

**Macon County**  
**Bridge No. 22 on US 441 BUS (Main St.)**  
**over Little Tennessee River**  
**Federal Aid Project No. BRNHS-0441(8)**  
**W.B.S. No. 42271.1.1**  
**T.I.P. No. B-5125**

CATEGORICAL EXCLUSION

UNITED STATES DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

AND

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

DIVISION OF HIGHWAYS

5/23/14

DATE

Richard W. Hancock

for Richard W. Hancock, PE,  
Manager, Project Development & Environmental Analysis Unit

5-28-14

DATE

John F. Sullivan, III

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

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CATEGORICAL EXCLUSION

Documentation Prepared in  
Project Development and Environmental Analysis Unit By

5-23-2014

DATE

Joseph S. Qubain

Joseph S. Qubain  
Project Planning Engineer  
Bridge Project Development Section

5-27-2014

DATE

John L. Williams

John L. Williams, PE  
Project Engineer  
Bridge Project Development Section



## **PROJECT COMMITMENTS**

Macon County

Bridge No. 22 on US 441 BUS (Main St.)  
over Little Tennessee River

Federal Aid Project No. BRNHS-0441(8)  
W.B.S. No. 42271.1.1

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### **Roadway Design / Structure Design – Bicycle Accommodation**

The project is on the “Mountain to Sea” bicycle route. Bicycle accommodations will be provided on the bridge and road approaches; a 6.5 ft. bike paved lane and standard bicycle safe railing.

### **Roadway Design / Structure Design – Multiuse Path**

A 10 ft. multiuse path will be provided on the bridge separated from the pavement by a 42 in. vertical concrete barrier rail.

### **Utilities Coordination / Division 14 / Roadway Design – Greenway & Sewer Line**

After the piles are driven for the southern end bent, the sewer line running parallel to the west side of the Little Tennessee River will be relocated closer to the bent allowing appropriate space for the greenway.

### **All Units – Municipal Agreement**

In coordination with the Town of Franklin, a Municipal Agreement will be prepared and signed, which states that the state will be reimbursed for the betterment cost associated with the vertical barrier on the bridge.

### **Structure Design Unit – TVA**

The project is located in the Tennessee Valley Authority’s (TVA) Land Management District. The project will require approval under Section 26a of the TVA Act.

### **Project Development and Environmental Analysis – FERC**

Duke Energy is the Federal Energy Regulatory Commission (FERC) licensee for the Franklin Hydroelectric Project (Lake Emory). A submittal of a complete conveyance application is required for their review and approval. Final approval is needed before construction can start

### **Division Fourteen – EMS and School Busses**

In order to allow Emergency Management Services (EMS) time to prepare for the road closure, the Resident Engineer will notify the Macon County Emergency Services Office of the bridge removal thirty days prior to road closure. (828-349-2064)

In order to allow Macon County Schools (MCS) time to prepare for the road closure, the Resident Engineer will notify the Transportation Director at MCS of the bridge removal thirty days prior to road closure. (828-524-3314)

**All NCDOT Units – Avoid Impact to a Section 4(f) Resource**

The Nikwasi Indian Mound is located approximately five hundred feet from the bridge; any extension of the project area will require appropriate review to insure avoidance.

**All NCDOT Units – Avoid Impact to Underground Storage Tanks (USTs)**

There are twelve Underground Storage Tanks (UST's) just outside the project limits as shown in Figure 3. Any extension of the project area will be reviewed to determine possible impact to USTs.

**Hydraulics Unit – FEMA Coordination**

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).

**Division Fourteen – FEMA –As Built Construction Plans**

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 structures and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

**PDEA – NES – Division – Consultation with USFWS**

Construction authorization will not be given and work on the Project will not start until consultation with the U.S. Fish & Wildlife Service (USFWS) is complete. NES will continue to survey and coordinate with the USFWS until concurrence is obtained.

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**INTRODUCTION:**

Bridge No. 22 is included in the latest approved North Carolina Department of Transportation (NCDOT) Transportation Improvement Program. The location is shown in Figure 1. No substantial environmental impacts are anticipated. The project is classified as a Federal "Categorical Exclusion".

**I. PURPOSE AND NEED STATEMENT**

NCDOT Bridge Management Unit records indicate Bridge No. 22 has a sufficiency rating of 36 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to substructure rating of 4 out of 9 and functionally obsolete due to deck geometry of 2 out of 9 according to Federal Highway Administration (FHWA) standards.

Components of both the concrete superstructure and substructure have experienced an increasing degree of deterioration that can no longer be addressed by maintenance activities.

Bridge No. 22 carries about 13,200 vehicles per day with 17,000 vehicles per day projected for the future. The substandard deck width, bridge railing and approach guardrail is becoming increasingly unacceptable and replacement of the bridge will result in safer traffic operations.

**II. EXISTING CONDITIONS**

The project is located within the town limits of Franklin in Macon County, between NC 28 (Highlands Road) and Depot Street (Figure 1). Development in the area is commercial in nature.

The bridge is over the Little Tennessee River, which, is dammed to form Lake Emory. Lake Emory is managed by Duke Energy, licensed by the Federal Energy Regulatory Commission (FERC) for generation of hydroelectricity, and identified as the Franklin Hydroelectric Project.

US 441 Business is classified as a major collector in the Statewide Functional Classification System and is a National Highway System Route.

In the vicinity of the bridge, US 441 Business has a 20 ft. pavement width with 2 ft. paved shoulders. The bridge carries two lanes of eastbound traffic. The roadway grade is in a sag vertical curve through the project area. The existing bridge is on a tangent. The roadway is situated approximately 28 ft. above the creek bed. The existing bridge was constructed in 1931 and is a five-span structure with mass concrete abutments and post and web interior bents. The overall length of the structure is 211 ft. The clear roadway width is 20 ft. The bridge does not have a posted weight limit.

There are utilities within the project area; a water line and a sewer line owned by the Town of Franklin are attached to the underside of existing structure. Overhead power lines and telephone lines are near the bridge. There is a traffic signal at the north end of the structure. Utility impacts are anticipated to be medium.

The current traffic volume of about 13,200 vehicles per day (VPD) is expected to increase to 17,000 VPD by the year 2035. The projected volume includes one percent truck-tractor semi-trailer (TTST) and five percent dual-tired vehicles. The posted speed limit is 20 miles per hour in the project area. Eighteen school buses cross the bridge daily on their routes.

There were eight accidents reported in the vicinity of Bridge No. 22 during a recent five year period. None of the accidents were associated with the alignment or geometry of the bridge or its approach roadway.

This section of US 441 Business is within the town limits of Franklin and there is currently both bicycle and pedestrian traffic crossing the bridge. The "Mountain to Sea" Route, a cross-state bicycle route, runs along East Main St. and turns at Depot St. to head east to Cullowhee. A sidewalk is located on the west side of the existing bridge.

The Little Tennessee River Greenway managed by Macon County runs along the west side of the river to the north of the bridge and on the east side of the river to the south of the bridge. The connection is a sidewalk on the north side of the bridge requiring pedestrians to make awkward road crossings on either end of the bridge. Macon County, the City of Franklin and Friends of the Greenway (FROG) have requested a multiuse path on the south side of the bridge to ease the connection.

### **III. ALTERNATIVES**

#### **A. Preferred Alternative**

Bridge No. 22 will be replaced on the existing alignment, while traffic is detoured on the parallel bridge to the north, Bridge No. 349. The Bridge currently carries westbound traffic for US 441 Business, will be placed into a two way pattern during construction.

The permanent replacement structure will be a bridge approximately 230 ft. long. 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 the same as the existing structure. The typical section will include a 3 ft. offset on the north side of the bridge, two 11 ft. lanes, a 6.5 ft. offset to accommodate bicycles, 42 in. barrier rail separating the 10 ft. multi use path on the south side of the bridge. The 10 ft. multi use path connects the greenway on the east side of the bridge with the greenway on the west side. Bicycle safe rail will be included both sides of the bridge.

As part of construction, the sewer line, which runs parallel to the river and greenway and underneath the southern end of the bridge, will be relocated closer to the bent as part of construction. This will allow for proper vertical and horizontal clearance for the greenway underneath the bridge.

The west approach to the bridge includes two eastbound through lanes 11ft. wide each with curb and gutter. The approach will be improved for a distance of 110 ft. transitioning to the cross section of the bridge.

Currently east approach transitions from two through lanes on the bridge to four lanes (two through lanes, a left turn and right turn lane) with curb and gutter. This transition will be resurfaced to the intersection with Lakeside Drive as part of the project, a distance of 250 ft.

There is not currently sidewalk on the approaches nor is there any proposed but there is space to accommodate sidewalk in the future. There are currently pedestrians using the bridge and they along with traffic will be re-routed onto Bridge No. 349 during construction via Big Bear Lane (see Figure 2)

NCDOT Division 14 concurs that this is the preferred alternative.

**B. Alternatives Eliminated from Further Consideration**

The “do-nothing” alternative will eventually necessitate closure of the bridge. This is not acceptable due to the traffic service provided by US 441 Business.

“Rehabilitation” of the old bridge is not practical due to its age and deteriorated condition. The bridge is over 80 years old and repairs cannot maintain the failing concrete.

Staged Construction is not feasible because of location and surroundings.

**IV. ESTIMATED COSTS**

The estimated costs, based on 2014 prices, are as follows:

Structure	\$ 1,087,000
Roadway Approaches	\$ 234,000
Structure Removal	\$ 86,000
Miscellaneous & Mobilization	\$ 199,000
Engineering & Contingencies	\$ 244,000
<b>Total Construction Cost</b>	<b>\$ 1,850,000</b>
Right-of-way Costs	\$ 400,000
Right-of-way Utility Costs	\$ 252,000
<b>Total Project Cost</b>	<b>2,502,000</b>

**V. NATURAL ENVIRONMENT**

**Physical Characteristics**

The study area lies in the southern mountains physiographic region of North Carolina (Figure 1). Topography in the project vicinity is comprised of mountain ranges, isolated peaks, large rolling valleys and stream floodplains. Elevations in the study area average 2,200 ft. above sea level. Land use in the project vicinity consists primarily of commercial development.

## Soils

The Macon County Soil Survey identifies two soil types within the study area (Table 1).

Table 1. Soils in the study area

Soil Series	Mapping Unit	Drainage Class	Hydric Status
Udorthent-Urban land complex	UfB	Not Applicable	No
Braddock-Urban land complex	BrC	Well drained	No

## Water Resources

Water resources in the study area are part of the Little Tennessee river basin (U.S. Geological Survey [USGS] Hydrological Unit 06010202). One stream was identified in the study area, see Table 2. The characteristics of this stream are provided in Table 3.

Table 2. Water resources in the study area

Stream Name	Map ID	DWQ Index Number	Best Usage Classification
Little Tennessee River	LTR	2-(1)	C

Table 3 Physical characteristics of water resources in the study area

Map ID	Bank Height (ft)	Bankfull Width (ft)	Water Depth (in)	Channel Substrate	Velocity	Clarity
LTR	8	150	2 – 6	sa, sl,co,bo	Moderate	Slightly Turbid

\*sa=sand, sl=silt, co=cobble, bo=boulder

Another water source feature (S1) was identified within the study area that enters the Little Tennessee River at the northeast corner of Bridge 22. The feature is piped throughout the study area. The origin of this feature is unknown and could be due to surface runoff. It begins well outside the study area.

All surface waters identified within the study corridor limits have been assigned a primary water resource classification of "C". There are no designated trout waters, anadromous fish waters or Primary Nursery Areas present in the study area.

There are no Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supplies (WS-I or WSII) or 303(d) streams within one mile of the project study area.

A benthic sampling station is located on Crawford Branch, a tributary to the Little Tennessee River. This site is currently listed as Not Rated. There are no fish survey sites within one mile of the study area.

## Biotic Resources

Two terrestrial communities were identified in the study area: Maintained /Disturbed and Mesic Mixed Hardwood Forest. Coverage of each type within the study area is shown in Table 4.

Table 4 Coverage of terrestrial communities in the study area

Community Coverage (ac.)	Community Coverage (ac.)
Maintained / Disturbed	7.2
Mesic Mixed Hardwood Forest	0.1
<b>Total</b>	<b>7.3</b>

## Jurisdictional Topics

### Wetlands

There are no wetlands identified within the study area.

### Permits

The proposed project has been designated as a Categorical Exclusion (CE) for the purposes of NEPA documentation. As a result, a Nationwide Permit 23 will likely be applicable. Other permits that may apply include a NWP No. 33 for temporary construction activities such as stream dewatering, work bridges or temporary causeways that are often used during bridge construction or rehabilitation. The USACE holds the final discretion as to what permit will be required to authorize project construction.

In addition to the 404 permit, other required authorizations include the corresponding Section 401 Water Quality Certification (WQC) from the NCDWQ. A NCDWQ Section 401 Water Quality General certification for a Categorical Exclusion may be required prior to the issuance of a Section 404 Permit. Other required 401 certifications may include a GC 3688 for temporary construction access and dewatering.

### Federally Protected Species

As of January 14, 2014, the USFWS lists ten federally protected species for Macon County.

Table 5 Federally protected species listed for Macon County.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Clemmys muhlenbergii</i>	Bog turtle	T (S/A)	No	Not Required
<i>Myotis sodalis</i>	Indiana bat	E	No	No Effect
<i>Cyprinella monacha</i>	Turquoise shiner	T	Yes	MANLAA
<i>Alasmidonta raveneliana</i>	Appalachian elktoe	E	No	MANLAA
<i>Pegias fabula</i>	Little-wing pearlymussel	E	No	MANLAA
<i>Isotria medeoloides</i>	Small whorled pogonia	T	No	No Effect
<i>Spiraea virginiana</i>	Virginia spiraea	T	Yes	MANLAA
<i>Gymnoderma lineare</i>	Rock gnome lichen	E	No	No Effect
<i>Myotis septentrionalis</i>	Northern Long Eared Bat	P	Unknown	N/A
<i>Glaucomys sabrinus coloratus</i>	Carolina northern squirrel	E	No	No Effect

E – Endangered T – Threatened T(S/A) – Threatened due to similarity of appearance MANLAA – May Affect-Not Likely to Adversely Affect

### **Turquoise shiner**

Habitat requirements for the turquoise shiner do not occur at the survey site, because the preferred habitat consists of wide, moderately large to large streams. In contrast, the Little Tennessee River at the project site is too slow flowing and lake-like. The substrate is comprised of substantial silt and the gradient is too low for this species to occur. The United State Fish & Wildlife Service has designated the Little Tennessee River as “critical habitat” for the turquoise shiner from the Georgia state line to the backwaters of Fontana Lake. Therefore NCDOT concludes that the project will have a biological conclusion of may affect, but is not likely to adversely affect the turquoise shiner.

**Biological Conclusion: May Affect, Not Likely to Adversely Affect**

### **Appalachian elktoe and Littlewing pearlymussel**

Appropriate habitat for the Appalachian elktoe and the Littlewing pearlymussel does not occur in the project portion of the Little Tennessee River. Furthermore, the dam downstream at Lake Emory serves as an impediment to the upstream movement of potential fish host for the mussels. The North Carolina Natural Heritage Program (NCNHP) lists known populations of the Appalachian elktoe and the little pearly wing downstream of the Lake Emory Dam. There are no known populations of either mussel upstream. Therefore, the proposed bridge replacement may affect but is not likely to adversely affect these species.

**Biological Conclusion: May Affect, Not Likely to Adversely Affect**

### **Virginia spiraea**

Suitable habitat for Virginia spiraea exists within the study area. A visual survey was conducted on May 13, 2009. No species were observed within the study area. A review of the NHP database on May 26, 2009 shows three known populations of Virginia spiraea within one mile of the study area, one within 500 ft. upstream of the bridge. Concurrence has been requested from USFWS for the biological conclusion.

**Biological Conclusion: May Affect, Not Likely to Adversely Affect**

### **Carolina northern flying squirrel.**

Habitat does not exist for this species in the project study area,

**Biological Conclusion: No Effect**

### **Northern long-eared bat:**

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an endangered species was published in the Federal Register in October 2013. The listing may become effective as soon as October 2014. Furthermore, this species is included in USFWS’s current list of protected species for Macon County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

**Biological Conclusion: Not Applicable**

### **Bald and Golden Eagle Protection Act**

Habitat for the bald eagle primarily consists of mature forest 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. The Little Tennessee River, as it enters Lake Emory is varies in width from approximately 100 to 700 ft. wide, providing suitable foraging habitat for the bald eagle. A survey for nest trees was conducted on September 30, 2008 within the study area and to a distance of 660 ft. on all sides. No nest trees were identified during the survey. A check of the NHP database on December 17, 2008 showed no known occurrences of bald eagle within 5.0 miles of the study area.

### **Endangered Species Act Candidate Species**

As of January 31, 2008, the USFWS lists one Candidate species for Macon County (Table 6). A review of NCNHP records indicates no known occurrences of sicklefin redhorse within 5.0 miles of the study area.

Table 6. Candidate species listed for Macon County

<b>Scientific Name</b>	<b>Common Name</b>	<b>Habitat Present</b>
<i>Moxostoma sp.</i>	Sicklefin redhorse	No

## **VI. HUMAN ENVIRONMENT**

### **Section 106 Compliance Guidelines**

This project is subject to compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, and implemented by the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106, codified at Title 36 CFR Part 800. Section 106 requires Federal agencies to take into account the effect of their undertakings (federally funded, licensed, or permitted) on properties included in or eligible for inclusion in the National Register of Historic Places and afford the Advisory Council a reasonable opportunity to comment on such undertakings.

#### **Historic Architecture**

In a form dated January 27, 2009 the N.C. Historic Preservation Office (HPO) indicated no surveys for historic properties are required for architectural features (see attachment).

#### **Archaeology**

In the same form dated January 27, 2009 the Historic Preservation Office did request archaeological surveys due to the presence of the nearby 31MA01, Nikwasi Indian Mound, in the project study area (see Figure 2). The design plans are now developed and the Mound is far outside the project limits. There is only a very limited footprint outside the existing Right of Way in the southwest quadrant of the bridge for a driveway tie-in. Subsequently, NCDOT Archaeologist Matt Wilkerson has coordinated with both the Tribal Historic Preservation Office and the N.C. Historic Preservation Office who agree that archaeological investigations are no longer needed for this project (see attached e-mail).

### **Community Impacts**

No adverse impact on families or communities is anticipated. Right-of-way acquisition will be limited. No relocations are expected with implementation of the proposed alternative.

No adverse effect on public facilities or services is expected. The project is not expected to adversely affect social, economic, or religious opportunities in the area.

The project is not in conflict with any plan, existing land use, or zoning regulation. No change in land use is expected to result from the construction of the project.

The project will not have a disproportionately high and adverse human health and environmental effect on any minority or low-income population.

### **Noise & Air Quality**

The project is located in Macon County, which has been determined to comply with the National Air Quality Standards. The proposed project is located in an attainment area; therefore, 40 CFR Parts 51 and 93 are not applicable. This project is not anticipated to create any adverse effects on the air quality of this attainment area. This project will not result in any meaningful changes in traffic volume, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to no-build alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSAT's.

Noise levels may increase during project construction; however, these impacts are not expected to be substantial considering the relatively short-term nature of construction noise and the limitation of construction to daytime hours. The transmission loss characteristics of nearby natural elements and man-made structures are believed to be sufficient to moderate the effects of intrusive construction noise.

## **VII. GENERAL ENVIRONMENTAL EFFECTS**

The project is expected to have an overall positive impact. Replacement of an inadequate bridge will result in safer traffic operations.

The bridge replacement will not have an adverse effect on the quality of the human or natural environment with the use of the current NCDOT's standards and specifications.

The proposed project will not require right-of-way acquisition or easement from any land protected under Section 4(f) of the Department of Transportation Act of 1966.

An examination of local, state, and federal regulatory records by the GeoEnvironmental Section revealed twelve sites with a Recognized Environmental Concern (REC) within the project limits. RECs are most commonly underground storage tanks, dry cleaning solvents, landfills and hazardous waste disposal areas.

Macon County is a participant in the National Flood Insurance Program. There are no practical alternatives to crossing the floodplain area. Any shift in alignment will result in an impact area of about the same magnitude. The proposed project is not anticipated to increase the level or extent of upstream flood potential.

The Federal Highways Administration has determined that a U.S. Coast Guard Permit is not required for this project.

## **IX. PUBLIC INVOLVEMENT**

A newsletter was sent in October 2012 to all those along US 441 Business within a half mile radius. No comments have been received to date.

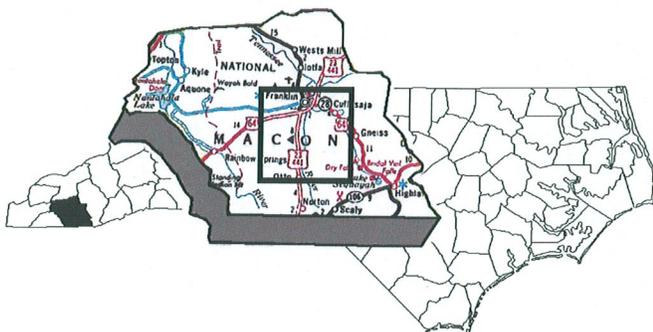
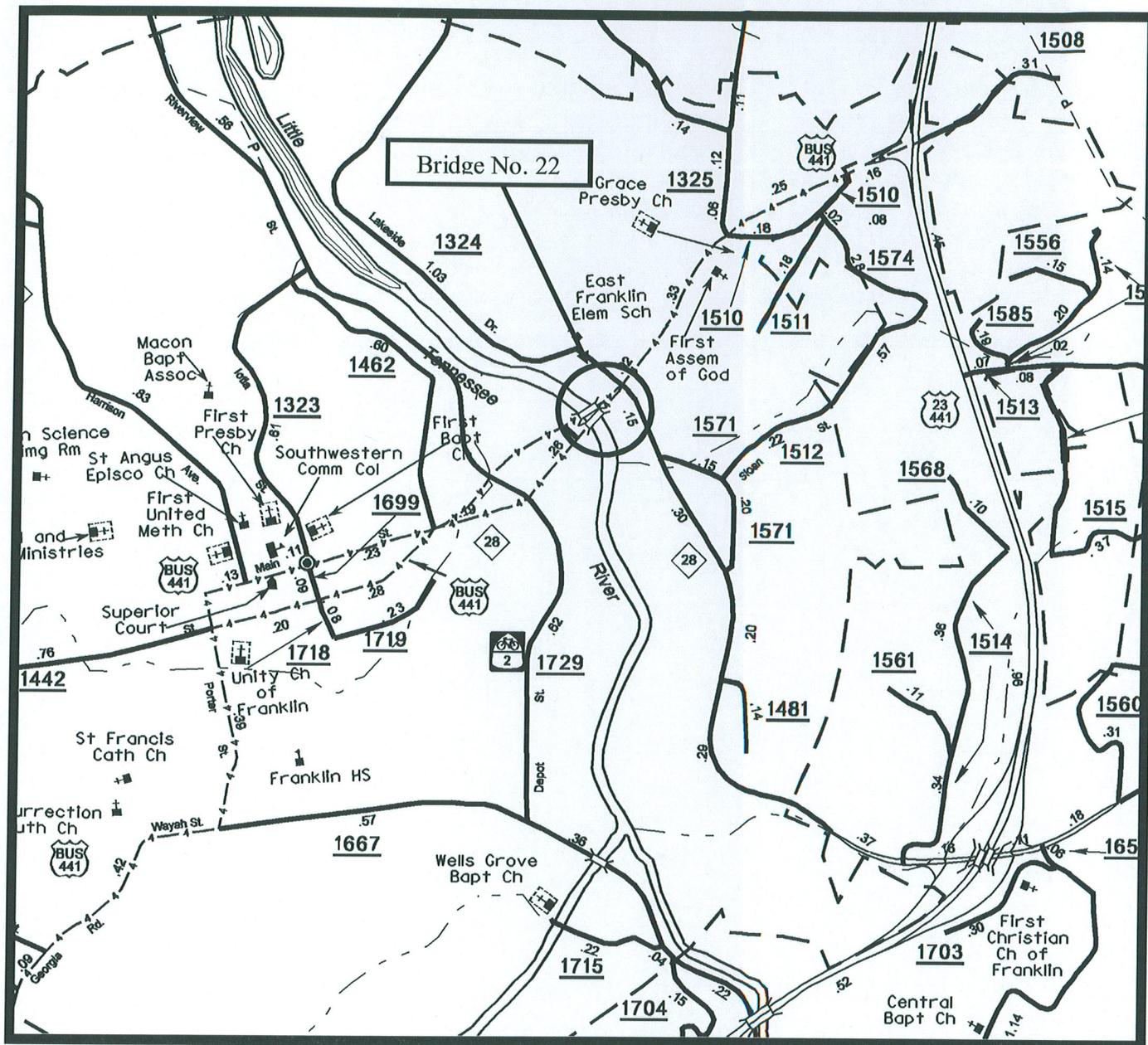
Based on lack of responses to the newsletter, a Citizen's Informational Workshop was determined unnecessary.

A meeting was held on August 2011 with Duke Energy and the City of Franklin to discuss concerns about the project. Some of the issues discussed were the greenway trail, the archeology site, work zone traffic and FERC. These issues have been addressed in design and continual contact with appropriate stakeholders and are documented in earlier sections of this Categorical Exclusion.

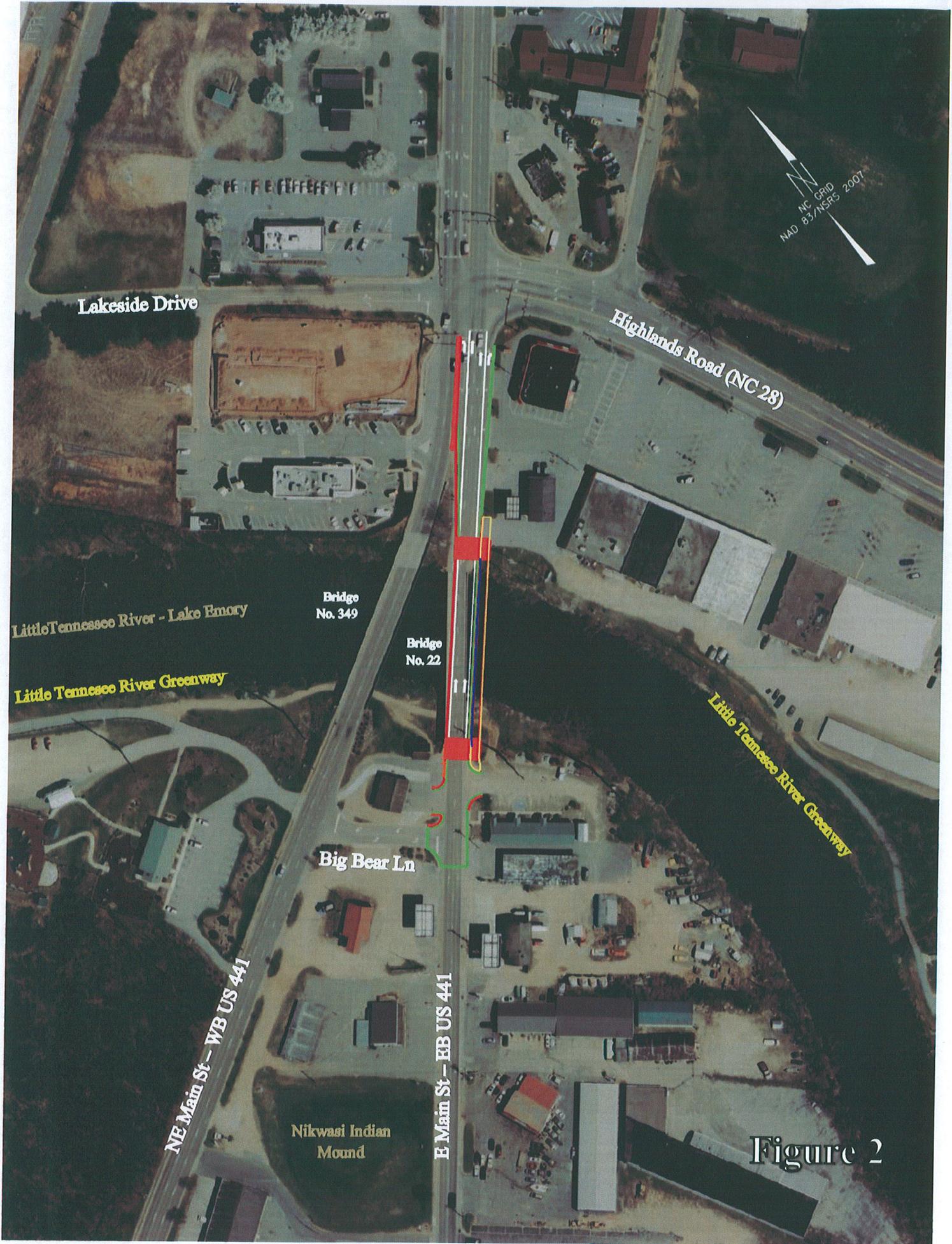
There is not substantial controversy on social, economic, or environmental grounds concerning the project.

## **IX. CONCLUSION**

On the basis of the above discussion, it is concluded that no substantial adverse environmental impacts will result from implementation of the project. The project is therefore considered to be a federal "Categorical Exclusion" due to its limited scope and lack of substantial environmental consequences.



	<p>NC Department of Transportation Division of Highways Project Development and Environmental Analysis</p>
	<p><b>MACON COUNTY</b> REPLACE BRIDGE NO. 22 ON US 441 BUS OVER LITTLE TENNESSEE RIVER <b>B-5125</b></p>
<p>Figure 1</p>	



Lakeside Drive

Highlands Road (NC 28)

NC GRID  
NAD 83/NSRS 2007

Little Tennessee River - Lake Emory

Bridge No. 349

Bridge No. 22

Little Tennessee River Greenway

Little Tennessee River Greenway

Big Bear Ln

NE Main St - WB US 441

E Main St - EB US 441

Nikwasi Indian Mound

Figure 2

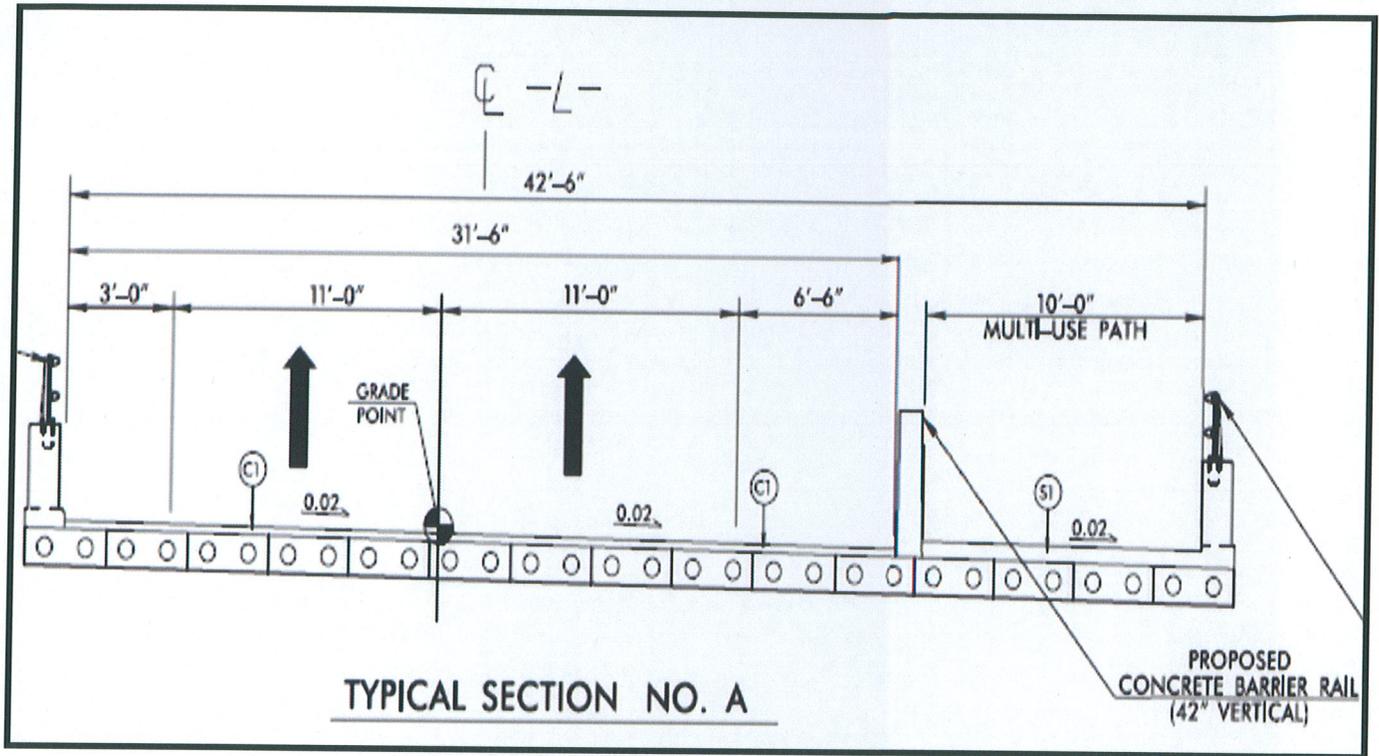


Figure 3a  
Typical Section on Bridge

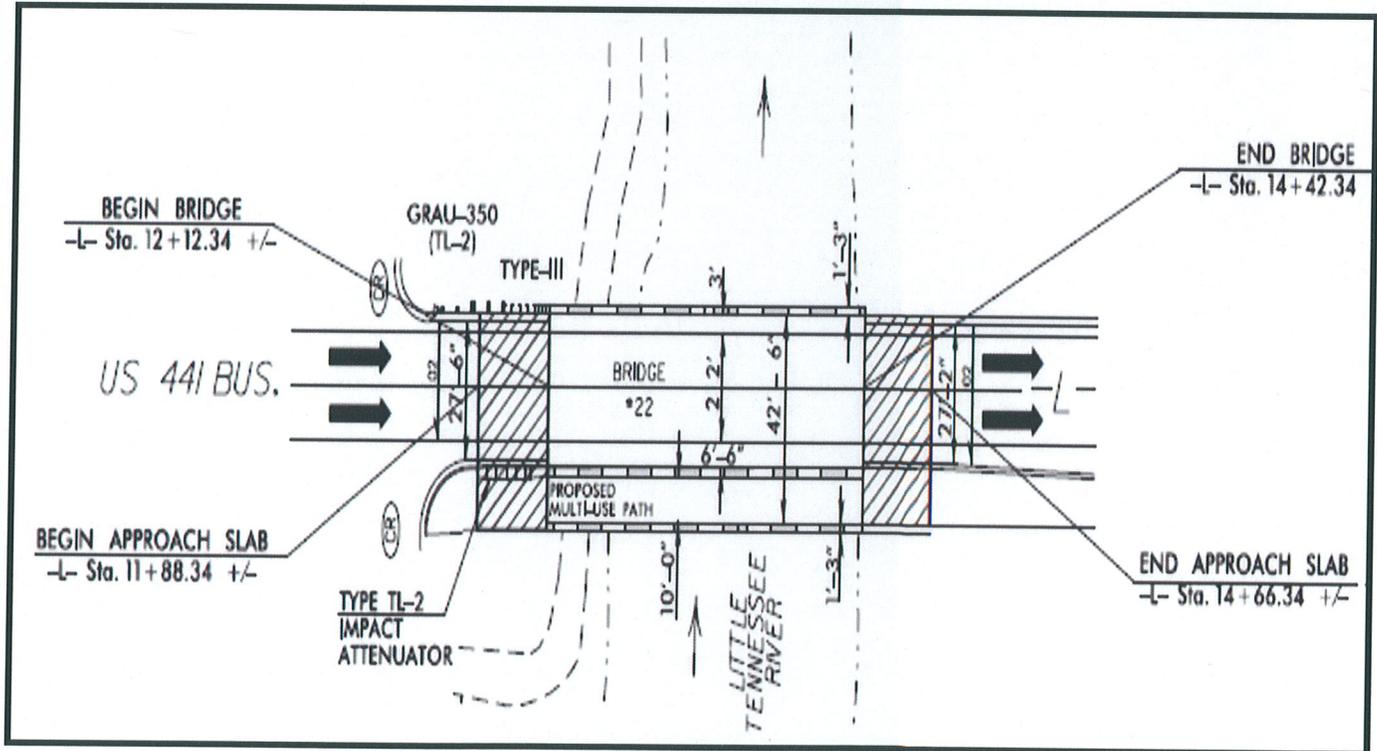
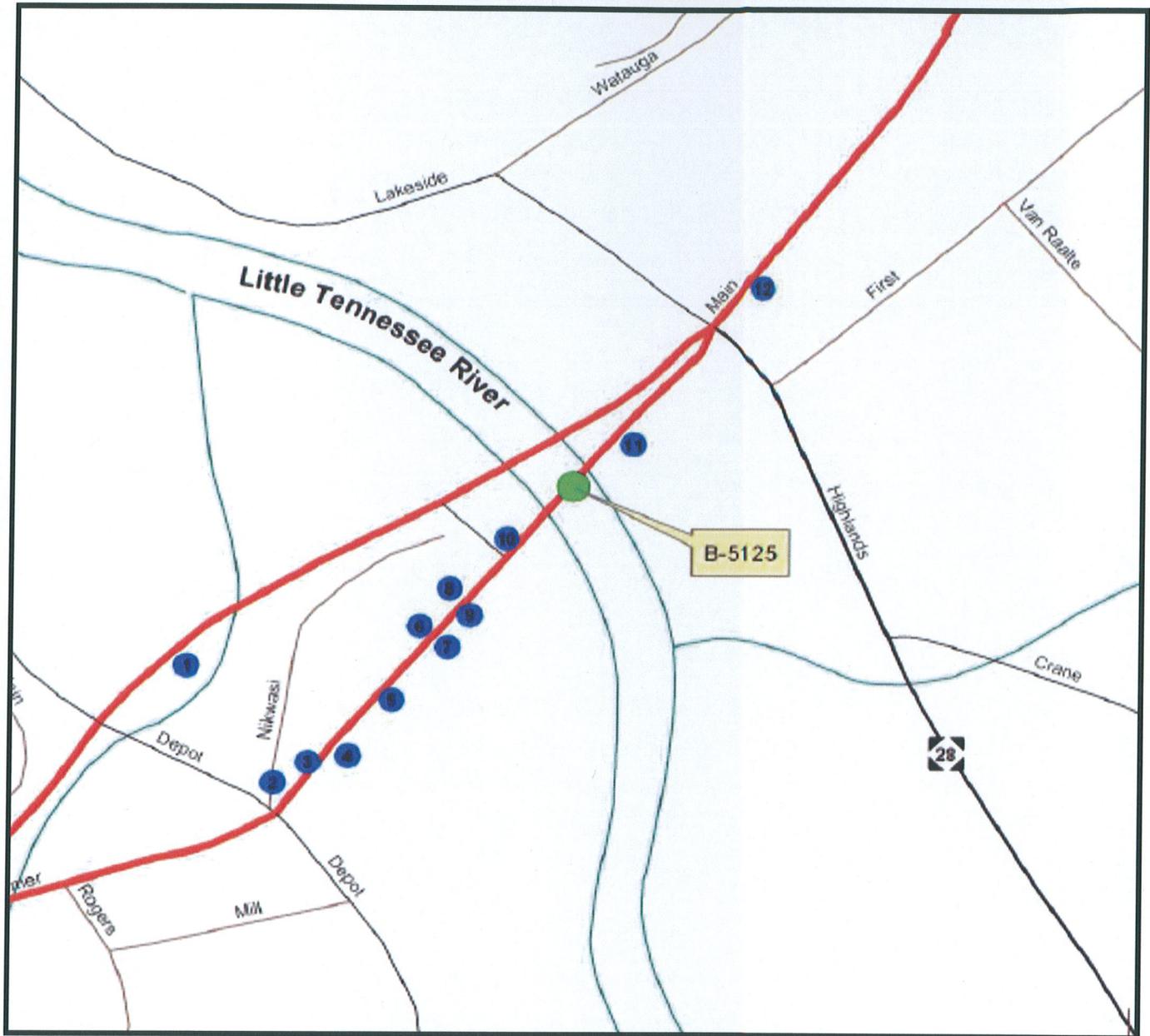


Figure 3b  
Bridge / Pavement Relationship



	<p>NC Department of Transportation          Division of Highways          Project Development and          Environmental Analysis</p>
<p><b>MACON COUNTY</b>          LOCATION OF USTs and          POTENTIALLY CONTAMINATED SITES  <b>B-5125</b></p>	
<p>Figure 4</p>	



October 16, 2009

Ms. Dionne Brown  
North Carolina Department of Transportation  
4701 Atlantic Avenue  
Suite 116  
Raleigh, NC 27604

Duke Energy Lake Services  
PO Box 1006 / EC12Q  
Charlotte, NC 28201

**Re: Replacement of Bridge No. 22 over the Little Tennessee River on US 441 Business in Franklin, NC**

Dear Ms. Brown:

Thank you for contacting Duke Energy Lake Services (DELS) regarding the required permitting process for a bridge replacement of Bridge No. 22 over the Little Tennessee River on US 441 Business within the City limits of Franklin, NC.

Duke Energy Carolinas, LLC, is the Federal Energy Regulatory Commission (FERC) licensee for the Franklin Hydroelectric Project, FERC Project No. 2603 and DELS has the responsibility of reviewing and giving final authorization for any activity that occurs within the FERC Project lands. Article 27 of the license provides the licensee with limited approval authority and in particular to your request; DELS may convey easements or right-of-way across, or leases of, Project land for: (1) replacement, expansion, realignment, or maintenance of bridges and roads for which all necessary State and Federal approvals have been obtained.

For work to occur within the Project, a completed conveyance application must be submitted, reviewed and approved by DELS. The DELS conveyance application process basically includes review and acceptance of the proposal by DELS; consultation with local, state and federal resource agencies; final approval by DELS before construction can start and DELS notification of the approval to the FERC. Please provide a written description and plan of the work to be completed within the Project for review and consideration of the conveyance application process.

Thank you for your interest and cooperation in working with DELS through the conveyance program application process. If I can be of further assistance, please do not hesitate to call me at 828 369 4513 (office).

Sincerely,

Lisa Leatherman  
Duke Energy Lake Services Representative  
Duke Energy Carolinas, LLC

## VIII. COORDINATION & AGENCY COMMENTS

NCDOT has sought input from the following agencies as a part of the project development:

- U.S. Army Corps of Engineers, USACE
- Environmental Protection Agency, EPA
- U.S. Fish & Wildlife Service, USFWS
- NC Wildlife Resource Commission, WRC
- NC Department of Environment & Natural Resources, DENR  
Division of Parks and Recreation  
Division of Water Quality DWQ
- North Carolina State Historic Preservation Office, SHPO
- Tennessee Valley Authority, TVA
- Duke Energy Carolinas LLC – Duke Energy Lake Services
- Eastern Band of Cherokee Indians EBCI
- Macon County Planning Department.
- Town of Franklin Planning Department

The Environmental Protection Agency in standardized email provided a request that they prefer any replacement structure to be a spanning structure and the replacement in same location.

**Response:** NCDOT – replacing the existing structure at same location with a new bridge.

The N.C. Wildlife Resource Commission and U.S. Fish & Wildlife Service in standardized letters provided a request that they prefer any replacement structure to be a spanning structure.

**Response:** NCDOT – replacing the existing structure with a new bridge.

Duke Energy Carolinas LLC indicated that they are the Federal Energy Regulatory Commission licensee and requested a completed conveyance application be submitted, reviewed and approved by Duke Energy Lake Services (DELS).

**Response:** NCDOT – will submit a conveyance application to (DELS)

Town of Franklin, Macon County and the Friends of the Greenway (FROGS) requested a pedestrian walkway on the southern side of the bridge, minimum 12 ft. wide with a divider between the pedestrians and vehicular traffic; and ramps at the end for convenience of bicycles and handicapped vehicles.

**Response:** after a number of coordination meetings, NCDOT will provide a multiuse path on the bridge, separated from the travel lanes by a 42” vertical concrete barrier rail. In addition, NCDOT will abide by ADA regulations with providing handicap ramps. See Figures 3a & 3b

The Eastern Band of Cherokee Indians did not indicate that they will be consultants on project.

The U.S. Army Corps of Engineers, Tennessee Valley Authority, N.C. Division of Parks & Recreation, North Carolina State Historic Preservation Office had no special concerns

# TOWN OF FRANKLIN



Post Office Box 1479  
Franklin, North Carolina 28744  
(828) 524-2516

Mr. Warren Cabe  
Manager  
Town of Franklin  
PO Box 1479  
Franklin, NC 28744  
March 19, 2014

Mr. Kevin Moore, P.E.  
NCDOT-Roadway Design  
Raleigh, North Carolina

Dear Mr. Moore,

The Town of Franklin Board of Aldermen held a special meeting last night and discussed Project B-5125 which is the scheduled bridge replacement over the Little Tennessee River in Franklin, NC. The Board decided unanimously to approve the vertical concrete rail without the metal rail as an addition/betterment to the bridge project and fund such improvement up to \$36,000.

Please send any documentation required from your agency to finalize this decision by the Board and let me know if you have any further questions or require more information.

Sincerely;

A handwritten signature in black ink, appearing to read "W. Cabe", is written over a horizontal line.

Warren J. Cabe

Cc: Phillip Moore, File

Dionne C Brown  
Project Engineer  
Project Dev. And Envir. Analysis-  
Bridge Unit  
1551 Mail Service Center  
Raleigh NC 27699-1551

dcbrown@ncdot.gov

Dionne,

We could not find a way to access your map of the bridge across the Little Tennessee River, in Franklin NC. and make the desired changes from the perspective of the Greenway. We have instead, photographed your map, which you will find attached, with yellow markings of the future Greenway.

Our preference for a walkway across the proposed replacement bridge would have these attributes:

1. a pedestrian walkway on the southern side of the bridge, minimum of 12' wide.
2. a divider between the pedestrian and vehicle portions.
3. ramps at ends for the convenience of bicycles and handicapped vehicles.

The Greenway preferably should go under both bridges and clover-leaf up at the Frog Quarters parking lot, cross the right side (south side) of the bridge, turn right at the end of the bridge and follow the river edge behind the East Franklin Mall. The paved portion of the Greenway, at this time, begins again at the storage unit at the end of the mall rear parking lot. Previous owners of the Mall would not allow us to pave in their lot, but the new owners are more favorable toward the Greenway.

Thank you for giving us a chance to comment on this project. If we haven't made our suggestions clear, please contact me again.

Sincerely,

Kay Coriell,  
President of Friends of the Greenway, Inc.  
Frog Quarters (Greenway office): 828-369-8488  
573 East Main St., Franklin, NC 28734  
H 828-369-6829  
December 12, 2008

Bridge Construction CFY 2013-2014

SHPO Number	TIP	Project	County	Division	Project Engineer	Archaeological Survey	Architectural Survey
ER 08-2666	B-5125	Bridge 22 on US 441 Business over Little Tennessee River	Macon	14	D. Brown	Yes	No

A - Site # 31MA1 adjacent; evaluation requested.  
 LGH/BJS 1-22-09

3 - NC  
 11/7/08  
 BJS

Due 12/31/08

Peter B Sandbrook

1/24/09

NOV 18 2008



**North Carolina Department of Cultural Resources  
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Pat McCrory  
Secretary Susan Klutz

Office of Archives and History  
Deputy Secretary Kevin Cherry

May 13, 2014

**MEMORANDUM**

**TO:** Matt Wilkerson  
Office of Human Environment  
NCDOT Division of Highways

**FROM:** Ramona M. Bartos *RMB for Ramona M. Bartos*

**SUBJECT:** Bridge 22 on US 441 Business over Little Tennessee River, B-5125, Macon County,  
ER 08-2666

Thank you for forwarding the design plans for the preferred alternative for the above project.

Since the proposed bridge replacement is to take place in areas where previous ground disturbance has occurred, and primarily within the existing right-of-way, it is unlikely that archaeological resources will be affected. We, therefore, recommend that no archaeological investigation be conducted in connection with this project.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or [renee.gledhill-earley@ncdcr.gov](mailto:renee.gledhill-earley@ncdcr.gov). In all future communication concerning this project, please cite the above referenced tracking number.