

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	BR-0032
WBS Element	67032.1.1
Federal Aid Project No.	N/A

A. Project Description, Location, and Purpose:

Project Description and Location: NCDOT Project BR-0032 proposes to replace Bridge No. 560084 over Meadow Fork Creek on NC 209 in Madison County, North Carolina (refer to Figure 1). The project will remove the existing bridge in phases and replace it with a new bridge in its existing location.

The replacement structure will be approximately 103 feet long, providing a minimum 33-foot 10-inch clear deck width. The bridge will include two 10-foot lanes with 8-foot 5-inch offsets on one side, and 5-foot 5-inch offsets on the other. The bridge length is based on preliminary design information and is set by hydraulic requirements. The roadway grade of the new structure will be approximately 2-feet 6-inches higher than the existing structure.

Project construction will extend approximately 324 feet from the west end of the new bridge and 274 feet from the east end of the new bridge. The approaches will be widened to provide two 10-foot lanes and 3-foot grassed shoulders on both sides (7-foot shoulders where guardrail is included). NC 209 is functionally classified as a Rural Collector. The new structure is being designed using Sub-Regional Tier Guidelines with a 25 mile per hour design speed.

The new bridge will be constructed at its existing location. A 175-foot long retaining wall will be constructed along the north side of NC 209, beginning approximately 298-feet west of the new bridge.

The new bridge will be stage-constructed, and the existing bridge will be removed in phases. Traffic will utilize an onsite detour during the construction period.

Project Purpose: The purpose of the project is to remove a structurally deficient bridge. Bridge No. 560084 was built in 1938 and reconstructed in 1987. It is 41 feet long, carries two lanes, and has a clear roadway width of 19.4 feet. NCDOT Structures Management Unit records indicate Bridge No. 560084 is considered structurally deficient due to a substructure condition appraisal of 4 out of 9 according to Federal Highway Administration standards.

B. Consultation Phase: (Check one)

- Right-of-Way
- Construction
- Other: Identify the trigger – (e.g., design change, change in impacts)

C. NEPA/SEPA Class of Action Initially Approved as:

- FHWA Class II (CE) Type I A - August 28, 2019

D. Changes in Proposed Action & Environmental Consequences:

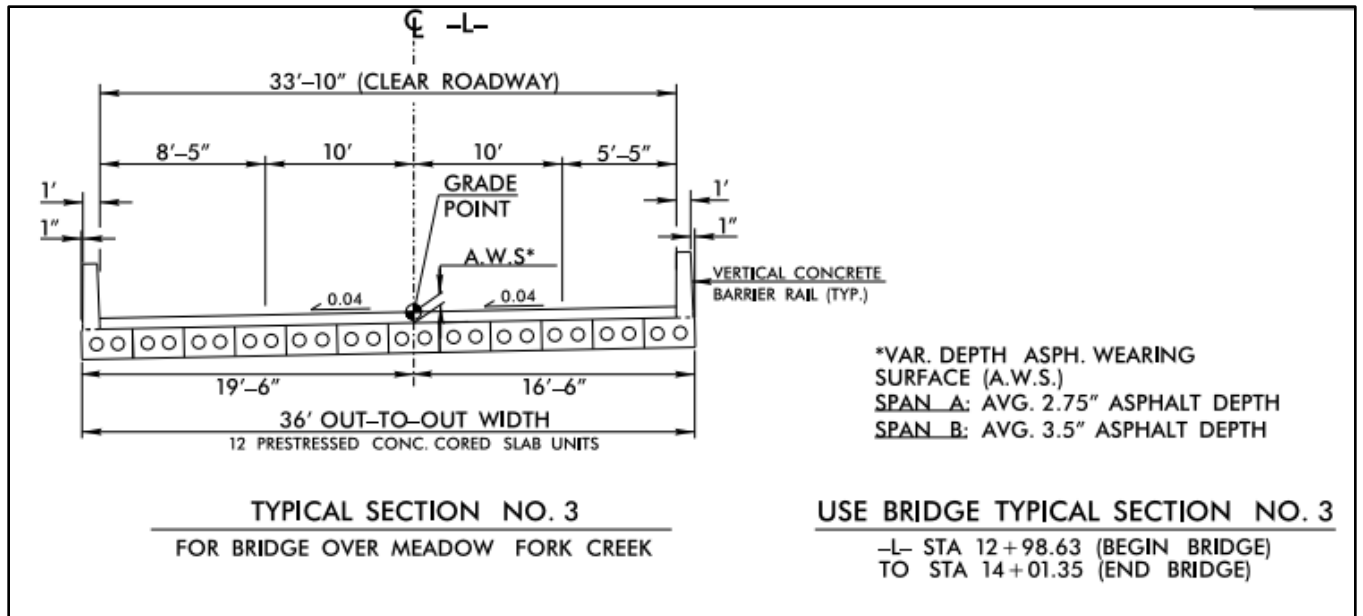
Elimination of Retaining Wall

The original plans included a retaining wall that began approximately 50 feet west of the bridge, near End Bent 1. Due to concerns with the constructability and long-term maintenance of the proposed wall at End Bent 1, NCDOT Geotechnical Foundation Design Unit and NCDOT Structures Management Unit requested that this retaining wall be eliminated. To accommodate this change, the bridge design was revised by lengthening the bridge from 70 feet to 103 feet and increasing the number of spans from one to two, as described below.

Changes to Proposed Bridge Length, Width, and Number of Spans

The proposed bridge length has been revised from a 70-foot long, single span, 24-inch cored slab bridge to a 103-foot long, two-span bridge (1 @30'21" cored slab, 1 @70' 24" cored slab). As noted above, the bridge design was revised from one span to two spans to allow for the elimination of the retaining wall near End Bent 1.

The proposed bridge has been widened to accommodate the revised length and horizontal curve. Previous designs of the bridge provided a minimum 30-foot 10-inch clear deck width, with two 10-foot lanes and 5-foot 5-inch offsets on each side. Current designs provide a 33-foot 10-inch clear deck width, with two 10-foot lanes with 8-foot 5-inch offsets on one side, and 5-foot 5-inch offsets on the other, as shown in the graphic below.



Geoenvironmental Site

A geoenvironmental site of concern was identified in the *BR-0032 Geoenvironmental Planning Report* (October 2018). This site is located at 7150 NC Highway 209, in the southwest quadrant of the intersection of SR 1175 (Meadow Fork Road) and NC 209. A project commitment was included in the greensheets of the CE to perform a Phase II Geoenvironmental Investigation if the property were to be impacted.

A Phase II investigation was performed (July 2019) that consisted of a site history assessment, geophysical survey, and limited soil and groundwater assessment. As a result of these investigations, four underground storage tanks and petroleum piping were removed from the proposed NCDOT roadway location, right-of-way, and easements associated with the BR-0032 project. According to the *BR-0032 Underground Storage Tank (UST) Closure Report* (12/03/2019), NCDOT has purchased this property containing the underground storage tanks, the tanks have been removed and disposed of, the UST sites have been backfilled with clean material, and all necessary testing was performed between October 21-23 in 2019.

Threatened and Endangered Species Update

Since the completion of the BR-0032 Categorical Exclusion, a Protected Species Survey Report (09/08/2021) was completed to provide an updated assessment of effects on federally protected species associated with this project.

The United States Fish and Wildlife Service (USFWS) lists the following federally protected species within the study area, under the Endangered Species Act (ESA) (Table 1). For each species, a discussion of the presence or absence of habitat is included below along with the Biological Conclusion rendered based on survey results in the study area.

Table 1. ESA federally protected species listed within the study area¹

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Myotis grisescens</i>	Gray bat	E	No	No Effect
<i>Myotis septentrionalis</i>	Northern long-eared bat	T	---	Meets 4(d) Rule

¹ Information for Planning and Consultation (IPaC) website checked on October 11, 2021.

E – Endangered; T – Threatened

Gray Bat

USFWS optimal survey window: May 15-August 15

Biological Conclusion: No Effect

The project to replace Bridge No. 84 has also been reviewed for effects on the gray bat (MYGR). As of April 28, 1976, the gray bat was listed by the U.S. Fish and Wildlife Service (USFWS) as “Endangered” under the Endangered Species Act of 1973. As of September 8, 2021, MYGR is listed in IPaC (<https://ecos.fws.gov/ipac/>) as occurring in Madison County.

According to the North Carolina Natural Heritage Program (NCNHP) Biotics Database, most recently updated in July 2021, MYGR have been documented in Madison County. USFWS, North Carolina Wildlife Resources Commission (WRC) and NHP data indicate that **the closest known occurrence of MYGR is approximately 6 miles east of the project site.**

On June 5, 2021, NV5 biologists assessed bridge No. 84 for potential gray bat habitat. No crevices suitable for roosting were present. No evidence of bats (bats, staining, or guano) was observed. Bridge No. 84 was previously surveyed in 2018 by NCDOT biologists. No evidence of bats in any form (bats, guano, staining) was observed during that survey. No caves or mines are located within the project footprint or within line of sight of the bridge. One abandoned structure is located in the project footprint. This structure had a collapsed roof and is well ventilated offering few roosting opportunities for bats. Based on the bridge type, and the lack of caves or mines in the project vicinity, the proposed project will have a biological conclusion of **No Effect** for gray bats.

Northern long-eared bat (NLEB)

USFWS optimal survey window: May 15-August 15

Biological Conclusion: Meets 4(d) Rule

The project to replace Bridge No. 84 has been reviewed for effects on the northern long-eared bat (NLEB). As of May 4, 2015, NLEB is listed by the U.S. Fish and Wildlife Service (USFWS) as “Threatened” under the Endangered Species Act of 1973. As of September 8, 2021, NLEB is listed in IPaC (<https://ecos.fws.gov/ipac/>) as occurring in Madison County. USFWS also established a final rule under the authority of section 4(d) of the Endangered Species Act that provides measures for the conservation of NLEB. The USFWS has tailored the final 4(d) rule to prohibit the take of NLEB from certain activities within areas where they are in decline. This incidental take protection applies only to known NLEB occupied maternity roost trees and known NLEB hibernacula. Effective February 16, 2016, incidental take resulting from tree removal is prohibited if it 1) occurs within a ¼ mile radius of known NLEB hibernacula; or 2) cuts or destroys known occupied maternity roost trees or any other trees within a 150-foot radius from the known maternity tree during the pup season (June 1-July 31).

NCDOT has also reviewed the USFWS Asheville Field office website (http://www.fws.gov/asheville/htmls/project_review/NLEB_in_WNC.html) for consistency with NCNHP records. This project is located entirely outside of the red highlighted areas (12-digit HUC) that the USFWS Asheville Field Office has determined to be representative of an area that may require consultation. The closest 12 digit (060101060301) red HUC is approximately 18.5 miles away (Upper Cataloochee Creek).

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

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

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

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act is enforced by the USFWS. Golden eagles do not nest in North Carolina. Habitat for the bald eagle primarily consists of mature forests in proximity to large bodies of open water for foraging. Large dominant trees are utilized for nesting sites, typically within 1.0 mile of open water.

A desktop-GIS assessment of the project study area, as well as the area within a 1.0-mile radius of the project limits, was performed on October 12, 2021, using the recently available color aerials. No water bodies large enough or sufficiently open to be considered potential feeding sources were identified. Since there was no foraging habitat within the review area, a survey of the project study area and the area within 660 feet of the project limits was not conducted. Additionally, a review of the July 2021 North Carolina Natural Heritage Program (NCNHP) dataset revealed no known occurrences of this species within 1.0 mile of the project study area. Due to the lack of habitat, known occurrences, and minimal impact anticipated for this project, it has been determined that this project will not affect this species.

Updated Cost Estimates

Cost estimates for the BR-0032 project, based on 2021 prices, are provided in Table 2.

Table 2. Cost Estimates for BR-0032

	Cost
Construction Cost	\$1,700,000
Utilities Cost	\$ 5,000
Right of Way Cost	\$ 32,930
Total Costs	\$ 1,737,930

Notes:

- o Utility cost estimate dated 2/2021
- o Construction cost estimate dated 10/2021
- o Right of Way Cost estimated based on 2019 prices (from BR-0032 Categorical Exclusion)

Tribal Coordination

For the BR-0032 CE (8/2019), the Eastern Band of Cherokee Indians (EBCI) received a Start of Study letter (sent 08/08/2018) notifying them of the start of the project development process and inviting them to comment. No comments were received in response to this letter.

Since the completion of the BR-0032 CE, NCDOT's tribal coordination procedures have been revised, and the following tribes were added to the contact list for Madison County:

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

Tribal coordination letters were sent these tribes on 12/6/2019, and a letter was sent to the EBCI on 12/19/2021 (refer to attachments). Comments were received from Catawba Indian Nation and Cherokee Nation, both indicating no immediate concerns with regards to cultural properties or archaeological sites within the project study area. They requested that project activities be halted and that they be notified if artifacts or human remains are discovered during construction.

E. Conclusion:

The above NEPA/SEPA documentation has been reevaluated (as required by either 23 CFR 771 or by NC General Statute Chapter 113A Article 1). It has been determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted in Section D. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administration Action remains valid.

F. Coordination

NCDOT personnel have discussed the current project parameters with qualified NCDOT representatives and FHWA (where applicable). The NCDOT Project Manager, Jacquelyn Bowles, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	James Speer, PE - Summit	01/03/2022
Environmental Specialist:	Jeffrey Hemphill, NCDOT	01/03/2022
FHWA (if applicable):	N/A	
Other:	N/A	

G. Consultation Approval for NCDOT Project BR-0032

Prepared By:

1/3/2022

Date

DocuSigned by:
Jackie Obediente

EP137ABC1AF64D0...
Jackie Obediente, PE
Three Oaks Engineering

Prepared For:

DocuSigned by:
Jacquelyn Bowles

DD26E87EDFB647E...
Jacquelyn Bowles, PE
NCDOT Structures Management Unit

Reviewed By:

1/3/2022

Date

DocuSigned by:
John Jamison

CA084B4A0412432...
John Jamison
Western Regional Team Lead, NCDOT Environmental Policy Unit



Approved

In adherence with 23 CFR 771 (NEPA) or NC General Statute Chapter 113A Article 1 (SEPA), NCDOT approves this Consultation.

or



Certified

NCDOT staff certifies if FHWA signature was previously required or where changes have resulted in FHWA signature being required.

1/3/2022

Date

DocuSigned by:
David Stutts

A4A2999A8BC64F2...
David Stutts, PE
NCDOT Structures Management Unit

FHWA Approved: FHWA signature required for Type I(B) CE, Type II(B) CE, Type III CE, FONSI or ROD.

Date

N/A
John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

H. Project Commitments (as of January 3, 2022)

**Madison County
Replace Bridge No. 560084
over Meadow Fork Creek on NC 209 in
Madison County
WBS No. 67032.1.1
Project No. BR-0032**

FEMA Floodplains and Floodways (NCDOT Division 13 Construction)

- 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.

Floodplain Mapping Coordination (NCDOT Hydraulic Design Unit)

- 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).

MOA approval was received on 07/09/2019 with the original designs (single span bridge). The MOA was resubmitted on 06/02/2021 with the revised design (two-span bridge). MOA approval is currently pending.

Construction Moratoria (NCDOT Division 13 Construction)

- The North Carolina Wildlife Resources Commission (NCWRC) identifies Spring Creek and Meadow Fork as hatchery supported trout waters. Therefore, an in-stream moratorium from October 15 to April 15 and Design Standards in Sensitive Watersheds are anticipated.

Outstanding Resource Waters (ORW) (Roadway Design Unit, Hydraulics Unit, Roadside Environmental Unit, Division 13)

- Spring Creek and Meadow Fork are classified as Outstanding Resource Waters (ORW) by the North Carolina Division of Water Resources (NCDWR). The need for including Design Standards for Sensitive Watersheds (DSSW) should be further investigated during final design.

The project was designed to Sensitive Watershed Standards.

Phase II GeoEnvironmental Investigation (NCDOT Division 13 Right of Way) **[COMPLETED]**

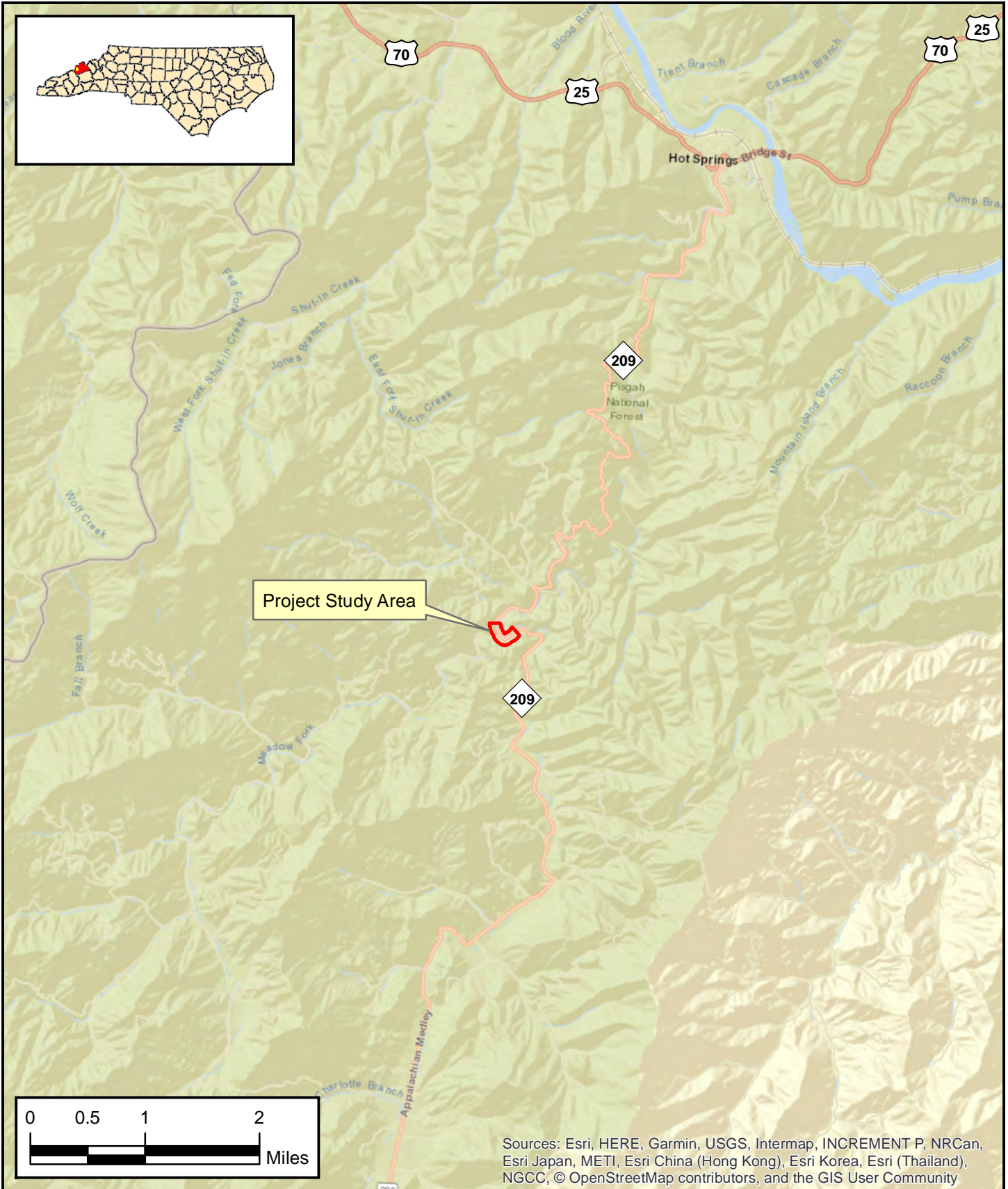
- One site of concern was identified within the project study area, as identified in the BR-0032 GeoEnvironmental Planning Report (October 11, 2018). Low monetary and scheduling impacts are anticipated for this site. Sites of concern that will be impacted by the project will have a Phase II GeoEnvironmental 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.

According to the BR-0032 UST Closure Report (12/03/2019), NCDOT has purchased this property containing the underground storage tanks, the tanks have been removed and disposed of, the UST sites have been backfilled with clean material, and all necessary testing was performed during Oct 21- 23, 2019.

Northern long-eared bat and Gray bat (NCDOT Division 13)

- After completion of the project, the contract administrator for construction must submit the actual amount of tree clearing reported in tenths of acres. This information should be submitted to Chris Manley (cdmanley@ncdot.gov).
- Please contact Chris Manley @ cdmanley@ncdot.gov, Environmental Analysis Unit – Biological Surveys Group with any questions.



**NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS**

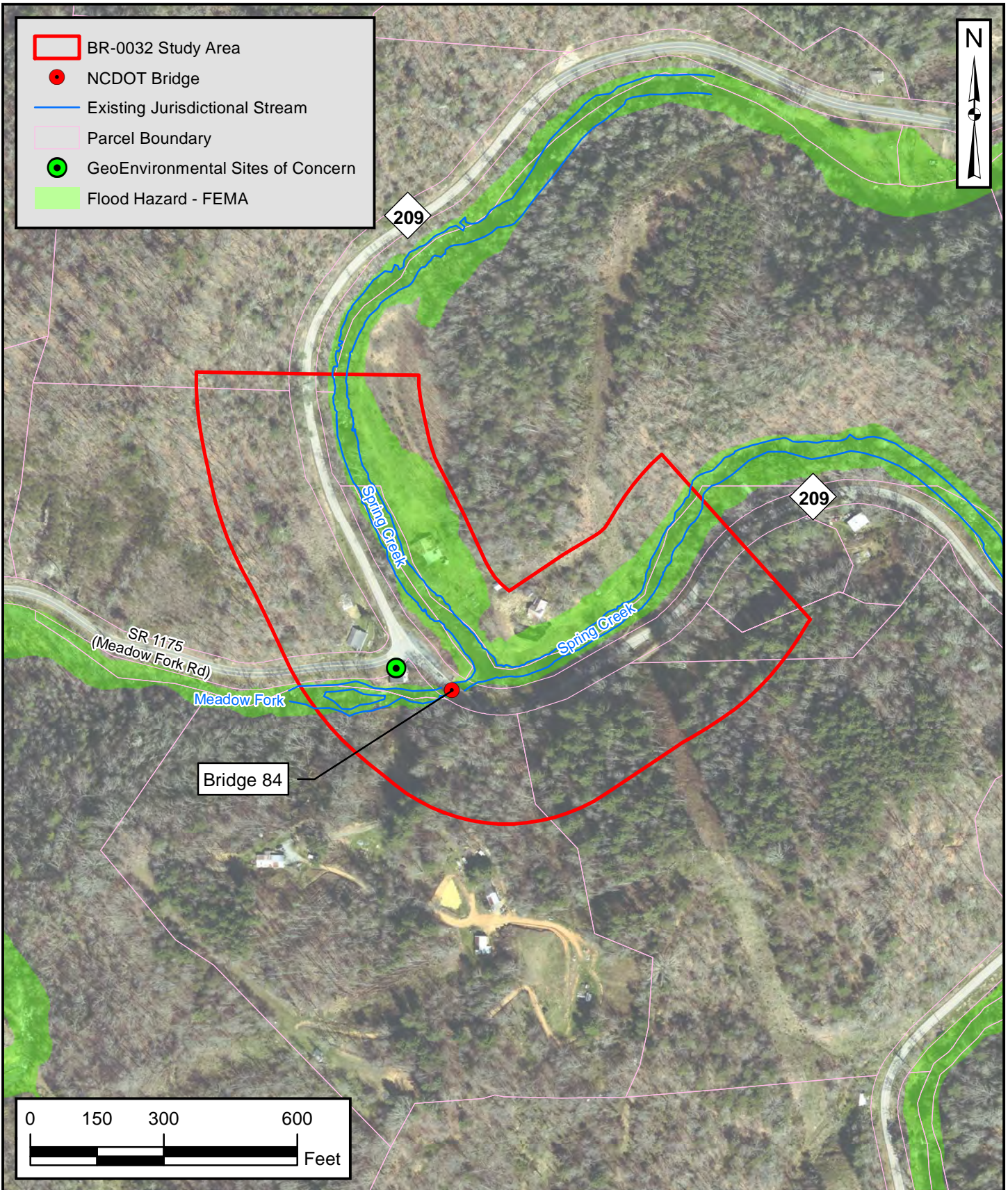
**VICINITY MAP
REPLACE BRIDGE NO. 84
ON NC 209 OVER
MEADOW FORK**

MADISON COUNTY
NORTH CAROLINA



County:	MADISON
Div: 13	TIP# BR-0032
WBS:	67032.1.1
Date:	FEBRUARY 2019

**Figure
1**



NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS

**ENVIRONMENTAL FEATURES MAP
REPLACE BRIDGE NO. 84
ON NC 209 OVER
MEADOW FORK**

MADISON COUNTY
NORTH CAROLINA



County:	MADISON
Div: 13	TIP# BR-0032
WBS:	67032.1.1
Date:	FEBRUARY 2019

**Figure
2**

09.08/2019

See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Symbols
See Sheet 1C-1 For Survey Control Sheet

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

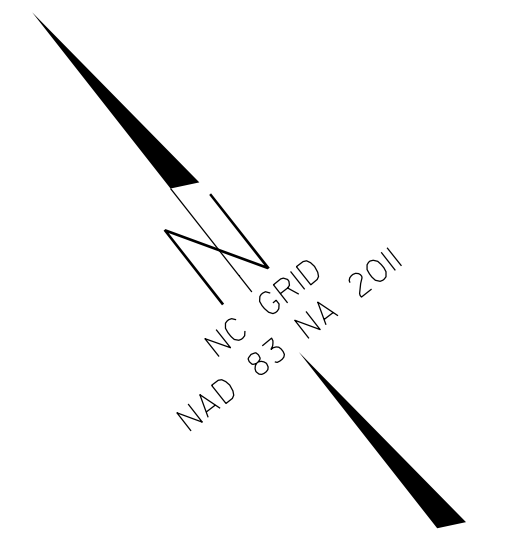
MADISON COUNTY

**LOCATION: BRIDGE NO. 84 ON NC 209
OVER MEADOW FORK CREEK**

TYPE OF WORK: GRADING, DRAINAGE, PAVING, RETAINING WALL AND STRUCTURE.

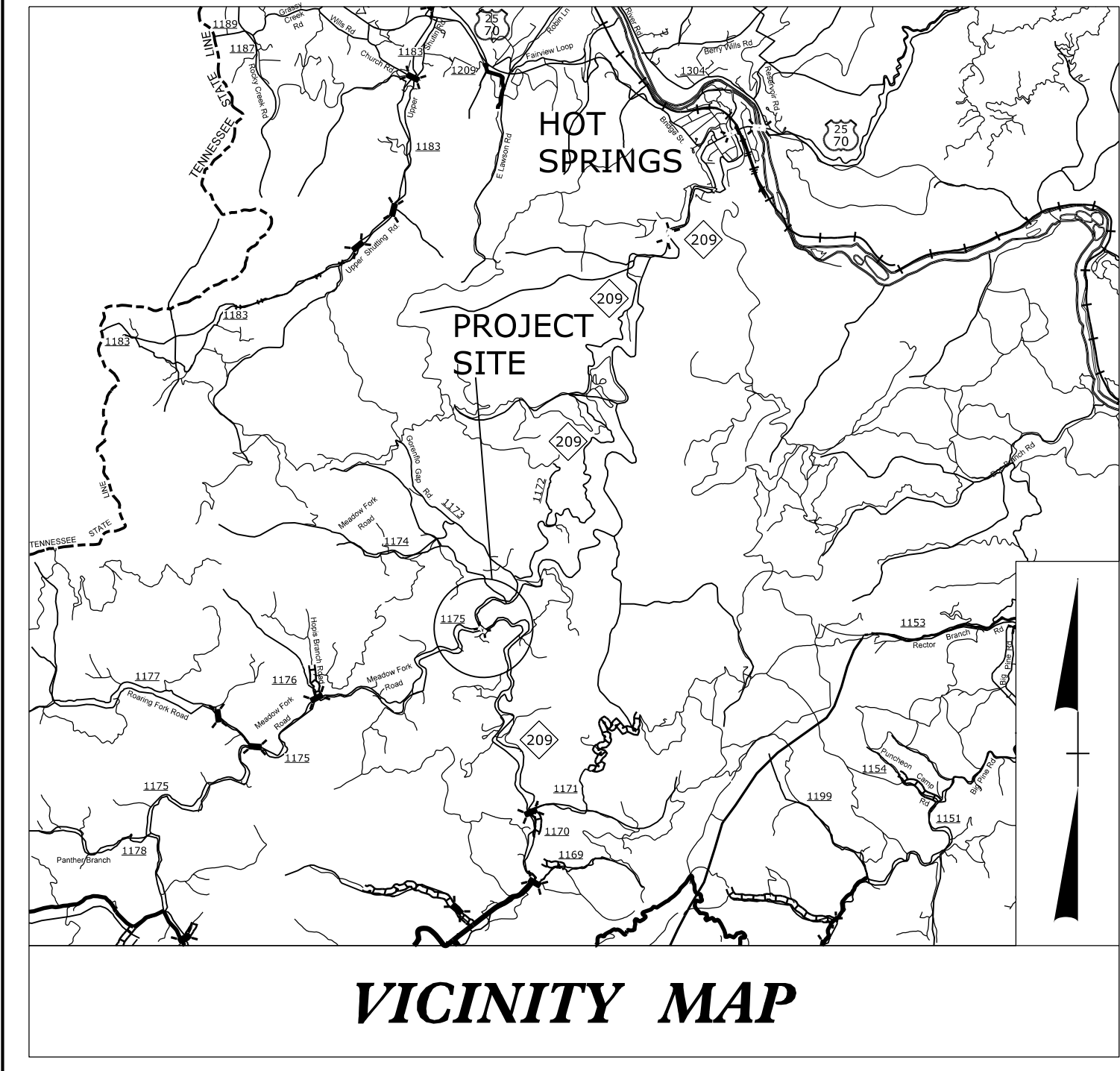
STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0032	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
67032.1.1		PE	
67032.2.1		ROW & UTILITIES	
67032.3.1		CONST.	

90% PLANS

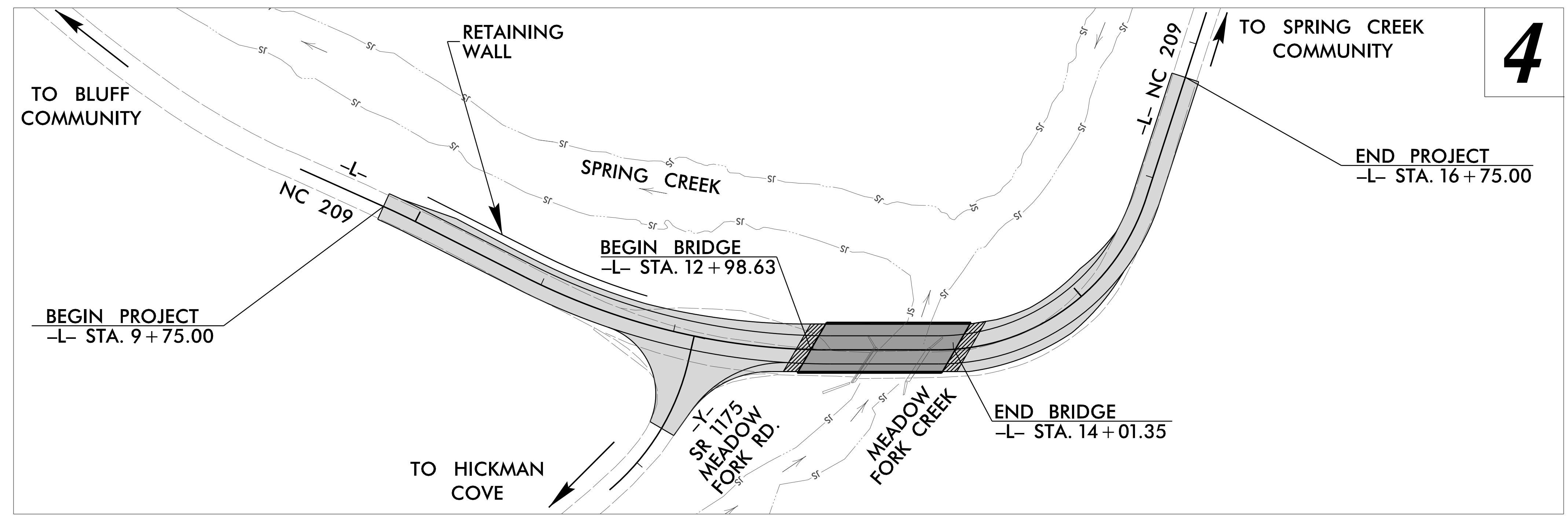


TIP PROJECT: BR-0032

CONTRACT: C204484



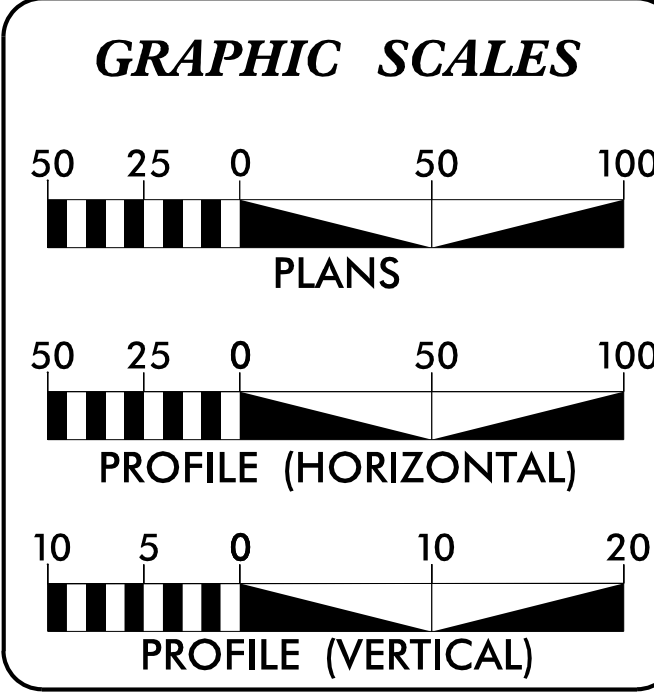
VICINITY MAP



4

*DESIGN SPEED EXCEPTION REQUIRED.

DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED



DESIGN DATA

ADT 2020 =	460 vpd
ADT 2040 =	600 vpd
D =	60 %
K =	10 %
T =	13 % *
* V =	25 MPH
* TTST =	1% DUAL 12%
FUNC CLASS =	RURAL COLLECTOR
	SUB REGIONAL TIER

PROJECT LENGTH

LENGTH ROADWAY PROJECT =	0.114 MILES
LENGTH STRUCTURES PROJECT =	0.019 MILES
TOTAL LENGTH PROJECT =	0.133 MILES
NCDOT CONTACT:	DAVID STUTTS, PE PROJECT MANAGER

Prepared in the Office of:

504 Meadowland Drive
Hillsborough, NC 27278-8551
Voice: (919) 732-3883
Fax: (919) 732-6776
www.summit-engineer.com

2018 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
AUGUST 27, 2019

LETTING DATE:
FEBRUARY 15, 2022

JAMES A. SPEER, PE
PROJECT ENGINEER

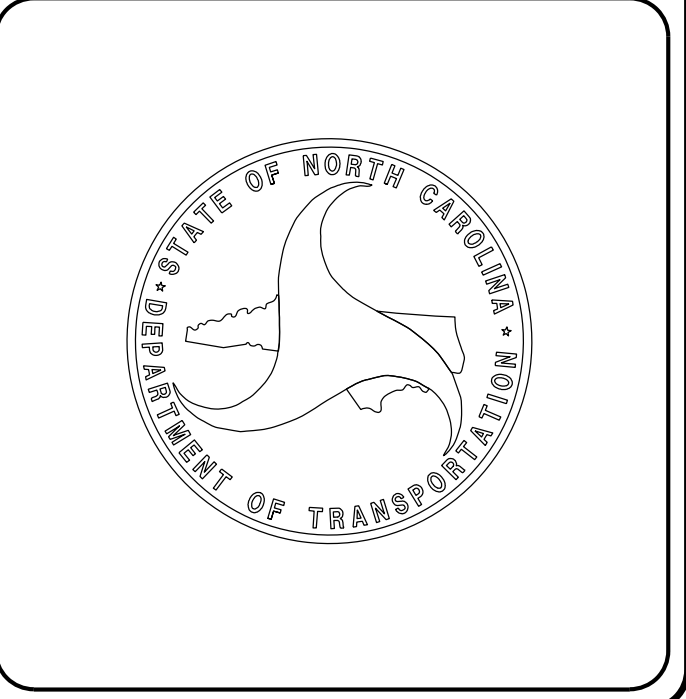
JEFFREY P. MUHLBAUER, PE
PROJECT DESIGN ENGINEER

HYDRAULICS ENGINEER

SIGNATURE: _____


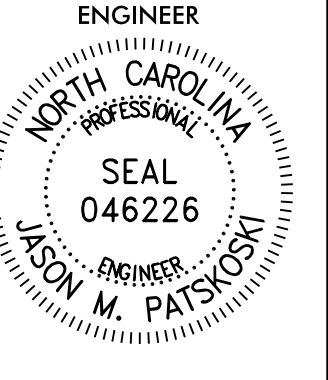

ROADWAY DESIGN ENGINEER

SIGNATURE: _____



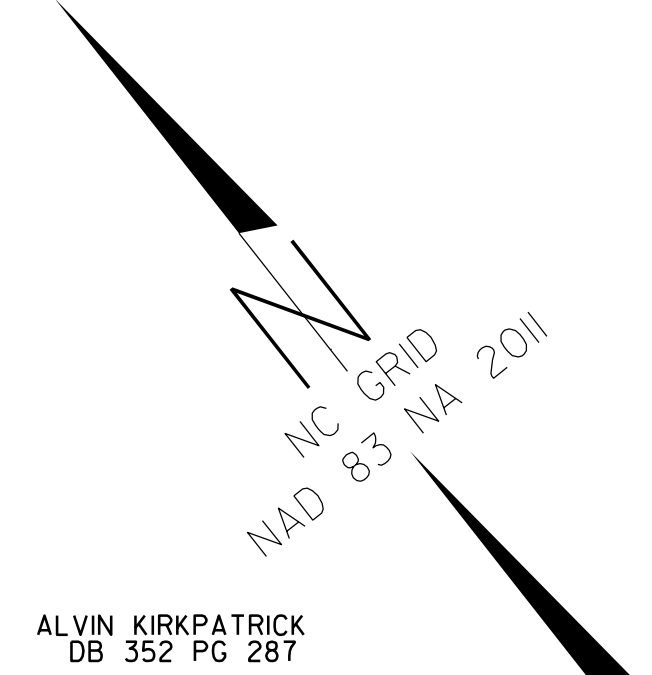
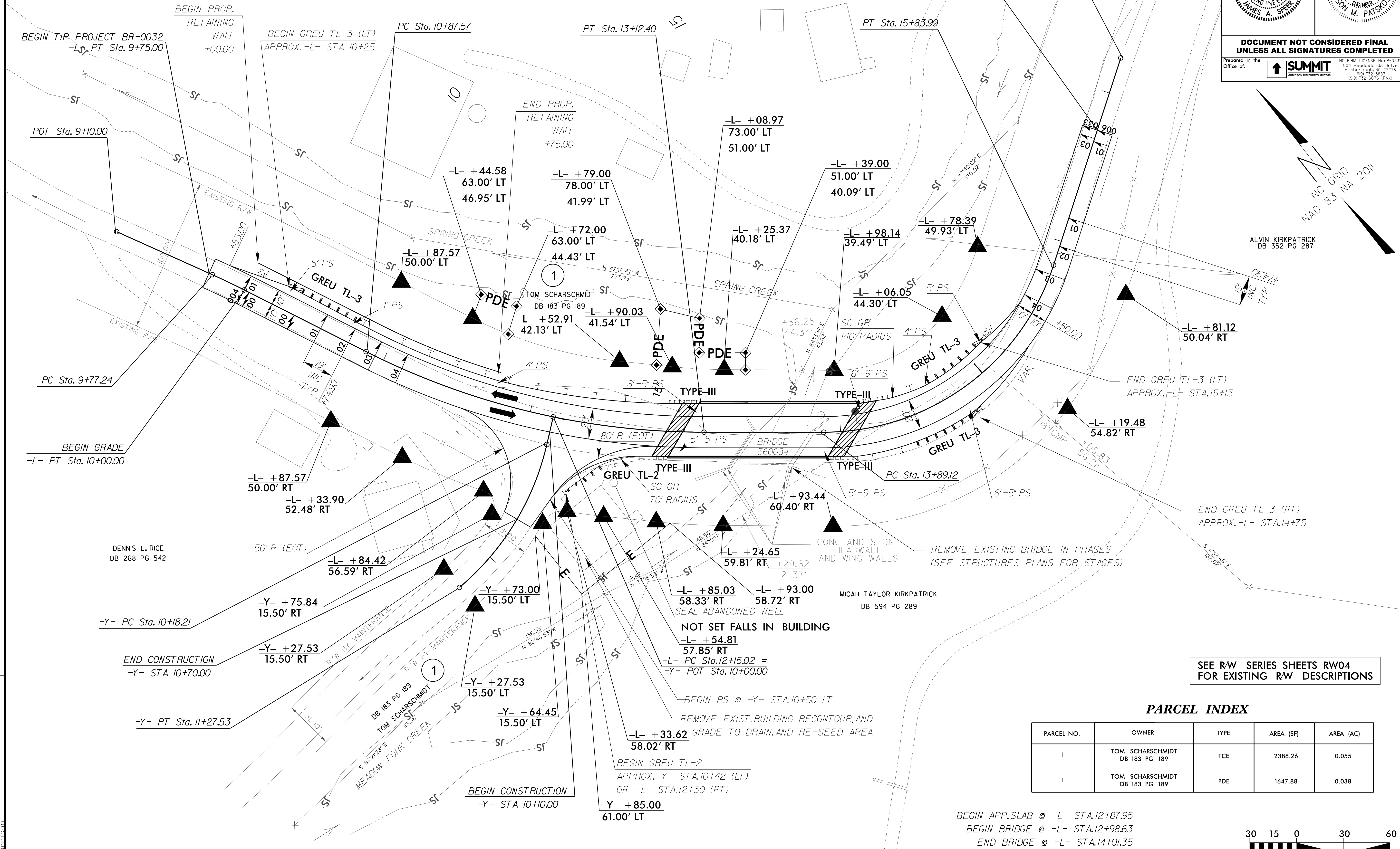
01-SEP-2021 08:50
BR-0032-Rdy-Tsh.dgn
Josh.Jernigan

ROADWAY DETAIL SHEET FOR DIMENSIONING, PROPERTY INFORMATION, AND ROW STA./OFFSET LABELS

PROJECT REFERENCE NO. <i>BR-0032</i>	SHEET NO. <i>2B-2</i>
RW SHEET NO.	
ROADWAY DESIGN ENGINEER 	HYDRAULICS ENGINEER 
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	
Prepared in the Office of: 	NC FIRM LICENSE No: P-0359 504 Meadowslands Drive Hillsborough, NC 27278 (919) 732-3883 (919) 732-6676 (FAX)

DB 120 PG 476
NANNIE LOU CALDWELL COGDILL

END TIP PROJECT BR-0032
-L- Sta. 16+75.00

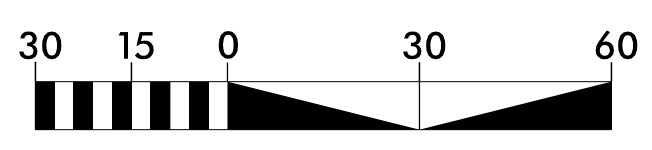


ALVIN KIRKPATRICK
DB 352 PG 287

SEE RW SERIES SHEETS RW04
FOR EXISTING RW DESCRIPTIONS

PARCEL INDEX

PARCEL NO.	OWNER	TYPE	AREA (SF)	AREA (AC)
1	TOM SCHARSCHMIDT DB 183 PG 189	TCE	2388.26	0.055
1	TOM SCHARSCHMIDT DB 183 PG 189	PDE	1647.88	0.038



REVISIONS

01-SEP-2021 08:50
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lostulerman



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 20, 2019

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

Dear Mr. Townsend,

The North Carolina Department of Transportation has started the project development, environmental, and engineering work for the replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County as project BR-0032.

The Federal Highway Administration (FHWA) is the lead federal agency and a permit is anticipated under the Section 404 process with the FHWA.

A project vicinity map is attached. The coordinates of this project are approximately 35.830717, -82.861895.

This project was reviewed/surveyed for cultural resources by NCDOT under the terms of the 2015 Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation and the North Carolina State Historic Preservation Office for Minor Transportation Projects in North Carolina (PA). The results of that review/survey are attached. The environmental document for this undertaking was completed on August 28, 2019.

Please find attached Archaeology Survey Reports. No Archaeological Survey was required for this project.

Please respond by January 20, 2020 so that your comments can be used in the scoping of this project. If you have any questions concerning this project, or would like any additional information, please contact me at dstutts@ncdot.gov or (919) 707-6442.

Thank you,

DocuSigned by:
A handwritten signature in black ink that reads "David Stutts".

A4A2999A8BC64F2...
David Stutts, P.E.
NCDOT Project Engineer – PEF/Program Management

cc: Matt Wilkerson, NCDOT Archaeology Team Leader
George Hoops, PE, Div 13 & 14 - FHWA
Steven Yerka - EBCI

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
STRUCTURES MANAGEMENT UNIT
1581 MAIL SERVICE CENTER
RALEIGH NC 27699

Telephone: (919) 707-6400
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH NC 27610



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 6, 2019

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

Dear Dr. Haire,

The North Carolina Department of Transportation has started the project development, environmental, and engineering work for the replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County as project BR-0032.

The Federal Highway Administration (FHWA) is the lead federal agency and a permit is anticipated under the Section 404 process with the FHWA.

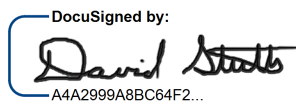
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Thank you,

DocuSigned by:

A4A2999A8BC64F2...

David Stutts, P.E.
NCDOT Project Engineer – PEF/Program Management

cc: Matt Wilkerson, NCDOT Archaeology Team Leader
George Hoops, PE, Div 13 & 14 - FHWA

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
STRUCTURES MANAGEMENT UNIT
1581 MAIL SERVICE CENTER
RALEIGH NC 27699

Telephone: (919) 707-6400
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH NC 27610



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 6, 2019

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

Dear Ms. Toombs,

The North Carolina Department of Transportation has started the project development, environmental, and engineering work for the replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County as project BR-0032.

The Federal Highway Administration (FHWA) is the lead federal agency and a permit is anticipated under the Section 404 process with the FHWA.

A project vicinity map is attached. The coordinates of this project are approximately 35.830717, -82.861895.

This project was reviewed/surveyed for cultural resources by NCDOT under the terms of the 2015 Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation and the North Carolina State Historic Preservation Office for Minor Transportation Projects in North Carolina (PA). The results of that review/survey are attached. The environmental document for this undertaking was completed on August 28, 2019.

Please find attached Archaeology Survey Reports. No Archaeological Survey was required for this project.

Please respond by January 10, 2020 so that your comments can be used in the scoping of this project. If you have any questions concerning this project, or would like any additional information, please contact me at dstutts@ncdot.gov or (919) 707-6442.

Thank you,

DocuSigned by:
A handwritten signature in black ink that reads "David Stutts".

A4A2999A8BC64F2...
David Stutts, P.E.
NCDOT Project Engineer – PEF/Program Management

cc: Matt Wilkerson, NCDOT Archaeology Team Leader
George Hoops, PE, Div 13 & 14 - FHWA

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
STRUCTURES MANAGEMENT UNIT
1581 MAIL SERVICE CENTER
RALEIGH NC 27699

Telephone: (919) 707-6400
Customer Service: 1-877-368-4968
Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH NC 27610



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 6, 2019

LeeAnne Wendt
PO BOX 580
Okmulgee, OK 74447

Dear Ms. Wendt,

The North Carolina Department of Transportation has started the project development, environmental, and engineering work for the replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County as project BR-0032.

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NCDOT Project Engineer – PEF/Program Management

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George Hoops, PE, Div 13 & 14 - FHWA

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 6, 2019

Whitney Warrior
Tribal Historic Preservation Officer
PO BOX 1245
Tahlequah, OK 74465

Dear Ms. Warrior,

The North Carolina Department of Transportation has started the project development, environmental, and engineering work for the replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County as project BR-0032.

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Thank you,

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A4A2999A8BC64F2...

David Stutts, P.E.
NCDOT Project Engineer – PEF/Program Management

cc: Matt Wilkerson, NCDOT Archaeology Team Leader
George Hoops, PE, Div 13 & 14 - FHWA
Karen Pritchett - UKBCI
Charlotte Wolfe - UKBCI

Mailing Address:
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918-453-5000 • www.cherokee.org

Office of the Chief

Chuck Hoskin Jr.
Principal Chief

Bryan Warner
Deputy Principal Chief

January 14, 2020

David Stutts
North Carolina Department of Transportation
Structures Management Unit
1581 Mail Service Center
Raleigh, NC 27699

Re: BR-0032, Proposed Bridge No. 84 Replacement on NC 209 over Meadow Fork

Mr. David Stutts:

The Cherokee Nation (Nation) is in receipt of your correspondence about **BR-0032, Proposed Bridge No. 84 Replacement on NC 209 over Meadow Fork**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found no instances where this project intersects or adjoins such resources. Thus, the Nation does not foresee this project imparting impacts to Cherokee cultural resources at this time.

However, the Nation requests that the North Carolina Department of Transportation (NCDOT) halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project.

Additionally, the Nation requests that NCDOT conduct appropriate inquiries with other pertinent Tribal and Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

If you require additional information or have any questions, please contact me at your convenience. Thank you for your time and attention to this matter.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer
Cherokee Nation Tribal Historic Preservation Office
elizabeth-toombs@cherokee.org
918.453.5389

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

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



January 16, 2020

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

Re. THPO #	Project #	Project Description
2020-193-92	BR-0032	Replacement of Bridge No. 84 on NC 209 over Meadow Fork in Madison County

Dear Mr. Stutts,

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

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

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer