



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

March 18, 2024

U. S. Army Corps of Engineers  
Regulatory Field Office  
151 Patton Avenue, Room 208  
Asheville, NC 28805

NC Division of Water Resources  
Transportation Permitting Branch  
1617 Mail Service Center  
Raleigh NC 27699-1617

ATTN: Ms. Lori Beckwith,  
NCDOT Coordinator

Mr. Ryan Conchilla,  
NCDOT Coordinator

Subject: **Application for Section 10, Section 404 Regional General Permit 50, and Section 401 Water Quality Certification** for the Proposed Replacement of Bridge 67 on US 25/70 over the French Broad River in Madison County, Division 13, TIP No. B-5895, Debit \$323 from WBS 48088.1.1.

Dear Madam and Sir:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge number 67 on US 25/70 over the French Broad River with a new bridge to the south of the existing location. Traffic will utilize the existing bridge until the new bridge is constructed.

The U.S. Army Corps of Engineers is the lead federal agency for this project.

#### **Impact Summary**

As a result of replacing the existing bridge, there will be a total of 24 linear feet of permanent stream impacts by way of bank stabilization, and 113 linear feet (0.49 ac) of temporary impacts in the form of temporary causeways for removal of the existing bents and construction of the new bents.

#### **Memorandum of Agreement**

The Appalachian Trail utilizes Bridge 67 to cross the French Broad River. Due to the historic and recreational elements of the Trail, a Memorandum of Agreement has been developed between the U.S. Army Corps of Engineers, N.C. Department of Transportation, and the N.C. State Historic Preservation Office. This Agreement is attached to this pre-construction notification. All conditions of the included MOA will be met.

### **River and Trail Users Safety Plan**

Due to the nature of the recreational use surrounding Bridge 67, a River Users Safety Plan, as well as a Trail Users Safety Plan, have been developed for this project and are included as part of this application.

### **Potential Upstream Flooding Concerns**

Per the request of the USACE in the previous permit application (USACE Response dated March 15, 2023; Item 14), NCDOT Hydraulics staff investigated the potential of upstream flooding concerns using the US Army Corps of Engineers Hydraulic Engineering Center's River Analysis System (HEC-RAS) model.

Riprap causeways will be used during the construction of the proposed bridge and the removal of the existing bridge. This will create a constriction in the river and the water surface elevation (WSE) upstream of the causeways will increase. To minimize the increase, the causeway was reduced as much as practicable to facility construction activities. The largest causeway will be constructed during Phase 2 of construction and is expected to remain in place for approximately 18 months.

The most constricted condition that occurs during Phase 2 was modeled to determine the highest expected WSE increase during construction. The two-year, five-year, and ten-year flood events were evaluated. These events were selected due to the anticipated duration of construction.

A maximum increase in WSE of 1.1 feet occurs approximately 256 feet upstream of the bridge at River Station (RS) 575186 during the ten-year flood event. The results of the HEC-RAS model are shown in Tables 1 and 2 below. Table 1 reports the WSE for the existing condition and the increase change in WSE created by the constricted condition.

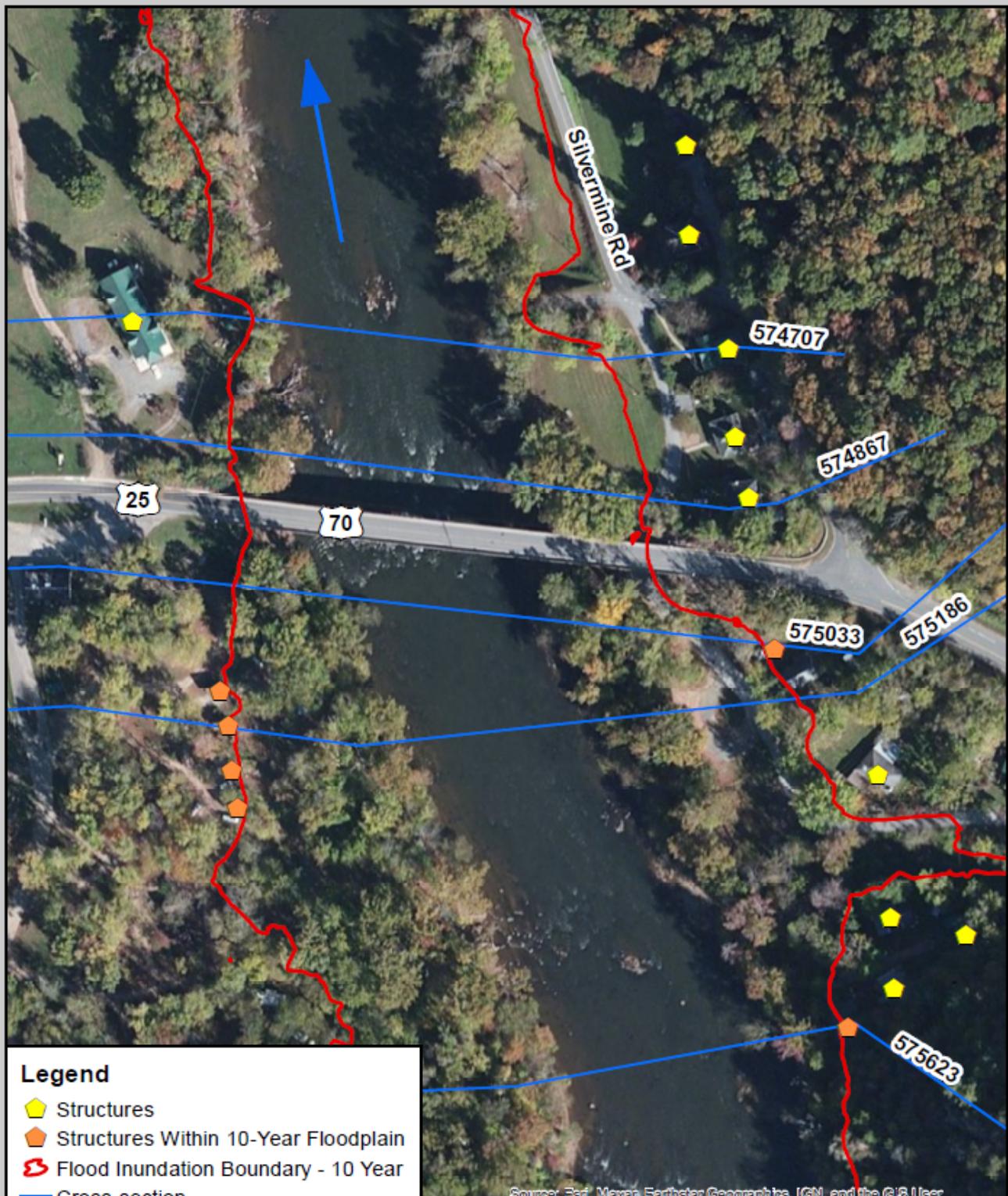
Six residential structures are impacted by the increase in the ten-year flood event. These structures are identified in Exhibit 1. Four of the structures are cabins in the Hot Springs Campground on the west side of the river. These cabins are elevated with the finish floor above the ten-year WSE. The other two impacted structures are on the east bank of river along Silvermine Road. The ten-year WSE during construction could reach the lowest adjacent grade of these structures but is not expected to reach the finish floor elevation. The extent of these impacts is shown in Exhibit 1. Table 2 reports the impacts of the causeway constriction on channel velocities.

**Table 1. Change in Water Surface Elevation for Proposed Construction of US 25/US 70 Bridge over the French Broad River**

River Station	Approximate Distance from Bridge (feet)	2-YR Flood Event		5-YR Flood Event		10-YR Flood Event	
		Existing WSE	Phase 2	Existing WSE	Phase 2	Existing WSE	Phase 2
		Change in Water Surface Elevation (feet)					
580536	2640	1330.2	0.0	1332.9	0.0	1334.4	0.0
577896	1478	1324.5	0.0	1327.1	0.1	1328.9	0.1
576418	795	1319.7	0.5	1322.7	0.4	1324.6	0.5
575623	437	1318.2	0.8	1320.8	0.7	1322.3	0.9
575186	153	1317.5	1.0	1320.0	0.9	1321.3	1.1
575033	93	1317.2	0.9	1319.5	0.7	1320.6	0.9
574940 BR U	Bridge US Face	1315.7	1.2	1317.6	0.6	1317.7	1.2
574940 BR D	Bridge DS Face	1315.5	0.0	1316.9	-0.6	1315.6	0.0

**Table 2. Change in Velocity for Proposed Construction of US 25/US 70 Bridge over the French Broad River**

River Station	Approximate Distance from Bridge (feet)	2-YR Flood Event		5-YR Flood Event		10-YR Flood Event	
		Existing Velocity	Phase 2	Existing Velocity	Phase 2	Existing Velocity	Phase 2
		Change in Velocity (ft/s)					
580536	2640	11.1	0.0	14.6	0.0	17.0	0.0
577896	1478	6.2	0.0	7.0	0.0	7.5	-0.1
576418	795	5.8	-0.3	6.9	-0.3	7.6	-0.3
575623	437	7.0	-0.5	8.8	-0.5	10.0	-0.6
575186	153	6.2	-0.5	8.0	-0.5	9.2	-0.7
575033	93	6.4	0.2	8.5	0.3	10.1	0.2
574940 BR U	Bridge US Face	9.1	0.2	13.1	0.2	15.8	3.0
574940 BR D	Bridge DS Face	9.3	0.0	13.1	0.6	18.8	0.0



Summary of Temporary Floodplain Impacts  
During the Construction of the US 25/US 70  
Bridge Over the French Broad River

Exhibit 1

0 75 150  
Feet  
1 inch = 150 feet

## Section 7

### Protected Species listed from IPaC as of the date of this application:

Common Name	Federal Status	Survey Date(s)	Habitat Present	Proposed* Biological Conclusion
Gray bat	Endangered	7/28/2022, 5/16/2019, 6/13/2016	Yes	May Affect, Not Likely to Adversely Affect
Northern long-eared bat	Threatened			
Tricolored bat	Proposed Endangered			

\*USACE is the lead federal agency for this project and will make all determinations for listed species.

Although there was no evidence of bats on the structure (bats, guano, staining), found during the 2022, 2019, and 2016 surveys, crevices suitable for roosting are present on the structure and there is an abundance of alterative foraging and commuting habitat in the surrounding area. Please see the attached bat survey report for more detailed information regarding bat habitat.

### Tribal Coordination

Tribal Coordination Letters (included as part of this application package) were sent on November 15, 2021, to the following tribes:

- Catawba Nation - replied ("with no immediate concerns") on January 11, 2022.
- Cherokee Nation
- Eastern Band of Cherokee Indians
- Muscogee (Creek) Nation
- United Keetoowah Band of Cherokee Indians.

In addition to the above-referenced documents, please find enclosed Pre-Construction Notification (PCN), Stormwater Management Plan, and Permit Drawings.

A copy of this permit application will be posted on the NCDOT Website at:  
<http://connect.ncdot.gov/resources/Environmental>.

If you have any questions or need additional information, please contact Rob Crowther at [recrowther@ncdot.gov](mailto:recrowther@ncdot.gov) or (919) 707-6112.

Sincerely,

  
for Michael A. Turchy  
Environmental Coordination and Permitting Group Leader

cc: NCDOT Permit Application Standard Distribution List

# Pre-Construction Notification



## Pre-Construction Notification (PCN) Form

For Nationwide Permits and Regional General Permits  
(along with corresponding Water Quality Certifications)

December 4, 2023 Ver 4.3

*Please note: fields marked with a red asterisk \* below are required. You will not be able to submit the form until all mandatory questions are answered.*

*Also, if at any point you wish to print a copy of the E-PCN, all you need to do is right-click on the document and you can print a copy of the form.*

Below is a link to the online help file.

<https://edocs.deq.nc.gov/WaterResources/DocView.aspx?dbid=0&id=2196924>

### A. Processing Information



If this is a courtesy copy, please fill in this with the submission date.

**Does this project involve maintenance dredging funded by the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund or involve the distribution or transmission of energy or fuel, including natural gas, diesel, petroleum, or electricity? \***

Yes  No

**Is this project connected with ARPA funding? \***

Yes  No

**County (or Counties) where the project is located: \***

Madison

**Is this a NCDMS Project? \***

Yes  No

Click Yes, only if NCDMS is the applicant or co-applicant.

**DO NOT CHECK YES, UNLESS YOU ARE DMS OR CO-APPLICANT.**

**Is this project a public transportation project? \***

Yes  No

This is any publicly funded by municipal, state or federal funds road, rail, airport transportation project.

**Is this a NCDOT Project? \***

Yes  No

**(NCDOT only) T.I.P. or state project number:**

B-5895

**WBS # \***

48088.1.1

(for NCDOT use only)

**1a. Type(s) of approval sought from the Corps: \***

- Section 404 Permit (wetlands, streams and waters, Clean Water Act)
- Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)

**Has this PCN previously been submitted? \***

Yes

No

**Please provide the date of the previous submission. \***

10/1/2022

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

- Nationwide Permit (NWP)
- Regional General Permit (RGP)
- Standard (IP)

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

Yes  No

Regional General Permit (RGP) Number:

201902350 - Work associated with bridge construction, widening, replacement, and interchanges

**RGP Numbers (for multiple RGPs):**

List all RGP numbers you are applying for not on the drop down list.

**1d. Type(s) of approval sought from the DWR: \***

check all that apply

401 Water Quality Certification - Regular  
 Non-404 Jurisdictional General Permit  
 Individual 401 Water Quality Certification

401 Water Quality Certification - Express  
 Riparian Buffer Authorization

**1e. Is this notification solely for the record because written approval is not required?**

\*

**For the record only for DWR 401 Certification:**

Yes  No

**For the record only for Corps Permit:**

Yes  No

**1f. Is this an after-the-fact permit application? \***

Yes  No

**1g. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts?**

If so, attach the acceptance letter from mitigation bank or in-lieu fee program.

Yes  No

**Acceptance Letter Attachment**

Click the upload button or drag and drop files here to attach document

FILE TYPE MUST BE PDF

**1h. Is the project located in any of NC's twenty coastal counties? \***

Yes  No

**1i. Is the project located in a designated trout watershed? \***

Yes  No

You must submit a copy of the appropriate Wildlife Resource Commission Office.

Link to trout information: <http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout.aspx>

## B. Applicant Information

**1a. Who is the Primary Contact? \***

Robert Crowther

**1c. Primary Contact Phone: \***

(xxx)xxx-xxxx

(919)707-6112

**1b. Primary Contact Email: \***

rcrowther@ncdot.gov

**1d. Who is applying for the permit? \***

Owner  
 Applicant (other than owner)  
 (Check all that apply)

**1e. Is there an Agent/Consultant for this project? \***

Yes  No

## 2. Owner Information

**2a. Name(s) on recorded deed: \***

NCDOT

**2b. Deed book and page no.:****2c. Contact Person:**

(for Corporations)

**2d. Address \***

Street Address  
 1598 Mail Service Center

Address Line 2

City	State / Province / Region
Raleigh	NC
Postal / Zip Code	Country
27699-1598	US

**2e. Telephone Number: \***

(xxx)xxx-xxxx

(919)707-6108

**2f. Fax Number:**

(xxx)xxx-xxxx

**2g. Email Address:\***

ekcheely@ncdot.gov

**3. Applicant Information (if different from owner)****3a. Name:\***

Robert Crowther

**3b. Business Name:**

(if applicable)

**3c. Address:\***

## Street Address

1598 Mail Service Center

## Address Line 2

## City

Raleigh

## State / Province / Region

NC

## Postal / Zip Code

27699-1598

## Country

US

**3d. Telephone Number:\***

(919)707-6112

**3e. Fax Number:**

(xxx)xxx-xxxx

**3f. Email Address:\***

recrowther@ncdot.gov

**C. Project Information and Prior Project History****1. Project Information****1a. Name of project:\***

B-5895 - Replacement of Bridge 67 on US 25/70 over the French Broad River

**1b. Subdivision name:**

(if appropriate)

**1c. Nearest municipality / town:\***

Hot Springs

**2. Project Identification****2a. Property Identification Number:**

(tax PIN or parcel ID)

**2b. Property size:**

(in acres)

**2c. Project Address**

## Street Address

## Address Line 2

## City

## State / Province / Region

## Postal / Zip Code

## Country

**2d. Site coordinates in decimal degrees**

Please collect site coordinates in decimal degrees. Use between 4-6 digits (unless you are using a survey-grade GPS device) after the decimal place as appropriate, based on how the location was determined. (For example, most mobile phones with GPS provide locational precision in decimal degrees to map coordinates to 5 or 6 digits after the decimal place.)

**Latitude:\***

35.893618

ex: 34.208504

**Longitude:\***

-82.822754

-77.796371

**3. Surface Waters****3a. Name of the nearest body of water to proposed project:\***

French Broad River

**3b. Water Resources Classification of nearest receiving water:\***

B

Surface Water Lookup

**3c. What river basin(s) is your project located in?\***

French Broad

**3d. Please provide the 12-digit HUC in which the project is located.\***

060101051203

[River Basin Lookup](#)

## 4. Project Description and History

**4a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application:\***

State project B-5895 involves the replacement of Madison County Bridge #67 located on Route US25/US70 over the French Broad River. Existing Bridge #67 consists of continuous arched RC deck girders and has 8 spans; 2 at 67'-5.25"; 4 at 65'-0"; and 2 at 65'-10". The proposed bridge is to be 4 spans, all at 140' with a 74" MBT. To facilitate the construction of the proposed bridge, an on-site detour will be provided.

General land use within the project vicinity is primarily residential and commercial development.

**4b. Have Corps permits or DWR certifications been obtained for this project (including all prior phases) in the past?\***

Yes  No  Unknown

**If yes, please give the DWR Certification number or the Corps Action ID (exp. SAW-0000-00000).**

DWR Water Quality General Certification No. 4135 (DWR # 20221362) was issued for this proposed project on October 25, 2022.

**4f. List the total estimated acreage of all existing wetlands on the property:**

0

**4g. List the total estimated linear feet of all existing streams on the property:**

(intermittent and perennial)

350

**4h. Explain the purpose of the proposed project:\***

The purpose of this project is to replace a bridge considered functionally obsolete, according to the bridge's 2020 Structure Safety Report. Bridge No. 67 was built in 1951 and has a sufficiency rating of 31.79 out of 100.

Components of the concrete superstructure have experienced an increasing degree of deterioration that can no longer be addressed by maintenance activities. Bridge No. 67 has an Average Annual Daily Traffic (AADT) volume of 3,800 vehicles per day (vpd) for the year 2016 and future traffic of 5,600 AADT for the year 2040. Replacement of the bridge will improve traffic operations.

**4i. Describe the overall project in detail, including indirect impacts and the type of equipment to be used:\***

The proposed project involves replacing Bridge No. 67 on US 25/US 70 over the French Broad River in Madison County. The proposed project is included in the Structures Management Unit (SMU) Bridge Program.

The replacement structure will be a bridge proposed to be 560 feet long and will be replaced on new location south of the existing bridge. The bridge will be 32 feet wide (clear roadway width) with two 12-foot lanes, 4-foot bicycle lanes, and 5-foot 6-inch sidewalks on each side to accommodate for bicycle and pedestrian traffic to the Appalachian Trail. The bridge length is based on preliminary design information and is set by hydraulic requirements. The roadway grade of the new structure will be close to the existing structure, but slightly higher due to overtopping. Construction will be staged with two-lane two-way traffic maintained on the existing bridge; the existing bridge will be removed once construction is complete. The design speed will be 40 mph using American Association of State Highway and Transportation Officials (AASHTO) guidelines.

Traffic will be detoured on-site using the existing bridge and roadway alignment during construction.

## 5. Jurisdictional Determinations

**5a. Have the wetlands or streams been delineated on the property or proposed impact areas?\***

Yes  No  Unknown

**Comments:**

The only impacts are to the French Broad River.

**5b. If the Corps made a jurisdictional determination, what type of determination was made?\***

Preliminary  Approved  Not Verified  Unknown  N/A

**Corps AID Number:**

Example: SAW-2017-99999

**5c. If 5a is yes, who delineated the jurisdictional areas?**

Name (if known): Ron Johnson

Agency/Consultant Company: AECOM

Other:

## 6. Future Project Plans

**6a. Is this a phased project?\***

Yes  No

**Are any other NWP(s), regional general permit(s), or individual permits(s) used, or intended to be used, to authorize any part of the proposed project or related activity? This includes other separate and distant crossing for linear projects that require Department of the Army authorization but don't require pre-construction notification.**

## D. Proposed Impacts Inventory



### 1. Impacts Summary

1a. Where are the impacts associated with your project? (check all that apply):

Wetlands  
 Open Waters

Streams-tributaries  
 Pond Construction

Buffers

### 3. Stream Impacts

If there are perennial or intermittent stream impacts (including temporary impacts) proposed on the site, then complete this question for all stream sites impacted.

"S." will be used in the table below to represent the word "stream".

	3a. Reason for impact* <sup>(?)</sup>	3b. Impact type*	3c. Type of impact*	3d. S. name*	3e. Stream Type* <sup>(?)</sup>	3f. Type of Jurisdiction*	3g. S. width* <sup>(?)</sup>	3h. Impact length*
S1	Riprap at Embankment	Permanent	Bank Stabilization	French Broad River	Perennial	Both	300 Average (feet)	12 (linear feet)
S2	Riprap at Embankment	Permanent	Bank Stabilization	French Broad River	Perennial	Both	300 Average (feet)	12 (linear feet)

\*\* All Perennial or Intermittent streams must be verified by DWR or delegated local government.

3i. Total jurisdictional ditch impact in square feet:

0

3i. Total permanent stream impacts:

24

3i. Total temporary stream impacts:

0

3i. Total stream and ditch impacts:

24

3j. Comments:

### 4. Open Water Impacts

If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.

4a. Site #* <sup>(?)</sup>	4a1. Impact Reason	4b. Impact type* <sup>(?)</sup>	4c. Name of waterbody <sup>(?)</sup>	4d. Activity type*	4e. Waterbody type*	4f. Impact area*
1	Rock Causeway	T	French Broad River	Causeway	Tributary	0.49 (acres)

4g. Total temporary open water impacts:

0.49

4g. Total permanent open water impacts:

0.00

4g. Total open water impacts:

0.49

4h. Comments:

A portion of rock from temporary causeways will be used to construct riprap at the embankments. The temporary impact due to the rock causeways equals 113 linear feet.

Permanent surface water impacts due to drilled piers will total 50 square feet (0.001 ac).

## E. Impact Justification and Mitigation



### 1. Avoidance and Minimization

1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing the project: \*

The existing bridge has 7 interior bents, 6 of which are in the French Broad River. The new structure will have 3 interior bents, 2 of which will be in the French Broad River. The new bridge will also have a larger hydraulic opening and will not discharge deck water directly into the French Broad River.

**1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques: \***

Best management practices and sedimentation and erosion control measures will be used during construction of the proposed project. No more than 50% of the width of the river shall be blocked at any one time during bridge demolition and construction. Causeways will be removed using the least impactful measures possible.

## 2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State

**2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?**

Yes  No

**2b. If this project DOES NOT require Compensatory Mitigation, explain why:**

Permanent stream and open water impacts are limited to bank stabilization and drilled bridge piers which do not constitute a loss of waters.

NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's [RIBITS](#) website.

## F. Stormwater Management and Diffuse Flow Plan (required by DWR)



\*\*\* Recent changes to the stormwater rules have required updates to this section .\*\*\*

### 1. Diffuse Flow Plan

**1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?**

Yes  No

For a list of options to meet the diffuse flow requirements, click [here](#).

**If no, explain why:**

The proposed project occurs in the French Broad River Basin, which is not protected by riparian buffer rules administered by NCDWR.

### 2. Stormwater Management Plan

**2a. Is this a NCDOT project subject to compliance with NCDOT's Individual NPDES permit NCS000250? \***

Yes  No

Comments:

## G. Supplementary Information



### 1. Environmental Documentation

**1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? \***

Yes  No

**1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)? \***

Yes  No

**1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.) \***

Yes  No

### 2. Violations (DWR Requirement)

**2a. Is the site in violation of DWR Water Quality Certification Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), or DWR Surface Water or Wetland Standards or Riparian Buffer Rules (15A NCAC 2B .0200)? \***

Yes  No

### 3. Cumulative Impacts (DWR Requirement)

**3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? \***

Yes  No

**3b. If you answered "no," provide a short narrative description.**

Due to the minimal transportation impact resulting from this bridge replacement project, this project will neither influence nearby land uses nor stimulate growth. Therefore, a detailed indirect or cumulative effects study will not be necessary.

### 4. Sewage Disposal (DWR Requirement)

**4a. Is sewage disposal required by DWR for this project? \***

Yes  No  N/A

### 5. Endangered Species and Designated Critical Habitat (Corps Requirement)

5a. Will this project occur in or near an area with federally protected species or habitat?\*

Yes  No

5b. Have you checked with the USFWS concerning Endangered Species Act impacts?\*

Yes  No

5c. If yes, indicate the USFWS Field Office you have contacted.

Asheville

5d. Is another Federal agency involved?\*

Yes  No  Unknown

5e. Is this a DOT project located within Division's 1-8?\*

Yes  No

5f. Will you cut any trees in order to conduct the work in waters of the U.S.?\*

Yes  No

5g. Does this project involve bridge maintenance or removal?\*

Yes  No

5g(1). If yes, have you inspected the bridge for signs of bat use such as staining, guano, bats, etc.? Representative photos of signs of bat use can be found in the NLEB SLOPES, Appendix F, pages 3-7.

Yes  No

Link to the NLEB SLOPES document: [http://saw-reg.usace.army.mil/NLEB/1-30-17-signed\\_NLEB-SLOPES&apps.pdf](http://saw-reg.usace.army.mil/NLEB/1-30-17-signed_NLEB-SLOPES&apps.pdf)

If you answered "Yes" to 5g(1), did you discover any signs of bat use?\*

Yes  No  Unknown

\*\*\* If yes, please show the location of the bridge on the permit drawings/project plans.

5h. Does this project involve the construction/installation of a wind turbine(s)?\*

Yes  No

5i. Does this project involve (1) blasting, and/or (2) other percussive activities that will be conducted by machines, such as jackhammers, mechanized pile drivers, etc.?\*

Yes  No

5j. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat?\*

USFWS Information for Planning and Consultation (IPaC) (<https://ipac.ecosphere.fws.gov/>). Please see attached cover letter for additional information.

## 6. Essential Fish Habitat (Corps Requirement)

6a. Will this project occur in or near an area designated as an Essential Fish Habitat?\*

Yes  No

6b. What data sources did you use to determine whether your site would impact an Essential Fish Habitat?\*

NMFS EFH Mapper (<https://www.habitat.noaa.gov/apps/efhmapper/>).

## 7. Historic or Prehistoric Cultural Resources (Corps Requirement)

Link to the State Historic Preservation Office Historic Properties Map (does not include archaeological data): <http://gis.ncdcr.gov/hpoweb/>

7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?\*

Yes  No

7b. What data sources did you use to determine whether your site would impact historic or archeological resources?\*

Please see attached historic property and archeological documentation. Tribal coordination is also attached.

## 8. Flood Zone Designation (Corps Requirement)

Link to the FEMA Floodplain Maps: <https://msc.fema.gov/portal/search>

8a. Will this project occur in a FEMA-designated 100-year floodplain?\*

Yes  No

8b. If yes, explain how project meets FEMA requirements:

This project meets the FEMA requirements by obtaining State Floodplain Compliance (SFC) approval through the Hydraulics Unit's Highway Floodplain Program.

8c. What source(s) did you use to make the floodplain determination?\*

FEMA National Flood Hazard Layer (NFHL) Viewer (<https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>).

## Miscellaneous



## Comments

**Please use the space below to attach all required documentation or any additional information you feel is helpful for application review. Documents should be combined into one file when possible, with a Cover Letter, Table of Contents, and a Cover Sheet for each Section preferred.**

Click the upload button or drag and drop files here to attach document

B-5895 Madison March 18 2024.pdf

19.02MB

File must be PDF or KMZ

## Signature



\*

By checking the box and signing below, I certify that:

- The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief'; and
- The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.
- I have given true, accurate, and complete information on this form;
- I agree that submission of this PCN form is a "transaction" subject to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I agree to conduct this transaction by electronic means pursuant to Chapter 66, Article 40 of the NC General Statutes (the "Uniform Electronic Transactions Act");
- I understand that an electronic signature has the same legal effect and can be enforced in the same way as a written signature; AND
- I intend to electronically sign and submit the PCN form.

**Full Name:** \*

Erin K. Cheely

**Signature:** \*



**Date**

3/18/2024

# Permit Drawings



### North Carolina Department of Transportation

#### Highway Stormwater Program STORMWATER MANAGEMENT PLAN

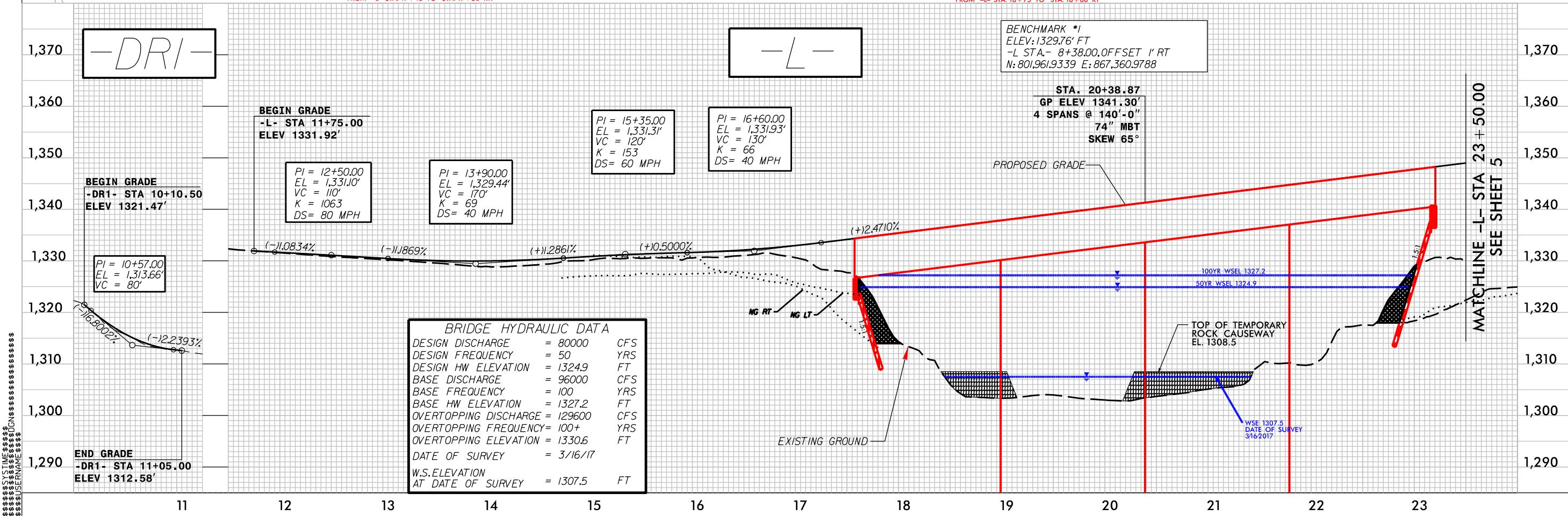
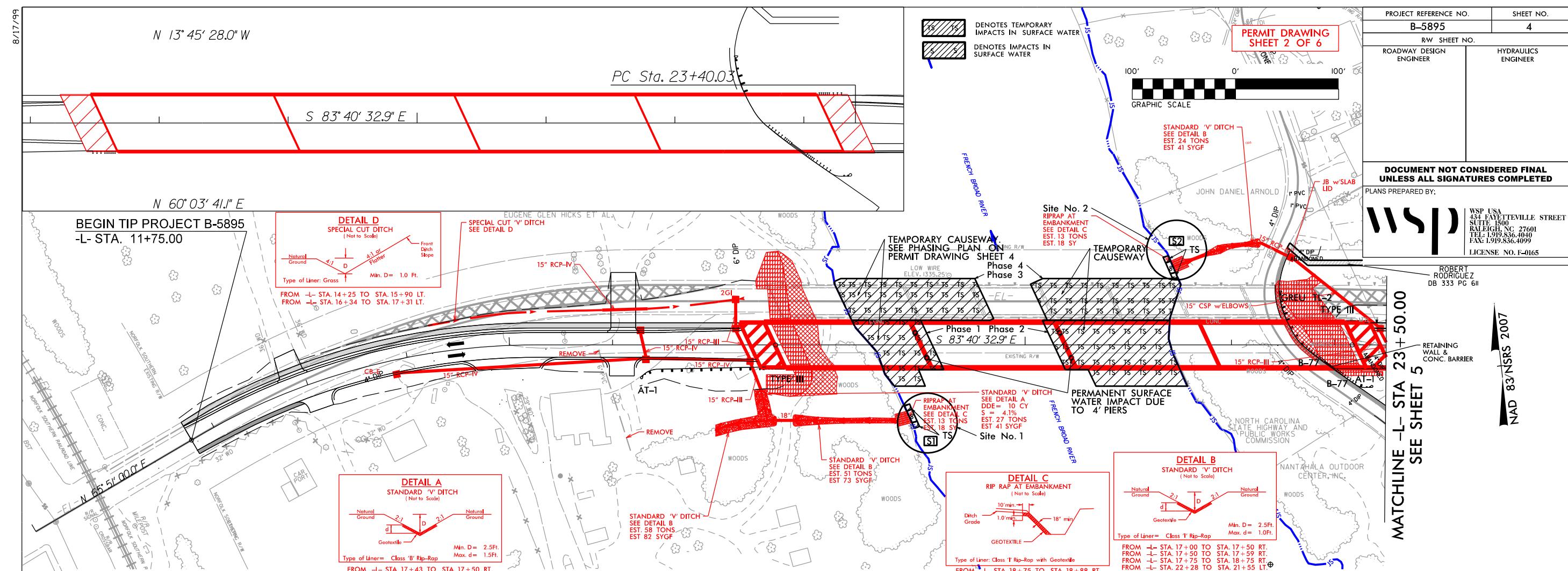
##### FOR NCDOT PROJECTS

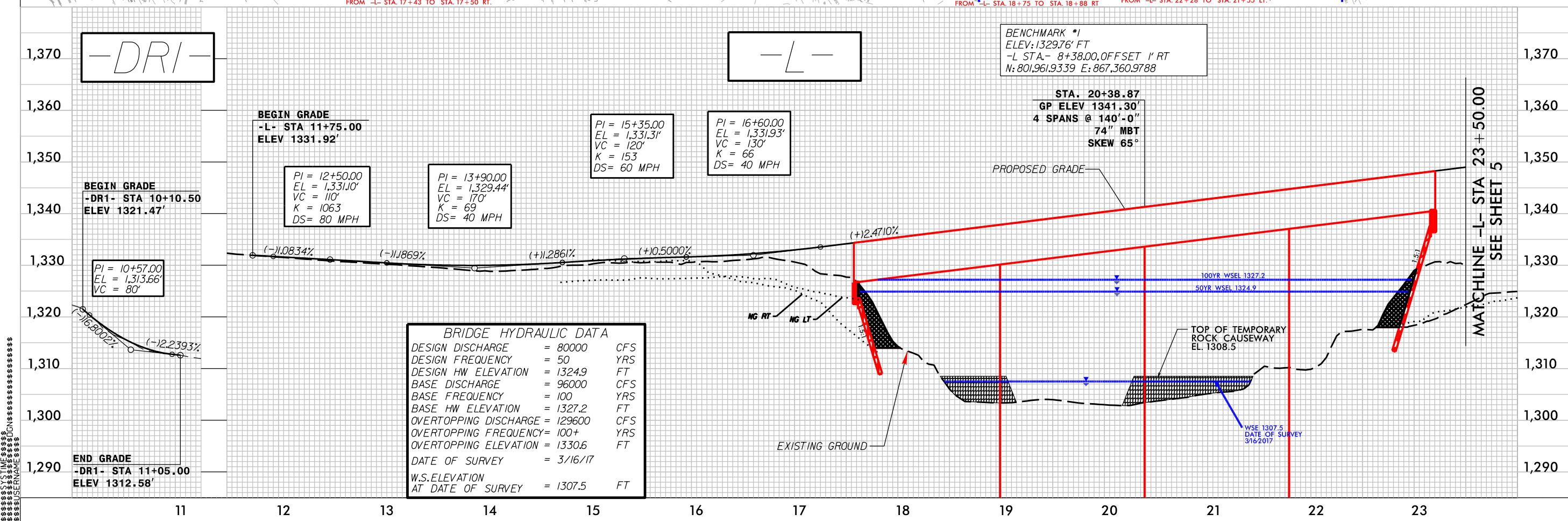
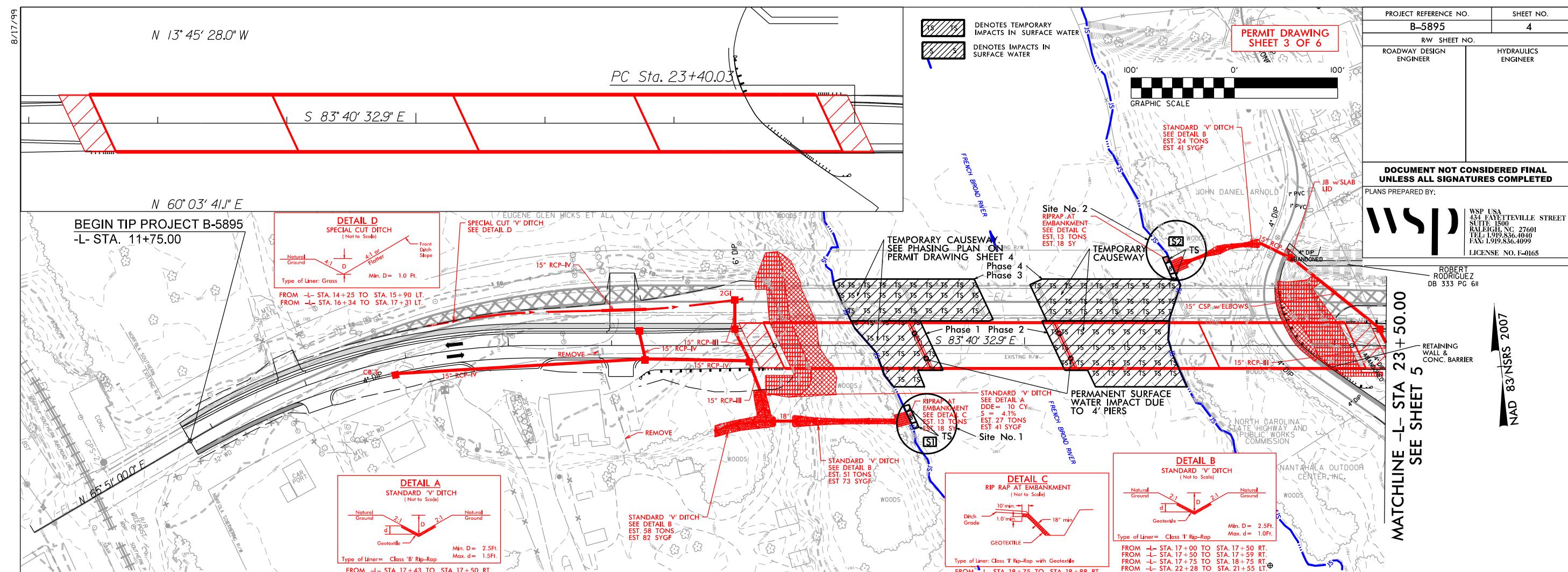


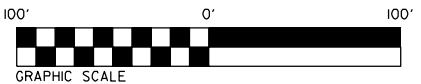
(Version 2.08; Released April 2018)

WBS Element:	48088.1.1	TIP No.:	B-5895	County(ies):	Madison	Page	1	of	1	
<b>General Project Information</b>										
WBS Element:	48088.1.1	TIP Number:	B-5895	Project Type:	Bridge Replacement	Date:	1/7/2022			
NCDOT Contact:	David Stutts, PE			Contractor / Designer:	Ronyell Thigpen					
Address:	1000 Birch Ridge Rd. Raleigh, NC 27610			Address:	434 Fayetteville St. Suite 1500 Raleigh, NC 27603					
	Phone:	(919)707-6442			Phone:	(919)836-4040				
Email:	dstutts@ncdot.gov			Email:	ronyell.thigpen@wsp.com					
City/Town:	Hot Springs			County(ies):	Madison					
River Basin(s):	French Broad			CAMA County?	No					
Wetlands within Project Limits?	No									
<b>Project Description</b>										
Project Length (lin. miles or feet):	0.322 mi	Surrounding Land Use:	Rural							
<b>Proposed Project</b>				<b>Existing Site</b>						
Project Built-Upon Area (ac.):	3.0	ac.	1.6 ac.							
Typical Cross Section Description:	From -L- Sta. 11+75 to 18+75, 2-12' paved lanes lined with 2'-6" curb and gutter and a 5' concrete sidewalk (LT). The proposed bridge will be 43' wide with a 5' concrete sidewalk (LT). 2-11' paved lanes with 3' and 8' paved shoulders prior to the entrance of the bridge at -L- Sta. 18+75. The bridge features 2-13' paved lanes with no shoulder. Past Sta. 21+55 there are 2-12' paved lanes with no shoulder and guardrails lining the roadway.									
Annual Avg Daily Traffic (veh/hr/day):	Design/Future: 5600	Year: 2040	Existing: 3800	Year: 2016						
General Project Narrative: (Description of Minimization of Water Quality Impacts)	<p>State project B-5895 involves the replacement of Madison County Bridge #67 located on Route US25/US70 over the French Broad River. Existing Bridge #67 consists of continuous arched RC deck girders and has 8 spans; 2 at 67'-5.25"; 4 at 65'-0"; and 2 at 65'-10". The proposed bridge is to be 4 spans, all at 140' with a 74" MBT. To facilitate the construction of the proposed bridge, an on-site detour will be provided.</p> <p>The project includes 0.216 mi of proposed roadway improvements in addition to 0.106 mi of structure improvements for Bridge #67. Along the proposed roadway, -L- Sta.13+85 to 15+90, drainage is conveyed by concrete storm drainage before discharging stormwater to a Standard V Ditch with a 2:1 side slopes. Stormwater discharged into the ditch will lead into an 18" pipe underneath the drive and ultimately to a RipRap pad at the French Broad River embankment. The Class I RipRap pad will cause minimal disturbances to the French Broad River with &lt;0.01 ac of surface water impact and &lt;0.01 ac of temporary surface water impacts. The addition of both the Standard V Ditch and RipRap pad are designed to minimize discharge velocity. Drainage for the proposed bridge is conveyed by a Class II RipRap pad that are located on both ends of the bridge with no intended surface water impacts. Deck drains are provided on the bridge but not over open waters. On the opposite side of the bridge from -L- Sta. 21+55 to 22+28, drainage is conveyed by storm drainage that will outlet to a Standard V Ditch with 2:1 side slopes onto a Class I RipRap pad to minimize discharge velocity prior to entering the French Broad River. Both surface water and temporary surface water impacts are minimized with &lt;0.01 ac of disruption.</p> <p>This project creates surface water impacts by the installation of 4' diameter drilled piers. Temporary rock causeways will be utilized in phases to construct the proposed bridge as well as to remove the existing bridge.</p>									
<b>Waterbody Information</b>										
Surface Water Body (1):	French Broad River		NCDWR Stream Index No.:	6-(54.75)						
NCDWR Surface Water Classification for Water Body			Primary Classification:	Class B						
			Supplemental Classification:	Trout Waters (Tr)						
Other Stream Classification:	None									
Impairments:	None									
Aquatic T&E Species?	No	Comments:								
NRTR Stream ID:				Buffer Rules in Effect:	N/A					
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No	Dissipator Pads Provided in Buffer?	No					
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)			(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)					
(If yes, provide justification in the General Project Narrative)										

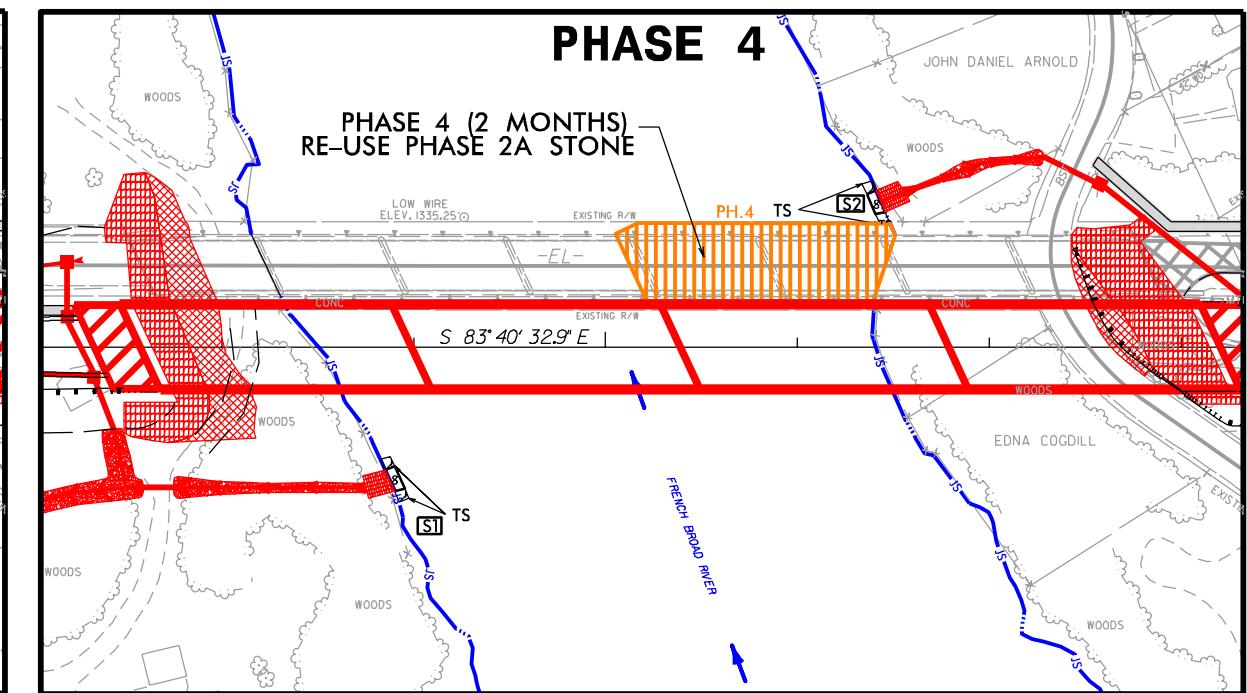
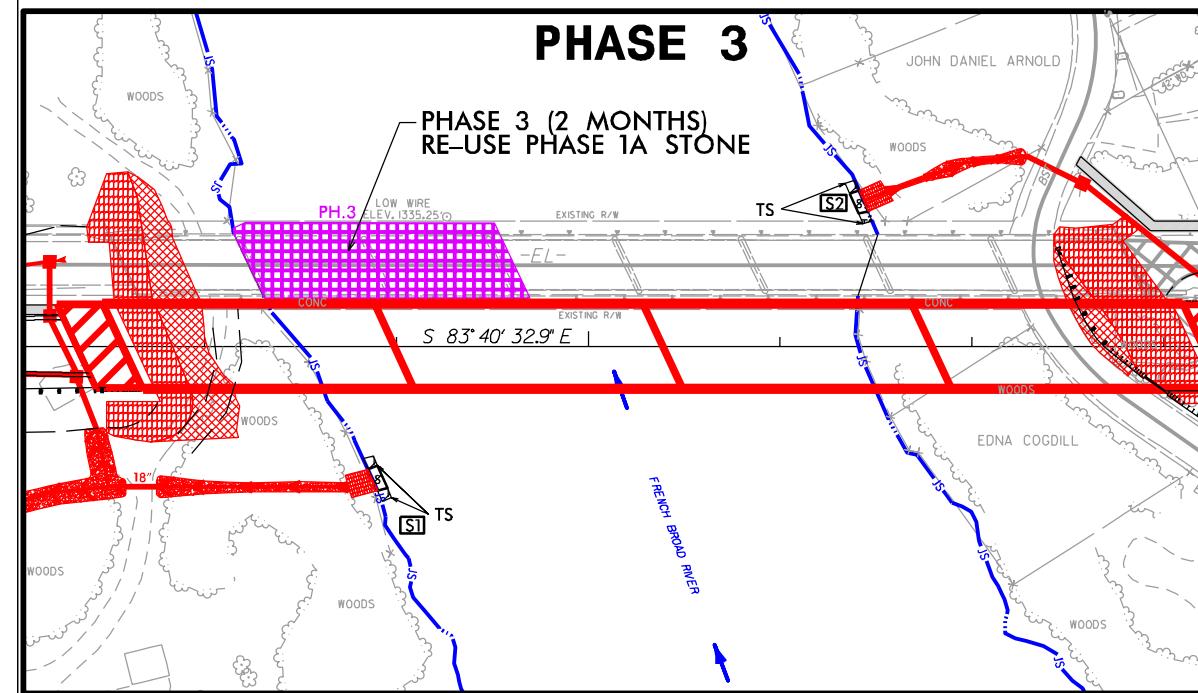
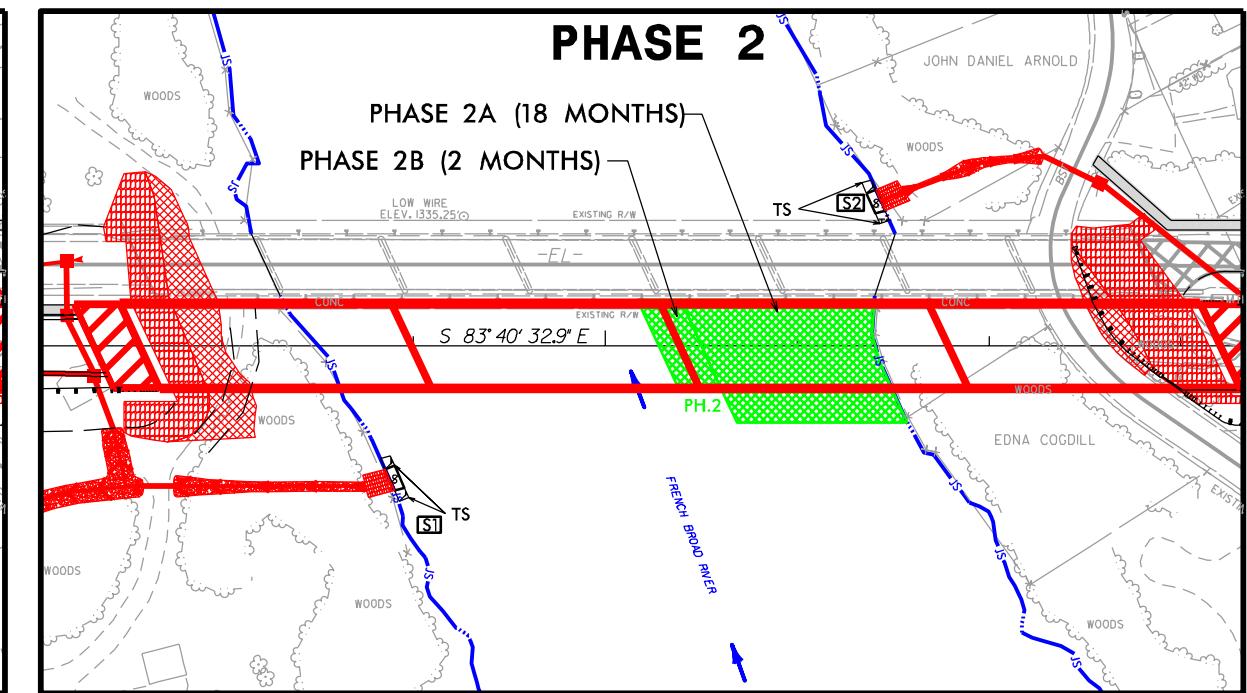
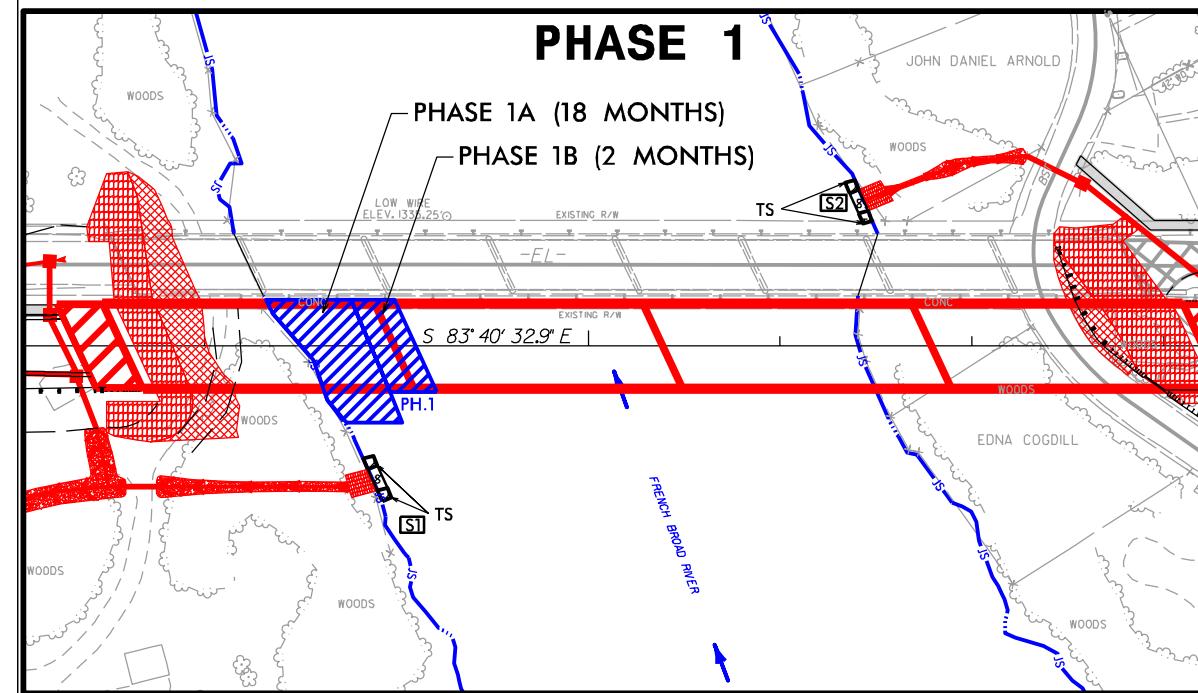








# TEMPORARY ROCK CAUSEWAY PHASING PLAN



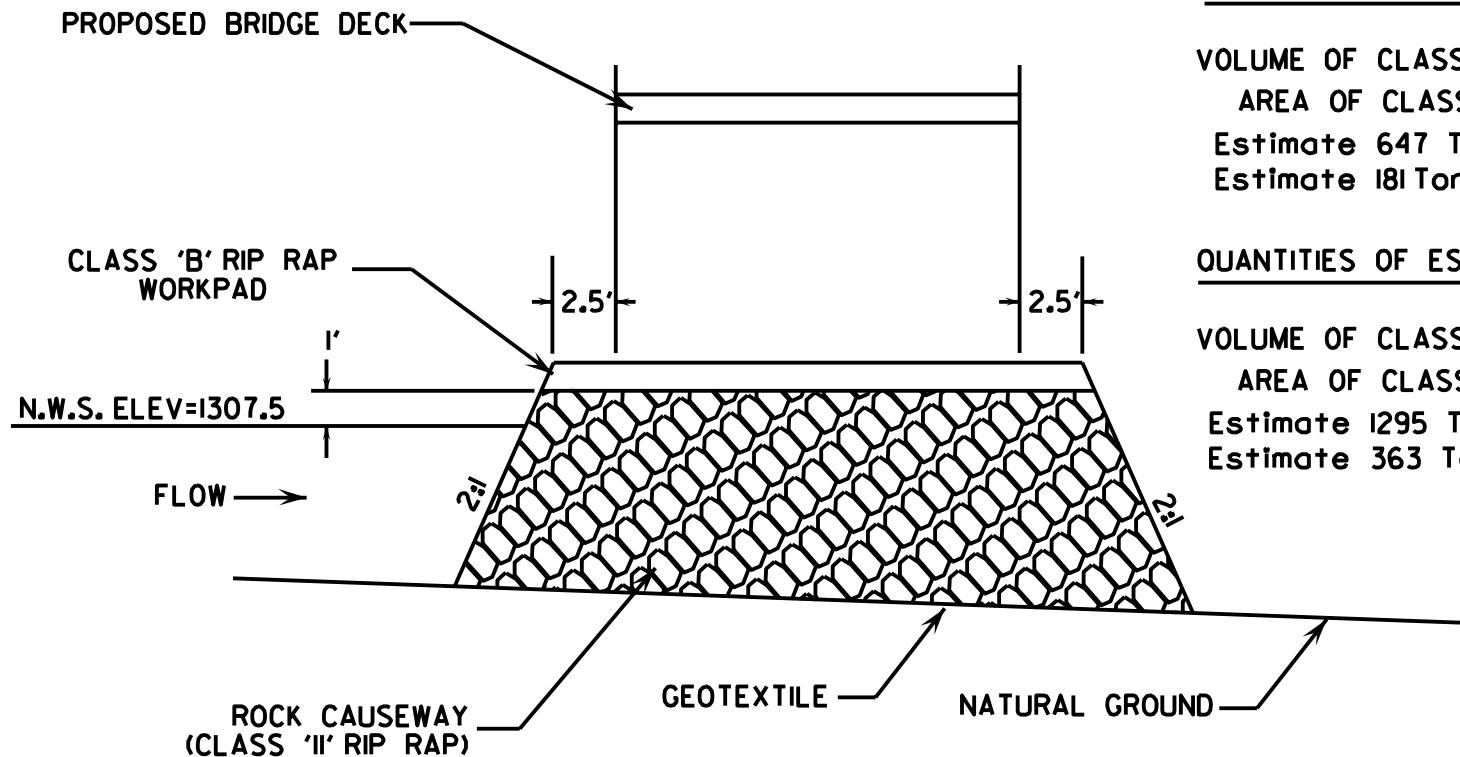
## NOTES

1. NO MORE THAN 50% OF THE WIDTH OF THE RIVER SHALL BE BLOCKED AT ONE TIME.  
(PHASES 1 AND 2 CANNOT BE PERFORMED AT THE SAME TIME)
2. RIPRAP CAN BE RE-USED ON SITE FROM PHASE TO PHASE.
3. CAUSEWAYS SHALL BE REMOVED USING LEAST IMPACTFUL MEASURES POSSIBLE.
4. PHASES 3 AND 4 ARE FOR REMOVAL OF EXISTING BRIDGE BENTS.
5. CONSTRUCTION TIMES SHOWN ARE APPROXIMATE.
6. SITES 1 AND 2, RIPRAP AT EMBANKMENTS, CAN BE CONSTRUCTED AT ANY TIME.

PROJECT REFERENCE NO.		SHEET NO.
B-5895	4	
R/W SHEET NO.		
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER	
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION		
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED		
PLANS PREPARED BY:		
<b>WSP</b>	WSP USA SUITE 1500 RALEIGH, NC 27601 TEL: 199.836.4040 FAX: 199.836.4099 LICENSE NO. E-0165	

NAD 83/NSRS 2007

# TEMPORARY ROCK CAUSEWAY (NOT TO SCALE)



## QUANTITIES OF ESTIMATES - PHASE 1

VOLUME OF CLASS II RIP RAP= 456 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.08 ac  
 Estimate 647 Tons Class 'II' Rip Rap  
 Estimate 181 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 2

VOLUME OF CLASS II RIP RAP= 913 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.16 ac  
 Estimate 1295 Tons Class 'II' Rip Rap  
 Estimate 363 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 3

VOLUME OF CLASS II RIP RAP= 711 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.13 ac  
 Estimate 1008 Tons Class 'II' Rip Rap  
 Estimate 283 Tons Class 'B' Rip Rap

## QUANTITIES OF ESTIMATES - PHASE 4

VOLUME OF CLASS II RIP RAP= 654 yds<sup>3</sup>  
 AREA OF CLASS II RIP RAP= 0.12 ac  
 Estimate 927 Tons Class 'II' Rip Rap  
 Estimate 260 Tons Class 'B' Rip Rap

**N.C. DEPT. OF TRANSPORTATION  
DIVISION OF HIGHWAYS**

**MADISON COUNTY**

**PROJECT: 48088.1.1 (B-5895)  
BRIDGE NO. 67  
OVER FRENCH BROAD RIVER  
ON US 25**

## WETLAND AND SURFACE WATER IMPACTS SUMMARY

\*Rounded totals are sum of actual impacts

## NOTES:

Linear Impacts are shown such that they do not double count due to impacts on both sides of the stream.

Permanent Surface Water Impacts due to drilled piers: 50 sq. ft. (0.001ac) <0.01 acre

NC DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
8/16/2019  
Madison County  
B-5895  
310045

# Protected Species/ Section 7



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J.R. "JOEY" HOPKINS  
SECRETARY

March 18, 2024

Ms. Janet A. Mizzi  
Field Office Supervisor  
US Fish and Wildlife Service  
160 Zillico Street  
Asheville, NC 28801

Subject: **Section 7 Concurrence Request** for the replacement of bridge number 67 over the French Broad River on US 25/US 70 in Madison County, WBS No. 48088.1.1 in Division 13, **TIP No. B-5895**

Reference: Bat Survey Report, dated September 25, 2023

Dear Ms. Mizzi:

The purpose of this letter is to request concurrence from the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531 et seq.) (ESA). The North Carolina Department of Transportation (NCDOT) proposes to replace bridge 67 over the French Broad River in Madison County.

As of December 28, 2023, the US Fish and Wildlife Service's Information for Planning and Consultation (IPaC) lists the following federally protected species in the project area. Little brown bat, while not yet listed in IPaC for this area, has been included in the table below.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Myotis grisescens</i>	Gray bat	Endangered	Yes	MA-NLAA
<i>Myotis septentrionalis</i>	Northern long-eared bat	Endangered	Yes	MA-NLAA
<i>Perimyotis subflavus</i>	Tricolored bat	Proposed Endangered*	Yes	MA-NLAA
<i>Myotis lucifugus</i>	Little brown bat	Future Listing	Yes	MA-NLAA

MA-NLAA – May Affect - Not Likely to Adversely Affect

\* Proposed for federal listing

**Species Summary – Bats**

The North Carolina Department of Transportation (NCDOT, Division 13) proposes to replace Bridge No. 67 over the French Broad River on US 25/US 70 in Madison County, TIP No. B-5895. The existing bridge is an eight-span structure with concrete beams, deck, end walls, and guard rails. The overall length of the

structure is 529 feet. No culverts meeting NCDOT's Standard Operating Procedures for Preliminary Bat Habitat Assessments were identified meeting the criteria of greater than 3 feet wide and 60 feet in length during this site visit.

On July 28, 2022, Three Oaks biologists assessed all structures in the project study area. Crevices suitable for roosting are present on Bridge 67. No evidence of bats (bats, staining, guano) was observed on the structure. Prior surveys are as follows; 2016, 2018, and two bridge checks in 2019. No prior surveys for evidence of bats. Trees greater than 3" dbh are present in the project area. There are no known caves or mines within one half mile of the project footprint and no caves or mines were observed during the field visit. Large, continuous forests are present in the project vicinity, providing potential foraging and commuting habitat.

Species	Federal Status	Habitat Present <sup>1</sup>	Biological Conclusion	Distance to Nearest Record <sup>2</sup>
MYGR	Endangered	Yes	MA-NLAA	5.2 miles SE
MYSE	Endangered	Yes	MA-NLAA	12.7 miles SE
PESU	Proposed Endangered	Yes	MA-NLAA	1.2 miles NW
MYLU <sup>3</sup>	Future Listing	Yes	MA-NLAA	7.4 miles S

<sup>1</sup> Detailed habitat information shown in table below.

<sup>2</sup> Nearest known record from latest NHP, WRC, or NCDOT data.

<sup>3</sup> Little Brown Bat (*Myotis lucifugus*), which may become federally listed in the future (FL), may also be found in Madison County.

MA-NLAA – May Affect, Not Likely to Adversely Affect

Species	Summer Roosting		Winter Roosting	Foraging Habitat	Commuting Habitat
	Tree	Structure			
MYGR	NA	✓	X	✓	✓
MYSE	✓	✓	X	✓	✓
PESU	✓	✓	X	✓	✓
MYLU	✓	✓	X	✓	✓

A Biological Conclusion of **May Affect, Not Likely to Adversely Affect** is given to each of the above species based on the presence of suitable foraging and commuting habitat. No evidence of federally listed bats was found on the structures, no caves or mines are in the area, and a large area of alternative available suitable habitat exists in the project vicinity. Permanent roadway lighting is present in the project area (entrance to Hot Springs Resort), which will remain in place. However, BSG is not aware of any plans to install new roadway lighting with this project.

It is possible that nighttime construction lighting may be necessary at some point during the active season (March 15 - November 15). No blasting is anticipated. Percussive activities will include guardrail installation, drilling and driving for pile and pier construction, concrete saw cutting, and bridge demolition. Tree clearing for the proposed bridge and associated utility relocations can be conducted during the winter months (October 16 - March 31). Removal of the existing bridge deck is anticipated to be completed during the winter months (November 16 - March 14).

NCDOT, under the delegation authority provided in 50 CFR § 402.08 by the Federal Highway Administration (FHWA), believes that the requirements of Section 7(a)(2) of the ESA have been satisfied and hereby request your concurrence.

If you have any questions, please contact Rob Crowther at [recrowther@ncdot.gov](mailto:recrowther@ncdot.gov) or 919-707-6112.

Sincerely,



for Michael Turchy, ECAP Group Leader  
Environmental Analysis Unit

Enclosures:  
Bat Survey Report, dated September 25, 2023

cc:  
Ms. Holland Youngman, USFWS  
Mr. Yates Allen, DEO-Div. 13, NCDOT  
Mr. Tyler Stanton, NCDOT BSG-EAU



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

September 25, 2023

TO: Robert Crowther, Environmental Program Consultant  
Environmental Coordination & Permitting Group, EAU

FROM: Melissa Miller, Environmental Program Consultant  
Biological Surveys Group, EAU

SUBJECT: Section 7 survey results for the gray bat (*Myotis grisescens*, *MYGR*), northern long-eared bat (*Myotis septentrionalis*, *MYSE*), tricolored bat (*Perimyotis subflavus*, *PESU*) and little brown bat (*Myotis lucifugus*, *MYLU*), associated with the replacement of Bridge Number 67 over the French Broad River on US 25/US 70 in Madison County, **TIP No. B-5895**.

The North Carolina Department of Transportation (NCDOT, Division 13) proposes to replace Bridge No. 67 over the French Broad River on US 25/ US 70 in Madison County, TIP No. B-5895. The existing bridge is an eight span structure with concrete beams, deck, end walls and guard rails. The overall length of the bridge is 529 feet. No culverts meeting NCDOT's Standard Operating Procedures for Preliminary Bat Habitat Assessments were identified meeting the criteria of greater than 3 feet wide and 60 feet in length during this site visit.

On July 28, 2022, Three Oaks biologists assessed all of the structures in the project study area. Crevices suitable for roosting are present on Bridge 67. No evidence of bats (bats, staining, guano) was observed on the structure. Prior surveys are as follows, 2016, 2018, and two bridge checks in 2019, no prior surveys found evidence of bats. Trees greater than 3" dbh are present in the project area. There are no known caves or mines within one half mile of the project footprint and no caves or mines were observed during the field visit. Large, continuous forests are present in the project vicinity, providing potential foraging and commuting habitat.

As of September 25, 2023, the following federally protected bat species are listed in IPaC (<https://ecos.fws.gov/ipac/>) as occurring in the action area:

Species	Federal Status	Habitat Present*	Biological Conclusion	Distance to Nearest Record**
MYGR	E	Yes	MANLTA	5.2 mile SE
MYSE	T	Yes	MANLTA	12.7 mile SE
PESU	PE	Yes	MANLTA	1.2 mile NW
MYLU***	FL	Yes	MANLTA	7.4 mile S

\*See detailed habitat information in table below

\*\*Nearest known record from latest NHP, WRC, or NCDOT data

\*\*\* The Little Brown Bat (*Myotis lucifugus*), which may become federally listed in the future (FL), may also be found in Madison County.

MANLTA=May Affect Not Likely To Adversely Affect

Presence (✓) or Probable Absence (X) of various habitat types for bat species present in project area.

Species	Summer Roosting		Winter Roosting	Foraging Habitat	Commuting Habitat
	Tree	Structure			
MYGR	NA	✓	X	✓	✓
MYSE	✓	✓	X	✓	✓
PESU	✓	✓	X	✓	✓
MYLU	✓	✓	X	✓	✓

A Biological Conclusion of May Affect Not Likely To Adversely Affect is given to each of the above species based on the presence of suitable foraging and commuting habitat. No evidence of federally listed bats was found on the structure, no caves or mines are in the area, and a large area of alternative available suitable habitat exists in the project vicinity. The existing bridge structure can be removed in the winter months. Permanent lighting is present in the project area (entrance to the Hot Springs Resort) however, BSG is not aware of any plans to install new roadway lighting with this project. It is possible that nighttime construction lighting might be necessary at some point during the active season. No blasting is anticipated. Percussive activities will include guardrail installation, drilling and driving for pile and pier construction and concrete saw cutting. Tree clearing can be conducted during the winter months. If avoidance and minimization measures, such as prohibiting tree clearing and bridge demolition during the active season can be implemented, this project is Not Likely to Adversely Affect federally listed bats.

If you need any additional information, please contact Melissa Miller at 919-707-6127.

# Archaeology



**NO NATIONAL REGISTER OF HISTORIC PLACES  
ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES  
PRESENT 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**

<i>Project No.:</i>	<b>B-5895</b>	<i>County:</i>	<b>Madison</b>
<i>WBS No.:</i>	<b>48088.1.1</b>	<i>Document:</i>	<b>CE</b>
<i>F.A. No.:</i>		<i>Funding:</i>	<input checked="" type="checkbox"/> State <input type="checkbox"/> Federal
<i>Federal Permit Required?</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Permit Type:</i> <b>USACE</b>	

**Project Description:** This project proposes to replace Bridge No. 67 on US 25/70 over the French Broad River in Madison County, North Carolina. The archaeological Area of Potential Effects (APE) encompasses all areas of potential ground disturbing activity. (see attached shape file map). It measures 1,800 feet in length and 300 feet in width. There will be an on-site detour immediately to the south of the existing structure.

**SUMMARY OF ARCHAEOLOGICAL FINDINGS**

*The North Carolina Department of Transportation (NCDOT) Archaeology Group reviewed the subject project and determined:*

- There are no National Register listed or eligible ARCHAEOLOGICAL SITES present within the project's area of potential effects. (Attach any notes or documents as needed)
- No subsurface archaeological investigations were required for this project.
- Subsurface investigations did not reveal the presence of any archaeological resources.
- Subsurface investigations did not reveal the presence of any archaeological resources considered eligible for the National Register.
- All identified archaeological sites located within the APE have been considered and all compliance for archaeological resources with Section 106 of the National Historic Preservation Act and GS 121-12(a) has been completed for this project.

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

To determine the cultural resource potential of the APE, numerous sources of information were considered. First, preliminary construction design, funding, and other data was examined for defining the potential impacts to the APE ground surfaces and for determining the level of effort necessary for compliance. In this case, the project is state-funded with federal (USACE) interaction and subject to Section 106 of the National Historic Preservation Act. An on-site detour will be utilized during construction which will be placed immediately south of the existing structure. As most of this area is already impacted, disturbance to the northern project quadrants will be minimal.

Next, a map review and site file search was conducted at the Office of State Archaeology (OSA) on Tuesday, August 13, 2019. No previously documented archaeological sites are located within or proximal

to the archaeological APE. This review did illustrate that the eastern portion of the APE had already been surveyed for archaeological resources (Padgett 1992). The archaeological study included US 25/70 from Tanyard Gap to Hot Springs, however it appears the survey ended on the eastern side of the French Broad River. While no archaeological sites were located within or directly adjacent to the archaeological APE, two sites (31MD233 & 31MD234) were documented a short distance to the east. These sites consisted of a potential rock shelter located outside of the project area and unassessed for NRHP eligibility and the cement remnants of a mill dam, considered ineligible for NRHP listing. Overall, the local archaeological site profile does not raise the potential for documenting sites in the currently defined APE.

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 North Carolina State Historic Preservation Office (NCSHPO) website demonstrated that no resources with potential archaeological deposits were located in the vicinity of the APE. However, the APE does border the NRHP Hot Springs Historic District and the Bridge 67 structure has been determined eligible for the NRHP. Also, historic maps of Madison County were appraised for former structure locations, land use patterns, cemeteries, or other confirmation of historic occupation in the project vicinity.

Archaeological/historical reference materials were reviewed as well.

In addition, topographic, geologic, flood boundary, lidar, and NRCS soil survey maps (Ud, UhE, BaA, UfB) were referenced for the evaluation of geomorphological, pedeological, hydrological, and other environmental-type elements that may have resulted in past occupation at this location. Finally, review of aerial and on-ground images (NCDOT Spatial Data Viewer, Google, ARC-GIS) afforded first-hand perspectives of the overall study area which were useful for assessing localized disturbances, both natural and human induced, which compromise the integrity of archaeological sites/deposits. Based on environmental determinants and disturbance factors, the APE is considered to have a low potential for the recovery of archaeological artifacts, deposits, or features. Despite the low potential, an archaeological survey will be recommended for the project since there are NRHP properties nearby and to satisfy federal laws and regulations.

An in-field reconnaissance and subsurface survey was conducted by NCDOT archaeologists Scott Halvorsen and Casey Kirby on July 30, 2019. First, a visual inspection of the entire APE was completed. No above-ground historic features or cemeteries were encountered. Although the eastern areas of the APE had already been surveyed (Padgett 1992) these portions of the currently defined APE were re-examined. Immediately east of the French Broad River was a small residential area to the north of the roadway, and to the south of US 25/70 was a paved road and boat drop-off. All the land surfaces east of this initially disturbed area were sloped (typically to the south) to a degree beyond human settlement. Essentially, there were no flat, undisturbed areas suitable for subsurface shovel testing east of the French Broad River.

The western portion of the APE was largely disturbed, particularly on the southern side of the roadway, where the on-site detour is to be constructed. This area contained residential buildings, a shop, a paved turn-around, a railroad car and sloping ground surfaces to the east toward the French Broad River. Across the US 25/70 roadway in the northwestern project quadrant was a manicured grass lawn in the floodplain of the river. Despite the soil data which illustrated that the underlying soils were made up of fill, shovel testing began in this quadrant about 100 feet from the NC 25/70 center-line and 50 feet from the rivers edge along a transect. Shovel tests were numbered sequentially west to east, were excavated at 30 meter intervals, and measured approximately 40cm in diameter. Shovel tests were dug to sterile subsoil or within layers of disturbed fill.

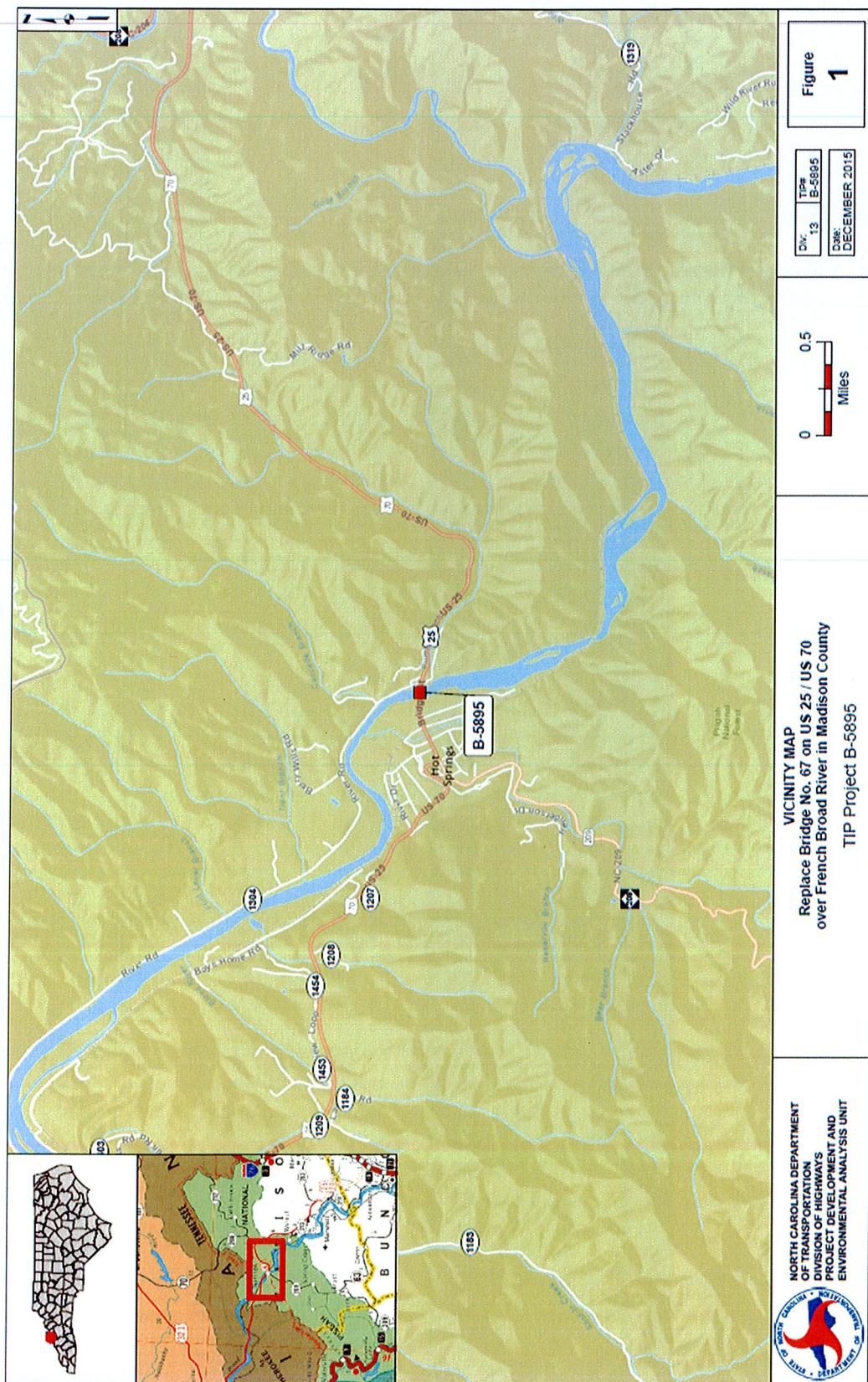
A total of seven shovel test pits were excavated along transect #1 within the northwestern project quadrant. Each of the test pits had a similar if not identical soil profile, illustrating past disturbance and filling activities. A typical shovel test pit profile consisted of a first soil stratum of 10YR3/3 dark brown sandy loam to 15 -18 cmbs (centimeters below surface), often accompanied by modern bottle glass pieces and shards. Stratum II contained a disturbed fill layer of 7.5YR5/6 strong brown clay with small and medium sized rocks and pebbles to 25+cmbs. No cultural artifacts or features were encountered while excavating the seven shovel test pits ( 1- 7) situated along transect #1 in the northwestern quadrant.

Next, investigations of the southwestern quadrant began. Transect #2 was established approximately 30 meters south from the US 25/70 center-line. The first four shovel test pit locations could not be excavated due to ground surfaces sloping east toward the French Broad River or because of impacts associated with a large shop structure and paved turn-around. The final three locations along the transect were excavated at 30 meter intervals, numbered sequentially west to east (8 – 10), and measured 40cm in diameter. All three excavated shovel tests contained a disturbed and identical soil profile containing a first soil stratum of 10YR3/3 dark brown sandy loam to 10cmbs atop a second stratum of 7.5YR5/6 strong brown clay fill to 20+cmbs. No cultural artifacts were collected from any of the test pits excavated along transect # 2 in the southwestern quadrant.

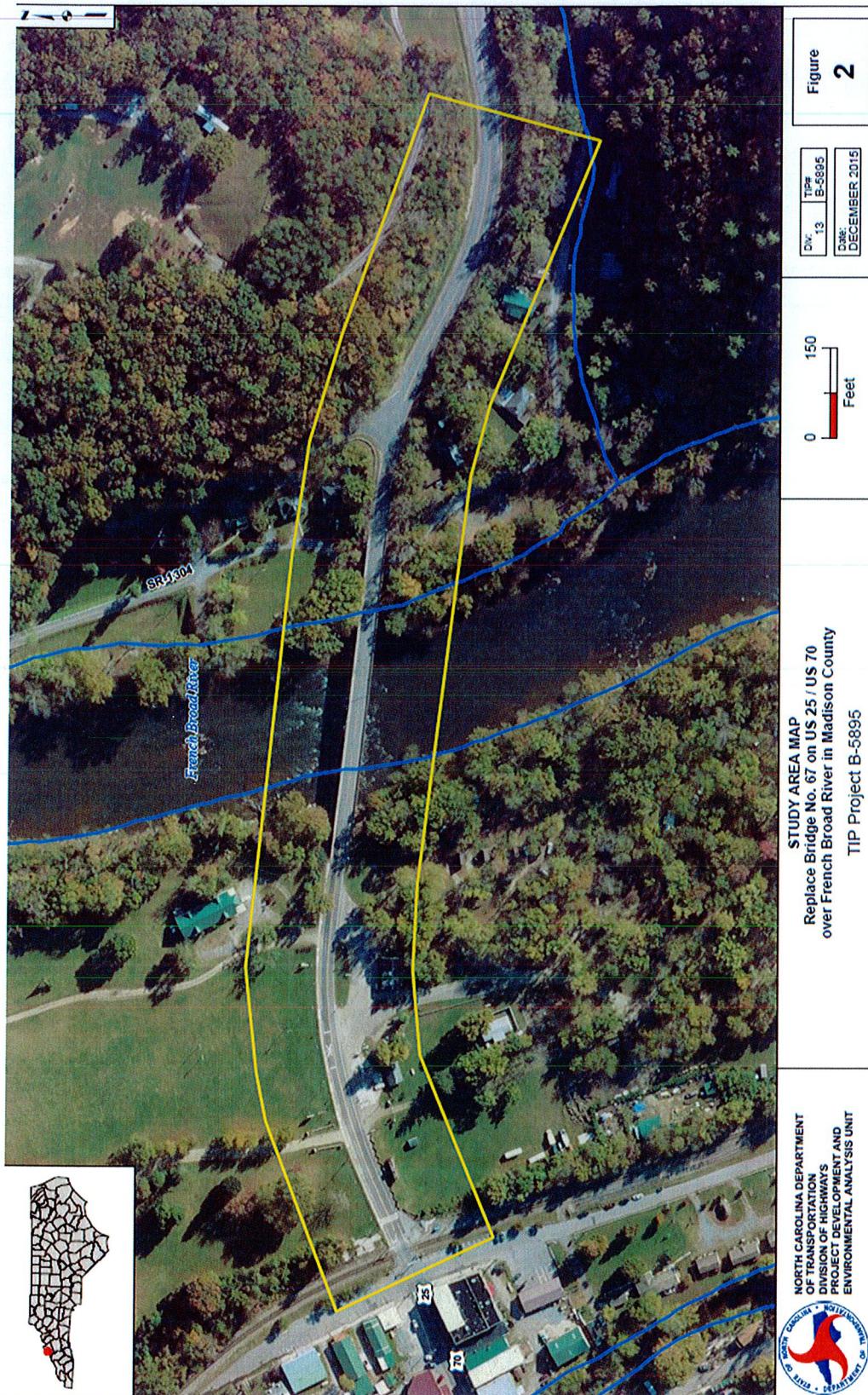
Following investigation of the B-5895 project area, no further archaeological consultation will be necessary. No archaeological sites were identified by the survey. A finding of "no historic properties affected" is considered appropriate.

Padgett, Thomas J.

*Archaeological Study US 25/70 Tanyard Gap to Hot Springs, Madison County, R-1011 BA. Filed at NCDOT, Division of Highways, Planning and Environmental Branch, Raleigh, North Carolina.*



*"NO NATIONAL REGISTER ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES PRESENT"  
form for the Amended Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.*



"NO NATIONAL REGISTER ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES PRESENT"  
form for the Amended Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.

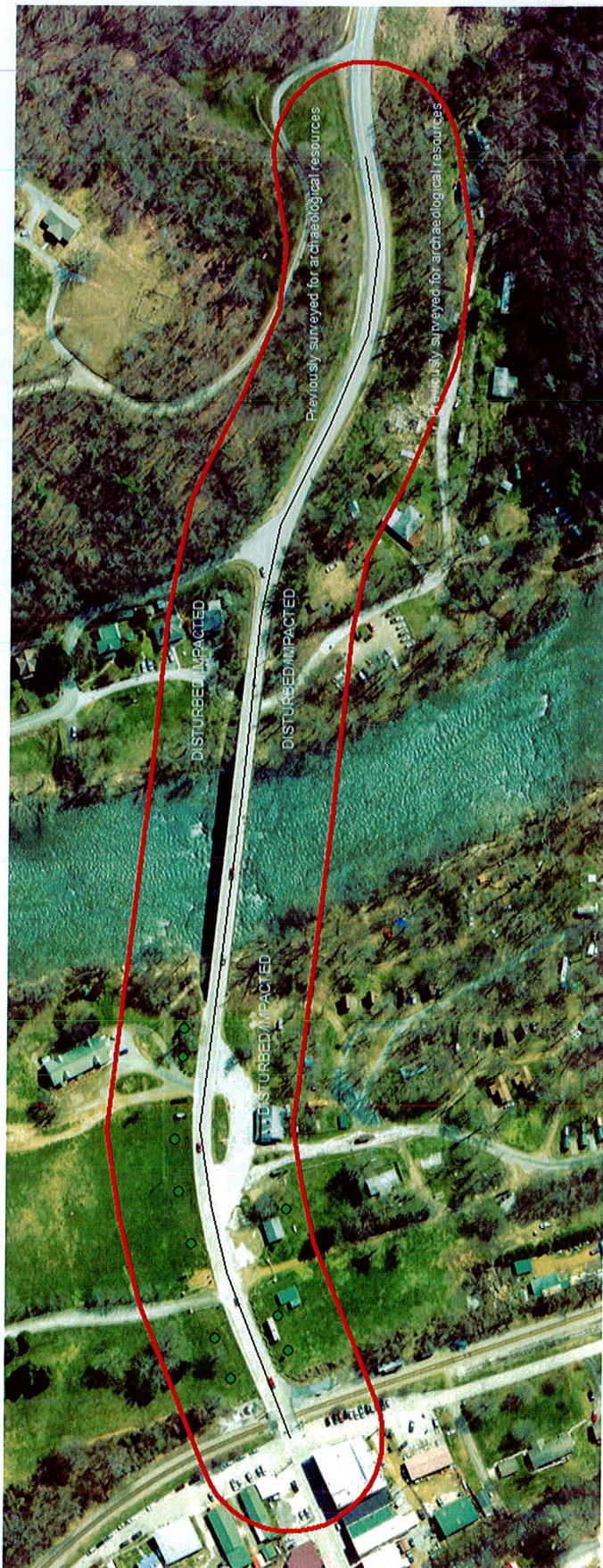


Figure 3: ARC-GIS shape file map illustrating the location of shovel test pits (green dots) and areas of disturbance and previously surveyed areas.

"NO NATIONAL REGISTER ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES PRESENT"  
form for the Amended Minor Transportation Projects as Qualified in the 2007 Programmatic Agreement.

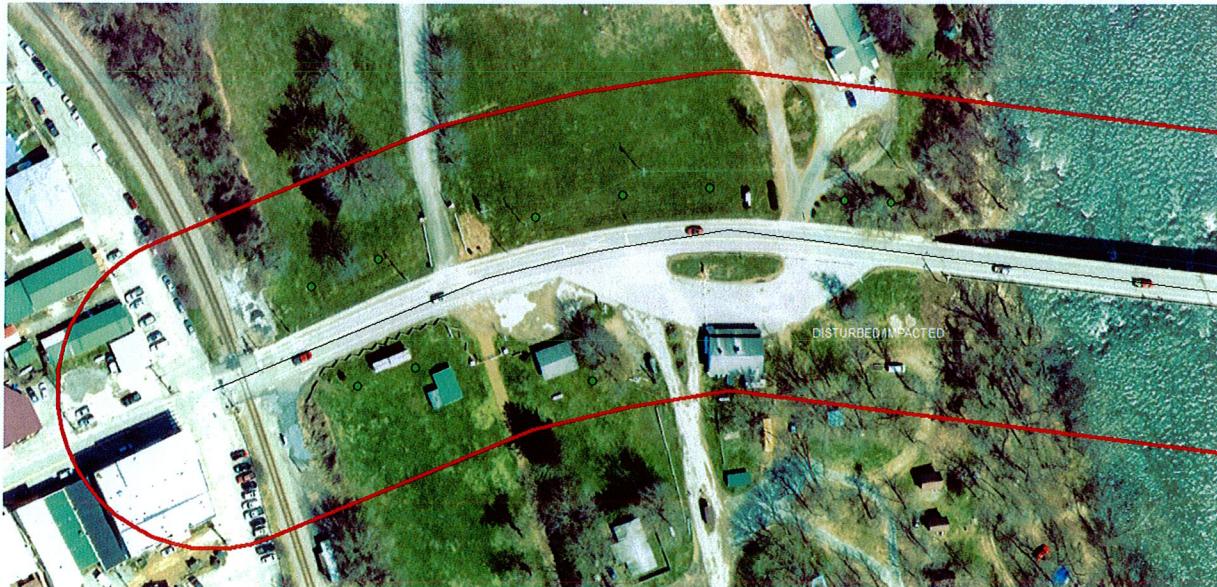


Figure 4: Detail of the eastern project quadrants. The green dots are the location of excavated shovel test pits. Note the disturbances south of the US 25/70 roadway.



Figure 5: Detail of the western project quadrants. These sections were previously surveyed for archaeological resources (Padgett 1992). The APE was residentially disturbed immediately east of the river and sloped beyond human settlement elsewhere.

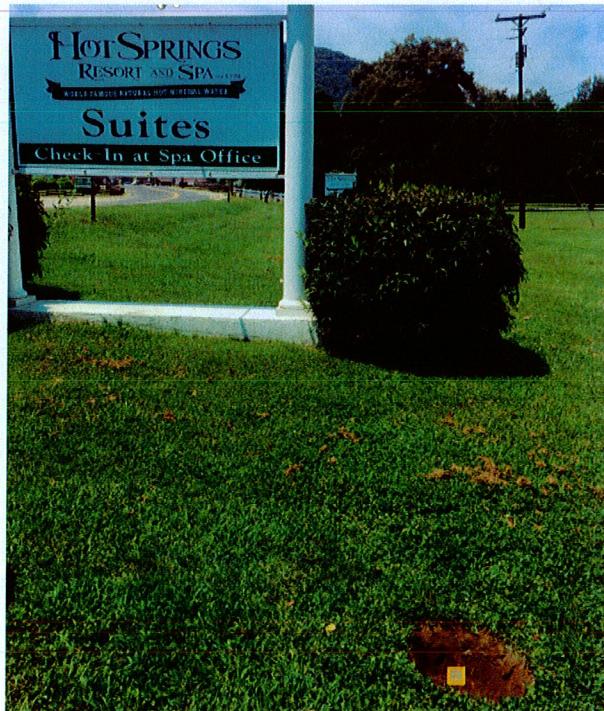


Figure 6: View generally east toward Hot Springs from the shovel test pit # 3 locale. The northwestern project quadrant, as seen above, was in manicured lawn.



Figure 7: View generally east of the northwestern project quadrant.



Figure 8: View generally east of the extremely disturbed southwestern quadrant.



Figure 9: View generally west of sloping APE ground surfaces.

16-01-0097

**SUPPORT DOCUMENTATION**

See attached:  Map(s)  Previous Survey Info  Photos  Correspondence  
Signed:

Matthew Eric Halvorsen

8.19.2019

**NCDOT ARCHAEOLOGIST**

**Date**

# Historic Architecture and Landscapes

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70  
OVER THE FRENCH BROAD RIVER AND PRIVATE DRIVE  
MADISON COUNTY, NORTH CAROLINA  
WBS NO. 48088.1.1  
PA No. 16-01-0097  
TIP No. B-5895**

**WHEREAS**, the U.S. Army Corps of Engineers (USACE) is considering issuance of a permit under Section 404 of the Clean Water Act (CWA) and, if required by final design, Section 10 of the Rivers and Harbors Act (RHA) of 1899, to the North Carolina Department of Transportation (NCDOT) for Replacement of Bridge Number 67 on US 25/70 over the French Broad River and Private Drive, Madison County, North Carolina (the Undertaking); and

**WHEREAS**, the USACE has determined that the Undertaking will have an adverse effect upon Madison County Bridge Number 67 and the Appalachian Trail, properties determined eligible for listing in the National Register of Historic Places (NRHP) (historic properties); and

**WHEREAS**, the USACE has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f); and

**WHEREAS**, the USACE has notified the Advisory Council on Historic Preservation (Council) of the adverse effects and the Council has declined to comment or participate in the consultation; and

**WHEREAS**, NCDOT has participated in the consultation and has been invited by the USACE and SHPO to be a signatory to this Memorandum of Agreement (MOA); and

**WHEREAS**, the following parties were granted consulting party status by USACE and have been invited to concur with this MOA: National Park Service (NPS) and Appalachian Trail Conservancy (ATC); and

**WHEREAS**, the following Tribal Historic Preservation Offices (THPO) were consulted regarding this Undertaking but did not comment: the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, and the Cherokee Nation;

**NOW, THEREFORE**, USACE, NCDOT, and the SHPO, agree that any authorization that may be issued by the USACE for the Undertaking shall include, by permit special condition, the following stipulations to take into account the effect of the Undertaking on the historic properties.

## **STIPULATIONS**

### **I. Madison County Bridge Number 67**

#### **a. Photorecordation**

Prior to the initiation of construction, NCDOT will record the existing condition of Bridge Number 67 and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan (Appendix A). Copies of the documentation will be deposited in the files of the State Historic Preservation Office, and the NCDOT Historic Architecture Section.

#### **b. Bridge Design**

The replacement bridge will mimic the original historic bridge details and will utilize a Texas Classic Bridge Rail. The bridge design will be provided to the SHPO and concurring parties for comment prior to finalization of the plan.

### **II. Appalachian Trail**

#### **a. Step Design**

Concrete steps with handrail will be provided at the east end of the new bridge approach to provide continued access to the Appalachian Trail. The design of the steps will be reviewed by the SHPO and concurring parties prior to construction. The steps will be maintained by NCDOT Division 13.

#### **b. Construction**

The Appalachian Trail is normally open 24 hours a day/365 days a year. During the construction project, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.

#### **c. Construction Consultation**

The NCDOT Resident Engineer shall conduct a pre-construction field meeting with representatives from the NPS, ATC and the contractor to discuss plans for hiker passage for the duration of the project. In addition, the NCDOT Resident Engineer will send a monthly status report of upcoming construction activities around the Appalachian Trail to the NPS Trail Superintendent and the Regional Director at the ATC in order to provide the NPS and ATC with information to disseminate to hikers including adequate warning about delays or possible reroutes. These monthly status reports will cease when the project is complete.

**d. Trail Crossing**

Due to the relocation of the trail from the south side of the original bridge to the north side of the new bridge, a marked street crossing near the railroad tracks in Hot Springs will be retained for users to cross the street in a safe manner. NCDOT will design and erect signage and/or an informational kiosk at the crossing in consultation with the SHPO and the concurring parties within one year of completion of the new bridge.

**e. Appalachian Trail Markers**

Markers for the Appalachian Trail, similar to what exists within Hot Springs, will be continued on the new bridge and concrete staircase to mark the trail.

**III. Unanticipated Discovery**

In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction, all work will be halted within the limits of the resource(s) and the USACE will be contacted. The USACE will initiate the appropriate agency and/or Tribal coordination required for a determination of eligibility or recovery effort. If after consultation between the Signatories and concurring parties, additional mitigation is determined necessary, the NCDOT, in consultation with the Signatories and concurring parties, will develop and implement appropriate protection/mitigation measures for the resource(s). Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes 65 and 70.

**IV. Amendments**

Should any of the Party(ies) to this MOA believe that its terms cannot be carried out or that an amendment to the terms must be made, that party(ies) shall immediately consult with the other party(ies) to develop amendments in accordance with 36 CFR 800.6(c)(7). If an amendment cannot be agreed upon, the dispute resolution process set forth in Stipulation V will be followed. This MOA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy, signed by all the signatories, is filed with the ACHP.

**V. Dispute Resolution**

Should any of the Parties to this MOA object within (30) days to any plans or documentation provided for review pursuant to this MOA, the USACE shall consult with the objecting party(ies) to resolve the objection. If the USACE or the objecting party(ies) determines that the objection cannot be resolved, the USACE will forward all documentation relevant to the dispute to the Council. Within thirty (30) days after receipt of all pertinent documentation, the Council will either:

1. Provide the USACE with recommendations, which the USACE will take into account in reaching a final decision regarding the dispute, or
2. Notify the USACE that it will comment pursuant to 36 CFR Section 800.7(c) and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the USACE in accordance with 36 CFR Section 800.7(c)(4) with reference to the subject of the dispute.

Any recommendations or comments provided by the Council will be understood to pertain only to the subject of the dispute; the signatories' responsibilities that are not the subject of the dispute will remain unchanged.

## **VI. Termination**

Any of the Signatory Party(ies) to this MOA may terminate the agreement by providing notice to the other parties, provided that the Signatories and Concurring Parties will consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. Termination of this MOA will require compliance with 36 CFR 800. This MOA may be terminated by the execution of a subsequent MOA that explicitly terminates or supersedes its terms.

## **VII. Duration**

Unless terminated pursuant to Stipulation VI above, this MOA will be in effect until the USACE, in consultation with the other Signatory Parties, determines that all of its terms have been fulfilled or if NCDOT is unable or decides not to construct the Undertaking.

Execution of this MOA by USACE, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the USACE has afforded the Council an opportunity to comment on the Undertaking, and that USACE has taken into account the effect of the Undertaking on the historic properties.

**AGREE:**

**United States Army Corps of Engineers:**

**FOR THE COMMANDER**

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Scott McLendon  
Chief, Regulatory Division  
Wilmington District

---

Date

**State Historic Preservation Officer:**



09-25-2020

Date: \_\_\_\_\_

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Kevin Cherry, Ph. D.  
Deputy Secretary North Carolina Department of Natural and Cultural Resources

**North Carolina Department of Transportation:**



September 25, 2020

Date: \_\_\_\_\_

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Philip S. Harris III, P.E., CPM  
Environmental Analysis Unit Head

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH  
BROAD RIVER AND PRIVATE DRIVE  
MADISON COUNTY, NORTH CAROLINA**

Execution of this MOA by USACE, NCDOT, and the North Carolina SHPO, its subsequent filing with the Council, and implementation of its terms evidence that the USACE has afforded the Council an opportunity to comment on the Undertaking, and that USACE has taken into account the effect of the Undertaking on the historic properties.

**CONCUR:**

 Digitally signed by WENDY  
WENDY JANSSEN JANSSEN  
Date: 2020.10.01 17:16:54 -04'00' Date: \_\_\_\_\_  
Wendy Janssen  
Superintendent, Appalachian National Scenic Trail  
National Park Service

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
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**CONCUR:**



October 2, 2020

Date: \_\_\_\_\_

Morgan Sommerville  
Regional Director, Appalachian Trail Conservancy

**MEMORANDUM OF AGREEMENT  
AMONG THE U.S. ARMY CORPS OF ENGINEERS,  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
AND  
THE NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
REPLACEMENT OF BRIDGE NUMBER 67 ON US 25/70 OVER THE FRENCH  
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FILED:

---

Advisory Council on Historic Preservation

Date: \_\_\_\_\_

## **APPENDIX A**

### **Historic Structures and Landscape Recordation Plan For The Replacement of Bridge Number 67 on US 25/70 over the French Broad River and Private Drive Madison County, North Carolina**

#### **PHOTOGRAPHIC REQUIREMENTS**

- Elevations and oblique views of Bridge Number 67 and its setting.
- Representative structural and ornamental details of the bridge.

#### **Photographic Format**

- Color digital images (all views). Images are to be shot on a SLR digital camera with a minimum resolution of 6 megabyte pixels, at a high quality (preferably RAW) setting, to be saved in TIF format as the archival masters and labeled according to the State Historic Preservation Office standards.
- All processing to be done to archival standards.
- The accompanying printed inventory of the images – including subject, location, date, and photographer information for each image – is to be completed according to the State Historic Preservation Office standards.

#### **Copies and Curation**

- One (1) set of all above mentioned photographic documentation, including a compact disc of labeled images, contact sheet, and proof sheet will be deposited with the North Carolina Office of Archives and History/Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection.
- One (1) contact sheet shall be deposited in the files of the Historic Architecture Section of NCDOT.

# Trail User Safety Plan



**TRAIL USER SAFETY PLAN  
FOR THE CONSTRUCTION OF THE US 25/US 70 BRIDGE OVER THE APPALACHIAN TRAIL**

To ensure the safe passage of trail users during the construction and demolition of the US 25/US 70 bridge No. 67 over the Appalachian Trail NCDOT has developed this Trail User Safety Plan (TUSP).

- NCDOT has created and implanted the TUSP, which specifically addresses the construction of the US 25/US 70 bridge No. 67 over the Appalachian Trail. The TUSP includes, but is not limited to:
  - NCDOT will contact the following local emergency services at least one month prior to road closure:
    - Madison County Emergency Management/Emergency Medical Services – 828-649-3602
  - NCDOT will contact the following local agencies to help notify the public of constraints/restrictions to Appalachian Trail Users:
    - Appalachian Trail Conservancy – 828-254-3708
    - NCWRC District 9 Law Enforcement – 828-558-6010
- Trail Crossing
  - Due to the relocation of the trail from the south side of the original bridge to the north side of the new bridge, a marked street crossing near the railroad tracks in Hot Springs will be retained for users to cross the street in a safe manner. NCDOT will design and erect signage and/or an informational kiosk at the crossing in consultation with the SHPO and the concurring parties within one year of completion of the new bridge.
- Appalachian Trail Markers
  - Markers for the Appalachian Trail, similar to what exists within Hot Springs, will be continued on the new bridge and concrete staircase on the east end of the new bridge to mark the trail.
- Construction Consultation
  - The NCDOT Resident Engineer shall conduct a pre-construction field meeting with representatives from the NPS, ATC and the contractor to discuss plans for hiker passage for the duration of the project. In addition, the NCDOT Resident Engineer will send a monthly status report of upcoming construction activities around the Appalachian Trail to the NPS Trail Superintendent and the Regional Director at the ATC in order to provide the NPS and ATC with information to disseminate to hikers including adequate warning about delays or possible reroutes. These monthly status reports will cease when the project is complete.
- Construction
  - The Appalachian Trail is normally open 24 hours a day/365 days a year. During the construction project, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential



## STIP Project No. B-5895

### Madison County

danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.

- NCDOT shall commit to a catchment device on the overhead structure over the river and roadway to prevent material from falling on trail users, equestrians, bicyclists, or in the water.
- Please refer to Appendix A for the Trail Diagram for users during and after construction of the new proposed bridge.
- During Construction of Bridge No. 67, the Trail User Safety Plan will be coordinated with the Appalachian Trail Conservancy Staff. This plan takes effect two (2) weeks prior to the start of construction and will terminate at the end of construction.

# River Safety Plan



**RIVER SAFETY PLAN  
FOR THE CONSTRUCTION OF THE US 25/US 70 BRIDGE OVER THE FRENCH BROAD RIVER**

To ensure the safe passage of river users during the construction and demolition of the US 25/US 70 bridge No. 67 over the French Broad River NCDOT has developed this River Safety Plan (RSP).

- NCDOT has created and implanted the RSP, which specifically addresses the construction of the US 25/US 70 bridge No. 67 over the French Broad River. The RSP includes, but is not limited to:
  - NCDOT will contact the following local emergency services at least one month prior to road closure:
    - Madison County Emergency Management/Emergency Medical Services – 828-649-3602
  - NCDOT will contact the following local agencies to help notify the public of constraints/restrictions to boating at French Broad River:
    - US Forest Service – 828-689-9694
    - NCWRC District 9 Law Enforcement – 828-558-6010
  - Provide signage upstream and downstream of the bridge to alert river users to construction. These signs will note that the last public pull out is at Hot Springs Access Mile, 100 ft upstream of the bridge. These signs will be placed at the following locations; all are public with the exception of the privately owned launches marked with an asterisk (\*):
    - Headwaters Outfitters\* – 25 Parkway Road, Rosman
    - Champion Park River Access (Transylvania County Parks and Recreation) – Old Turnpike Road, Rosman (1st public access from the headwaters)
    - Hannah Ford Campground - Headwaters Outfitters\* - Green Road (SR 1127), Rosman
    - Island Ford River Access (Transylvania County Parks and Recreation) – Island Ford Road, Brevard
    - Hap Simpson Park (Brevard Parks and Recreation) – 968 Greenville Hwy, Brevard
    - Wilson Road River Access (Transylvania County Parks and Recreation) – Wilson Road, Pisgah Forest
    - Penrose Boat Ramp (NC Wildlife Resources Commission) – 170 Apac Drive, Penrose
    - Blantyre Park (Henderson County Parks and Recreation) – 500 Cliff Road, Penrose
    - Horse Shoe River Access Park (Henderson County Parks and Recreation) – Horse Shoe
    - Mills River Park (Town of Mills River) – 124 Town Center Drive, Mills River (This park is near the confluence of Mills River and French Broad River and a common starting point for paddlers of the French Broad River.)
    - Westfeldt Park (Henderson County Parks and Recreation) – 83 Old Fanning Bridge Road, Fletcher
    - Glen Bridge River Park (Buncombe County Parks and Recreation) – 77 Pinners Road, Arden



## STIP Project No. B-5895

### Madison County

- Corcoran Paige River Park (Buncombe County Parks and Recreation) – 9 Pinners Road, Arden
- Bent Creek River Park (Buncombe County Parks and Recreation) – 1592 Brevard Road, Asheville
- Hominy Creek River Park (Buncombe County Parks and Recreation) – 194 Hominy Creek Road, Asheville
- Asheville Outdoor Center\* – 225 Amboy Rd, Asheville
- Carrier Park (Asheville City Parks) – 220 Amboy Rd, Asheville
- French Broad River Park (Asheville Parks Department) – 508 Riverview Dr, Asheville
- Jean Webb River Park (Asheville City Parks) – 123 Roberts St, Asheville
- Salvage Station\* – 468 Riverside Dr, Asheville
- Pearson Bridge River Access (Riverlink) – 704 Riverside Dr, Asheville
- Ledges Whitewater River Park (Buncombe County Parks and Recreation) – 1080 Old Marshall Hwy, Alexander
- Alexander River Park (Buncombe County Parks and Recreation) – 2590 Old Marshall Hwy, Alexander
- Walnut River Island Park (Buncombe County Parks and Recreation) – 3042 Old Marshall Hwy, Alexander
- Blannahasset Island Park (Town of Marshall) – 151 Blannahasset Island Road, Marshall
- Redmond Dam Access (unmaintained) – 2450-2452 Redmon Rd, Marshall
- Barnard Park (Madison County Parks Dept.) – 1995 Barnard Rd, Marshall
- Stackhouse Access (US Forest Service) – 29 Aster Dr, Marshall
- Hot Springs Access Mile (US Forest Service) – 105 Silvermine Road, Hot Springs
- Signage on the causeways to warn river users away and prevent river users from using the causeway as a stopping point.
- Physical restrictions
  - Use of a floating navigational aide to mark the safe passage lane.
  - NCDOT shall commit to a catchment device on the overhead structure over the river and roadway to prevent material from falling on river users, equestrians, bicyclists, or in the water.
  - NCDOT shall place steady-state red lights that are solar-powered on the causeway to alert river user to its location. Generators will not be used to provide power. These lights will be atop structures, such as a pole, on each causeway for the duration of the project. The contractor will be responsible for maintaining these lights at all times during construction, replacing them as necessary.
- Contractor requirements:
  - Develop a river traffic plan to include below items:
    - Provide one or more flaggers upstream as needed to stop river use at limited times when working over the river (e.g. setting beams, demolition of the structure)

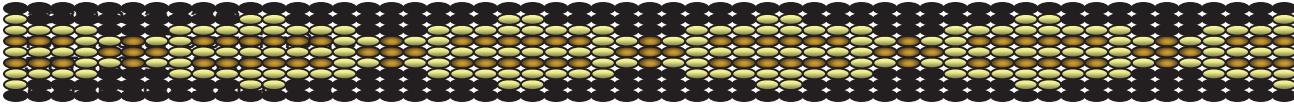


## STIP Project No. B-5895

Madison County

- Training of construction staff to teach skills in aiding a distressed boater – This is meant as an extra precaution for both staff and river users. It does NOT imply that the contractor will provide "lifeguard" type service
- Must have a life vest and/or boat on site.
- During Construction of Bridge No. 67, the Boater Safety Plan will be coordinated with the US Forest Service Staff. This plan takes effect two (2) weeks prior to the start of construction and will terminate at the end of construction.

# Tribal Coordination



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

January 11, 2022,

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

Re. THPO # TCNS # Project Description  
2022-193-52 proposed replacement of Bridge No. 67 on US 25/US 70 over the French Broad River in  
Madison Co., as project B-5895

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 [Caitlin.Rogers@catawba.com](mailto:Caitlin.Rogers@catawba.com).

Sincerely,

*Caitlin Rogers for*

Wenonah G. Haire  
Tribal Historic Preservation Officer



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 15, 2021

Elizabeth Toomb  
Tribal Historic Preservation Officer  
Cherokee Nation  
PO Box 948  
Tahlequah, OK 74465

Dear Ms. Toomb,

The North Carolina Department of Transportation (NCDOT) has started the project development, environmental and engineering studies for the proposed replacement of Bridge No. 67 on US25/US70 over the French Broad River in Madison County, as project B-5895. The United States Army Corps of Engineers (USACE) is the lead federal agency for compliance with the State Environmental Policy Act (SEPA) and Section 106 of the National Historic Preservation Act (NHPA) through the Section 404 permitting process. A project vicinity map is attached. The coordinates of this project are approximately 35.893641,-82.823087.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project including recommendation of alternates to be studied. Your comments may be used in the preparation of a SEPA Environmental Document

In accordance with Section 106 of the NHPA, we request that you inform us of any historic properties of traditional religious or cultural importance that you are aware of that may be affected by the proposed project. Be assured that, in accordance with confidentiality and disclosure stipulations in Section 304 of the NHPA, we will maintain strict confidentiality about certain types of information regarding historic properties.

Enclosed and available for review are copies of the findings of the archaeology investigation and the Memorandum of Agreement between NCDOT, USACE, the North Carolina State Historic Preservation Office for impacts to NRHP-eligible properties available for review.

Please respond by December 15 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 David S. Stutts, Structures Project Engineer, at 919-707-6442 or by email at [dstutts@ncdot.gov](mailto:dstutts@ncdot.gov).

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

*Telephone:* 919-707-6400  
*Fax:* 919-250-4082  
*Customer Service:* 1-877-368-4968  
*Website:* [ncdot.gov](http://ncdot.gov)

*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

Sincerely,

DocuSigned by:



A4A2999A8BC64F2...

David S. Stutts, P.E.

Structures Project Engineer

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

Lori Beckwith, USACE Project Contact

Attachments (Vicinity Map, Archaeology Findings, and Historic Architecture MOA)



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 15, 2021

Russel Townsend  
Tribal Historic Preservation Office  
Eastern Band of Cherokee Indians  
2077 Governors Island Road  
Bryson City, NC 28713

Dear Mr. Townsend,

The North Carolina Department of Transportation (NCDOT) has started the project development, environmental and engineering studies for the proposed replacement of Bridge No. 67 on US25/US70 over the French Broad River in Madison County, as project B-5895. The United States Army Corps of Engineers (USACE) is the lead federal agency for compliance with the State Environmental Policy Act (SEPA) and Section 106 of the National Historic Preservation Act (NHPA) through the Section 404 permitting process. A project vicinity map is attached. The coordinates of this project are approximately 35.893641,-82.823087.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project including recommendation of alternates to be studied. Your comments may be used in the preparation of a SEPA Environmental Document

In accordance with Section 106 of the NHPA, we request that you inform us of any historic properties of traditional religious or cultural importance that you are aware of that may be affected by the proposed project. Be assured that, in accordance with confidentiality and disclosure stipulations in Section 304 of the NHPA, we will maintain strict confidentiality about certain types of information regarding historic properties.

Enclosed and available for review are copies of the findings of the archaeology investigation and the Memorandum of Agreement between NCDOT, USACE, the North Carolina State Historic Preservation Office for impacts to NRHP-eligible properties available for review.

Please respond by December 15 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 David S. Stutts, Structures Project Engineer, at 919-707-6442 or by email at [dstutts@ncdot.gov](mailto:dstutts@ncdot.gov).

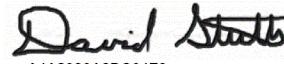
*Mailing Address:*  
NC DEPARTMENT OF TRANSPORTATION  
STRUCTURES MANAGEMENT UNIT  
1581 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1581

*Telephone:* 919-707-6400  
*Fax:* 919-250-4082  
*Customer Service:* 1-877-368-4968  
*Website:* [ncdot.gov](http://ncdot.gov)

*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

Sincerely,

DocuSigned by:



A4A2999A8BC64F2...

David S. Stutts, P.E.

Structures Project Engineer

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

Lori Beckwith, USACE Project Contact

Attachments (Vicinity Map, Archaeology Findings, and Historic Architecture MOA)



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 15, 2021

LeeAnne Wendt  
Tribal Historic Preservation Officer  
Muscogee (Creek) Nation  
PO Box 580  
Okmulgee, OK 74447

Dear Ms. Wendt,

The North Carolina Department of Transportation (NCDOT) has started the project development, environmental and engineering studies for the proposed replacement of Bridge No. 67 on US25/US70 over the French Broad River in Madison County, as project B-5895. The United States Army Corps of Engineers (USACE) is the lead federal agency for compliance with the State Environmental Policy Act (SEPA) and Section 106 of the National Historic Preservation Act (NHPA) through the Section 404 permitting process. A project vicinity map is attached. The coordinates of this project are approximately 35.893641,-82.823087.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project including recommendation of alternates to be studied. Your comments may be used in the preparation of a SEPA Environmental Document

In accordance with Section 106 of the NHPA, we request that you inform us of any historic properties of traditional religious or cultural importance that you are aware of that may be affected by the proposed project. Be assured that, in accordance with confidentiality and disclosure stipulations in Section 304 of the NHPA, we will maintain strict confidentiality about certain types of information regarding historic properties.

Enclosed and available for review are copies of the findings of the archaeology investigation and the Memorandum of Agreement between NCDOT, USACE, the North Carolina State Historic Preservation Office for impacts to NRHP-eligible properties available for review.

Please respond by December 15 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 David S. Stutts, Structures Project Engineer, at 919-707-6442 or by email at [dstutts@ncdot.gov](mailto:dstutts@ncdot.gov).

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

*Telephone:* 919-707-6400  
*Fax:* 919-250-4082  
*Customer Service:* 1-877-368-4968  
*Website:* [ncdot.gov](http://ncdot.gov)

*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

Sincerely,

DocuSigned by:  
  
A4A299A8BC64F2...

David S. Stutts, P.E.  
Structures Project Engineer

cc: Matt Wilkerson, NCDOT Archaeology Team Leader  
Lori Beckwith, USACE Project Contact

Attachments (Vicinity Map, Archaeology Findings, and Historic Architecture MOA)



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

J. ERIC BOYETTE  
SECRETARY

November 15, 2021

Acee Watt  
Section 106 Coordinator  
United Keetoowah Band of Cherokee Indians  
PO Box 746  
Tahlequah OK, 74465

Dear Mr. Watt,

The North Carolina Department of Transportation (NCDOT) has started the project development, environmental and engineering studies for the proposed replacement of Bridge No. 67 on US25/US70 over the French Broad River in Madison County, as project B-5895. The United States Army Corps of Engineers (USACE) is the lead federal agency for compliance with the State Environmental Policy Act (SEPA) and Section 106 of the National Historic Preservation Act (NHPA) through the Section 404 permitting process. A project vicinity map is attached. The coordinates of this project are approximately 35.893641,-82.823087.

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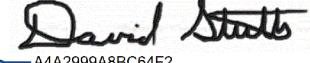
Please respond by December 15 so that your comments can be used in the scoping of this project. If you have any questions concerning this project, or would like any additional information, please contact David S. Stutts, Structures Project Engineer, at 919-707-6442 or by email at [dstutts@ncdot.gov](mailto:dstutts@ncdot.gov).

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*Customer Service:* 1-877-368-4968  
*Website:* [ncdot.gov](http://ncdot.gov)

*Location:*  
1000 BIRCH RIDGE DRIVE  
RALEIGH, NC 27610

Sincerely,

DocuSigned by:  
  
A4A2999A8BC64F2...  
David S. Stutts, P.E.  
Structures Project Engineer

cc: Matt Wilkerson, NCDOT Archaeology Team Leader  
Lori Beckwith, USACE Project Contact

Attachments (Vicinity Map, Archaeology Findings, and Historic Architecture MOA)

# USCG Letter

**U.S. Department of  
Homeland Security**

**United States  
Coast Guard**



Commander  
United States Coast Guard  
Fifth Coast Guard District

431 Crawford Street  
Portsmouth, VA. 23704-5004  
Staff Symbol: (dpb)  
Phone: (571) 607-6762  
Fax: (757) 398-6334  
Email:  
[Michael.R.Thorogood@uscg.mil](mailto:Michael.R.Thorogood@uscg.mil)  
Or [CGDFiveBridges@uscg.mil](mailto:CGDFiveBridges@uscg.mil)

16591  
07 FEB 2024

Mr. Michael Turchy  
North Carolina Department of Transportation  
1000 Birch Ridge Drive  
Raleigh, NC 27610

Dear Mr. Turchy:

Coast Guard review of your proposed project as provided in an email dated February 1, 2024, from Mr. Chris Rivenbark with RK&K Engineers, on behalf of the North Carolina Department of Transportation, is complete.

Based on the documentation provided and our research, it is determined that a Coast Guard Bridge Permit will not be required for the proposed highway fixed bridge – US 25/US 70 (Bridge Street) Bridge across the French Broad River, at approximate location [35.893634, -82.822895] at Hot Springs, NC.

In addition, navigational lighting at the aforementioned bridge is not required, as per Title 33 Code of Federal Regulations, Part 118.40 (b).

The fact that a Coast Guard Bridge Permit is not required does not relieve you of the responsibility for compliance with the requirements of any other Federal, State, or local agency who may have jurisdiction over any aspect of the project.

If you have any further questions, please contact Mr. Michael Thorogood at the above listed address or telephone number.

Sincerely,

HAL R. PITTS  
Bridge Program Manager  
By direction

Copy: Mr. Chris Rivenbark, RK&K Engineers,  
CG Sector North Carolina, Waterways Management  
U. S. Army Corps of Engineers, Wilmington District  
Federal Highways Administration, Raleigh, NC

# NEPA/SEPA

# Document

## MINIMUM CRITERIA DETERMINATION CHECKLIST

**TIP Project No.:** B-5895  
**W.B.S. Project No.:** 48088.1.1

**Project Location:** Bridge No. 67 on US 25/US 70 over the French Broad River in Madison County

**Project Description:** The proposed project involves replacing Bridge No. 67 on US 25/US 70 over the French Broad River in Madison County (Figure 1). The proposed project is included in the Structures Management Unit (SMU) Bridge Program. Right of way acquisition and construction are scheduled for state fiscal years 2022 and 2023, respectively.

The replacement structure will be a bridge proposed to be 560 feet long (Figure 2) and will be replaced on new location south of the existing bridge. The bridge will be 32 feet wide (clear roadway width) with two 12-foot lanes, 4-foot bicycle lanes, and 5-foot 6-inch sidewalks on each side to accommodate for bicycle and pedestrian traffic to the Appalachian Trail. The bridge length is based on preliminary design information and is set by hydraulic requirements. The roadway grade of the new structure will be close to the existing structure, but slightly higher due to overtopping. Construction will be staged with two-lane two-way traffic maintained on the existing bridge; the existing bridge will be removed once construction is complete. The design speed will be 40 mph using American Association of State Highway and Transportation Officials (AASHTO) guidelines.

Traffic will be detoured on-site using the existing bridge and roadway alignment during construction.

**Purpose and Need:** The purpose of this project is to replace a bridge considered functionally obsolete, according to the bridge's 2020 *Structure Safety Report*. Bridge No. 67 was built in 1951 and has a sufficiency rating of 31.79 out of 100. The bridge is 529 feet long with 26 feet clear roadway width. The superstructure of the bridge is continuous arched reinforced concrete deck girders. The substructure of the bridge consists of reinforced concrete.

Components of the concrete superstructure have experienced an increasing degree of deterioration that can no longer be addressed by maintenance activities. Bridge No. 67 has an Average Annual Daily Traffic (AADT) volume of 3,800 vehicles per day (vpd) for the year 2016 and future traffic of 5,600 AADT for the year 2040. Replacement of the bridge will improve traffic operations.

**Anticipated Permit or Consultation Requirements:** A Nationwide or Regional General Permit and a Section 10 Permit from the United States Army Corps of Engineers (USACE), along with a corresponding 401 Certification is anticipated for this project.

## Special Project Information:

**Environmental Commitments:** Green Sheet Commitments are located at the end of the checklist.

**Alternatives Discussion:** In addition to the proposed project, three alternatives were explored during the planning stage of the project.

The No Build Alternative would require the closing of US 25/US 70 in this location, which is unacceptable given the volume of traffic on this road.

The Rehabilitation Alternative, due to the age and extensive deterioration of the existing bridge, would require replacing the concrete and steel components – resulting in effectively replacing the bridge.

Offsite Detours were reviewed and considered unacceptable due to excessive detour lengths, causing significant delays for EMS providers and school buses. Furthermore, construction of an off-site detour would require a barrier at the French Broad River, which would impact pedestrians (hikers) on the Appalachian Trail. As such, Offsite Detour alternatives were considered not feasible.

**Estimated Costs:** The estimated costs are as follows:

Right of Way:	\$790,000 (as of July 2015)
Construction:	\$9,400,000 (As of January 2022)

**Agency Comments:** As part of project scoping, comments were requested from state, federal, and local agencies. Comments received are summarized below:

**Cultural Resources:** The Environmental Analysis Unit on behalf of the Human Environment Group performed historic surveys which determined that Bridge No. 67 and the Appalachian Trail (NC007) are eligible for the National Register of Historic Places. It was determined that removal of the existing bridge will have an Adverse Effect to Bridge No. 67 as well as the Appalachian Trail. The Memorandum of Agreement (MOA) for historic architecture was signed on October 13, 2020 by NCDOT, the State Historic Preservation Office, and the USACE Wilmington District. No archaeological survey is required.

At the request of USACE, an archaeological survey was conducted, including subsurface survey. No archaeological resources were identified, resulting in a finding of “No Historic Properties Affected” for archaeological resources.

The project cultural resources forms are included as Appendix D.

Tribal coordination with the Cherokee Nation, the Eastern Band of Cherokee Indians, the United Keetoowah Band of Cherokee Indians, the Catawba Indian Nation, and Muscogee (Creek) Nation was initiated on November 15, 2021. A response was received from the Catawba Indian Nation indicating the tribe had no immediate concerns but should be notified if Native American artifacts and/or human remains are located during the ground disturbance phase of the project. No other tribal responses were received.

Land of Sky RPO: The Land of Sky RPO noted on December 15, 2015 that the Blue Ridge Bike Plan recommends a bike lane along the bridge and that sidewalks along both sides of the bridge will be needed due to the bridge being within the municipal boundary of Hot Springs. The RPO also mentioned the new bridge is a gateway to the Town of Hot Springs. The proposed project accommodates these features.

NCDOT Bicycle and Pedestrian Division: In a letter dated February 1, 2016, NCDOT Bicycle and Pedestrian Division stated that US 25/US 70 is an important multi-modal connection with regional, state, and national significance. The Appalachian Trail utilizes Bridge No. 67 to cross the French Broad River. State Bicycle Route NC 2 (Mountains to Sea) runs on US 25/US 70 and crosses the bridge. In addition, a regional bicycle route, the Franklin Mountain Loop (Land of Sky RPO) also uses this facility. The Madison County Comprehensive Transportation Plan indicates that the sidewalk on the bridge needs improvement; the current sidewalk is substandard width. It is recommended that accommodations for both bicyclists and pedestrians are provided on the replacement bridge, considering the national, statewide, and regional importance of this multi-modal connection. The proposed project would include dedicated bicycle and pedestrian facilities.

**Complete Streets:** The Complete Streets Project Sheet for B-5895, outlining the inclusion of bicycle lanes and sidewalks, was approved on December 3, 2021.

**Protected Species:** The *Natural Resources Technical Memorandum* for the project, issued October 2016, noted two listed species in Madison County, the Gray bat and Northern Long-eared bat. An Information for Planning and Consultation (IPaC) report was run on November 5, 2021 for the project study area. The listed species in the project study areas remain the Gray bat and Northern Long-eared bat.

Gray bat: In a survey completed by NCDOT on May 16, 2019, neither habitat nor evidence of bats were observed.

Northern Long Eared Bat (NLEB): In a survey completed by NCDOT on May 16, 2019, neither habitat nor evidence of bats were observed.

NCDOT proposes that this project is consistent with the final Section 4(d) rule. The US Army Corps of Engineers will be responsible for final biological conclusions USFWS Concurrence, if required.

**GeoEnvironmental:** The Phase I GeoEnvironmental Report for the project, issued May 20, 2016, indicated two underground storage tanks (UST) that may contain petroleum are

present within the southwest quadrant of the project study area. These sites are identified in Figure 3 in Appendix B. Based on preliminary plans, ground disturbing activities may occur on the parcels that contain the USTs.

**Public Involvement:**

Landowner notification letters were sent out February 16, 2016 to all property owners potentially affected by this project. To date, no comments have been received.

**PART A: MINIMUM CRITERIA**

	<b>YES</b>	<b>NO</b>
1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is <u>not</u> required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer to number 1 is “no”, then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category?      9 (Reconstruction of existing crossroad or railroad separations and existing stream crossings, including, but not limited to, pipes, culverts, and bridges)

*If either category #8, #12(i) or #15 is used complete Part D of this checklist.*

**PART B: MINIMUM CRITERIA EXCEPTIONS**

	<b>YES</b>	<b>NO</b>
2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Will the proposed activity endanger the existence of a species on the	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Department of Interior's threatened and endangered species list?

7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts?

	<b>YES</b>	<b>NO</b>
8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS**

	<b>YES</b>	<b>NO</b>
9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Does the action require the placement of temporary or permanent fill in waters of the United States?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Does the project require stream relocation or channel changes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Cultural Resources

14. Will the project have an “effect” on a property or site listed on the National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

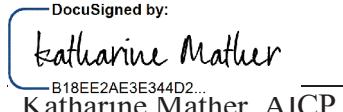
**Response to Question 10:** Temporary construction, such as stream dewatering, work bridges, or temporary causeways, are often used during bridge construction and rehabilitation and may be needed during construction of the project. Potential fill would be associated with a temporary causeway to get equipment to an interior bent which is in the water. The US Army Corps of Engineers hold the final discretion as to what permit will be required.

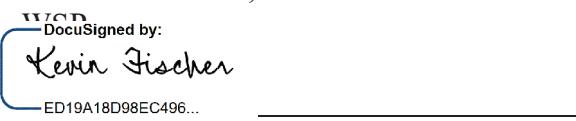
**Response to Question 14:** Bridge No. 67 and the Appalachian Trial are eligible for the National Register of Historic Places. The removal of the bridge and the impacts to the Appalachian Trial would have an Adverse Effect. A Memorandum of Agreement (MOA) for historic architecture was signed on October 13, 2020 by NCDOT, the State Historic Preservation Office, and the USACE Wilmington District listing mitigation measures. These measures are listed as project commitments in the attached Green Sheet.

**PART D:( To be completed when either category #8, 12(i) or #15 of the rules are used.)**

***Items 16- 22 to be completed by Division Environmental Officer.***

16. Project length:	<u>N/A</u>
17. Right of Way width:	<u>N/A</u>
18. Project completion date:	<u>N/A</u>
19. Total acres of newly disturbed ground surface:	<u>N/A</u>
20. Total acres of wetland impacts:	<u>N/A</u>
21. Total linear feet of stream impacts:	<u>N/A</u>
22. Project purpose:	<u>N/A</u>

Reviewed by:   
Katharine Mather, AICP  
Date: 1/18/2022

  
Kevin Fischer, PE  
NCDOT SMU  
Date: 1/19/2022

**List of Appendices:**

- A. Project Green Sheet
- B. Figures
- C. Preliminary Plan Sheets
- D. Cultural Resource Forms (including MOA and tribal responses)

**Madison County**  
**Replace Bridge No. 67 on US 25/US 70 over French Broad River**  
**Federal Project No. N/A**  
**WBS No. 48088.1.1**  
**TIP No. B-5895**

**Hydraulics Unit, Division 13 Construction- FEMA**

The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program to determine the status of the project with regard to applicability of NCDOT's Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

This project involves construction activities on or adjacent to a FEMA-regulated stream. Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon project completion certifying the drainage structure(s) and roadway embankment located within the 100-year floodplain were built as shown on the construction plans, both horizontally and vertically.

**NCDOT Environment Analysis Unit - Historic Architecture, Division 13, Structures Management Unit.**

Bridge No. 67 on US 25/ US 70 over the French Broad River and the Appalachian Trail are determined eligible for the National Register of Historic Places. It was determined that the existing bridge will be removed after the new bridge is built and removing the structure will have an Adverse Effect to Bridge No. 67 as well as the Appalachian Trail. The Memorandum of Agreement was signed on October 13, 2020 listing mitigation measures for design and maintenance of operations during construction (included in the appendix). These mitigation efforts should be adhered to during final design and construction. These measures include, but are not limited to:

- Prior to the initiation of construction, NCDOT will record the existing condition of Bridge Number 67 and its surroundings in accordance with the attached Historic Structures and Landscape Recordation Plan. Copies of the documentation will be deposited in the files of the State Historic Preservation Office (SHPO), and the NCDOT Historic Architecture Section.
- The replacement bridge will mimic the original historic bridge details and will utilize a Texas Classic Bridge Rail. The bridge design will be provided to the SHPO and concurring parties for comment prior to finalization of the plan.
- Concrete steps with handrail will be provided at the east end of the new bridge approach to provide continued access to the Appalachian Trail. The design of the steps will be reviewed by the SHPO and concurring parties prior to construction. The steps will be maintained by NCDOT Division 13
- During the construction project, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or

around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.

- The NCDOT Resident Engineer shall conduct a pre-construction field meeting with representatives from the National Parks Service (NPS), Appalachian Trail Conservancy (ATC) and the contractor to discuss plans for hiker passage for the duration of the project and provide monthly status report of upcoming construction activities around the Appalachian Trail to the NPS Trail Superintendent and the Regional Director at the ATC in order to provide the NPS and ATC with information to disseminate to hikers including adequate warning about delays or possible reroutes. These monthly status reports will cease when the project is complete.
- A marked street crossing near the railroad tracks in Hot Springs will be retained for users to cross the street in a safe manner. NCDOT will design and erect signage and/or an informational kiosk at the crossing in consultation with the SHPO and the concurring parties within one year of completion of the new bridge.
- Markers for the Appalachian Trail, similar to what exists within Hot Springs, will be continued on the new bridge and concrete staircase to mark the trail

### **NCDOT GeoEnvironmental Unit**

A workplan will be developed based on the final design to address any contaminated material that may be encountered at hazardous materials sites. Testing will occur prior to right of way acquisition such that cleanup costs due to hazardous materials may be considered at the time of right of way acquisition.



NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PROJECT DEVELOPMENT AND  
ENVIRONMENTAL ANALYSIS UNIT

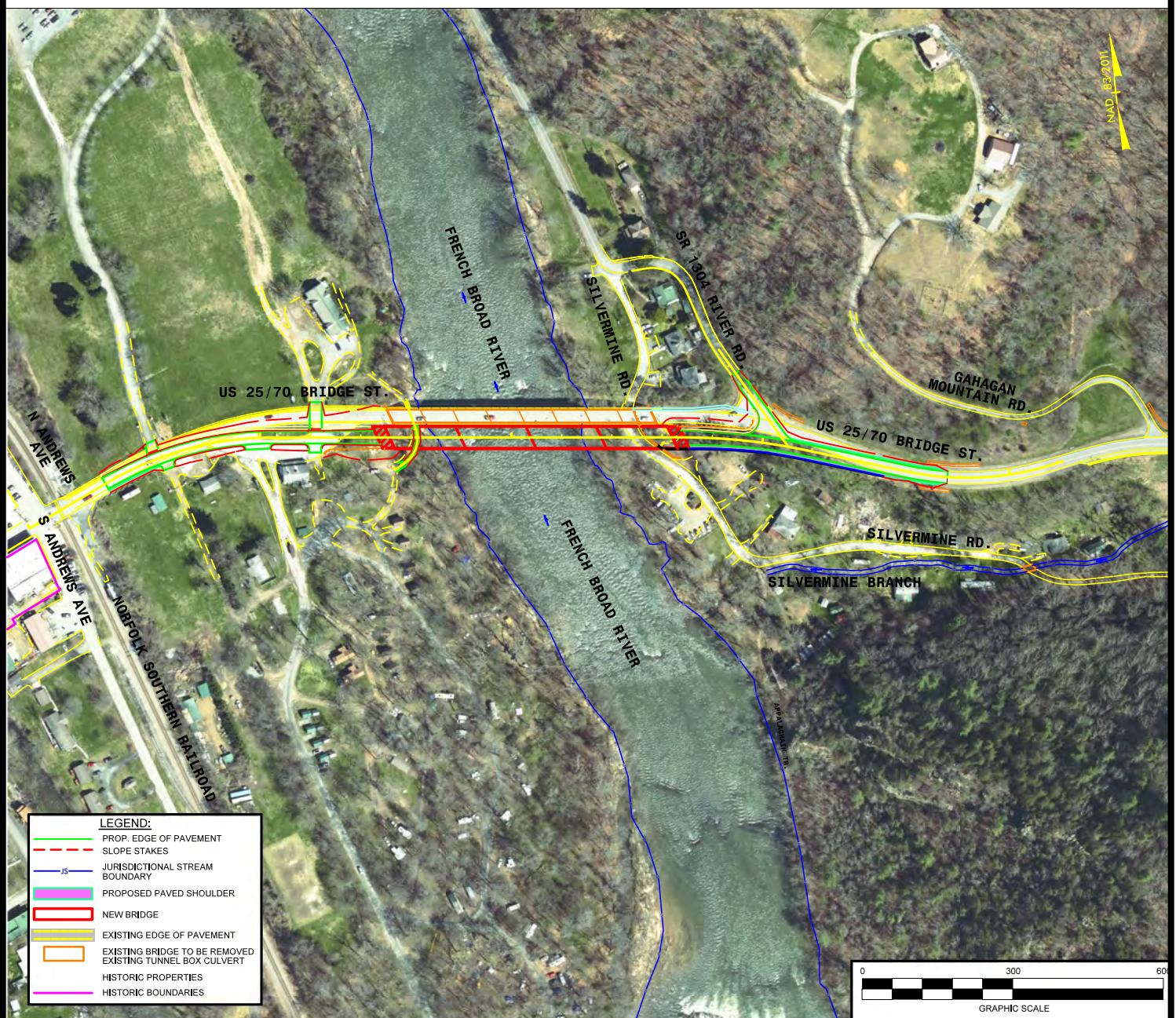
**VICINITY MAP**  
**Replace Bridge No. 67 on US 25 / US 70**  
**over French Broad River in Madison County**

TIP Project B-5895

A number line from 0 to 0.5. A red segment is drawn from 0 to 0.25, labeled "Miles" below the line.

Div: 13	TIP# B-5895
Date: DECEMBER 2015	

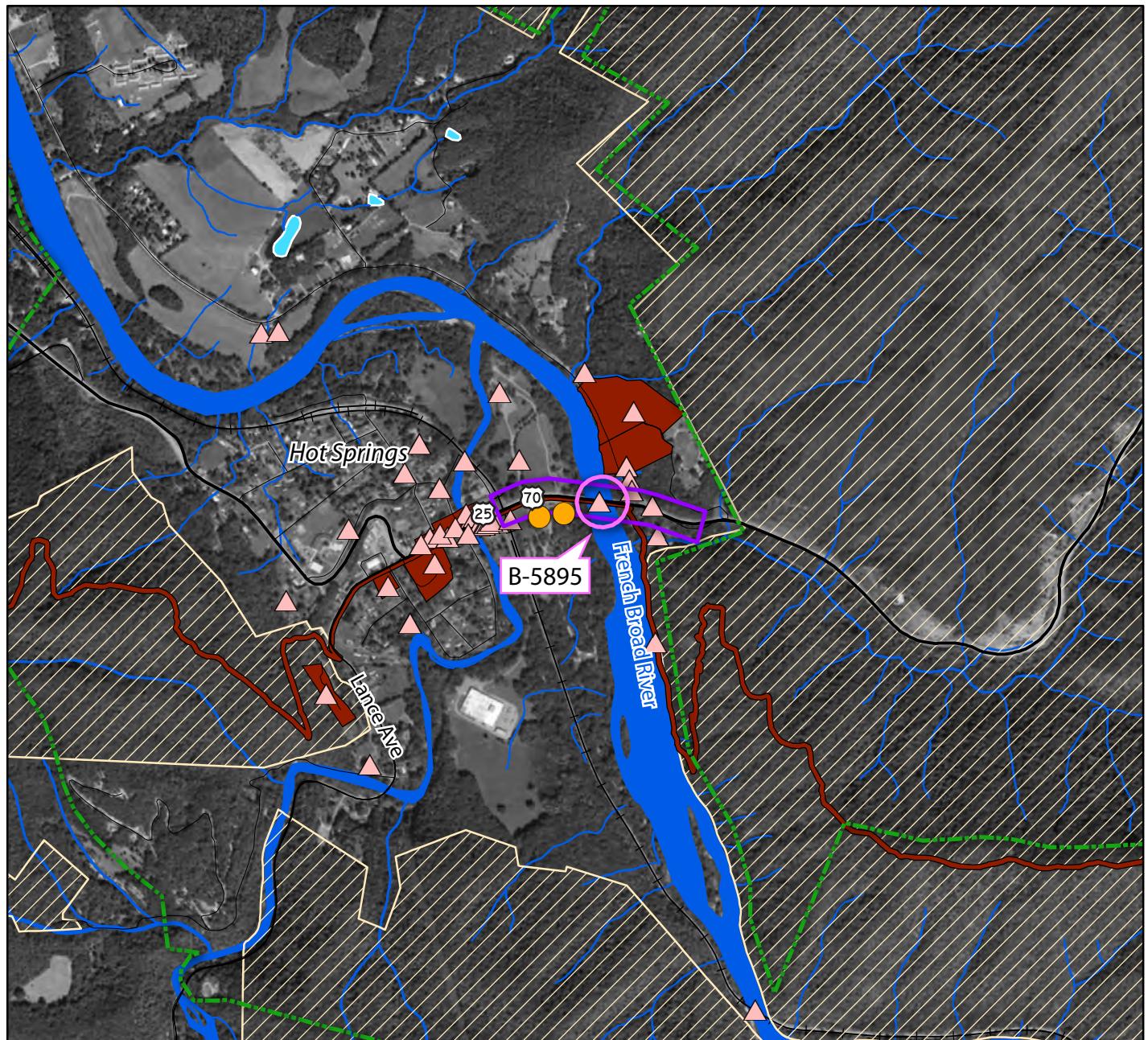
# Figure 1



**Proposed Improvements**

*B-5895 - Madison County*  
 Bridge No. 67 on US 25/US 70 over  
 French Broad River  
 New Alignment to the South  
 Staged Construction

**Figure 2**



Rivers & Streams

NC Routes

State Routes

US Routes

Railroad

Hot Springs Municipal Boundary

B-5895

B-5895 Study Area

Pisgah National Forest

Freshwater Pond

Historic Boundaries

Historic Properties

USTs

0 0.25 0.5 Miles

N



## Environmental Constraints

*B-5895 - Madison County  
Bridge No. 67 on US 25/US 70  
over French Broad River*

Figure 3



Bridge No. 67 Looking North



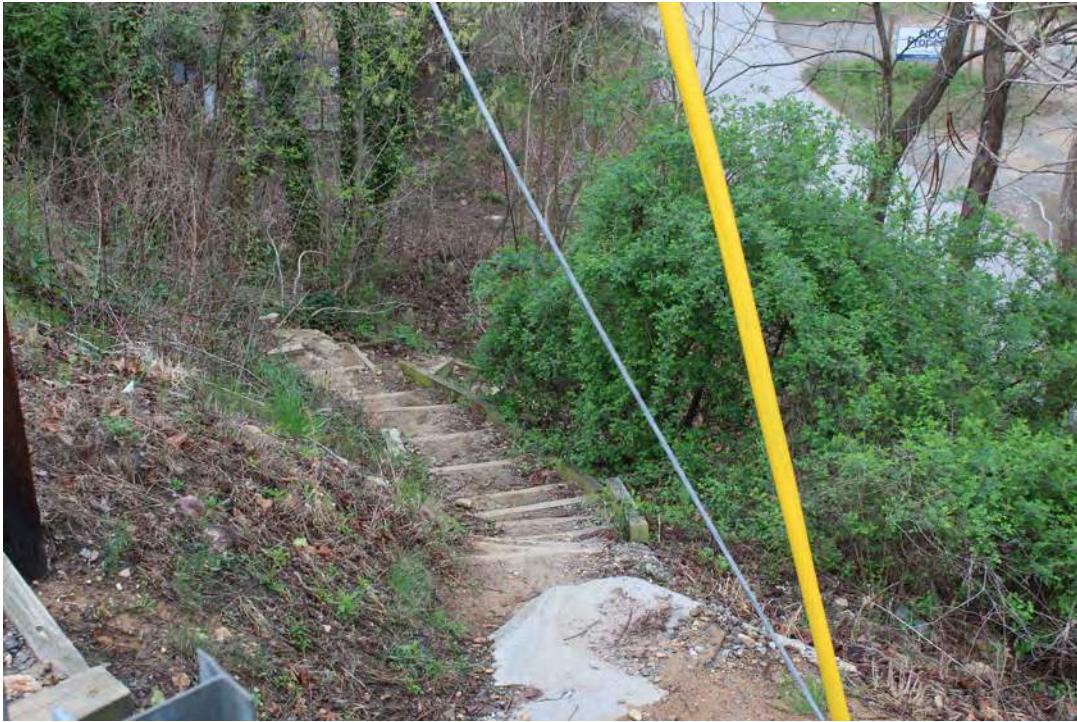
Bridge No. 67 Looking South



## Photos

*B-5895 - Madison County*  
Bridge No. 67 on US 25/US 70  
over French Broad River

Figure 4a



Stairs to Appalachian Trail in Northeast Quadrant of Bridge No. 67



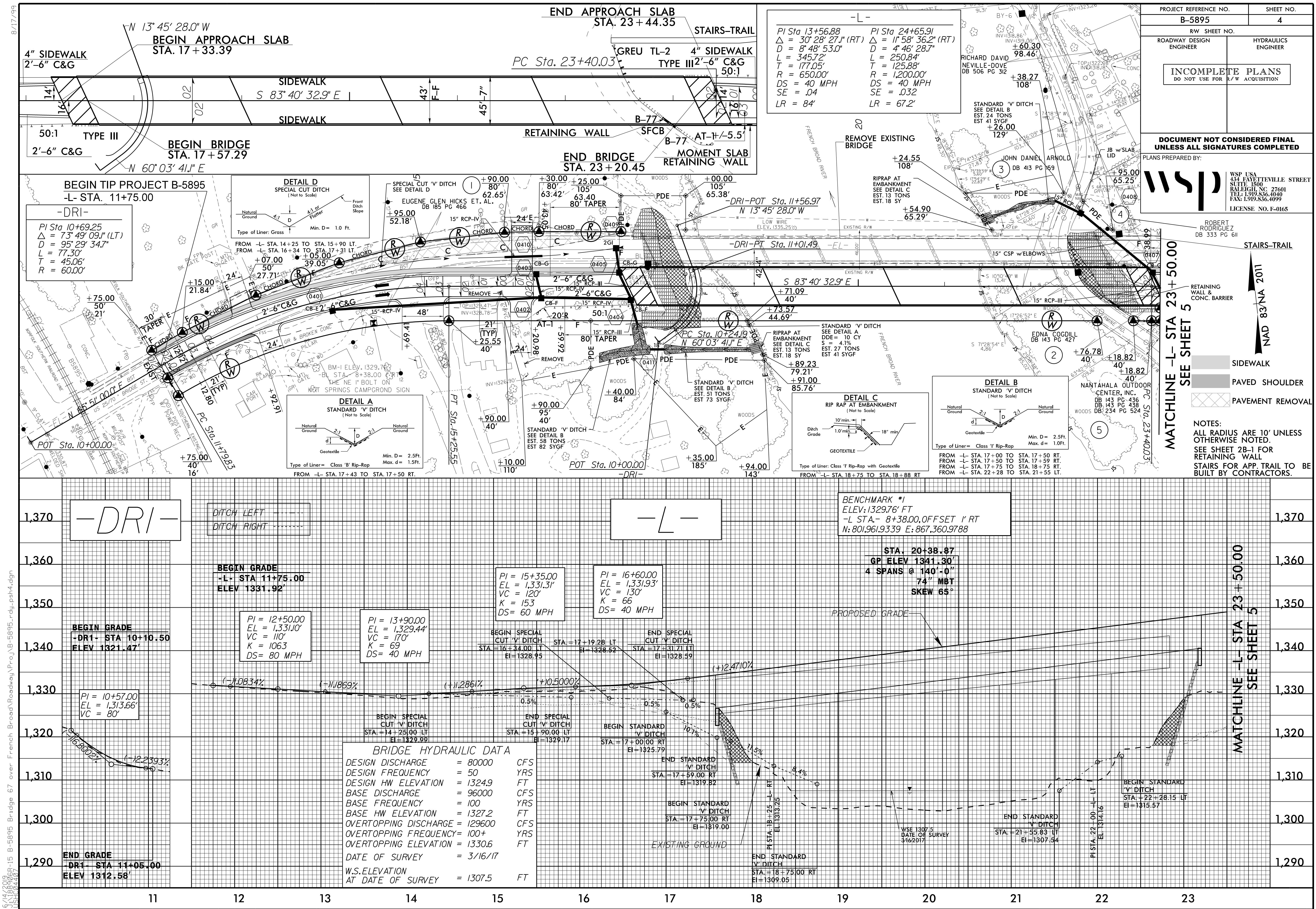
East Face of Bridge No. 67



## Photos

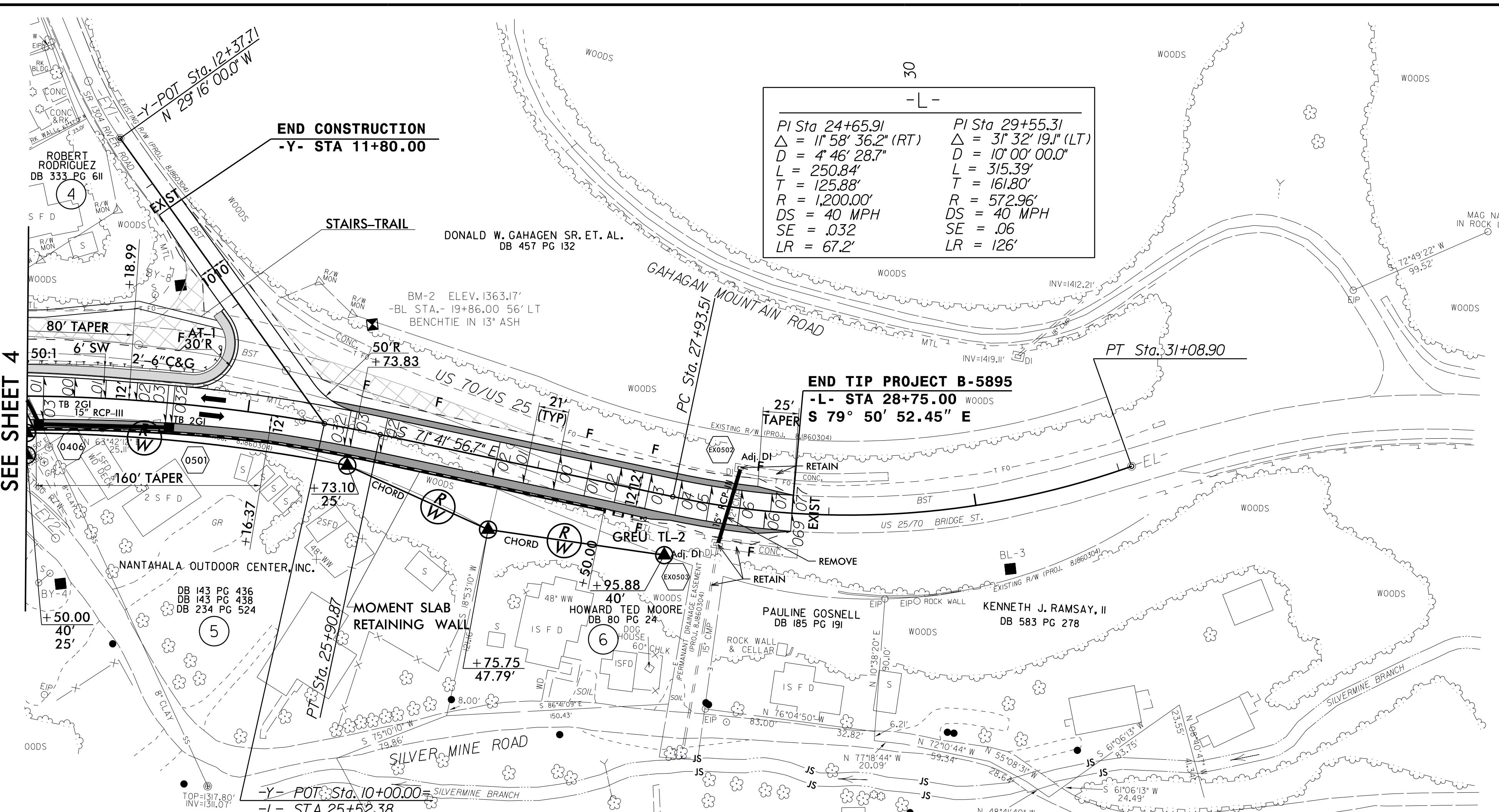
*B-5895 - Madison County*  
Bridge No. 67 on US 25/US 70  
over French Broad River

Figure 4b



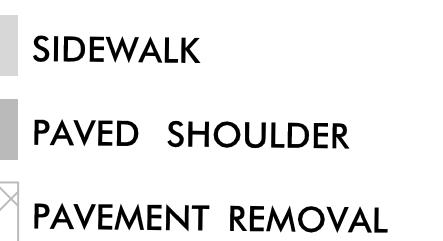
MATCHLINE -L- STA 23+50.00  
SEE SHEET 4

SEE SHEET 4

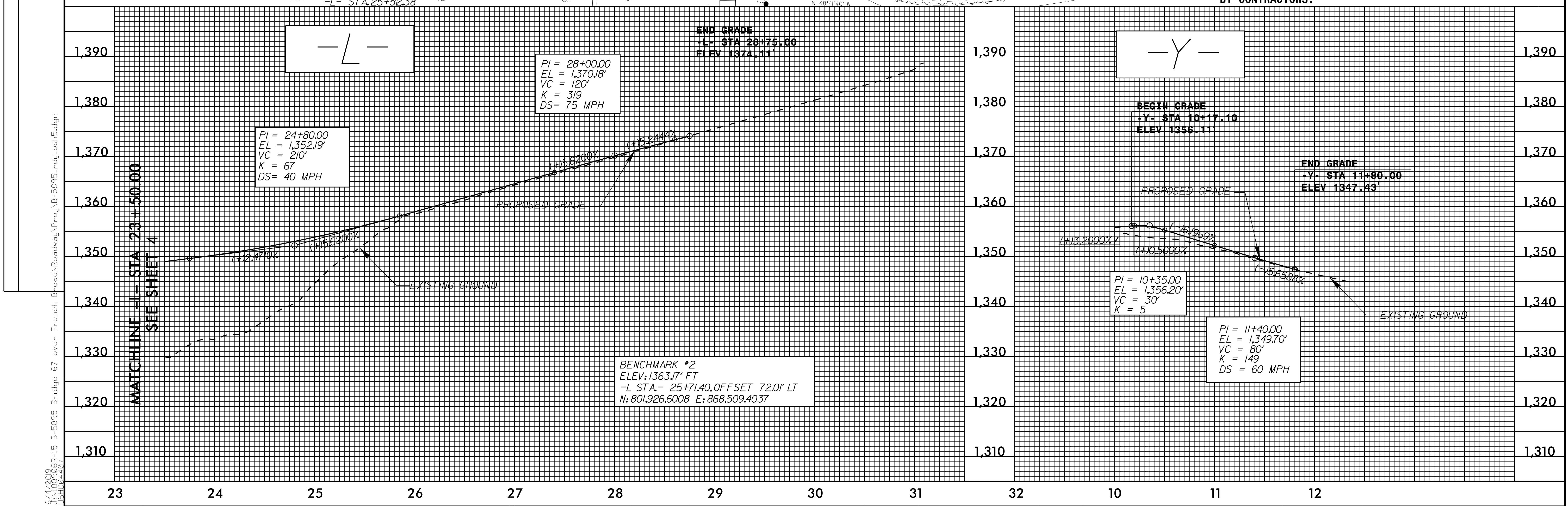


NAD 83/NA 2011

PROJECT REFERENCE NO.		SHEET NO.
B-5895		5
RW SHEET NO.		
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER	
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION		
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED		
PLANS PREPARED BY:		
		WSP USA 434 FAYETTEVILLE STREET SUITE 1000 RALEIGH, NC 27601 TEL: 1.919.836.4040 FAX: 1.919.836.4099 LICENSE NO. F-0165



NOTES:  
ALL RADIUS ARE 10' UNLESS OTHERWISE NOTED.  
STAIRS FOR THE APP. TRAIL TO BE BUILT  
BY CONTRACTORS.



16-01-0097



## HISTORIC ARCHICTECTURE AND LANDSCAPES

### \*\*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

<b>Project No:</b>	B-5895		<b>County:</b>	Madison	
<b>WBS No.:</b>	48088.1.1		<b>Document Type:</b>	CE	
<b>Fed. Aid No:</b>	N/A		<b>Funding:</b>	<input checked="" type="checkbox"/> State <input type="checkbox"/> Federal	
<b>Federal Permit(s):</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>Permit Type(s):</b>	NWP	
<b>Project Description:</b> Replace Bridge No. 67 on US 25/70 over French Broad River and Private Drive.					

#### SUMMARY OF HISTORIC ARCHICTECTURE AND LANDSCAPES REVIEW

##### **Description of review activities, results, and conclusions:**

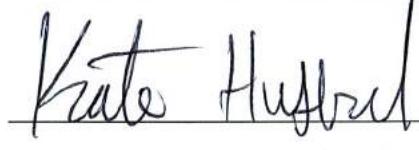
Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on January 25, 2016. Bridge No. 67 is DETERMINED ELIGIBLE for National Register listing, and the APE contains several survey sites and borders the National Register Hot Springs Historic District. A survey and determination of Effects will be required.

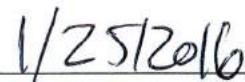
#### SUPPORT DOCUMENTATION

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

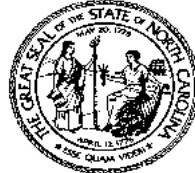
#### FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes -- \*\*SURVEY REQUIRED\*\*

  
NCDOT Architectural Historian

  
Date

**Anticipated Fieldwork Completion Date:** September 2016



## North Carolina Department of Natural and Cultural Resources

### State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory  
Secretary Susan Klutzz

Office of Archives and History  
Deputy Secretary Kevin Cherry

December 30, 2016

### MEMORANDUM

TO: Kate Husband  
Office of Human Environment  
NCDOT Division of Highways

FROM: Renee Gledhill-Earley *Renee Gledhill-Earley*  
Environmental Review Coordinator

SUBJECT: Historic Structures Survey Report for Replacement of Bridge 67 on US 25/70 over French Broad River, B-5895, Madison County, ER 16-2118

Thank you for your November 14, 2016, memorandum transmitting the above-referenced report. We have reviewed the report and concur with its findings that the following properties are still eligible for listing in the National Register of Historic Places.

- Bridge 67 on US 25/70 over the French Board River
- French Board River Gauge Station (MD0255)
- Appalachian Trail (NC0007)

The following properties are not eligible for listing in the National Register.

- Paint Rock Historic Marker
- J. H. Sackett House (MD0297)
- John C. Sanders House (MD0178)
- Penland-Gentry House (MD0298)
- Silvermine Road Historic District (MD0299)

The William Ellerson House (MD0296) is eligible for listing in the National Register under Criterion C with boundaries shown as the 7.95 acres Parcel 8860829159.

The Jeff Bruce House (MD0074) is eligible for listing in the National Register under Criteria A and C with boundaries shown as the 5 acres Parcel 8860823349.

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 [environmental.review@ncdcr.gov](mailto:environmental.review@ncdcr.gov). In all future communication concerning this project, please cite the above referenced tracking number.

cc: Mary Pope Furr, NCDOT, [mfurr@ncdot.gov](mailto:mfurr@ncdot.gov)



## 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-5895**

County:

**Madison**

WBS No.:

**48088.1.1**

Document:

**CE**

F.A. No.:

Funding:

 State Federal

Federal Permit Required?

 Yes  No **Permit Type: NWP**

**Project Description:** The replacement of Bridge No. 67 on US 25/70 over French Broad River in Madison County, North Carolina. The archaeological APE is centered upon the bridge structure and measures 1800ft in length and 300ft in width.

### 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 entirely state-funded with federal permit interaction. As such, Section 106 of the National Historic Preservation Act will apply and the United States Army Corp of Engineer 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. Once an APE was outlined, a map review and site file search was conducted at the Office of State Archaeology (OSA) on Monday, January 25, 2016. No previously documented archaeological sites are located in the APE limits or directly proximal.

An inspection of National Register of Historic Places (NRHP), State Study Listed (SL), Locally Designated (LD), Determined Eligible (DE), and Surveyed Site (SS) properties employing the NCSHPO website evidenced an absence of these historic resources within the immediate project area. In addition, historic maps of Madison County were appraised to further 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, previously recorded archaeological sites, 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, lidar and NRCS soil survey maps (Ud, UhE, BaA, UfB) were referenced to evaluate pedeological, geomorphological, hydrological, and other environmental determinants that may have resulted in 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.

16-01-0097

***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 APE and federal permit area are characterized by urban land complex soils or fill materials from earthy or mine spoil, cut and fill. The US 25/70 right-of-way through the project area is disturbed. NRHP eligible archaeological deposits are unlikely to be present or preserved in the presently defined APE. No further archaeological input or work will be necessary for this state-funded NCDOT project. A finding of "no archaeological survey required" is considered appropriate.

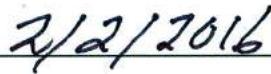
**SUPPORT DOCUMENTATION**

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

**FINDING BY NCDOT ARCHAEOLOGIST**

NO ARCHAEOLOGY SURVEY REQUIRED

  
NCDOT

  
2/2/2016