source: anticipated federal reimbursement Lead Federal Agency: FHWA/FEMA

Permits Anticipated: none anticipated

### **Instructions:**

NCDOT Project Managers, Project Engineers, or the Division Environmental Staff shall complete the following checklist based upon knowledge of the project site and adjacent parcels. Webservices (<a href="https://www.ncdcr.gov/about/history/division-historical-resources/gis-maps-and-data">https://www.ncdcr.gov/about/history/division-historical-resources/gis-maps-and-data</a>) should be reviewed for NRHP Eligible or Listed Buildings, Districts, Objects, Sites, or Structures. Before checking "Unable to Determine", efforts should be made to acquire any available information. If the answer to any question is "Yes" or "Unable to Determine", the undertaking is subject to further historic preservation review by NCDOT Cultural Resources staff. If answers to all the questions are "No", the undertaking will be considered to have Little Potential to Cause Effects – Exempt Activities and excluded from further historic preservation review, until differing information is discovered. Please reference "Appendix A Exempt Activities Under Section 106" of the Programmatic Agreement for Transportation Program in North Carolina prior to completion.

	Yes	No	Unable to Determine
A. Would this activity have the potential to cause effects on historic properties, assuming historic properties are present? See list in Appendix A.		X	
B. Is this project directly related to other actions with individually insignificant, but cumulatively significant environmental effects?		X	
C. Are you aware of any concerns raised by the owner of a historic property or public controversy for this undertaking?		X	
D. Locations of cemeteries have been found on the webservices? (https://www.ncdcr.gov/about/history/division-historical-resources/gismaps-and-data)		X	

By my signature, I certify that I have completed a site visit or am familiar with the specifics of the project and to the best of my knowledge answers to the questions above are correct. I also understand that no further environmental analysis is required at this time, as all of the answers are "No".

Christine Farrell	Christine Farrell	11/6/2024
Name (print)	Signature	Date

## NEPA Document

### Type I or II Categorical Exclusion Action Classification Form

STIP/Project No	Bridge 115, Div 13, McDowell County	
WBS/DF Element	DF18313.2059012	
Federal Project No.		

### A. Project Description:

The North Carolina Department of Transportation (NCDOT) intends to re-establish Bridge 115 over North Fork Catawba River on N Cove School Road in McDowell County, North Carolina (Division 13). See vicinity map.

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

The Purpose of the project is to replace a structure damaged by floodwaters associated with Hurricane Helene which made landfall in Florida on September 26, 2024. The repair/replacement work is needed to restore essential traffic in Western North Carolina.

### C. <u>Categorical Exclusion Action Classification:</u>

### Type I(A) - Ground Disturbing Action

### D. Proposed Improvements:

- 9. The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):
- a) Emergency repairs under 23 U.S.C. 125; and
- b) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
  - i) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
  - ii) Is commenced within a 2-year period beginning on the date of the declaration.

### and/or

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

### E. Special Project Information:

NCDOT conducted a desktop GIS analysis for potential natural and human environment features in early November 2024. The study area was defined as a 200-foot buffer around the bridge location. NCDOT is utilizing an Emergency Express Design-Build contracting process to expedite this process. The repair/replacement bridge work is anticipated to occur within the current NCDOT right-of-way (ROW). If additional ROW is required, or if the final design results in potential impacts outside of the v2019.2 DF18313.2059012 Type I(A) CE

study area, NCDOT will re-evaluate and document any additional effects. NCDOT is conducting ongoing federal and state agency coordination to determine the most expedient processes for accomplishing NEPA compliance while adhering to emergency relief protocols.

NCDOT is providing comprehensive public outreach to our western NC communities in lieu of site-specific outreach. As site-specific information becomes available, NCDOT will use its various outreach platforms to inform the public.

A Direct and Indirect Screening Tool (DIST) was used to assess potential impacts to the local community, farm lands, and pedestrian accomodations (see project site). The bridge location is surrounded by protected farmland. Should any additional ROW or permanent easements be needed after design is available, the preliminary screening process should be initiated with Community Studies.

The NCDOT 106 PA checklist was completed for this project (see project site). The checklist determined the project is exempt from further Section 106 review in accordance with NCDOT's Section 106 PA. The PA also exempts the project from any further tribal coordination.

The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool was reviewed on November 1, 2024. USFWS lists the following species below as federally protected with potential to be found within the project study area as of this date:

Species Name	Scientific Name	ESA Status	Biological Conclusion	Habitat Present
Gray bat Northern Long-eared bat Tricolored bat Small whorled pogonia	Myotis grisescens	Endangered	No Effect	No
	Myotis septentrionalis	Endangered	No Effect	No
	Perimyotis subflavus	Proposed Endangered	No Effect	No
	Isotria medeoloides	Threatened	No Effect	No

### F. Project Impact Criteria Checklists:

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)					
Appe &/or	posed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement A) including 2, 3, 6, 7, 9, 12, 18, 21, 22 (ground disturbing), 23, 24, 25, 26, 27, 20 Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B) answer thact threshold questions (below) and questions 8 – 31.	8, &/or 3			
<ul> <li>I</li> </ul>					
	OJECT IMPACT THRESHOLDS  WA signature required if any of the questions 1-7 are marked "Yes".)	Yes	No		
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS).		<b>\</b>		
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?		$\overline{\checkmark}$		
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?		V		
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?		V		
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?		$\checkmark$		
6	Does the project require an Individual Section 4(f) approval?		V		
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)?				
	y question 8-31 is checked "Yes" then additional information will be required for those tion G.	questio	ns in		
Othe	er Considerations	Yes	No		
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?		V		
9	Is the project located in anadromous fish spawning waters?		$\overline{\checkmark}$		
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)? <a href="https://data-ncdenr.opendata.arcgis.com/datasets/surface-water-classifications/explore">https://data-ncdenr.opendata.arcgis.com/datasets/surface-water-classifications/explore</a>				
11	Does the project impact Waters of the United States in any of the designated mountain trout streams? <a href="https://data-ncdenr.opendata.arcgis.com/datasets/surface-water-classifications/explore">https://data-ncdenr.opendata.arcgis.com/datasets/surface-water-classifications/explore</a>	<b>V</b>			

12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?		$\overline{\checkmark}$
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?		$\overline{\mathbf{A}}$
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?		<b>V</b>
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?		$\overline{\checkmark}$
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?	$\overline{\mathbf{V}}$	
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)?		$\overline{\checkmark}$
18	Does the project require a U.S. Coast Guard (USCG) permit?		$\overline{\checkmark}$
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area? <a href="https://www.rivers.gov/carp/map">https://www.rivers.gov/carp/map</a>		$\overline{\mathbf{V}}$
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?		$\overline{\checkmark}$
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?		$\overline{\mathbf{V}}$
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?		$\overline{\checkmark}$
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?		$\overline{\checkmark}$
24	Will maintenance of traffic cause substantial disruption?		$\overline{\checkmark}$
25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	V	
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)?		$\overline{\checkmark}$
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?		$\overline{\checkmark}$
29	Is the project considered a Type I under the NCDOT Noise Policy?		$\overline{\checkmark}$
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?		$\overline{\checkmark}$
31	Are there other issues that arose during the project development process that affected the project decision?		$\overline{\mathbf{A}}$

- G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):
- 8. NCDOT and our federal partners, USACE and FHWA, completed consultation with USFWS in August 2024 to develop a Programmatic Section 7 Agreement for federally listed bat species in western NC (Divisions 9-14) after initiating the formal consultation process on 5/16/24. Per 50 CFR 402.12 issuance of a Programmatic Biological Opinion (PBO) was required on or before 09/30/24. Following recent and ongoing discussions with all parties, USFWS is expected to issue the PBO in February 2025. Once the PBO is issued, if Section 7 for this project has not been completed, it may need to be evaluated under the terms and conditions of the agreement.
- 11. North Fork Catawba River is a designated trout water per NCDWR Surfacewater Classification system. If a USACE 404 permit is required for this project, it may include requirements related to trout moratoriums.
- 16. The County is a participant in the Federal Flood Insurance Program, administered by the Federal Emergency Management Agency (FEMA). The project is within a Flood Hazard Zone for which the 100-year base flood elevations and corresponding regulatory floodway/non-encroachment area have been established. The project intersects a FEMA mapped stream studied by the North Carolina Floodplain Mapping Program.
- The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of 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 (LOMR). This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.
- 25. This project is an emergency relief project due to Hurricane Helene impacts. Per 40 CFR § 93.126, it is exempt from the requirement to determine conformity because it does not involve substantial functional, locational or capacity changes (23 CFR 450.218(g)).

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

### NCDOT PROJECT COMMITMENTS

WBS/DF DF18313.2059012
Re-establishment of Bridge 115 over North Fork Catawba River on N Cove School Road
McDowell County
Federal Aid Project No. Federal Aid Number

### COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

NCDOT and our federal partners, USACE and FHWA, completed consultation with USFWS in August 2024 to develop a Programmatic Section 7 Agreement for federally listed bat species in western NC (Divisions 9-14) after initiating the formal consultation process on 5/16/24. Per 50 CFR 402.12 issuance of a Programmatic Biological Opinion (PBO) was required on or before 09/30/24. Following recent and ongoing discussions with all parties, USFWS is expected to issue the PBO in February 2025. Once the PBO is issued, if Section 7 for this project has not been completed, it may need to be evaluated under the terms and conditions of the agreement.

### **Monarch Butterfly**

The Monarch Butterfly was proposed for federal listing in December 2024. However, no restrictions will take effect until the proposal is finalized, which is expected in late 2025 or early 2026. Until then, proposed species do not receive protection under the Endangered Species Act (ESA), except that federal action agencies must ensure their actions do not jeopardize the species' existence. These agencies may also consult with the U.S. Fish and Wildlife Service (USFWS) to obtain a conference opinion, which will automatically convert to a biological opinion upon the final listing decision.

### **Construction in FEMA Coordination**

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall: (1) construct all vertical and horizontal elements within the floodplain as designed; and (2) consult with the Hydraulics Unit of any planned deviation of these elements within the floodplain prior to commencing any such changes; and (3) submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction. The Hydraulics Unit will then verify either: (1) the drainage structure(s) and roadway embankment located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically; or (2) any changes made to the plans were reviewed and approved to meet FEMA SFHA compliance; or (3) appropriate mitigation measures will be achieved prior to project close-out.

North Fork Catawba River is a designated trout water per NCDWR Surfacewater Classification system. If a USACE 404 permit is required for this project, it may include requirements related to trout moratoriums.

I.	Categorical Exclusion Approval:
	STIP/Project NoBridge 115, Div 13, McDowell County
	WBS/DF Element <u>DF18313.2059012</u>
	Federal Project No.
	Prepared By:
	01/07/2025
	Date Christine Farrell, NEPA Program Consultant
	Environmental Policy Unit, NCDOT
	Prepared For: NCDOT Division 13
	Reviewed By:
	2/11/2025
	Date Marissa Cox, Western Regional Team Lead
	Environmental Policy Unit, NCDOT
	● If NO grey boxes are checked in Section F (pages 2 and 3), NCDOT approves the Type I or Type II Categorical Exclusion.
	<ul> <li>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.</li> <li>If classified as Type III Categorical Exclusion.</li> </ul>
	2/11/2025 Something
	Date John Jamison, Environmental Policy Unit Manager North Carolina Department of Transportation
	FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.
	Date for Yolonda K. Jordan, Division Administrator Federal Highway Administration

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



Bridge Number	Division	County	Location Description	Latitude	Longitude
580115	13	McDowell	SR 1569 (North Cove School Rd) from SR 1560 (Old Linville Rd) to 500ft north of Bridge #580115	35.837629	-81.988874

