

## Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	<u>B-6013</u>
WBS Element	<u>48209.1.1</u>
Federal Project No.	<u>BRZ-1781 (001)</u>

- A. Project Description: (Include project scope and location, including Municipality and County. Refer to the attached project location map and photos.)

Bridge Replacement for Bridge 600207 over Grassy Creek on SR 1106 (Lynn Gap Road), Mitchell County, NC. The bridge will be replaced with a single span bridge.

- B. Description of Need and Purpose:

The project is needed to replace a structurally deficient bridge.

- C. Categorical Exclusion Action Classification: (Check one)

TYPE I

TYPE II

- 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: (Provide a description of relevant project information, which may include: vicinity map, costs, alternative analysis (if any), traffic control and staging, and resource agency/public involvement).

The project will use stage construction and maintain one travel lane with temporary signals.

F. Project Impact Criteria Checklists:

<u>Type I &amp; 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 checked="" type="checkbox"/>	<input type="checkbox"/>
9	Does the project impact anadromous fish?	<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 checked="" type="checkbox"/>	<input 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"/>

<u>Other Considerations (continued)</u>		Yes	No
15	Does the project involve hazardous materials and 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 fee or easement with public-use money and have deed restrictions or covenants on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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

8. The Northern Long-eared Bat (NLEB) is listed as a threatened species on the current U.S. Fish and Wildlife Service (USFWS) list of protected species in Mitchell County. However, the project study area is not located within a county or watershed known to contain NLEB hibernation or maternity roost sites. Therefore, the project has met the criteria required for the USFWS 4(d) Rule, and any associated take is exempt. Due to the exemption under the 4(d)

ruling, it has been determined that the proposed project “May Affect, Not Likely to Adversely Affect” the NLEB.

The Gray bat is listed as endangered (probable/potential) on the USFWS list of proposed species for Mitchell County. The bridge was surveyed for signs of bat presence/usage on April 3, 2019 and no evidence of either was found. Due to the stream size, structure type (steel beams), no evidence of bat usage, and distance from a large river(North Toe River), the project will have “No Effect” on the gray bat.

11. Grassy Creek is within a Corps Designated Trout Watershed and is Class C, Trout by NC DEQ. Since the project is bridge to bridge, stream impacts will be limited to bank stabilization, if necessary.

H. Project Commitments

**Mitchell County  
Bridge 600207  
Federal Project No. BRZ-1781(001)  
WBS No. 48209.1.1  
TIP No. B-6013**

The project is not likely to affect any properties or archaeological sites listed or eligible for listing on the National Register of Historic Places. NCDOT will complete Section 106 Tribal consultation following completion of the design.

All activities will follow NCDOT best management practices for erosion control.

Categorical Exclusion Approval

STIP Project No. B-6013  
WBS Element 48209.1.1  
Federal Project No. BRZ-1781 (001)

**Prepared By:**

4/9/2019

Date

DocuSigned by:

*Roger D. Bryan*

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Roger D. Bryan  
Division Environmental Officer

**Prepared For:**

Division 13  
North Carolina Department of Transportation

**Reviewed By:**

4/9/2019

Date

DocuSigned by:

*M.K. Calloway*

45D3FED3257B4CA...  
M.K. Calloway  
Division Bridge Program Manager



**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.

4/10/2019

Date

DocuSigned by:

*Steve Cannon*

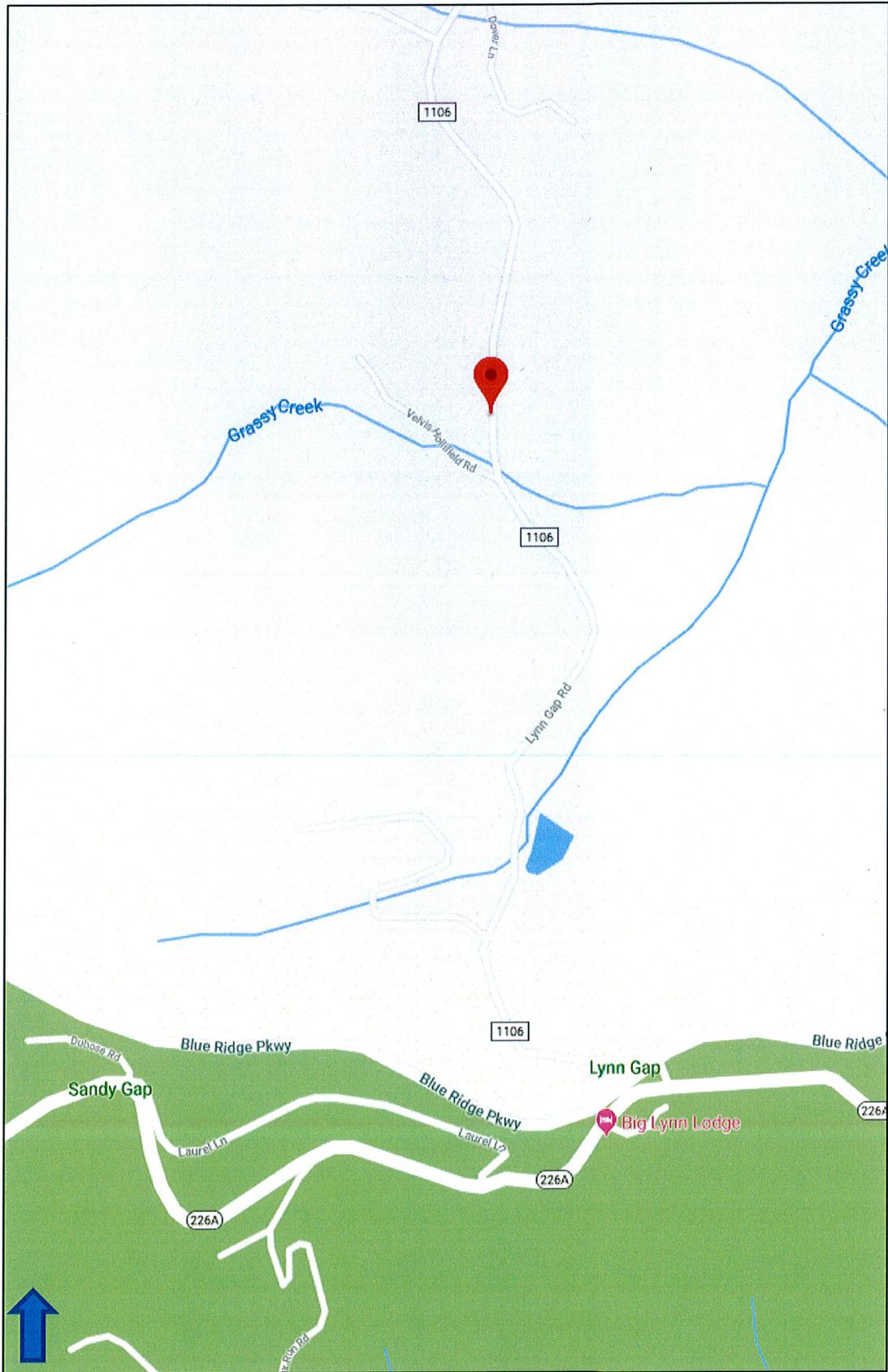
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Steve Cannon, P.E.  
Project Development Engineer

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

Date

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

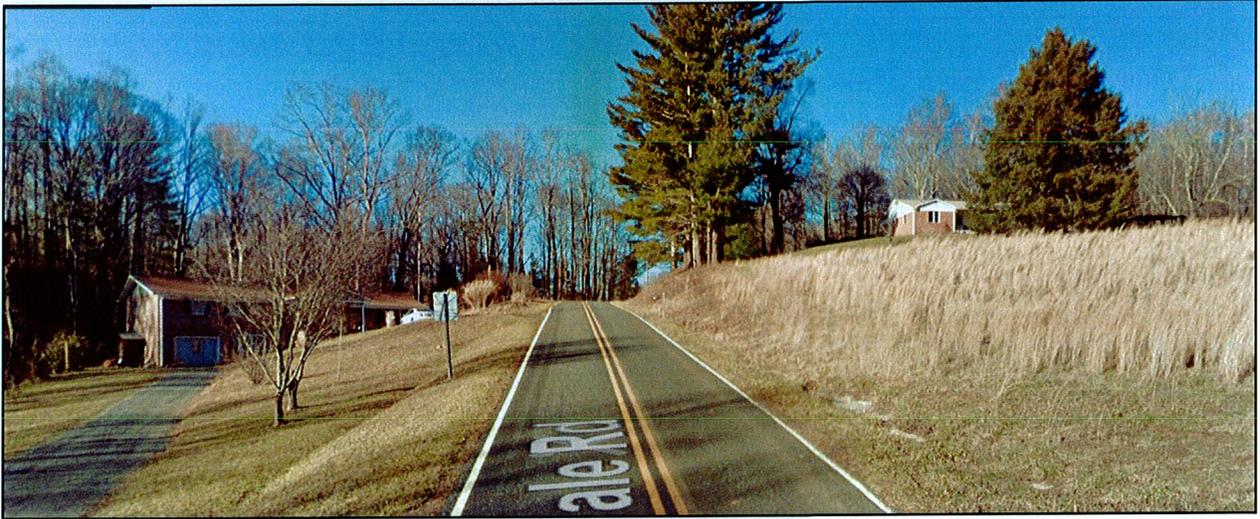




**Project Location.**



**State Historic Preservation Office GIS.**



**Two mid-20<sup>th</sup> century brick ranch houses north of Bridge No. 207. Not Eligible for NR listing.**



## 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-6013      *County:* Mitchell  
*WBS No:* 48208      *Document:* Federal Categorical Exclusion  
*Federal Aid No:* BRZ-      *Funding:*  State       Federal  
1106(016)  
*Federal Permit Required?*  Yes       No      *Permit Type:* USACE

#### *Project Description:*

Replace Bridge 207 on SR 1106 (Dale Rd.) over Grassy Creek in Mitchell County. The Area of Potential Effects (A.P.E.) is approximately 97 meters (317 ft.) long and 30 meters (100 ft.) wide. No design plans were provided. The project is Federally-funded and will require Federal permits. Easements will be required.

### SUMMARY OF CULTURAL RESOURCES REVIEW

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

The review included an examination of a topographic map, an aerial photograph, and listings of previously recorded sites, previous archaeological surveys, and previous environmental reviews at the Office of State Archaeology (O.S.A.). Also, a reconnaissance of the project was conducted on 2/5/2019. Bridge 207 is oriented approximately north-south.

The topographic map (Little Switzerland) shows the A.P.E. is located in a moderately-wide creek valley. There is a gently- to moderately-sloped ridge on the north side and a steep slope on the south side. the north side is depicted as cleared, and the south side is wooded.

The aerial photograph shows the A.P.E. is mostly wooded. The north end of the northwest quadrant is a driveway and residential yard. The northeast quadrant is wooded by the creek and cleared (pasture?) at the north end. The southeast quadrant is wooded except for a utility line corridor. The southwest quadrant is wooded except for a utility line corridor.

A reconnaissance of the A.P.E. was conducted by NCDOT archaeologists Scott Halvorsen and Caleb Smith on 2/5/2019. The reconnaissance found that the landforms in the A.P.E. have a low to moderate potential for archaeological sites. The landform on the north side of the bridge is a moderate to steep slope. The northwest quadrant is a sloped ridge from the bridge north for approximately 150 meters (492 ft.) to the ridge top. There is a driveway approximately 50 meters (164 ft.) north of the bridge, and the north half of the quadrant is used as a residential yard. The northeast quadrant is a sloped ridge from the bridge north to the ridge top. There is a driveway approximately 10 meters (32 ft.) north of the bridge. There is a house and yard on the ridge top.

The southeast quadrant is a floodplain from the bridge south for 180 meters (591 ft.). The floodplain looks unstable and/or poorly-drained. The land slopes downhill from the road east to the creek. A small stream joins Grassy Creek approximately 70 meters (230 ft.) south of the bridge. The southwest quadrant is a floodplain from the bridge south for approximately 60 meters (197 ft.), then a steeply-sloped ridge. SR 1107 is approximately 70 meters (230 ft.) south of the bridge. There is a small stream approximately 60 meters (197 ft.) south of the bridge. A powerline runs along the south side of the creek. The floodplain in this quadrant appears to be disturbed and/or poorly-drained.

A review of information at the O.S.A. shows there are no previously recorded archaeological sites near the A.P.E. The A.P.E. is not within any areas that have been surveyed for archaeological sites. There are no projects in the vicinity that have been reviewed by the State Historic Preservation Office (HPO).

***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 landform within the A.P.E. has a low to moderate potential for archaeological sites. The A.P.E. is located in a narrow creek valley with a steep slope on the north side and a poorly-drained floodplain on the south side. The A.P.E. is minimal, and replacement of the bridge will not impact much land outside of the existing roadside.

**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**

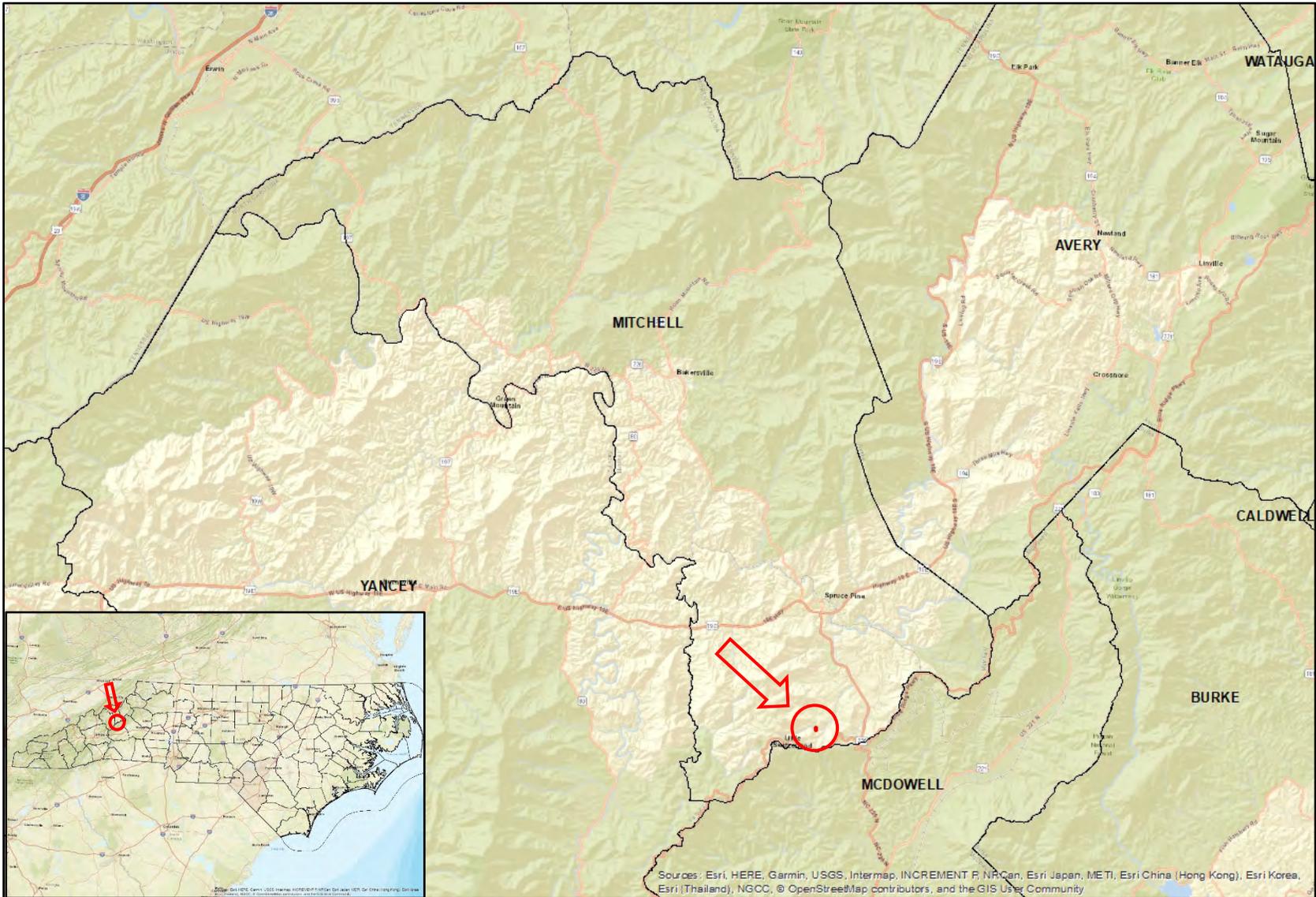
Caleb Smith

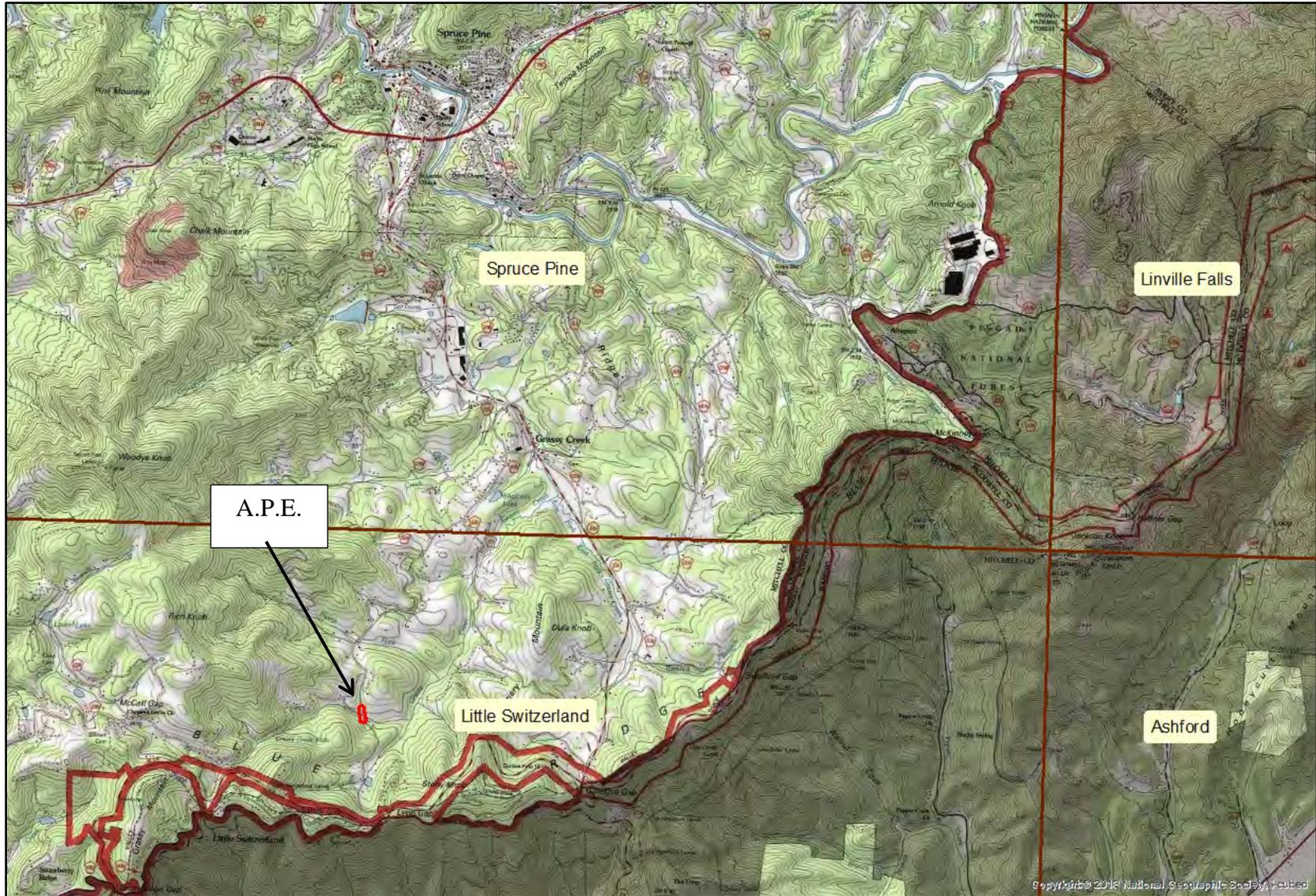
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NCDOT ARCHAEOLOGIST II

Date







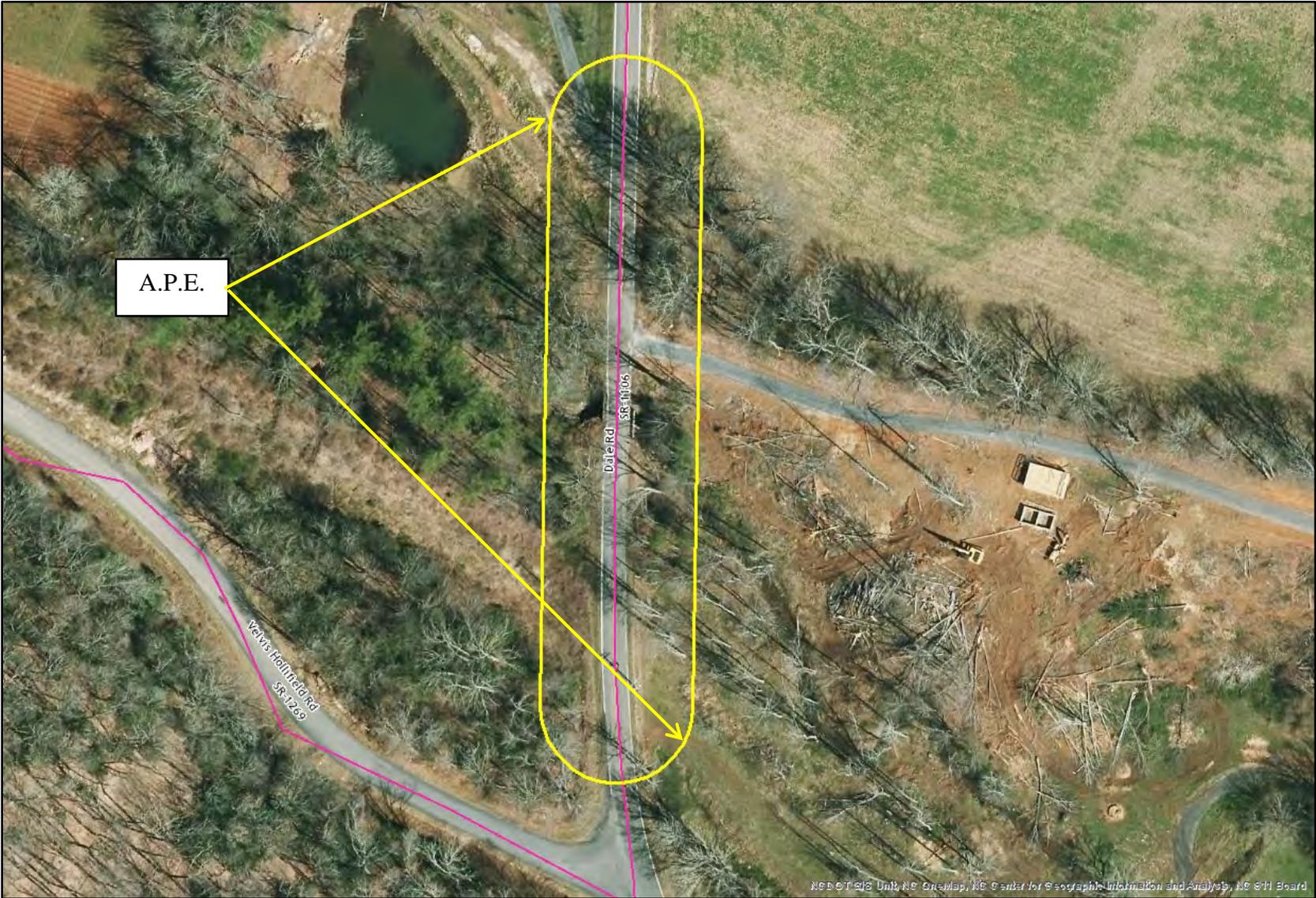




Figure 1: North view of Bridge 207.



Figure 2: South view of Bridge 207.



Figure 3: North view of the northwest quadrant.



Figure 4: North view of the northeast quadrant.



Figure 5: South view of the southeast quadrant.



Figure 6: West view of the southwest quadrant.