

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

TIP Project No.	B-5527
WBS Element	55027.1.FS1
Federal Project No.	BRSTP-0052(49)

A. Project Description:

The proposed project involves replacing Surry County bridge numbers 122 and 126 on US 52 northbound and southbound, respectively, over Toms Creek in unincorporated Surry County. Refer to attached Figure 1 (Vicinity Map).

Both existing bridges will be replaced with bridges that will have a minimum 40-foot clear deck width. Each will include two 12-foot lanes, a 4-foot inside shoulder, and a 12-foot full-depth paved outside shoulder. The roadway portions associated with each bridge will have two 12-foot lanes, a 4-foot inside shoulder, and a 10-foot full-depth paved outside shoulder. Bridge numbers 122 and 126 will be 230 and 210 feet long, respectively.

Existing bridge 122 will be demolished and constructed first. To maintain traffic on US 52 northbound during its demolition and construction, an onsite detour bridge and temporary roadway lanes will be constructed in the median. After the completion of bridge 122, bridge 126 will be closed. Its traffic will be rerouted onto the aforementioned detour and demolition and construction will begin on bridge 126. Refer to attached Figure 2 (Project Designs). It is important to note that within the project limits, US 52 is anticipated to be upgraded to interstate standards as a separate project to accommodate future I-74.

B. Description of Need and Purpose:

The purpose of the proposed project is to replace two structurally deficient bridges. Bridges 122 and 126 were built in 1960. NCDOT records indicate they are considered structurally deficient because they both have substructure condition appraisals of 4 out of 9 according to Federal Highway Administration (FHWA) standards.

C. Categorical Exclusion Action Classification:

TYPE I A

D. Proposed Improvements:

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:

- Costs – As of October 2022, the construction cost for replacing both bridges is estimated to be \$12,100,000. No additional right-of-way is required and utilities are not in the project area.

- Alternative Analysis – One alternative, “replace-in-place with on-site detour”, was considered for this project. The on-site detour would be located in the US 52 median between bridges 122 and 126.
- Potentially Impacted Resources –The Biological Conclusion (BC) for the federally endangered gray bat is unresolved as it was added to the USFWS list for this area after the 2019 NRTR Addendum. NCDOT Biological Surveys Group (BSG) will complete required assessments/surveys to resolve the BC prior to project permitting.
- Public Involvement – A newsletter that contained information about the project’s location, detour, improvements, schedule, costs, development process, website and project contacts was sent the public and stakeholders on September 22, 2021. The newsletter was accompanied by an NCDOT Title VI Public Involvement Form, and a sheet for remitting comments or questions. While a project website, email, phone number, and mailing address was provided for comments or questions, none were obtained.
- Tribal Coordination – A tribal coordination letter was sent to the Catawba Indian Nation on July 26, 2021. The letter provided a brief project history, discussed project improvements, and requested information that would be helpful in evaluating potential environmental impacts on tribal resources. A response was obtained from the Catawba Indian Nation on September 7, 2021 that stated they have no immediate concerns with the project, but would like to be notified if artifacts or human remains are found during construction.

F. Project Impact Criteria Checklists:

<u>Type I & II - Ground Disturbing Actions</u>				
<u>FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA</u>				
If any of questions 1-7 are marked “yes” then the CE will require FHWA approval.			Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6	Does the project require an Individual Section 4(f) approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If any of questions 8 through 31 are marked “yes” then additional information will be required for those questions in Section G.				

<u>Other Considerations</u>		Yes	No
8	Does the project result in a finding of “may affect not likely to adversely affect” for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	Is the project located in anadromous fish spawning waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15	Does the project involve hazardous materials and/or landfills?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	Does the project require a U.S. Coast Guard (USCG) permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22	Does the project involve any changes in access control?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25	Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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), or other unique areas or special lands that were acquired in	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	fee or easement with public-use money and have deed restrictions or covenants on the property?		
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
29	Is the project considered a Type I under the NCDOT's Noise Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31	Are there other issues that arose during the project development process that affected the project decision?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

G. Additional Documentation as Required from Section F

- Response to Question 8 – The gray bat is the only species listed by USFWS within the study area that has an unresolved BC. NCDOT BSG will assess the project and render a BC as appropriate. If the BC is "may affect, not likely to adversely affect" for this species, an informal consultation request will be sent to the USFWS, and Section 7 will be resolved prior to permitting.
- Response to Question 16 – While the project is located within a 100-year floodplain, the proposed bridges and grading are outside of the floodway. There will be temporary encroachments for both bridges into the floodway due to existing pier removal and new pier construction. However, this will not cause permanent adverse effects to the floodway or floodplain. Based on the HECRAS modeling results of the proposed bridge, no floodway revision will be required. This project meets the State Floodplain Compliance (SFC) Type A classification criteria since the reduction in base flood elevation (BFE) is contained within the NCDOT ROW. With respect to this, the Division and NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP) to obtain approval.

H. Project Commitments

**Surry County Bridge Nos. 122 and 126 on US 52 over Toms Creek
Federal Project No. BRSTP-0052(49)
WBS No. 55027.1.FS1
TIP No. B-5527**

- NCDOT Division 11/SMU/Hydraulics Unit - FEMA
 - 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.
 - The Division/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).
- NCDOT Structures Management Unit - Stakeholder Coordination
 - NCDOT will continue coordination with the Town of Pilot Mountain and Surry County to discuss potential future greenway accommodations along Toms Creek.

I. Categorical Exclusion Approval

TIP Project No.	B-5527
WBS Element	55027.1.FS1
Federal Project No.	BRSTP-0052(49)

Prepared By:

4/14/23
Date

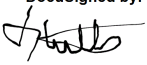


William Rice, AICP, CEI, Principal Planner
Rice LLC

Prepared For: NCDOT Structures Management Unit (SMU)

Reviewed By:

4/21/2023
Date

DocuSigned by:


A4A2999A6BC04F2...
David Stutts – Project Manager, NCDOT SMU

Approved If all of the threshold questions (1 through 7) of Section F are answered “no,” NCDOT approves this Categorical Exclusion.

Certified If any of the threshold questions (1 through 7) of Section F are answered “yes,” NCDOT certifies this Categorical Exclusion.

4/21/2023
Date

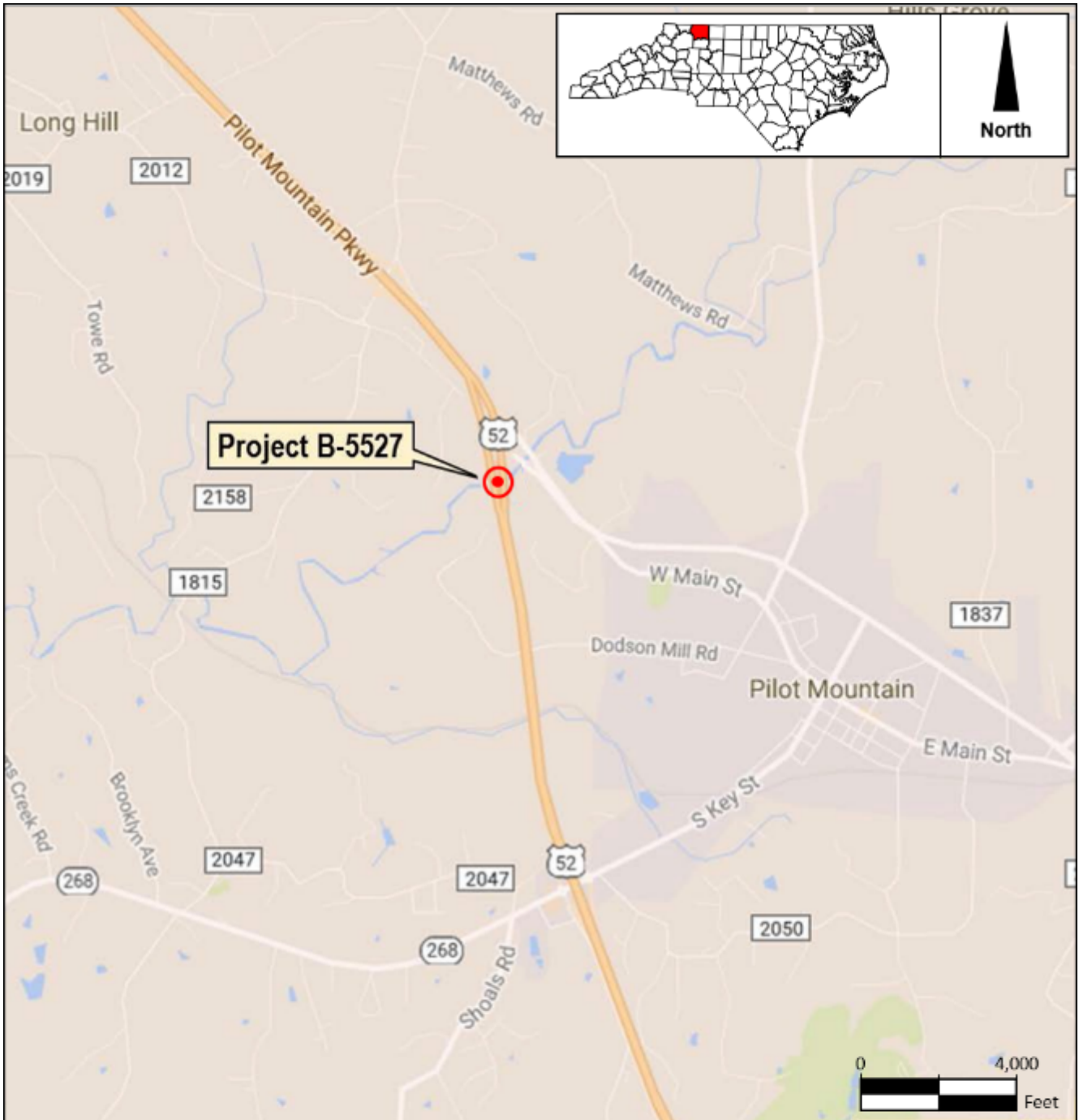
DocuSigned by:


CA984E4A6412432...
John Jamison – Environmental Policy Unit Head

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

Date Not Applicable

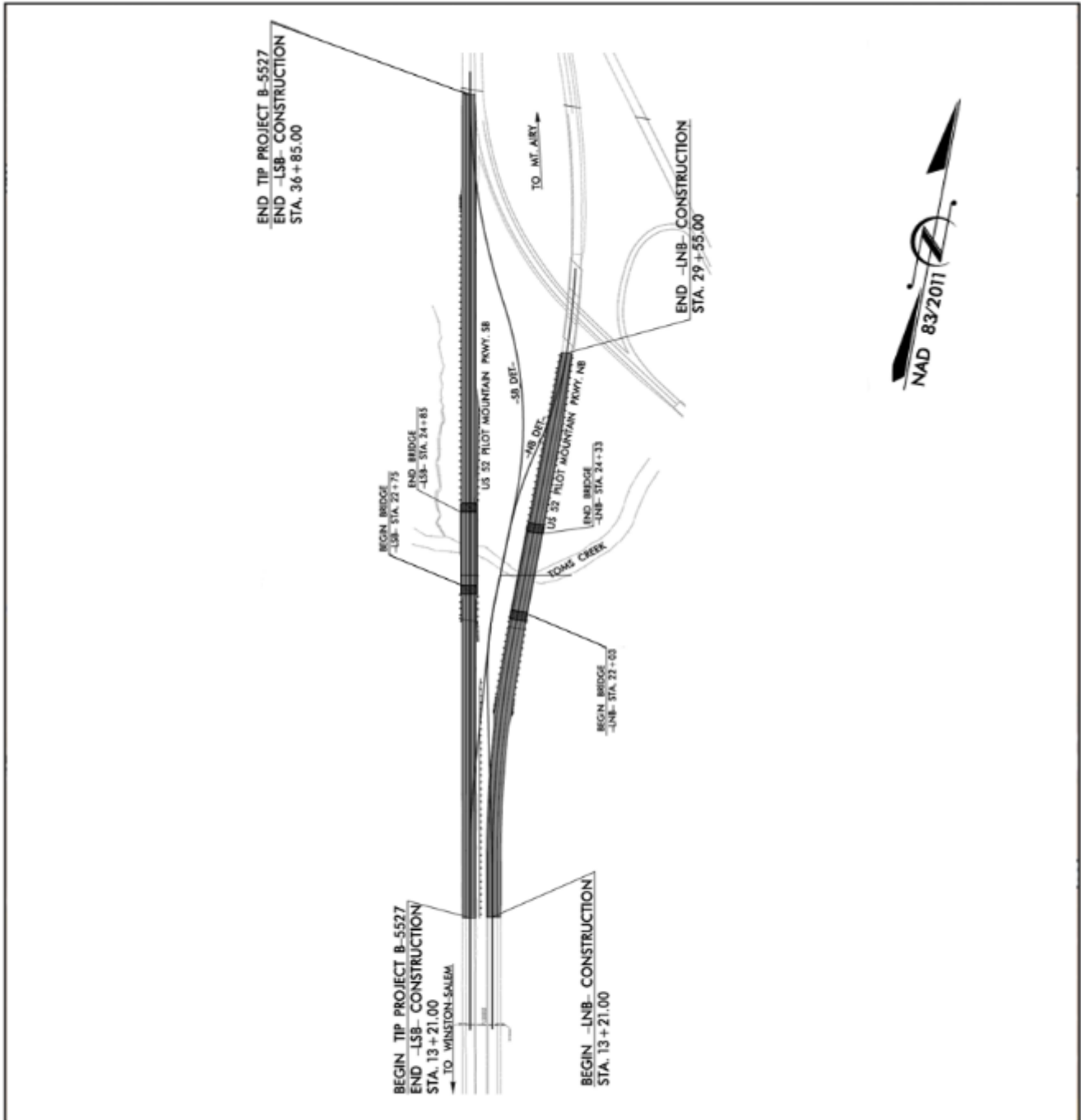
John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration



VICINITY MAP
Bridge Nos. 122 and 126 over Toms Creek
On US 52 Northbound and Southbound Lanes

County: SURRY	
Div: 11	TIP #B-5527
WBS: 55027.1.FS1	
Date: Oct. 28, 2021	

Figure
1



PROJECT DESIGNS
Bridge Nos. 122 and 126 over Toms Creek
On US 52 Northbound and Southbound Lanes

County: SURRY	
Div: 11	TIP #B-5527
WBS: 55027.1.FS1	
Date: March 2, 2022	

Figure
2

Appendix

Project Tracking No.:

15-03-0059 Resubmit



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

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



PROJECT INFORMATION

Project No: B-5527 **County:** Surry
WBS No: 55027.3.1 **Document:** Federal CE
F.A. No: **Funding:** State Federal
Federal Permit Required? Yes No **Permit Type:** USACE

Project Description: Replacement of Bridge Nos. 122, 126, & 342 over Toms Creek and Old US 52 northbound lane in Surry County, North Carolina. The archaeological Area of Potential Effects (APE) encompasses the entire project study area as depicted on the attached ARC-GIS mapping. It measures 14.65 acres in area.

SUMMARY OF CULTURAL RESOURCES REVIEW

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

Permitting and funding information was reviewed for determining the level of archaeological input required by state and federal laws. Based on the submitted "request for cultural resources review" form, the project is federally-funded with federal permit interaction. As such, Section 106 of the National Historic Preservation Act will apply and the Federal Highway Administration (FHWA) will serve as the lead federal agency. Next, construction design and other data was examined (when applicable) to define the character and extent of potential impacts to the ground surfaces embracing the project locale. The APE was primarily designed to capture any federal permit areas or areas of potential ground disturbing activity.

Once an APE was outlined, a map review and site file search was conducted at the Office of State Archaeology (OSA) on Tuesday, March 17, 2020. No NRHP eligible archaeological sites or any other previously documented archaeological sites are located within the APE or proximal. An archaeological survey of the original project study area was conducted in August 2015, by New South Associates. The survey area was robust and covered the majority of the new project study area (see attached map). During the course of the survey work by New South Associates, no archaeological sites were identified. The portions of the newly defined project area not covered by the original survey work are disturbed and encompass for the most part existing right-of-way. Further work at this location is unlikely to document significant or any other archaeological resources.

Examination of National Register of Historic Places (NRHP), State Study Listed (SL), Locally Designated (LD), Determined Eligible (DE), and Surveyed Site (SS) properties employing resources available on the NCSHPO website is important in establishing the location of noteworthy historic occupations related to a perspective construction impact area. A cross-check of these mapped resources concluded that no meaningful historic properties with possible contributing archaeological elements were located inward of the archaeological APE margins. In addition, historic maps of Surry County were appraised to identify former structure locations, land use patterns, or other confirmation of historic occupation in the project vicinity. Archaeological/historical reference materials were inspected as well. In general, the cultural background review established that no NRHP listed properties or cemeteries are located within the APE. Based on cultural-historical factors, the APE is considered to have a low potential for the documentation of archaeological resources.

Further, topographic, geologic, flood boundary, and NRCS soil survey maps were referenced to evaluate pedological, geomorphological, hydrological, and other environmental determinants that may have resulted in

"No ARCHAEOLOGY SURVEY REQUIRED" form for the Amended Minor Transportation Projects as Qualified in the 2015 Programmatic Agreement.

1 of 2

Project Tracking No.:

15-03-0059
Resubmit

past occupation at this location. Aerial and on-ground photographs (NCDOT Spatial Data Viewer) and the Google Street View map application (when amenable) were also examined/utilized for additional assessment of disturbances, both natural and human induced, which compromise the integrity of archaeological sites. Environmental/impact factors do not suggest a heightened potential for archaeological resource recovery.

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

The majority of the currently defined APE has been previously surveyed for archaeological resources. No sites were identified during the course of the survey work. The remaining portions of the APE that had not been previously surveyed encompass disturbed and impacted existing right-of-way. Environmental and cultural-historical factors do not suggest a heightened potential for archaeological resource recovery in the APE. Intact NRHP eligible archaeological sites are unlikely to be present or preserved within the currently defined APE. No further consultation is advocated. A finding of "no archaeological survey required" is considered appropriate.

This project falls within a North Carolina County in which the Catawba Indian Nation has expressed an interest: Surry County. It is recommended that you contact each federal agency involved with your project to determine their Section 106 Tribal consultation requirements.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Photocopy of County Survey Notes Other:

FINDING BY NCDOT ARCHAEOLOGIST

NO ARCHAEOLOGY SURVEY REQUIRED

Scott Eric Halverson

NCDOT

3.19.2020
~~14697810~~

15-03-0059
updated

HISTORIC ARCHITECTURE AND LANDSCAPES NO SURVEY REQUIRED FORM

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

PROJECT INFORMATION

Project No:	B-5527	County:	Surry
WBS No.:	55027.1.FS1	Document Type:	PCE
Fed. Aid No:	unknown	Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	unknown
Project Description: Replace Bridge Nos. 342, 122, & 123 on US 52 over Tom's Creek. (updated project description)			

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

Description of review activities, results, and conclusions:

Review of HPO quad maps, relevant background reports, historic designations roster, and indexes was undertaken on April 2, 2015. Based on this review there are no NR, DE, LL, SL, or SS in the project area. There are no structures greater than 50 years of age in the Area of Potential Effect (APE) of this project. No survey is required. This project has been resubmitted to include two more bridges. The new APE is shown in yellow on the map below. There are no properties over 50 years of age in the APE of the updated project. No survey is required.

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

Using HPO GIS website and Surry County ArcGIS website provides reliable information regarding the structures in the APE. These combined utilities are considered valid for the purposes of determining the likelihood of historic resources being present.

SUPPORT DOCUMENTATION

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

FINDING BY NCDOT ARCHITECTURAL HISTORIAN

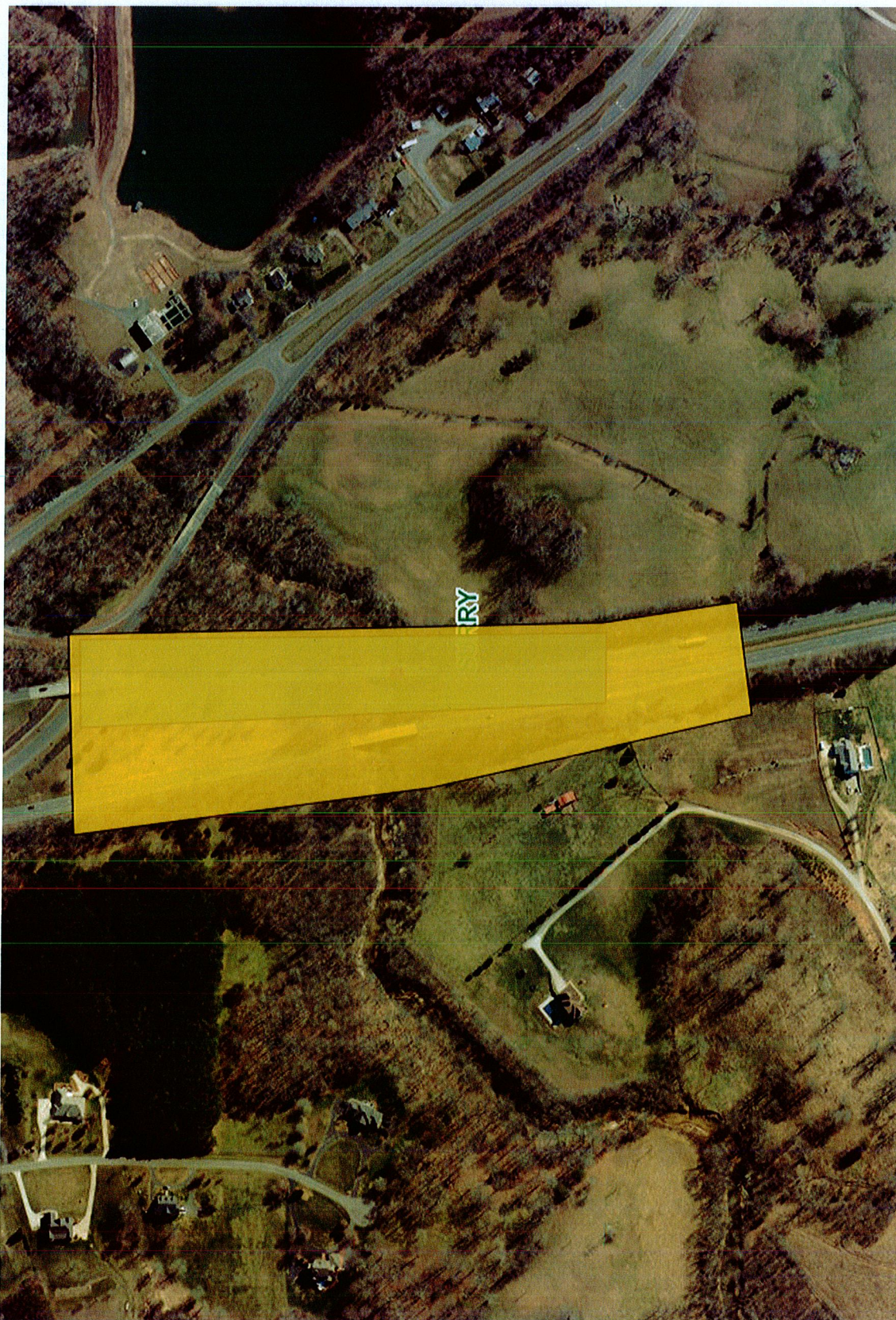
Historic Architecture and Landscapes -- NO SURVEY REQUIRED

Shelby Peap

NCDOT Architectural Historian

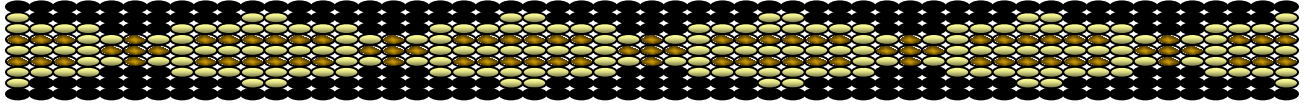
Feb. 4, 2020

Date



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

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



September 7, 2021

Attention: Bill Rice
Rice LLC
107 Craven Hill Court
Cary, NC 27518

Re. THPO #	TCNS #	Project Description
2021-193-148		NCDOT STIP project number B-5527

Dear Mr. Rice,

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,

Wenonah G. Haire
Tribal Historic Preservation Officer