



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

February 27, 2009

U. S. Army Corps of Engineers
Regulatory Field Office
6508 Falls of the Neuse Road, Suite 120
Raleigh, NC 27615

ATTN: Mr. Monte Matthews
NCDOT Coordinator

Subject: **Application for Section 404 Nationwide Permit 33** for
the removal of Bridge No. 338 over the Yadkin River on
SR 1190/1402 in Yadkin and Surry Counties. Division 11,
Federal Aid Project No. BRA-1190(2), **TIP No. B-4820**,
WBS Element No.38590.1.1

Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to remove Bridge No. 338 over the Yadkin River on SR 1190/1402. No new structure will be constructed. There will be 0.001 acre of temporary surface water impacts from the construction of a barge access. There will be no permanent surface water or wetland impacts.

Please see enclosed copies of the Pre-Construction Notification (PCN) and design plans for the above-referenced project. An unsigned Categorical Exclusion (CE), which includes a Section 4(f) Evaluation and an unsigned Memorandum of Agreement (MOA), is attached. The MOA and CE are currently in the signature process. A signed CE (with signed MOA) will be distributed upon receipt, and additional copies will be available upon request.

This project is located in a North Carolina Division of Water Quality (NCDWQ) designated trout county; therefore, comments from the North Carolina Wildlife Resources Commission (NCWRC) will be required prior to authorization by the Corps of Engineers. By copy of this letter and attachments, NCDOT hereby requests NCWRC review. NCDOT requests that NCWRC forward their comments to the Corps of Engineers and the NCDOT within 30 calendar days of receipt of this application. The NCWRC has informed NCDOT that the Yadkin River is not an NCWRC trout stream and that there are no moratoria for the project.

This project calls for a letting date of June 16, 2009 and a review date of April 28, 2009.

MAILING ADDRESS:
NC DEPARTMENT OF TRANSPORTATION
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
1598 MAIL SERVICE CENTER
RALEIGH NC 27699-1598

TELEPHONE: 919-715-1334
FAX: 919-715-5501

WEBSITE: WWW.NCDOT.ORG

LOCATION:
2728 CAPITAL BLVD
SUITE 240
RALEIGH NC 27604

A copy of this permit application will be posted on the NCDOT Website at: <http://www.ncdot.org/doh/preconstruct/pe/>. If you have any questions or need additional information, please call Bill Barrett at (919) 431-6688.

Sincerely,


for Gregory J. Thorpe, Ph.D.

Environmental Management Director, PDEA

w/attachments

Mr. Brian Wrenn, NCDWQ (2 copies)
Ms. Marla Chambers, NCWRC
Ms. Marella Buncick, USFWS

w/o attachments (see permit website for attachments)

Dr. David Chang, P.E., Hydraulics
Mr. Victor Barbour, P.E., Project Services Unit
Mr. Mark Staley, Roadside Environmental
Mr. Greg Perfetti, P.E., Structure Design
Mr. Michael A. Pettyjohn, P.E. Division 11 Engineer
Mr. Heath Slaughter, Division 11 Environmental Officer
Mr. Jay Bennett, P.E., Roadway Design
Mr. Majed Alghandour, P. E., Programming and TIP
Mr. Art McMillan, P.E., Highway Design
Ms. Pam Williams, PDEA Project Planning Engineer
Mr. Scott McLendon, USACE, Wilmington

Office Use Only:

Form Version March 05

USACE Action ID No. _____ **DWQ No.** _____

(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)

I. Processing

1. Check all of the approval(s) requested for this project:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Section 404 Permit | <input type="checkbox"/> Riparian or Watershed Buffer Rules |
| <input type="checkbox"/> Section 10 Permit | <input type="checkbox"/> Isolated Wetland Permit from DWQ |
| <input type="checkbox"/> 401 Water Quality Certification | <input type="checkbox"/> Express 401 Water Quality Certification |

2. Nationwide, Regional or General Permit Number(s) Requested: NW-33

3. If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here:

4. If payment into the North Carolina Ecosystem Enhancement Program (NCEEP) is proposed for mitigation of impacts, attach the acceptance letter from NCEEP, complete section VIII, and check here:

5. If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here:

II. Applicant Information

1. Owner/Applicant Information

Name: Gregory J. Thorpe, Ph.D., Environmental Management Director
Mailing Address: 1598 Mail Service Center

Telephone Number: (919) 733-3141 Fax Number: (919) 733-9794

E-mail Address: wabarrett@ncdot.gov

2. Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.)

Name: _____

Company Affiliation: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____

III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1. Name of project: Removal of Bridge No. 338 on SR 1190/1402 over the Yadkin River
2. T.I.P. Project Number or State Project Number (NCDOT Only): B-4820
3. Property Identification Number (Tax PIN): N/A
4. Location
County: Surry & Yadkin counties Nearest Town: Elkin (Surry Co.) & Jonesville (Yadkin Co.)
Subdivision name (include phase/lot number): N/A
Directions to site (include road numbers/names, landmarks, etc.): I-77 north, west on US-21 (turns into US-21 Business), to SR 1402 (Gwyn Avenue).

5. Site coordinates (For linear projects, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
Decimal Degrees (6 digits minimum): _____°N _____°W
6. Property size (acres): N/A
7. Name of nearest receiving body of water: Yadkin River, Class C water
8. River Basin: Yadkin - Pee Dee
(Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at <http://h2o.enr.state.nc.us/admin/maps/>.)
9. Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: Bridge No. 338 was closed and removed from the functional road system in December 2005. In addition to crossing over the Yadkin River, several town

streets, a park and railroad tracks are also crossed by the bridge. There are also several buildings that are in proximity to the bridge. The general land use is commercial. In the area of Bridge No. 338, there are two (2) historic resources: the Downtown Elkin Historic District and Bridge No. 338 (Hugh B. Chatham Bridge), and one (1) publicly owned recreational facility: Crater Park, which qualify as Section 4(f) resources. Measures to mitigate Adverse Effects to the Downtown Elkin Historic District and Bridge No. 338 are documented in a Memorandum of Agreement (MOA) - attached to the PCE. It was determined that the removal of Bridge No. 338 has No Effect to Crater Park and its functionality.

10. Describe the overall project in detail, including the type of equipment to be used: Removal of Bridge No. 338 which spans the Yadkin River, and also spans Main Steet, Yadkin Valley Railroad, Standard Street, Monroe Street, and Crater Park within the Town of Elkin and its southern approach is within the Town of Jonesville. Bridge No. 338 is 1509 feet in legnth consisting of concrete superstructure and substructure and utilizes steel overhead trusses for spans over the Yadkin River. Standard bridge demolition techniques will be utilized, including the use of a barge for bent removal. A temporary barge access will be constructed as part of the project.

11. Explain the purpose of the proposed work: The purpose of the project is to remove Bridge No. 338, constructed in 1931, which in 2005 had a sufficiency rating of 2 out of 100 because of structural deficiency and operational inadequacy. The bridge was closed to vehicular traffic in December 2005 because of the overall deterioration of the bridge steel and concrete componenets. Removal of the bridge improves safety for pedestrians and vehicles due to falling concrete and removes the potential for debris to fal into the Yadkin River as the bridge continues to deteriorate.

IV. Prior Project History

If jurisdictional determinations and/or permits have been requested and/or obtained for this project (including all prior phases of the same subdivision) in the past, please explain. Include the USACE Action ID Number, DWQ Project Number, application date, and date permits and certifications were issued or withdrawn. Provide photocopies of previously issued permits, certifications or other useful information. Describe previously approved wetland, stream and buffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, list and describe permits issued for prior segments of the same T.I.P. project, along with construction schedules.N/A

V. Future Project Plans

Are any future permit requests anticipated for this project? If so, describe the anticipated work, and provide justification for the exclusion of this work from the current application.

There are no plans for the construction of a bridge at this site. Traffic currently utilizes Bridge No. 21 on U.S. 21 Business that is located approximately 725 feet downstream of Bridge No. 338. Bridge No. 21 was built in 1971 to accommodate the increase traffic between Jonesville and Elkin and is a 4-lane facility with 3-foot sidewalks on both sides..

VI. Proposed Impacts to Waters of the United States/Waters of the State

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. Each impact must be listed separately in the tables below (e.g., culvert installation should be listed separately from riprap dissipater pads). Be sure to indicate if an impact is temporary. All proposed impacts, permanent and temporary, must be listed, and must be labeled and clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) should be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: The proposed impacts are temporary impacts to Yadkin River from the construction of a temporary barge access (0.01 acre) and from potential bridge demolition debris (170 cubic yards) that may enter the water. There will be no permanent impacts to streams or wetlands.

2. Individually list wetland impacts. Types of impacts include, but are not limited to mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.

Wetland Impact Site Number (indicate on map)	Type of Impact	Type of Wetland (e.g., forested, marsh, herbaceous, bog, etc.)	Located within 100-year Floodplain (yes/no)	Distance to Nearest Stream (linear feet)	Area of Impact (acres)
No wetlands					
Total Wetland Impact (acres)					

3. List the total acreage (estimated) of all existing wetlands on the property: 0

4. Individually list all intermittent and perennial stream impacts. Be sure to identify temporary impacts. Stream impacts include, but are not limited to placement of fill or culverts, dam construction, flooding, relocation, stabilization activities (e.g., cement walls, rip-rap, crib walls, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included. To calculate acreage, multiply length X width, then divide by 43,560.

Stream Impact Number (indicate on map)	Stream Name	Type of Impact	Perennial or Intermittent?	Average Stream Width Before Impact	Impact Length (linear feet)	Area of Impact (acres)
1	Yadkin River	temporary	Perennial	155 feet	40	0.01
(demo. debris)	Yadkin River	temporary	Perennial	N/A	N/A	170 yd3
Total Stream Impact (by length and acreage)					40	0.01

5. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.). Open water impacts include, but are not limited to fill, excavation, dredging, flooding, drainage, bulkheads, etc.

Open Water Impact Site Number (indicate on map)	Name of Waterbody (if applicable)	Type of Impact	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)	Area of Impact (acres)
N/A				
Total Open Water Impact (acres)				

6. List the cumulative impact to all Waters of the U.S. resulting from the project:

Stream Impact (acres):	0.01
Wetland Impact (acres):	0
Open Water Impact (acres):	0
Total Impact to Waters of the U.S. (acres)	0.01
Total Stream Impact (linear feet):	40

7. Isolated Waters

Do any isolated waters exist on the property? Yes No

Describe all impacts to isolated waters, and include the type of water (wetland or stream) and the size of the proposed impact (acres or linear feet). Please note that this section only applies to waters that have specifically been determined to be isolated by the USACE.

8. Pond Creation

If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.

Pond to be created in (check all that apply): uplands stream wetlands

Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): _____

Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): _____

Current land use in the vicinity of the pond: _____

Size of watershed draining to pond: _____ Expected pond surface area: _____

VII. Impact Justification (Avoidance and Minimization)

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts. The temporary barge access is needed to accommodate barge access for the removal of the bridge bents. The temporary barge access has been located so that it does not impact an unnamed tributary (UT) to Yadkin River and so that it does not impact a public boat launch. The NCDOT's "Best Management Practices for Bridge Demolition" will be adhered to.

VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on January 15, 2002, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCEEP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ's Draft Technical Guide for Stream Work in North Carolina, available at <http://h2o.enr.state.nc.us/ncwetlands/strmgide.html>.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.

As the impacts are temporary, no mitigation is warranted.

2. Mitigation may also be made by payment into the North Carolina Ecosystem Enhancement Program (NCEEP). Please note it is the applicant's responsibility to contact the NCEEP at (919) 715-0476 to determine availability, and written approval from the NCEEP indicating that they are will to accept payment for the mitigation must be attached to this form. For additional information regarding the application process for the NCEEP, check the NCEEP website at <http://h2o.enr.state.nc.us/wrp/index.htm>. If use of the NCEEP is proposed, please check the appropriate box on page five and provide the following information:

Amount of stream mitigation requested (linear feet): _____

Amount of buffer mitigation requested (square feet): _____

Amount of Riparian wetland mitigation requested (acres): _____

Amount of Non-riparian wetland mitigation requested (acres): _____

Amount of Coastal wetland mitigation requested (acres): _____

IX. Environmental Documentation (required by DWQ)

1. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land? Yes No
2. If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)?
Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation.
Yes No

3. If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter. Yes No

X. Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.

1. Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 02B .0243 (Catawba) 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify _____)? Yes No
2. If "yes", identify the square feet and acreage of impact to each zone of the riparian buffers. If buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3 (2 for Catawba)	
2		1.5	
Total			

* Zone 1 extends out 30 feet perpendicular from the top of the near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

3. If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Riparian Buffer Restoration / Enhancement, or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0244, or .0260. _____
- _____
- _____

XI. Stormwater (required by DWQ)

Describe impervious acreage (existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property. If percent impervious surface exceeds 20%, please provide calculations demonstrating total proposed impervious level. The MOA outlines proposed action to construct a sidewalk with curb and gutter along the southern side of East Market Street (US 268), and proposes stairs from East Market Street down to Main Street.

XII. Sewage Disposal (required by DWQ)

Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.

N/A

XIII. Violations (required by DWQ)

Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules?

Yes No

Is this an after-the-fact permit application? Yes No

XIV. Cumulative Impacts (required by DWQ)

Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality? Yes No

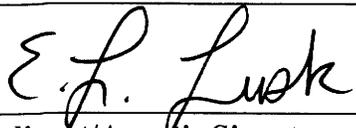
If yes, please submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent North Carolina Division of Water Quality policy posted on our website at <http://h2o.enr.state.nc.us/nwetlands>. If no, please provide a short narrative description: _____

The project is for the removal of Bridge No. 338 only. No new structure is to be constructed.

XV. Other Circumstances (Optional):

It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).

Biological Conclusions of No Effect are given for Schweinitz's sunflower (Helianthus schweinitzii) - habitat present but no plants present (surveyed 10/15/07), and small whorled pogonia (Isotria medeoloides) - no habitat present. No Biological Conclusion is required for the bog turtle (Glyptemys muhlenbergii).



Applicant/Agent's Signature

2.23.09

Date

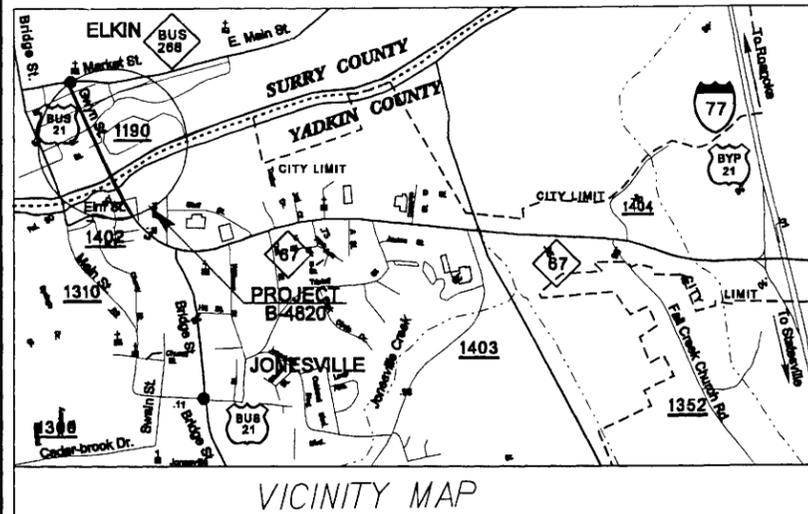
(Agent's signature is valid only if an authorization letter from the applicant is provided.)

09/08/09

TIP PROJECT: B-4820

CONTRACT: C202127

See Sheet 1-A For Index of Sheets



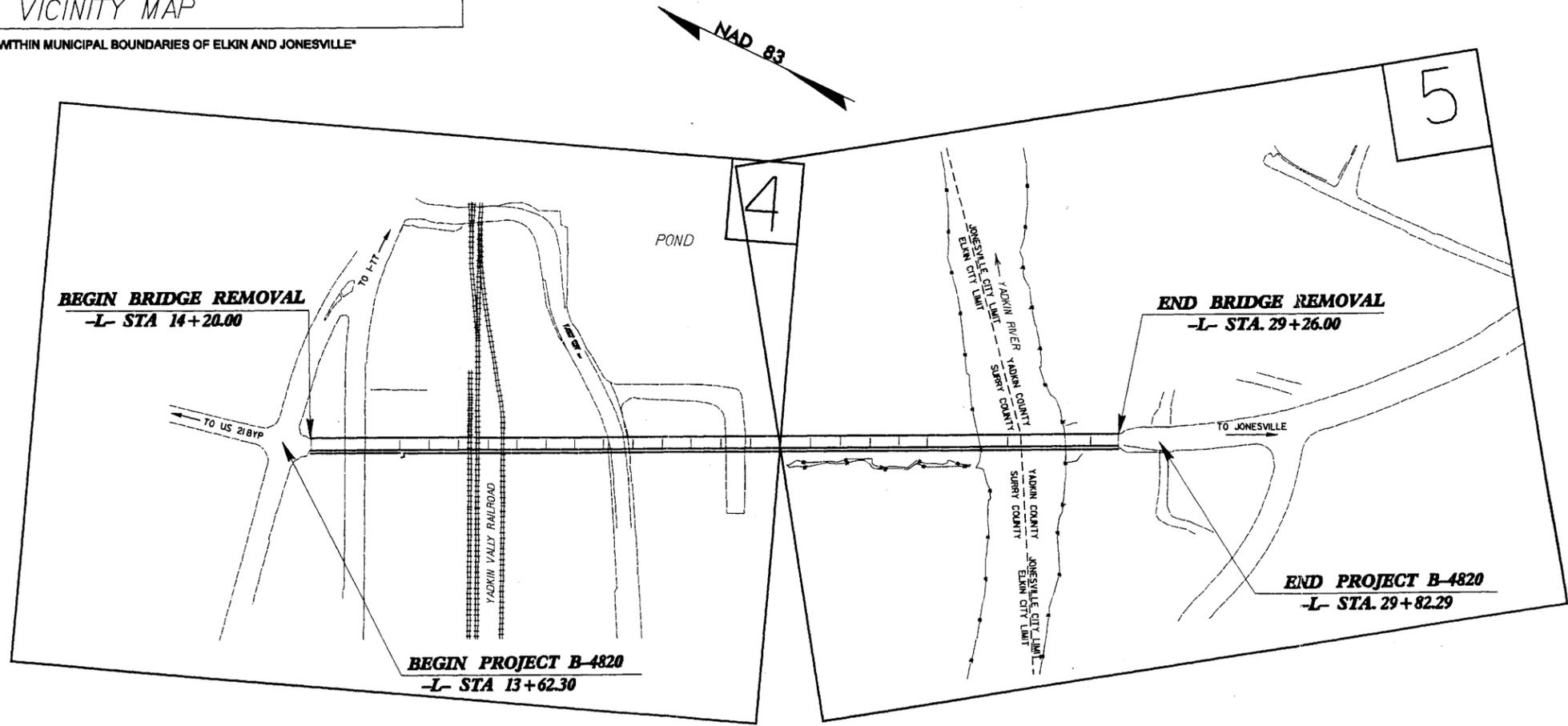
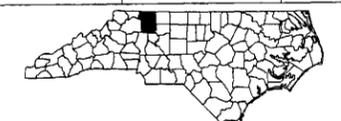
PROJECT IS WITHIN MUNICIPAL BOUNDARIES OF ELKIN AND JONESVILLE

**STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS**

**LOCATION: BRIDGE NO. 338 OVER YADKIN RIVER
ON SR 1190**

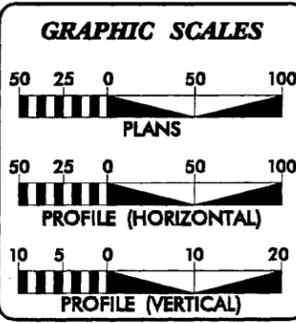
TYPE OF WORK: BRIDGE REMOVAL

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	B-4820	1	
STATE PROJ. NO.	F.A. PROJ. NO.	DESCRIPTION	
34263.1.1	BRZ-1190(2)	P.E.	



PRELIMINARY PLANS
DO NOT USE FOR CONSTRUCTION

15-AUG-2008 11:49
f:\yogd\wcy\proj\01\p-b-4820_r.dwg - t.sh.dgn
\$\$\$\$\$USERNAME\$\$\$\$\$



DESIGN DATA

ADT 2005 =	11,600
ADT 2030 =	17,800
DHV =	11 %
D =	55 %
T =	2 % *
V =	40 MPH
* TTST 1%	DUAL 1%

PROJECT LENGTH

LENGTH ROADWAY TIP PROJECT B-4820 =	0.022 MILES
LENGTH STRUCTURE TIP PROJECT B-4820 =	0.285 MILES
TOTAL LENGTH ROADWAY TIP PROJECT B-4820 =	0.307 MILES

Prepared in the Office of:
DIVISION OF HIGHWAYS
1000 Birch Ridge Dr., Raleigh, NC, 27610

2006 STANDARD SPECIFICATIONS

RIGHT OF WAY DATE:
AUGUST 15, 2008

LETTING DATE:
JUNE 16, 2009

HYDRAULICS ENGINEER

P.E.

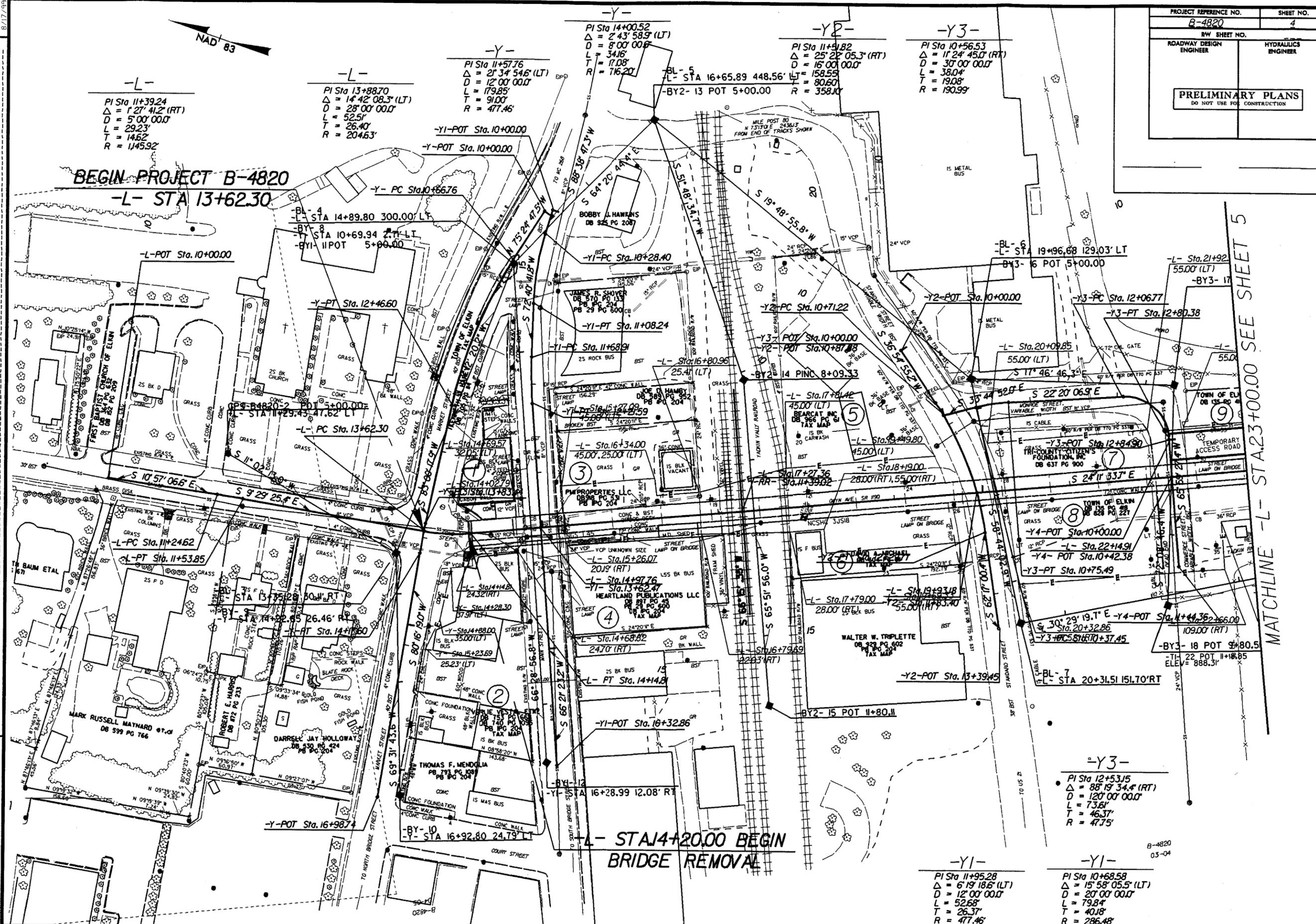
ROADWAY DESIGN ENGINEER

P.E.

**DIVISION OF HIGHWAYS
STATE OF NORTH CAROLINA**

STATE HIGHWAY DESIGN ENGINEER
P.E.

PROJECT REFERENCE NO.	SHEET NO.
B-4820	4
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS	
DO NOT USE FOR CONSTRUCTION	



-L-
 PI Sta 11+39.24
 $\Delta = 1' 27' 41.2''$ (RT)
 $D = 5' 00' 00.0''$
 $L = 29.23'$
 $T = 14.62'$
 $R = 145.92'$

-L-
 PI Sta 13+88.70
 $\Delta = 14' 42' 08.3''$ (LT)
 $D = 28' 00' 00.0''$
 $L = 52.51'$
 $T = 26.40'$
 $R = 204.63'$

-Y-
 PI Sta 11+57.76
 $\Delta = 2' 34' 54.6''$ (LT)
 $D = 12' 00' 00.0''$
 $L = 179.85'$
 $T = 91.00'$
 $R = 477.46'$

-Y-
 PI Sta 14+00.52
 $\Delta = 2' 43' 58.9''$ (LT)
 $D = 8' 00' 00.0''$
 $L = 34.16'$
 $T = 17.08'$
 $R = 716.20'$

-Y2-
 PI Sta 11+51.82
 $\Delta = 25' 22' 05.3''$ (RT)
 $D = 15' 00' 00.0''$
 $L = 158.55'$
 $T = 80.60'$
 $R = 358.10'$

-Y3-
 PI Sta 10+56.53
 $\Delta = 17' 24' 45.0''$ (RT)
 $D = 30' 00' 00.0''$
 $L = 38.04'$
 $T = 19.08'$
 $R = 150.99'$

-Y3-
 PI Sta 12+53.15
 $\Delta = 88' 19' 34.4''$ (RT)
 $D = 120' 00' 00.0''$
 $L = 73.61'$
 $T = 46.37'$
 $R = 47.75'$

-Y1-
 PI Sta 11+95.28
 $\Delta = 6' 19' 18.6''$ (LT)
 $D = 12' 00' 00.0''$
 $L = 52.68'$
 $T = 26.37'$
 $R = 477.46'$

-Y1-
 PI Sta 10+68.58
 $\Delta = 15' 58' 05.5''$ (LT)
 $D = 20' 00' 00.0''$
 $L = 79.84'$
 $T = 40.18'$
 $R = 286.48'$

REVISIONS
 ADDED EASEMENT FROM STATION 16+80.96 25' LT TO STATION 17+81.42 45' LT. 11/29/2008
 REVISED EASEMENT FROM STATION 16+29.69 22' RT TO STATION 17+90.00 22' RT. 11/29/2008

MATCHLINE -L- STA.23+00.00 SEE SHEET 5

B-4820
 03-04

PROJECT REFERENCE NO.	SHEET NO.
B-4820	5
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
PRELIMINARY PLANS	
DO NOT USE FOR CONSTRUCTION	

NOTE:
TEMPORARY SURFACE IMPACTS:



PI Sta 29+55.59
Δ = 3'12" 19.8' (LT)
D = 6'00" 00.0'
L = 53.42'
T = 26.75'
R = 954.53'

PI Sta 31+06.86
Δ = 4'56" 16.5' (LT)
D = 6'00" 00.0'
L = 82.30'
T = 41.7'
R = 954.93'

PI Sta 32+49.08
Δ = 9'08" 24.8' (LT)
D = 15'00" 00.0'
L = 60.94'
T = 30.53'
R = 381.97'

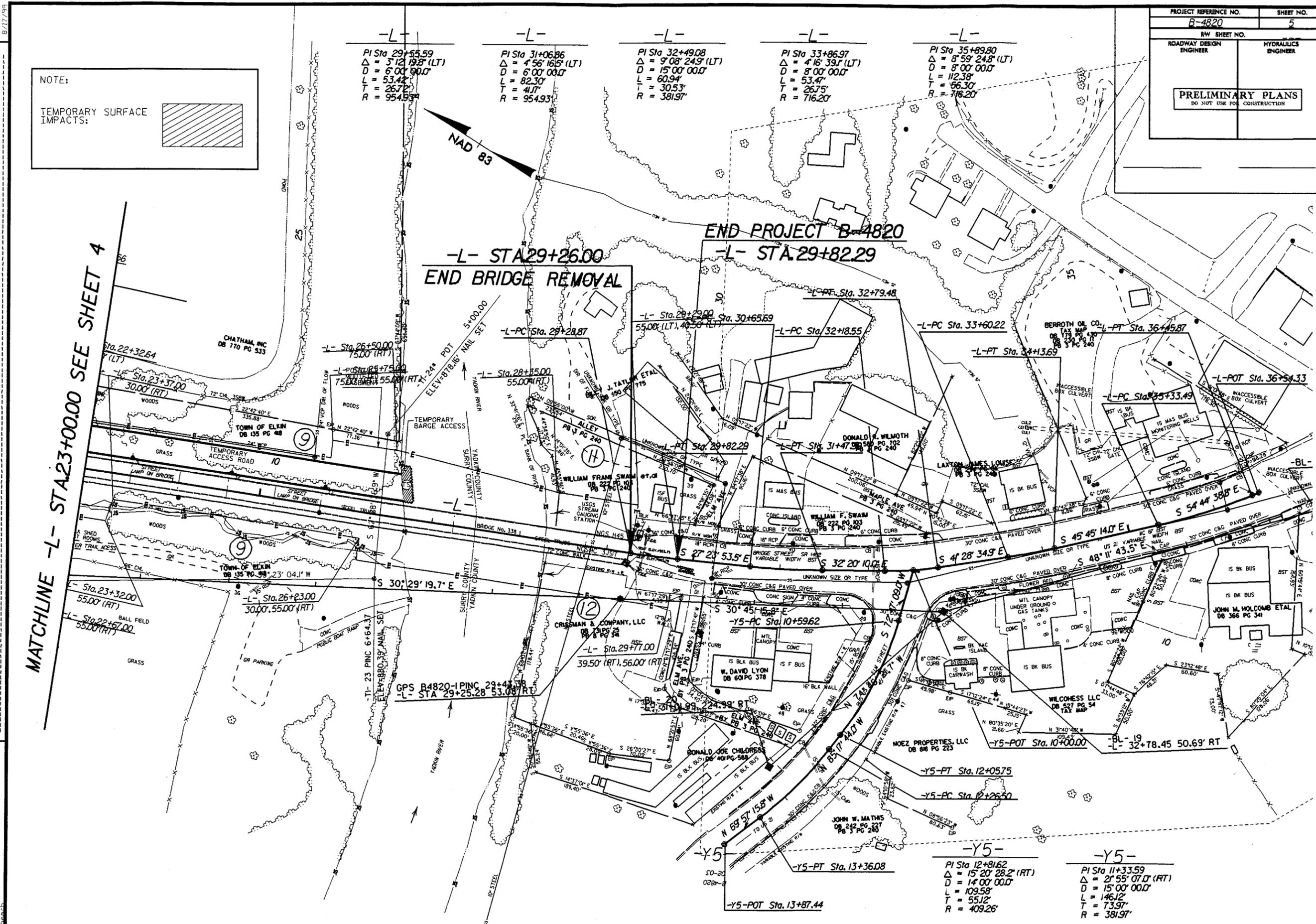
PI Sta 33+86.97
Δ = 4'16" 39.1' (LT)
D = 8'00" 00.0'
L = 53.4'
T = 26.75'
R = 716.20'

PI Sta 35+89.80
Δ = 8'59" 24.8' (LT)
D = 8'00" 00.0'
L = 112.38'
T = 56.30'
R = 716.20'

MATCHLINE -L- STA 23+00.00 SEE SHEET 4

-L- STA 29+26.00
END BRIDGE REMOVAL

-L- STA 29+82.29
END PROJECT B-4820



-Y5-
PI Sta 12+81.62
Δ = 15'20" 28.2' (RT)
D = 14'00" 00.0'
L = 109.58'
T = 55.12'
R = 409.26'

-Y5-
PI Sta 11+33.59
Δ = 2'55" 07.0' (RT)
D = 15'00" 00.0'
L = 146.12'
T = 73.97'
R = 381.97'

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CATEGORICAL EXCLUSION ACTION CLASSIFICATION FORM

TIP Project No.	<u>B-4820</u>
W.B.S. No.	<u>38590.1.1</u>
Federal Project No.	<u>BRZ-1190(2)</u>

A. Project Description:

The proposed project will remove the structurally deficient Bridge No. 338 in Surry/Yadkin Counties over the Yadkin River on SR 1190 which was closed in December 2005 (Figure 1). Upon removal of the bridge, a sidewalk with curb and gutter will be constructed along the southern side of East Market Street (US 268) in Elkin, as the street crosses SR 1190 (Gwyn Avenue). Curb cuts will be constructed in this sidewalk at the southeastern and southwestern corners of the intersection of US 268 and SR 1190, in accordance with ADA and AASHTO standards. A barrier will be placed at the southern end in Jonesville to prevent vehicles and pedestrians from traversing onto the Yadkin River bank from the roadway. A temporary roadway from Standard Street will provide access to Crater Park during the demolition of Bridge No. 338. Mitigation measures proposed for the adverse effect to the Elkin Historic District and the removal of the historic bridge include a proposed stairway, terrace and landscaping design (Figures 4A and 4B) between East Market Street and Main Street as agreed upon in the Memorandum of Agreement (attached).

B. Purpose and Need:

The purpose of this project is to remove Bridge No. 338 on SR 1190/SR 1402 (Gwyn Avenue) over the Yadkin River in Surry/Yadkin Counties, North Carolina. Bridge No. 338, constructed in 1931, also spans over Main Street, Yadkin Valley Railroad, Standard Street, Monroe Street, and Crater Park within the Town of Elkin and its southern approach is within the Town of Jonesville (Figure 2). Bridge No. 338 is 1509 feet in length consisting of concrete superstructure and substructure and utilizes steel overhead trusses for spans over the Yadkin River. In addition to crossing over several town streets, several railroad tracks, a park, and the river, there are several buildings that are in proximity to the bridge.

In 2005, NCDOT Bridge Management Unit records indicated that Bridge No. 338 had a sufficiency rating of 2 out of 100 according to Federal Highway Administration (FHWA) standards and because of the structural deficiency and operational inadequacy; the removal of the bridge was deemed eligible for FHWA's Highway Bridge Program. The bridge was closed to vehicular traffic in December 2005 because of the overall deterioration of the bridge steel and concrete components. All traffic between the Towns of Elkin and Jonesville use US 21 Business (Bridge Street) approximately 725 feet downstream or US 21/I-77 approximately 1.5 miles upstream to cross the Yadkin River.

Removal of the bridge improves safety for pedestrians and vehicles due to falling concrete and removes the potential for debris to fall into the Yadkin River as the bridge continues to deteriorate. The proposed removal of Bridge No. 338 will affect Section 4(f)

resources that include Crater Park, Bridge No. 338, and the Downtown Elkin Historic District

C. Proposed Improvements:

Circle one or more of the following Type II improvements that apply to the project:

1. Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes (e.g., parking, weaving, turning, climbing).
 - a. Restoring, Resurfacing, Rehabilitating, and Reconstructing pavement (3R and 4R improvements)
 - b. Widening roadway and shoulders without adding through lanes
 - c. Modernizing gore treatments
 - d. Constructing lane improvements (merge, auxiliary, and turn lanes)
 - e. Adding shoulder drains
 - f. Replacing and rehabilitating culverts, inlets, and drainage pipes, including safety treatments
 - g. Providing driveway pipes
 - h. Performing minor bridge widening (less than one through lane)
 - i. Slide Stabilization
 - j. Structural BMP's for water quality improvement

2. Highway safety or traffic operations improvement projects including the installation of ramp metering control devices and lighting.
 - a. Installing ramp metering devices
 - b. Installing lights
 - c. Adding or upgrading guardrail
 - d. Installing safety barriers including Jersey type barriers and pier protection
 - e. Installing or replacing impact attenuators
 - f. Upgrading medians including adding or upgrading median barriers
 - g. Improving intersections including relocation and/or realignment
 - h. Making minor roadway realignment
 - i. Channelizing traffic
 - j. Performing clear zone safety improvements including removing hazards and flattening slopes
 - k. Implementing traffic aid systems, signals, and motorist aid
 - l. Installing bridge safety hardware including bridge rail retrofit

3. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings.
 - a. Rehabilitating, reconstructing, or replacing bridge approach slabs
 - b. Rehabilitating or replacing bridge decks
 - c. Rehabilitating bridges including painting (no red lead paint), scour repair, fender systems, and minor structural improvements
 - d. Replacing a bridge (structure and/or fill)
4. Transportation corridor fringe parking facilities.
5. Construction of new truck weigh stations or rest areas.
6. Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
7. Approvals for changes in access control.
8. Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
9. Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
10. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
11. Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.
12. Acquisition of land for hardship or protective purposes, advance land acquisition loans under section 3(b) of the UMT Act. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.
13. Acquisition and construction of wetland, stream and endangered species mitigation sites.
14. Remedial activities involving the removal, treatment or monitoring of soil or groundwater contamination pursuant to state or federal remediation guidelines.

D. Special Project Information:

The estimated costs, based on 2008 prices, are as follows:

	Alternative 1
Bridge Removal	\$1,410,000
Roadway/Miscellaneous Const.	241,000
Miscellaneous & Mobilization	190,000
Engineering and Contingencies	284,000
Total Construction Cost	\$2,125,000
Temporary Construction Easements	108,000
Utilities	92,000
Total	\$2,325,000

Bridge Demolition: Bridge No. 338 includes a superstructure composed of reinforced concrete and steel truss. The substructure is composed of concrete piers including one mass concrete pier (in-water) which may result in cumulative temporary fill of approximately 150 cubic yards.

Alternatives Discussion:

Do-nothing -- The do-nothing alternative is not consistent with the proposed action's purpose and need since it does not do anything to prevent the continual deterioration of the bridge and prevent debris from falling on the pedestrians, vehicular traffic, Yakin Valley Railroad and into the Yadkin River. The do-nothing alternative, while avoiding impacts to the eligible resources, is not considered to be an environmentally sensitive and a prudent solution.

An option of limiting the bridge to pedestrian traffic was reviewed, however it will require extensive repairs to make the bridge structurally sound and eliminate hazards to vehicles and pedestrians from falling concrete. This option would require ownership of the bridge be transferred to one of the two municipalities, which they have declined due to the cost. The extensive repair cost, continual maintenance cost and the liability are major concerns for the State and municipalities

Rehabilitation – The existing bridge is both structurally and geometrically deficient and the general condition of the bridge is rated poor. The sufficiency rating in 2005 was only 2 out of a possible 100 when it was closed to vehicular traffic. Rehabilitation of the existing bridge is not feasible because of the very poor condition of the concrete superstructure and steel truss. The bridge is a fracture critical structure due to the truss and is subject to collapse in the event of vehicular impact. Due to the overall deterioration of the bridge members, hazards to vehicles and pedestrians posed by falling debris, the fact that the truss spans are fracture critical and unprotected from vehicular impacts, a

prudent course of action would be to remove the bridge. The rehabilitation alternative, while avoiding impacts to the eligible resources, is not considered to be a feasible and prudent solution.

Bridge Removal (preferred) -- The proposed action is to remove Bridge No. 338 which was removed from the functional road system in 2005. Vehicular access has been removed for over three years and the community has already adjusted and is functioning with out this facility. The traffic that once traveled on Bridge No. 338 now travels across Bridge No. 21 on US 21 Business (Bridge Street) approximately 715 feet downstream. Bridge No. 21, built in 1971, has the capacity to accommodate the increased traffic between Jonesville and Elkin. Bridge No. 21 is a four lane facility (two lanes in each direction) with three-foot sidewalks on both sides.

NCDOT's Division 11 Office concurs with the removal of Bridge No. 338 and the proposed mitigation measures.

Other Agency Comments:

The N.C. Division of Water Quality had no special concerns for this project.

Comment: The Town of Elkin had the opportunity to review the proposed stairs and landscape plan and in a letter dated April 14, 2008 (attached) requested the following:

1. The existing gabion (in the northeast quadrant) is unsightly and will not complement the proposed work plan. We would like to see additional work in this area with possibly a more permanent structure that shows the continuity of the proposed stairs and supports.
2. There is an active skateboarding community in Elkin. The railings and banisters, as proposed, present a "welcoming" venue for skateboarders to potential deface, scar, and turn into an unsightly area. We request consideration in the final design of the railings/banisters to discourage or complicate this activity from occurring.
3. Due to the historic nature of the bridge and the surrounding historic district, we would like to see as much of the existing bridge concrete railing to be utilized in the proposed plan as is possible.
4. As a reminder of the existing bridge, we would like to see a plaque at the top and bottom of the stairs briefly describing its history and years in operation.
5. The Town of Elkin would like to sit down with NC DOT staff to review the final project plan prior to it going out to bid. As the responsible party following the completion of the project, we would like to feel comfortable with the plan we will be maintaining in the future. Furthermore, it would be helpful if NC DOT staff, at this meeting, could present a proposed schedule along with proposed costs to the Town for the maintenance of this area for our future budgetary considerations.
6. We understand trees will need to be removed in and around Crater Park for the demolition project and request for NCDOT to replace these trees following the completion of the project.

Response: NCDOT, FHWA, the State Historic Preservation Office (HPO) and the Town of Elkin will coordinate efforts to mitigate the effects that will be generated by the removal of the historic Bridge No. 338. These measures of mitigation are included in the MOA and Final Section 4(f) evaluation which include the following:

- I. Photorecordation: Prior to the initiation of construction, NCDOT will record the existing condition of Bridge No. 338 and its surroundings within the Downtown Elkin Historic District in accordance with the Historic Structures and Landscape Recordation Plan attached in the MOA.
- II. Construction of a Stairway, Terrace, and Landscaping: A stairway, terrace, and landscaping will be constructed between East Market Street and Main Street after the removal of Bridge No. 338. The final design will be agreed upon by NCDOT, SHPO, and the Town of Elkin. The stairway will incorporate the following elements:
 1. NCDOT will retain ownership of the right-of-way in the location of the stairway.
 2. The Town of Elkin will be responsible for all future maintenance of the stairway, terrace, landscaping, and lighting.
 3. The historic cobblestones located west of the existing bridge between Main Street and East Market Street will be preserved in place.
 4. The existing gabion walls will be covered with a finish that matches that of the proposed terrace wall.
 5. The Town of Elkin will purchase lampposts, as well as a bench, for the terrace that match those existing in Downtown Elkin. NCDOT will install the lampposts and bench during construction of the stairway. NCDOT will reimburse the Town of Elkin for actual costs.
 6. NCDOT will design and produce an interpretive panel presenting the historical and architectural significance of Bridge No. 338 and its relationship to the Downtown Elkin Historic District.
 - (i) More specifically, NCDOT will research and design the interpretive panel, provide funding for fabrication of the panel, and install the panel on the terrace. The Town of Elkin will be responsible for maintaining the panel once it is in place.
 - (ii) Prior to fabrication of the interpretive panel, NCDOT shall afford the SHPO and the Town of Elkin an opportunity to review and comment on the panel. If no comments are received within thirty (30) days of confirmed receipt, NCDOT may assume that the reviewing parties do not object to the proposed design. Should any of these parties have questions about or comments on such plans and specifications, NCDOT shall consult with that party and, if necessary, with all consulting parties to address questions and comments.
 - (iii) The interpretive panel will be installed within three (3) years of the execution of the let date of TIP No. B-4820.
 7. Construction of the stairway, terrace, and landscaping will be completed within two (2) years of the execution of the let date for TIP Project B-4820.
 8. Should changes to the stairway, terrace, and landscaping design, as shown in Figures 4A and 4B, become necessary, NCDOT will submit changes to SHPO and the Town of Elkin for their review and comment.

III. Access to Crater Park facilities will be maintained during construction by use of a temporary access road from Standard Street. The area will be returned to the current condition upon completion of the bridge removal.

IV. Landscaped trees within the park boundary that are removed for the demolition of the bridge will be replaced.

Comment: The **Town of Jonesville** requested that a pedestrian bridge be constructed to link the greenways of both Towns.

Response: There are currently no sidewalks or greenways down to the Bridge No. 338 in Jonesville. The existing Bridge No. 21 on US 21 Business provides sidewalks on both sides of the bridge for pedestrian access to both Towns. US 21 Business is a curb and gutter facility and could accommodate any future sidewalks leading to Bridge No. 21. A pedestrian bridge is not considered part of this project.

Public Involvement:

A letter was sent by the Location & Surveys Unit to all property owners affected directly by this project. Property owners were invited to comment.

A newsletter was sent to all those in the project study area in December 2007 and the Tribune (local newspaper) have featured several articles about the bridge removal. Three comments have been received to date including concerns of historic nature and delays on US 21 Business caused by the railroad switching yard.

Responses to the citizens concerns were sent identifying the condition of the bridge and that the State Historic Preservation Office is working with NCDOT to address the adverse effect that will be caused by the removal of the historic structure. NCDOT has developed plans to extensively landscape the area over which the bridge passed while preserving the historic cobbled street and pedestrian access.

Shifting the traffic to US 21 Business introduced delays due to an at-grade railroad crossing and a railroad switching yard just east of the crossing. Before and since the closing of the Bridge No. 338, NCDOT has worked closely with the towns and the Yadkin Valley Railroad to move the railroad-switching yard to a location east of Elkin. The funding has been approved and construction on the switching yard relocation should be completed by 2009. Moving the switching yard will minimize traffic delays at the crossing. Several alternative locations for a new bridge have been investigated for a future project to cross the Yadkin River and provide improved access when warranted between Elkin and Jonesville.

Based on no additional communication requested, a Citizen's Informational Workshop was determined unnecessary.

E. Threshold Criteria

The following evaluation of threshold criteria must be completed for Type II actions

<u>ECOLOGICAL</u>	<u>YES</u>	<u>NO</u>
(1) Will the project have a substantial impact on any unique or important natural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(2) Does the project involve habitat where federally listed endangered or threatened species may occur?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(3) Will the project affect anadromous fish?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(4) If the project involves wetlands, is the amount of permanent and/or temporary wetland taking less than one-tenth (1/10) of an acre and have all practicable measures to avoid and minimize wetland takings been evaluated?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(5) Will the project require the use of U. S. Forest Service lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(6) Will the quality of adjacent water resources be adversely impacted by proposed construction activities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(7) Does the project involve waters classified as Outstanding Water Resources (OWR) and/or High Quality Waters (HQW)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(8) Will the project require fill in waters of the United States in any of the designated mountain trout counties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(9) Does the project involve any known underground storage tanks (UST's) or hazardous materials sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PERMITS AND COORDINATION

YES NO

- (10) If the project is located within a CAMA county, will the project significantly affect the coastal zone and/or any "Area of Environmental Concern" (AEC)? X
- (11) Does the project involve Coastal Barrier Resources Act resources? X
- (12) Will a U. S. Coast Guard permit be required? X
- (13) Will the project result in the modification of any existing regulatory floodway? X
- (14) Will the project require any stream relocations or channel changes? X

SOCIAL, ECONOMIC, AND CULTURAL RESOURCES

YES NO

- (15) Will the project induce substantial impacts to planned growth or land use for the area? X
- (16) Will the project require the relocation of any family or business? X
- (17) Will the project have a disproportionately high and adverse human health and environmental effect on any minority or low-income population? X
- (18) If the project involves the acquisition of right of way, is the amount of right of way acquisition considered minor? X
- (19) Will the project involve any changes in access control? X
- (20) Will the project substantially alter the usefulness and/or land use of adjacent property? X
- (21) Will the project have an adverse effect on permanent local traffic patterns or community cohesiveness? X
- (22) Is the project included in an approved thoroughfare plan and/or Transportation Improvement Program (and is, therefore, in conformance with the Clean Air Act of 1990)? X
- (23) Is the project anticipated to cause an increase in traffic volumes? X

- | | | | |
|------|---|-------------------------------------|--------------------------|
| (24) | Will traffic be maintained during construction using existing roads, staged construction, or on-site detours? | <u> X </u> | <input type="checkbox"/> |
| (25) | If the project is a bridge replacement project, will the bridge be replaced at its existing location (along the existing facility) and will all construction proposed in association with the bridge replacement project be contained on the existing facility? | <u> N/A </u> | <input type="checkbox"/> |
| (26) | Is there substantial controversy on social, economic, or environmental grounds concerning the project? | <input type="checkbox"/> | <u> X </u> |
| (27) | Is the project consistent with all Federal, State, and local laws relating to the environmental aspects of the project? | <u> X </u> | <input type="checkbox"/> |
| (28) | Will the project have an "effect" on structures/properties eligible for or listed on the National Register of Historic Places? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (29) | Will the project affect any archaeological remains which are important to history or pre-history? | <input type="checkbox"/> | <u> X </u> |
| (30) | Will the project require the use of Section 4(f) resources (public parks, recreation lands, wildlife and waterfowl refuges, historic sites, or historic bridges, as defined in Section 4(f) of the U. S. Department of Transportation Act of 1966)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (31) | Will the project result in any conversion of assisted public recreation sites or facilities to non-recreation uses, as defined by Section 6(f) of the Land and Water Conservation Act of 1965, as amended? | <input type="checkbox"/> | <u> X </u> |
| (32) | Will the project involve construction in, across, or adjacent to a river designated as a component of or proposed for inclusion in the National System of Wild and Scenic Rivers? | <input type="checkbox"/> | <u> X </u> |

F. Additional Documentation Required for Unfavorable Responses in Part E

Response to Question 2: Suitable habitat for Schweinitz's sunflower is present in the project study area along roadside shoulders. Surveys were conducted by NCDOT biologists throughout areas of suitable habitat on October 15, 2007. No individuals of Schweinitz's sunflower were observed. Potential habitat was observed to be overgrown with kudzu. A review of NCNHP records, updated September 28, 2007, indicates no known occurrences within 1.0 mile of the study area. The biological conclusion is "No Effect."

Response to Question 8: Per the NCWRC letter dated February 11, 2008, the Yadkin River is not a NCWRC trout stream and there are no moratoria for the project.

Response to Question 9: The Geographical Information System (GIS) was consulted to identify known sites of concern in the project study area. NCDOT Geotechnical Engineering Unit conducted a field reconnaissance along SR 1190/1402 on January 15, 2008. Seven (7) possible

UST facilities, one auto repair shop, and the railroad yard were identified within the project study area (Figure 5). All sites are anticipated to present low geoenvironmental impacts to the project. NCDOT's Geotechnical Engineering Unit will provide soil and groundwater assessments on each of the sites within the project construction limits (Sites 1 thru 4) prior to construction authorization.

Response to Question 28: The Historic Preservation Office (HPO) reviewed the subject project and determined that surveys were required (see letter dated November 29, 2007). The area of potential effects was surveyed in January 2008. All structures within the area of potential effects were photographed, and later reviewed by NCDOT architectural historians and staff at the HPO. The Elkin Historic District and Bridge No. 338 were identified as listed on the National Register of Historic Places. In the attached concurrence form dated January 28, 2008, it was agreed that the project will have an "Adverse Effect". The attached Memorandum of Agreement identifies the proposed mitigation agreed upon between NCDOT, HPO, and the Town of Elkin.

Response to Question 30: Within the project area, there are two historic resources (Downtown Elkin Historic District and Bridge No. 338) and one publicly owned recreational facility (Crater Park) that qualify as Section 4(f) resources. The Section 4(f) resources could not be avoided by the proposed bridge removal. Bridge No. 338 is included in Downtown Elkin Historic District and Crater Park is located on both sides of the bridge near the Yadkin River. The Historic District will be impacted since Bridge No. 338 will be removed from the district. During the Section 106 coordination with the Historic Preservation Office, the removal of Bridge No. 338 was determined to have an "adverse effect" (see attached concurrence form) on the Historic District and Bridge No. 338. The Town of Elkin considers the removal of the bridge as "no effect" to Crater Park and its functionality (see attached letter dated April 14, 2008). The Final Section 4(f) Evaluation document is attached.

G. CE Approval

TIP Project No.	<u>B-4820</u>
W.B.S. No.	<u>38590.1.1</u>
Federal Project No.	<u>BRZ-1190(2)</u>

Project Description:

The proposed project will remove the structurally deficient Bridge No. 338 in Surry/Yadkin Counties over the Yadkin River on SR 1190 which was closed in December 2005 (Figure 1). Upon removal of the bridge, a sidewalk with curb and gutter will be constructed along the southern side of East Market Street (US 268) in Elkin, as the street crosses SR 1190 (Gwyn Avenue). Curb cuts will be constructed in this sidewalk at the southeastern and southwestern corners of the intersection of US 268 and SR 1190, in accordance with ADA and AASHTO standards. A barrier will be placed at the southern end in Jonesville to prevent vehicles and pedestrians from traversing onto the Yadkin River bank from the roadway. A temporary roadway from Standard Street will provide access to Crater Park during the demolition of Bridge No. 338. Mitigation measures proposed for the adverse effect to the Elkin Historic District and the removal of the historic bridge include a proposed stairway, terrace and landscaping design (Figures 4A and 4B) between East Market Street and Main Street as agreed upon in the Memorandum of Agreement (attached).

Categorical Exclusion Action Classification:

<u> </u>	TYPE II(A)
<u> X </u>	TYPE II(B)

Approved:

<u> </u>	<u>Bridge Project Development Engineer</u> Project Development & Environmental Analysis Branch
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<u> </u>	<u>Project Engineer</u> Project Development & Environmental Analysis Branch
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<u> </u>	<u>Project Planning Engineer</u> Project Development & Environmental Analysis Branch
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For Type II(B) projects only:

<u> </u>	<u>John F. Sullivan, III, PE, Division Administrator</u> Federal Highway Administration
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PROJECT COMMITMENTS:

**Surry/Yadkin Counties
Bridge No. 338 (Hugh B. Chatham Bridge) on SR 1190/1402
Over the Yadkin River
Federal-Aid Project No. BRZ-1190(2)
WBS No. 38590.1.1
T.I.P. No. B-4820**

All Design Groups/PDEA/Division Resident Construction Engineer –

The measures developed to mitigate adverse effects to the Downtown Elkin Historic District due to the removal of a contributing resource, Bridge No. 338, include:

- I. Photorecordation: Prior to the initiation of construction, NCDOT will record the existing condition of Bridge No. 338 and its surroundings within the Downtown Elkin Historic District in accordance with the Historic Structures and Landscape Recordation Plan attached in the MOA.
- II. Construction of a Stairway, Terrace, and Landscaping: A stairway, terrace, and landscaping will be constructed between East Market Street and Main Street after the removal of Bridge No. 338. The final design will be agreed upon by NCDOT, SHPO, and the Town of Elkin. The stairway will incorporate the following elements:
 1. NCDOT will retain ownership of the right-of-way in the location of the stairway.
 2. The Town of Elkin will be responsible for all future maintenance of the stairway, terrace, landscaping, and lighting.
 3. The historic cobblestones located west of the existing bridge between Main Street and East Market Street will be preserved in place.
 4. The existing gabion walls will be covered with a finish that matches that of the proposed terrace wall.
 5. The Town of Elkin will purchase lampposts, as well as a bench, for the terrace that match those existing in Downtown Elkin. NCDOT will install the lampposts and bench during construction of the stairway. NCDOT will reimburse the Town of Elkin for actual costs.
 6. NCDOT will design and produce an interpretive panel presenting the historical and architectural significance of Bridge No. 338 and its relationship to the Downtown Elkin Historic District.
 - (i) More specifically, NCDOT will research and design the interpretive panel, provide funding for fabrication of the panel, and install the panel on the terrace. The Town of Elkin will be responsible for maintaining the panel once it is in place.
 - (ii) Prior to fabrication of the interpretive panel, NCDOT shall afford the SHPO and the Town of Elkin an opportunity to review and comment on the panel. If no comments are received within thirty (30) days of confirmed receipt, NCDOT may assume that the reviewing parties do not object to the proposed design. Should any of these parties have questions about or comments on such

plans and specifications, NCDOT shall consult with that party and, if necessary, with all consulting parties to address questions and comments.

(iii) The interpretive panel will be installed within three (3) years of the execution of the let date of TIP No. B-4820.

7. Construction of the stairway, terrace, and landscaping will be completed within two (2) years of the execution of the let date for TIP Project B-4820.

8. Should changes to the stairway, terrace, and landscaping design, as shown in Figures 4A and 4B, become necessary, NCDOT will submit changes to SHPO and the Town of Elkin for their review and comment.

III. Unanticipated Discovery: In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction and determines them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted. If after consultation with the Signatory and Concurring Party(ies) additional mitigation is determined necessary, the NCDOT, in consultation with the Signatory and Concurring Party(ies), 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.

Roadway Design/ Division Resident Construction Engineer

Access to Crater Park facilities will be maintained during construction by use of a temporary access road from Standard Street. The temporary access road will be returned to its original condition upon completion of the bridge removal.

Roadside Environmental Unit

Landscaped trees within the park boundary that are removed for the demolition of the bridge will be replaced.

Roadway Design/ Roadside Environment Unit/Program Development Branch

A municipal agreement will be prepared clarifying that the land will remain NCDOT's and that the proposed stairs, terrace and landscaping will be maintained by the Town of Elkin. The Town of Elkin will purchase the lighting and benches as denoted on the proposed plan for continuity with their existing lighting and benches in Downtown Elkin and will be reimbursed by NCDOT for the actual costs.

GeoEnvironmental Section

Soil and groundwater assessments will be prepared on each of the sites within the project construction limits (Sites 1 thru 4) prior to right of way acquisition.

Surry/Yadkin Counties
Bridge No. 338 (Hugh B. Chatham Bridge) on SR 1190/1402
Over the Yadkin River
Federal-Aid Project No. BRZ-1190(2)
WBS No. 38590.1.1
T.I.P. No. B-4820

FINAL SECTION 4(F) EVALUATION
UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
AND
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS

APPROVED:

DATE

Gregory J. Thorpe, Ph.D.
Environmental Management Director
Project Development and Environmental Analysis Branch, NCDOT

DATE

John F. Sullivan, III, P.E.
Division Administrator
Federal Highway Administration

DRAFT SECTION 4(F) EVALUATION

The North Carolina Department of Transportation (NCDOT) in coordination with the Federal Highway Administration (FHWA) proposes to remove Bridge No 338 (Hugh B. Chatham Bridge). Bridge No. 338 is located within a historic district and a recreation facility. The historic district is on the National Register of Historic Places and the recreation facility is a publicly owned park both of which require an evaluation in accordance with Section 4(f) of the US Department of Transportation Act of 1966 and the federal regulations 23 CRF 771.135.

The intent of the Section 4(f) legislation is to preserve the natural beauty of the countryside; the general provisions state that “the Secretary (of the US Department of Transportation) shall not approve any ... project ... which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm...”

1.1. PURPOSE AND NEED

The purpose of this project is to remove Bridge No. 338 on SR 1190/SR 1402 (Gwyn Avenue) over the Yadkin River in Surry/Yadkin Counties, North Carolina (Figure 1). Bridge No. 338, constructed in 1931, also spans over Main Street, Yadkin Valley Railroad, Standard Street, Monroe Street, and Crater Park within the Town of Elkin and its southern approach is within the Town of Jonesville. Bridge No. 338 is 1509 feet in length consisting of concrete superstructure and substructure and utilizes steel overhead trusses for spans over the Yadkin River. In addition to crossing over several town streets, several railroad tracks, a park, and the river, there are several buildings that are in proximity to the bridge.

The bridge was closed to vehicular traffic in December 2005 because of the overall deterioration of the bridge steel and concrete components. All traffic between the Towns of Elkin and

Jonesville use US 21 Business (Bridge Street) approximately 725 feet downstream or US 21/I-77 approximately 1.5 miles upstream to cross the Yadkin River. In 2005 Bridge No. 338 had a sufficiency rating of 2 out of a possible 100 and because of the structural deficiency and operational inadequacy of the existing bridge the removal of the bridge was deemed eligible for FHWA's Highway Bridge Program.

Removal of the bridge improves safety for pedestrians and vehicles due to falling concrete and removes the potential for debris to fall into the Yadkin River as the bridge continues to deteriorate. The proposed removal of Bridge No. 338 will impact Section 4(f) resources associated with Crater Park, Bridge No. 338, and the Downtown Elkin Historic District.

1.2. PROPOSED ACTION

The proposed project includes the removal of Bridge No. 338, proposes a sidewalk with curb and gutter along the southern side of East Market Street (US 268) as the street crosses SR 1190 (Gwyn Avenue) and proposes stairs from East Market Street down to Main Street. Curb cuts are proposed in the sidewalk at the southeastern and southwestern corners of the intersection of East Market Street and Gwyn Avenue, in accordance with ADA and AASHTO standards. A barrier is proposed at the northern end of SR 1402 in Jonesville to prevent vehicles and pedestrians from traversing onto the Yadkin River bank.

No relocations of business or residence and no right-of-way are proposed. Temporary construction easement will vary on both sides of the existing bridge for the bridge removal.

Monroe Street will be closed to the public during demolition. A temporary roadway is proposed from Standard Street to the existing canoe launch access road to provide access to Crater Park. The temporary access road will be removed and the ground returned to its original condition upon completion of the project.

1.3. DESCRIPTION OF SECTION 4(F) RESOURCES

Within the project area, there are two historic resources and one publicly owned recreational facility that qualify as Section 4(f) resources. As shown on Figure 2 these resources include:

- Downtown Elkin Historic District
- Bridge No. 338
- Crater Park

The Section 4(f) resources could not be avoided by the proposed bridge removal. Bridge No. 338 is included in Downtown Elkin Historic District and Crater Park is located on both sides of the bridge near the river. The Historic District will be impacted since Bridge No. 338 will be removed from the district. During the Section 106 coordination with the Historic Preservation Office, the removal of Bridge No. 338 was determined to have an “adverse effect” (see attached concurrence form) on the Historic District and Bridge No. 338. The Town of Elkin considers the removal of the bridge as no effect to Crater Park and its functionality (see attached letter dated April 14, 2008).

Downtown Elkin Historic District

The Downtown Elkin Historic District was listed in the National Register under Criterion A in the area of commerce and Criterion C in the area of architecture. Bounded by Market Street, the Hugh G. Chatham Bridge (Bridge No. 338), Standard Street, and Front Street. The district contains seventy-two buildings and two structures, with a majority of the buildings dating from 1890-1950. Pivotal to the development and growth of downtown Elkin, the arrival of the Yadkin Valley Railroad in 1890 brought increased opportunity for trade and better access to markets. The district constitutes the historic core of Elkin’s commercial center and is significant in the area of commerce for being the place where commerce thrived in the town. As well, the district is significant in the area of architecture as a collection of commercial buildings representative of styles popular from the late nineteenth century through the mid-twentieth century.

Hugh G. Chatham Bridge (Bridge No. 338)

Spanning the Yadkin River between Elkin, Surry County and Jonesville, Yadkin County, this 1509 foot long, concrete and steel truss bridge was erected in 1931 as State Project No. 7960. Bridge No. 338, a contributing resource to the historic district, was named in honor of Hugh Gwyn Chatham, president of Chatham Manufacturing Company, who died in 1929. The bridge consists of concrete pier under-supports, a two-lane road flanked by arcaded concrete guardrails, and two camelback trusses. A sidewalk runs along the west side of the bridge. At each end, the concrete guardrails curve outward at each entrance to the span. Two sets of concrete steps lead from the bridge down to the north and south sides of East Main Street in Elkin.

Crater Park

Crater Park, located along the north bank of the Yadkin River and on both side of Bridge No. 338, is owned and operated as a municipal park by the Town of Elkin. Crater Park consists of approximately 6.5 acres of landscaped open space, a versatile soft ball and soccer field, and a canoe launch facility to the Yadkin River.

1.4 AVOIDANCE ALTERNATIVES

Three alternatives that avoid impacting the historic district or the public park were evaluated below.

a. Do-Nothing

The do-nothing alternative is not consistent with the proposed action's purpose and need since it does nothing to prevent the continual deterioration of the bridge and prevent debris from falling on the pedestrians, vehicular traffic, Yakin Valley Railroad and into the Yadkin River. The do-nothing alternative, while avoiding impacts to the eligible resources, is not considered to be an environmentally sensitive and prudent solution.

b. Rehabilitation

The existing bridge is both structurally and geometrically deficient and the general condition of the bridge is rated poor. The sufficiency rating in 2005 was only 2 out of a possible 100 when it was closed to vehicular traffic. Rehabilitation of the existing bridge is not feasible because of the very poor condition of the concrete superstructure and steel truss. The bridge is a fracture critical structure due to the truss and is subject to collapse in the event of vehicular impact. Due to the overall deterioration of the bridge members, hazards to vehicles and pedestrians posed by falling debris, the fact that the truss spans are fracture critical and unprotected from vehicular impacts, a prudent course of action would be to remove the bridge. The rehabilitation alternative, while avoiding impacts to the eligible resources, is not considered to be a feasible and prudent solution.

c. Retain for Pedestrian Use

An option of limiting the bridge to pedestrian traffic was reviewed, however it will require extensive repairs to make the bridge structurally sound and eliminate hazards to vehicles and pedestrians from falling concrete. This option would require ownership of the bridge be transferred to one of the two municipalities, which they have declined due to the cost. The extensive repair cost, continual maintenance cost and the liability are major concerns for the State and municipalities.

1.5. IMPACT ON THE SECTION 4(F) PROPERTIES

The removal of Bridge No. 338 impacts the historic resources because the bridge is within the Downtown Elkin Historic District and the bridge is eligible for the National Register of Historic Places.

The proposed bridge removal will not affect the functionality of the Crater Park.

No relocations of business or residence and no right-of-way are proposed. Temporary construction easement will vary on both sides of the existing bridge for the removal of the bridge.

1.6 MEASURES TO MINIMIZE HARM

The following measures have been developed through coordination between the NCDOT, FHWA, the State Historic Preservation Office (HPO), and the Town of Elkin to mitigate adverse affects created by the removal of Bridge No. 338, a National Register eligible resource, from the Downtown Elkin Historic District and the publicly owned and operated Crater Park.

- A. Measures to mitigate adverse effects to the Downtown Elkin Historic District and Bridge No. 338 are documented in the attached Memorandum of Agreement (MOA) include:
- I. Photorecording: Prior to the initiation of construction, NCDOT will record the existing condition of Bridge No. 338 and its surroundings within the Downtown Elkin Historic District in accordance with the Historic Structures and Landscape Recordation Plan attached in the MOA.
 - II. Construction of a Stairway, Terrace, and Landscaping: A stairway, terrace, and landscaping will be constructed between East Market Street and Main Street after the removal of Bridge No. 338. The final design will be agreed upon by NCDOT, SHPO, and the Town of Elkin. The stairway will incorporate the following elements:
 1. NCDOT will retain ownership of the right-of-way in the location of the stairway.
 2. The Town of Elkin will be responsible for all future maintenance of the stairway, terrace, landscaping, and lighting.
 3. The historic cobblestones located west of the existing bridge between Main Street and East Market Street will be preserved in place.
 4. The existing gabion walls will be covered with a finish that matches that of the proposed terrace wall.
 5. The Town of Elkin will purchase lampposts, as well as a bench, for the terrace that match those existing in Downtown Elkin. NCDOT will install the lampposts and bench during construction of the stairway. NCDOT will reimburse the Town of Elkin for actual costs.

6. NCDOT will design and produce an interpretive panel presenting the historical and architectural significance of Bridge No. 338 and its relationship to the Downtown Elkin Historic District.
 - (i) More specifically, NCDOT will research and design the interpretive panel, provide funding for fabrication of the panel, and install the panel on the terrace. The Town of Elkin will be responsible for maintaining the panel once it is in place.
 - (ii) Prior to fabrication of the interpretive panel, NCDOT shall afford the SHPO and the Town of Elkin an opportunity to review and comment on the panel. If no comments are received within thirty (30) days of confirmed receipt, NCDOT may assume that the reviewing parties do not object to the proposed design. Should any of these parties have questions about or comments on such plans and specifications, NCDOT shall consult with that party and, if necessary, with all consulting parties to address questions and comments.
 - (iii) The interpretive panel will be installed within three (3) years of the execution of the let date of TIP No. B-4820.
7. Construction of the stairway, terrace, and landscaping will be completed within two (2) years of the execution of the let date for TIP Project B-4820.
8. Should changes to the stairway, terrace, and landscaping design, as shown in Figures 4A and 4B, become necessary, NCDOT will submit changes to SHPO and the Town of Elkin for their review and comment.

III. Unanticipated Discovery: In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction and determine them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted. If after consultation with the Signatory and Concurring Party(ies) additional mitigation is determined necessary, the NCDOT, in consultation with the Signatory and Concurring Party(ies), 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.

- B. Access to Crater Park facilities will be maintained during construction by use of a temporary access road from Standard Street. The area will be returned to the current condition upon completion of the bridge removal.
- C. Landscaped trees within the park boundary that are removed for the demolition of the bridge will be replaced.
- D. Handicap Accessibility: Two sets of concrete steps that lead from the bridge down to the north and south sides of East Main Street in Elkin will be removed with the bridge. A handicap accessible ramp was considered to provide access between the East Market Street and Main Street; however there is not enough space to ramp down from East Market Street to Main Street in accordance with ADA standards without taking additional right-of-way within the historic district and the removal of the original cobble stones west of the bridge between the streets. Handicap accessibility is provided by the existing sidewalks along the north side of East Market Street to the intersection with Main Street as shown on Figure 2. A sidewalk with handicap accessibility is proposed along East Market Street on the south side to connect the existing sidewalks on either side of the bridge entrance.

1.7 COORDINATION

The proposed project was coordinated with the Town of Elkin, FHWA, and HPO. A survey of historic architectural resources was conducted in the area of potential effect of the project, in accordance with Section 106 of the Historic Preservation Act.

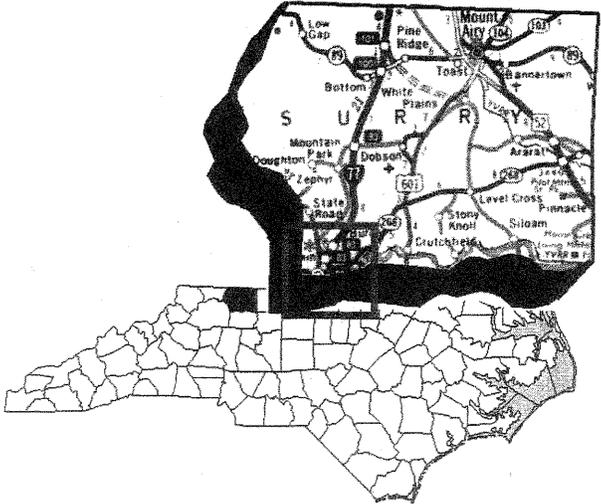
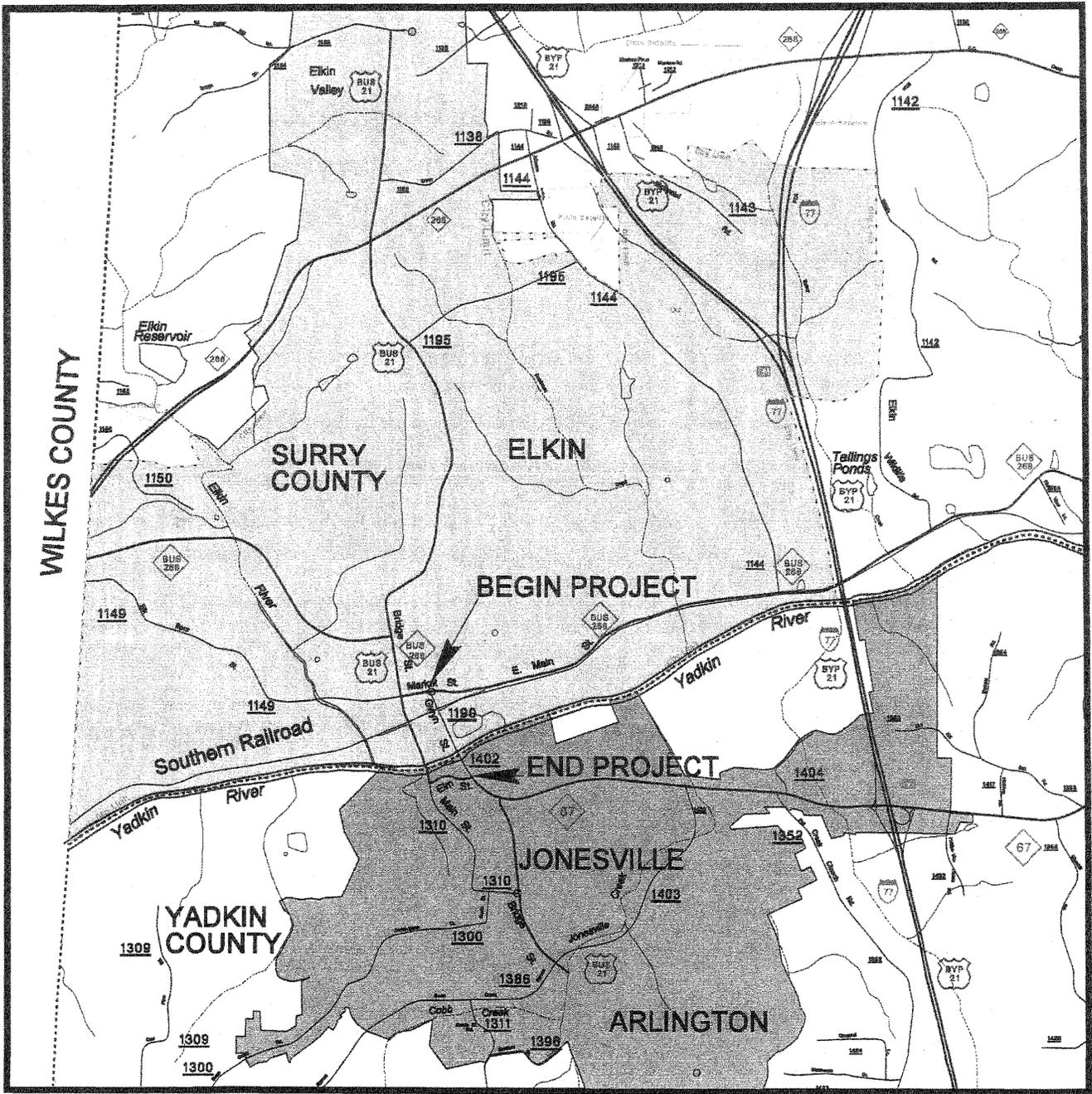
The Section 106 determination of effect coordination with the State Historic Preservation Officer (SHPO) indicated that the project will have an “adverse effect” on the Historic District and Bridge No. 338. A concurrence form documenting the SHPO’s concurrence of the effect on the National Register properties is included in the Appendix of this document.

Avoidance alternatives were considered for the project and were determined not to be feasible for the project because they did not meet the purpose and need for the project or were not considered prudent based on the deteriorated condition of Bridge No. 338. Measures to minimize harm to the Historic district were coordinated with the SHPO and the Town of Elkin

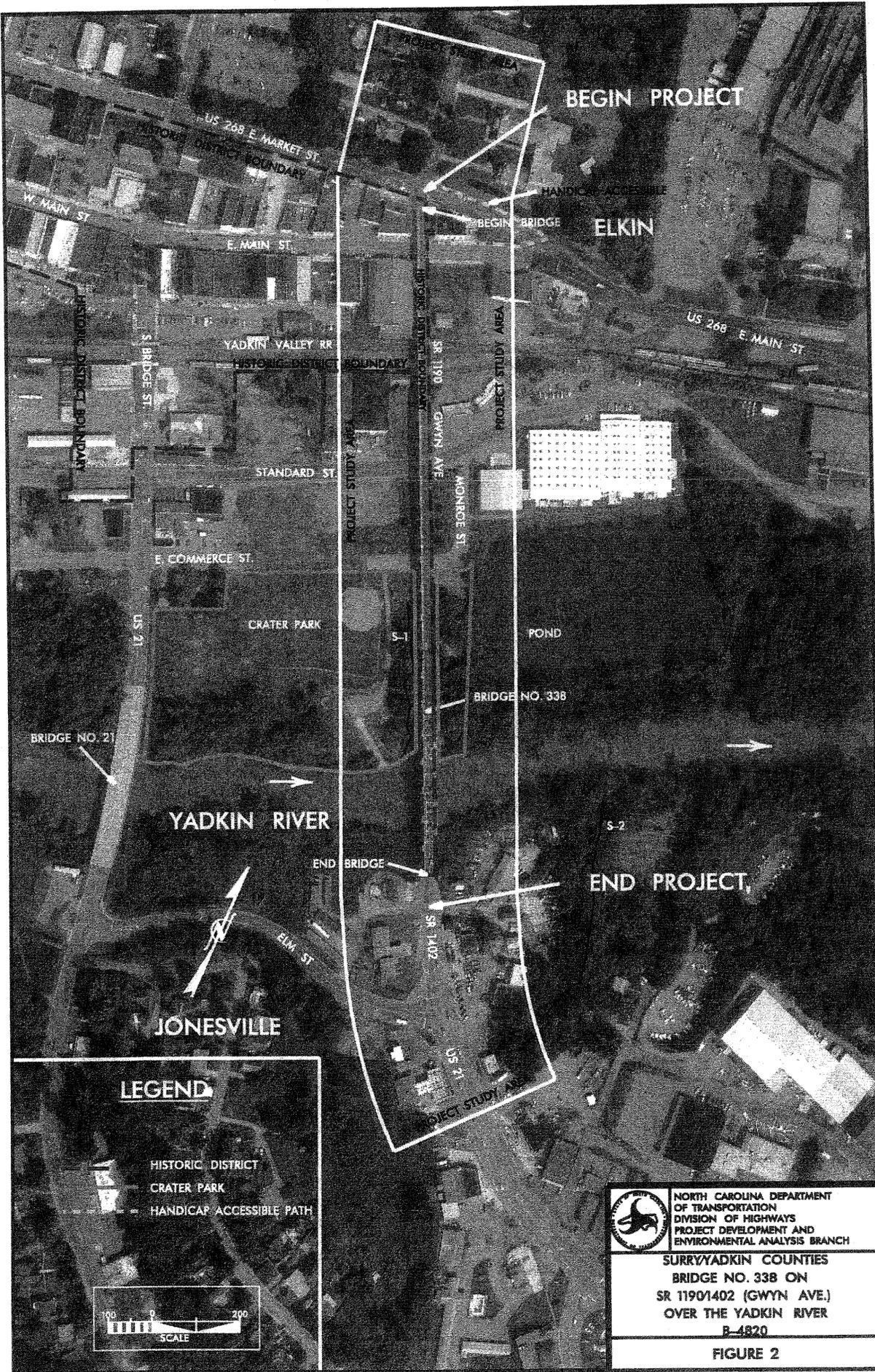
and included in the design decisions to provide the stairs and terrace from East Market Street to Main Street.

A letter from the town's officials supporting the proposed action is included. The Town of Elkin accepts the proposed action and mitigation measures as proposed. In accordance with Section 106 of the National Preservation Act, since the project has an adverse effect on the Downtown Elkin Historic District and Bridge No. 338, NCDOT has entered into a Memorandum of Agreement with the HPO and FHWA, the Town of Elkin, and the Advisory Council on Historic Preservation (ACHP). The FHWA and SHPO have accepted the MOA included in the Appendix of this document.

The proposed action includes all possible planning to minimize harm to Crater Park, the Historic District and Bridge No. 338 resulting from such use.

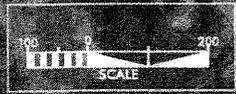


	<p>NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS PROJECT DEVELOPMENT & ENVIRONMENTAL ANALYSIS BRANCH</p>
<p align="center">SURRY-YADKIN COUNTIES BRIDGE NO. 338 ON SR 1190-1402 OVER THE YADKIN RIVER B-4820</p>	
<p align="right">Figure 1</p>	



LEGEND

-  HISTORIC DISTRICT
-  CRATER PARK
-  HANDICAP ACCESSIBLE PATH




 NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 PROJECT DEVELOPMENT AND
 ENVIRONMENTAL ANALYSIS BRANCH
SURRYADKIN COUNTIES
BRIDGE NO. 338 ON
SR 1190/1402 (GWYN AVE.)
OVER THE YADKIN RIVER
P-4870

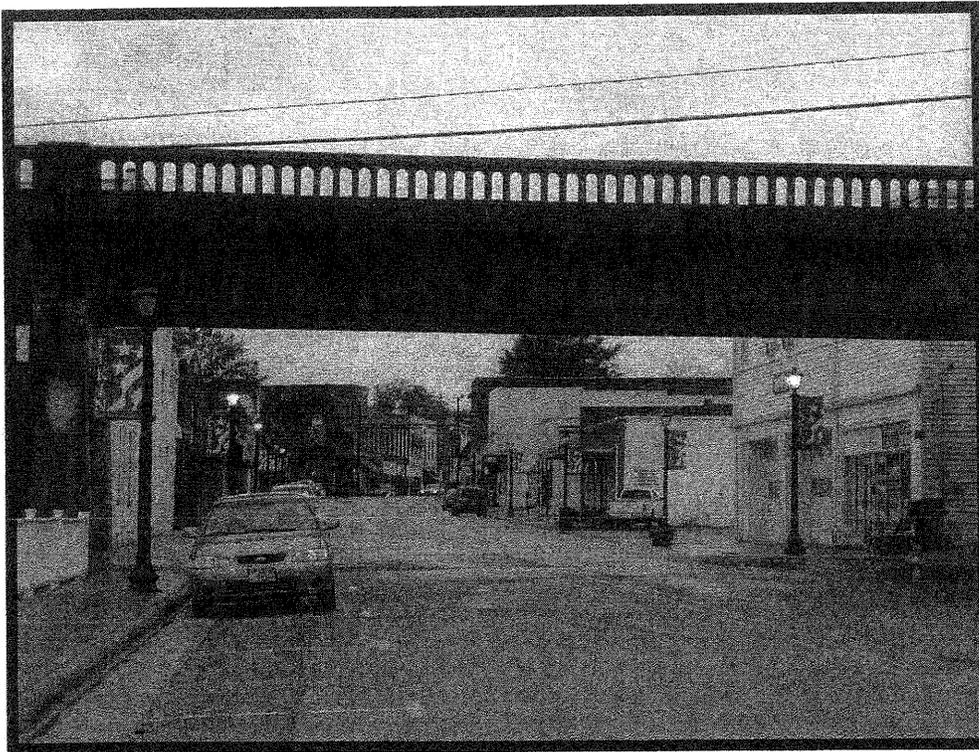
FIGURE 2



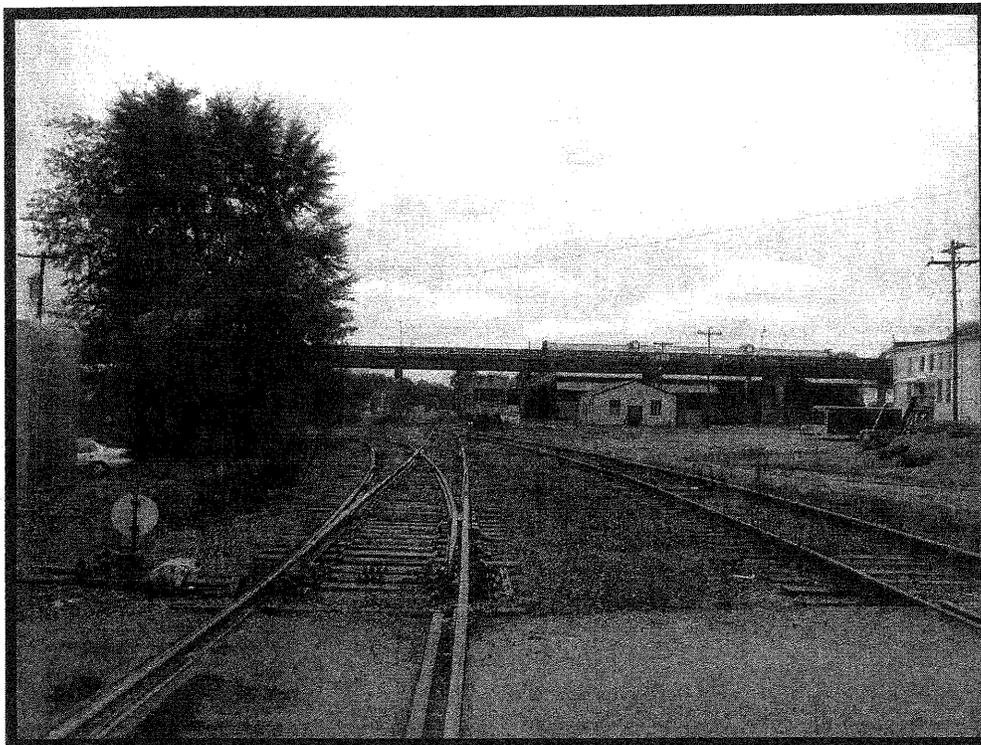
West side of steel truss bridge section



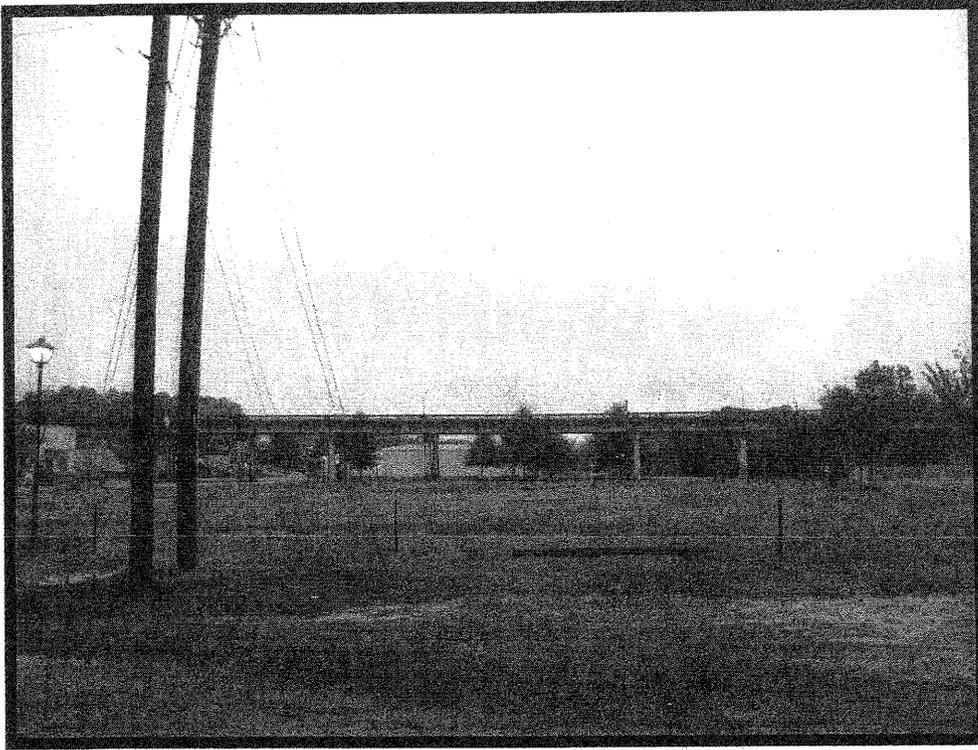
Looking south across bridge at E. Market Street and SR 1190 intersection



Looking west as Bridge No. 338 crosses over Main Street.



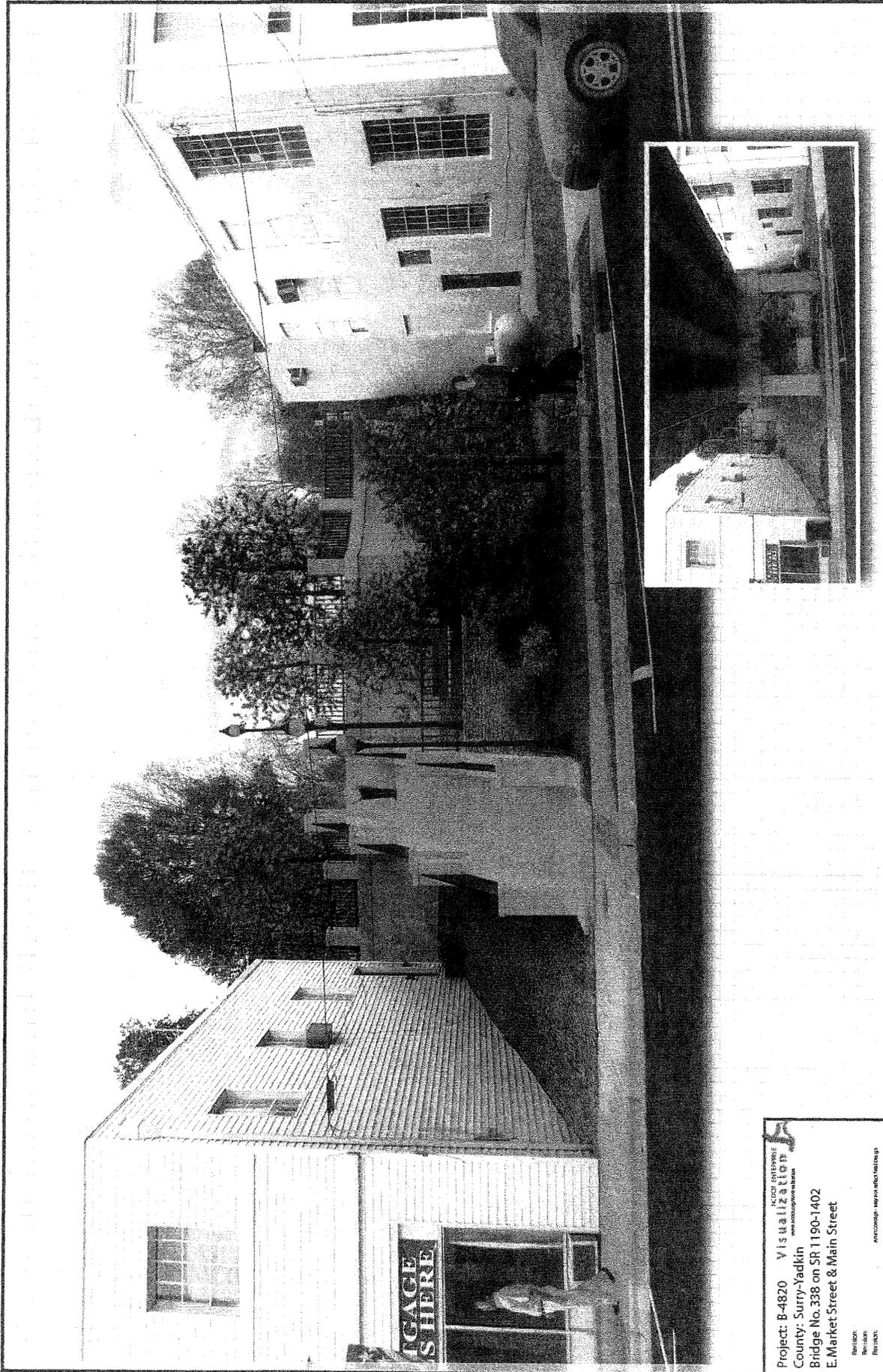
Looking at east side of bridge as it crosses over Yadkin Valley Railroad.



Looking at East Side of Bridge



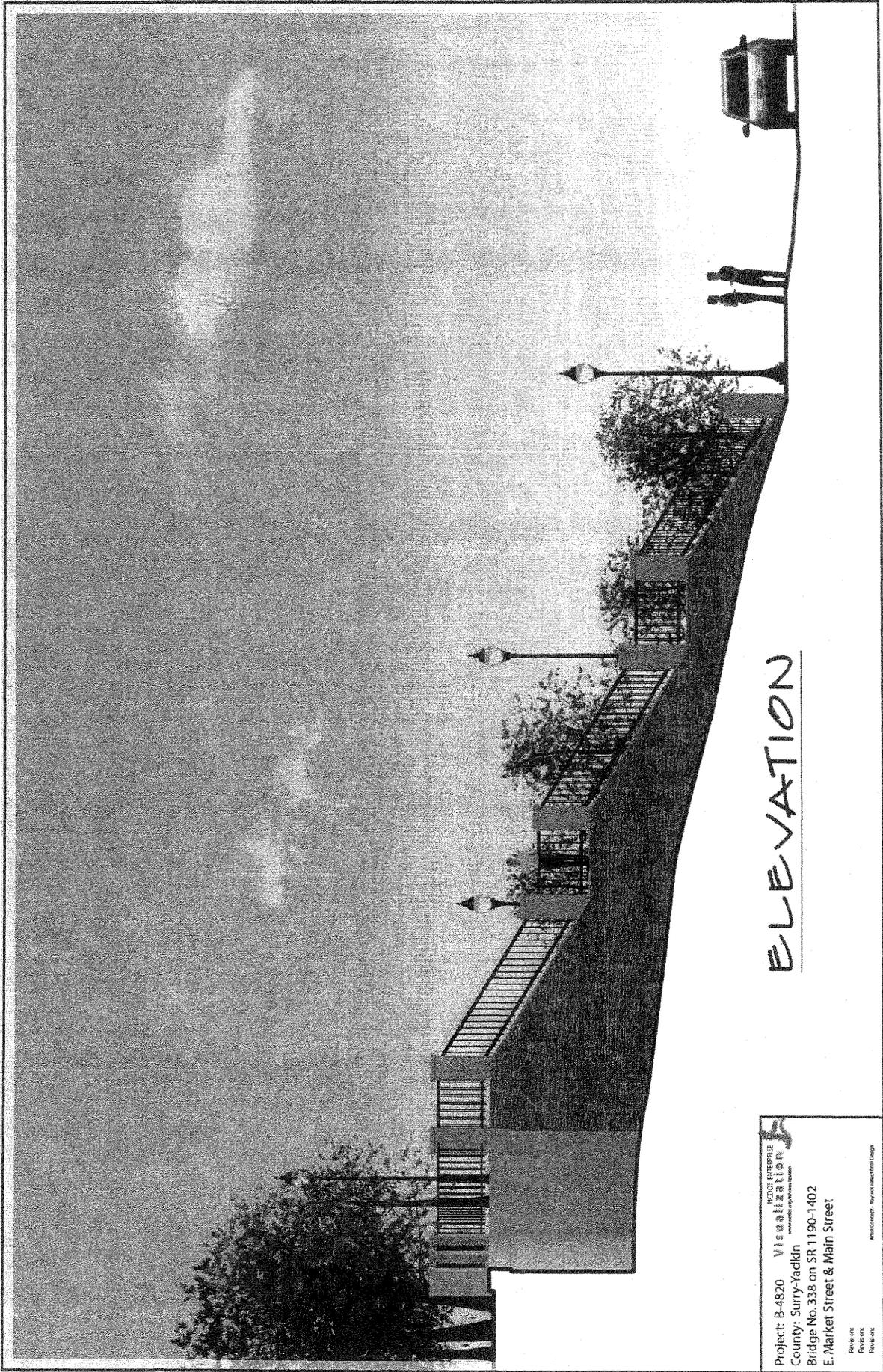
Looking at South end of Bridge No. 338 in Jonesville



NEEDY ENTERPRISE
Visualize & Build
and development
 Project: B-4820 Visualize & Build
 County: Surry-Yadkin
 Bridge No. 338 on SR 1190-1402
 E. Market Street & Main Street
 Raleigh, North Carolina
 27601

FIGURE 4A

B-4820



ELEVATION

PROJECT: B-4820 VISUALIZATION
 COUNTY: Surry-Yadkin
 BRIDGE NO. 338 ON SR 1190-1402
 E. Market Street & Main Street
 Revision: _____
 Revisions: _____
 Revision: _____
 Revision: _____
 Artist: Concept - My Architectural Design

FIGURE 4B

B-4820

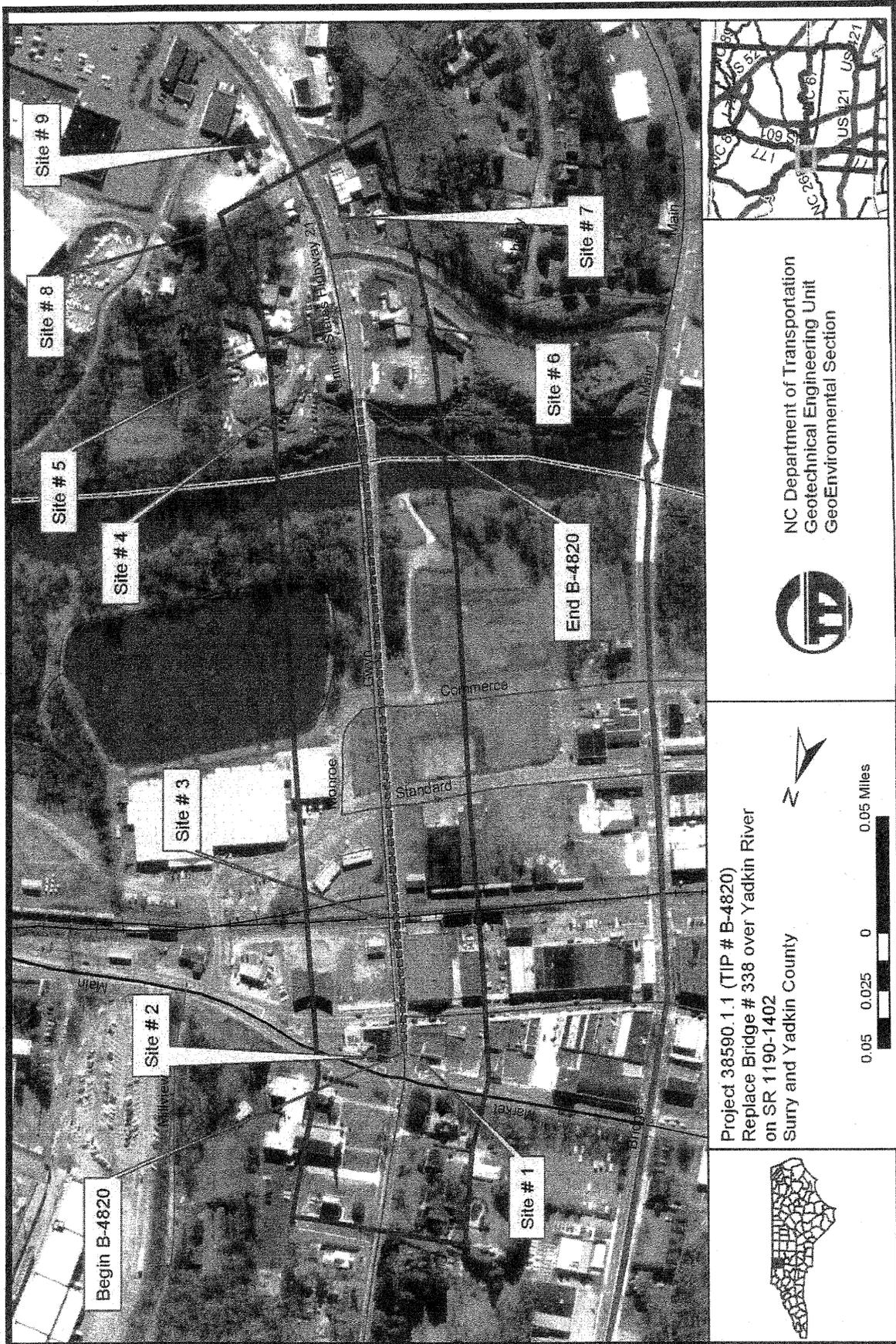


FIGURE 5 - Location of USTs, Landfills, & Other Potentially Contaminated Sites

**MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,
AND
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
FOR
THE REMOVAL OF BRIDGE NO. 338 OVER THE YADKIN RIVER
ON SR 1190/1402 (GWYN AVENUE) IN ELKIN
YADKIN AND SURRY COUNTIES, NORTH CAROLINA
TIP PROJECT No. B-4820
FEDERAL AID PROJECT No. BRZ – 1190(2)**

WHEREAS, the Federal Highway Administration (FHWA) has determined that the replacement of Bridge No. 338 on SR 1190/1402 (Gwyn Avenue) over the Yadkin River in Yadkin and Surry Counties, North Carolina (the Undertaking) will have an effect upon the Downtown Elkin Historic District, a district listed in the National Register of Historic Places (NRHP), of which Bridge No. 338 is a contributing resource; and

WHEREAS, the FHWA 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, FHWA has notified the Advisory Council on Historic Preservation (Council) of the adverse effect and it has declined to comment or participate in the consultation; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) has participated in the consultation and has been invited by FHWA and the North Carolina SHPO to be a signatory to this Memorandum of Agreement (MOA); and

WHEREAS, the City of Elkin has participated in the consultation and has been invited to concur with this MOA,

NOW, THEREFORE, FHWA, NCDOT, and the North Carolina SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on the historic properties.

STIPULATIONS

The FHWA and NCDOT will ensure that the following measures are carried out:

I. Photorecordation

Prior to the initiation of construction, NCDOT will record the existing condition of Bridge No. 338 and its surroundings within the Downtown Elkin Historic District 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, NCDOT Historic Architecture Section, and the Elkin Public Library.

II. Construction of a Stairway, Terrace, and Landscaping

A stairway, terrace, and landscaping will be constructed between East Market Street and Main Street after the removal of Bridge No. 338. The final design will be agreed upon by NCDOT, SHPO, and the Town of Elkin. The stairway will incorporate the following elements:

1. NCDOT will retain ownership of the right-of-way in the location of the stairway.
2. The Town of Elkin will be responsible for all future maintenance of the stairway, terrace, landscaping, and lighting.
3. The historic cobblestones located west of the existing bridge between Main Street and East Market Street will be preserved in place.
4. The existing gabion walls will be covered with a finish that matches that of the proposed terrace wall.
5. The Town of Elkin will purchase lampposts, as well as a bench, for the terrace that match those existing in Downtown Elkin. NCDOT will install the lampposts and bench during construction of the stairway. NCDOT will reimburse the Town of Elkin for actual costs.
6. NCDOT will design and produce an interpretive panel presenting the historical and architectural significance of Bridge No. 338 and its relationship to the Downtown Elkin Historic District.
 - i. More specifically, NCDOT will research and design the interpretive panel, provide funding for fabrication of the panel, and install the panel on the terrace. The Town of Elkin will be responsible for maintaining the panel once it is in place.
 - ii. Prior to fabrication of the interpretive panel, NCDOT shall afford the SHPO and the Town of Elkin an opportunity to review and comment on the panel. If no comments are received within thirty (30) days of confirmed receipt, NCDOT may assume that the reviewing parties do not object to the proposed design. Should any of these parties have questions about or comments on such plans and specifications, NCDOT shall consult with that party and, if necessary, with all consulting parties to address questions and comments.
 - iii. The interpretive panel will be installed within three (3) years of the execution of the let date of TIP No. B-4820.

7. Construction of the stairway, terrace, and landscaping will be completed within two (2) years of the execution of the let date for TIP Project B-4820.

Should changes to the stairway, terrace, and landscaping design, as shown in Appendix B, become necessary, NCDOT will submit changes to SHPO and the Town of Elkin for their review and comment.

III. Unanticipated Discovery

In accordance with 36 CFR 800.11(a), if NCDOT identifies additional cultural resource(s) during construction and determine them to be eligible for the NRHP, all work will be halted within the limits of the NRHP-eligible resource(s) and the FHWA and SHPO contacted. If after consultation with the Signatory and Concurring Party(ies) additional mitigation is determined necessary, the NCDOT, in consultation with the Signatory and Concurring Party(ies), 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. Dispute Resolution

Should any of the Signatory or Concurring Party(ies) object within (30) days to any plans or documentation provided for review pursuant to this Agreement, the FHWA shall consult with the objecting party(ies) to resolve the objection. If the FHWA or objecting party(ies) determines that the objection cannot be resolved, the FHWA 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 FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute, or
2. Notify the FHWA 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 FHWA in accordance with 36 CFR Section 800.7 (c) (4) with reference to the subject of the dispute.

Any recommendation or comment provided by the Council will be understood to pertain only to the subject of the dispute; FHWA and NCDOT's responsibility to carry out all of the actions under this agreement that are not the subject of the dispute will remain unchanged.

V. Amendments

Should any of the Signatory or Concurring 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 IV will be followed.

VI. Termination

Any of the Signatory or Concurring Party(ies) may terminate the MOA by providing notice to the other party(ies), provided that the party(ies) 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 FHWA, in consultation with the other Signatory and Concurring Party(ies), determines that all of its terms have satisfactorily been fulfilled or if NCDOT is unable or decides not to construct the Undertaking.

Execution of this Memorandum of Agreement by FHWA, NCDOT, and the North Carolina SHPO, and implementation of its terms, evidence that FHWA has afforded the Council an opportunity to comment on the Undertaking, and that FHWA has taken into account the effects of the Undertaking on the historic properties.

AGREE:

Federal Highway Administration

John F. Sullivan, III, P.E.
Division Administrator

Date

State Historic Preservation Officer:

Jeffery J. Crow
North Carolina State Historic Preservation Officer

Date

North Carolina Department of Transportation:

Gregory J. Thorpe, Ph.D.
Manager
Project Development and Environmental Analysis Branch

Date

FILED:

By: _____
Advisory Council on Historic Preservation

_____ Date

**MEMORANDUM OF AGREEMENT
AMONG THE FEDERAL HIGHWAY ADMINISTRATION,
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,
AND
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
FOR
THE REMOVAL OF BRIDGE NO. 338 OVER THE YADKIN RIVER
ON SR 1190/1402 (GWYN AVENUE) IN ELKIN
YADKIN AND SURRY COUNTIES, NORTH CAROLINA
TIP PROJECT No. B-4820
FEDERAL AID PROJECT No. BRZ – 1190(2)**

Execution of this Memorandum of Agreement by FHWA, NCDOT, and the North Carolina SHPO, and implementation of its terms, evidence that FHWA has afforded the Council an opportunity to comment on the Undertaking, and that FHWA has taken into account the effects of the Undertaking on the historic properties.

CONCUR:

Lestine Hutchens
Mayor
Town of Elkin

Date

APPENDIX A

Historic Structures and Landscape Recordation Plan
For the Removal of Bridge No. 338 on SR 1190/1402 (Gwyn Avenue)
TIP No. B-4820
Federal Aid Project No. BRZ – 1190(2)
Yadkin and Surry Counties, North Carolina

Photographic Requirements

Photographic recordation of Bridge No. 338 and the Downtown Elkin Historic District

- Elevations and oblique views of Bridge No. 338 and representative structural and ornamental details.
- Overall and selected photographic views of the project area showing the relationship between Bridge No. 338 and the Downtown Elkin Historic District.

Photographic Format

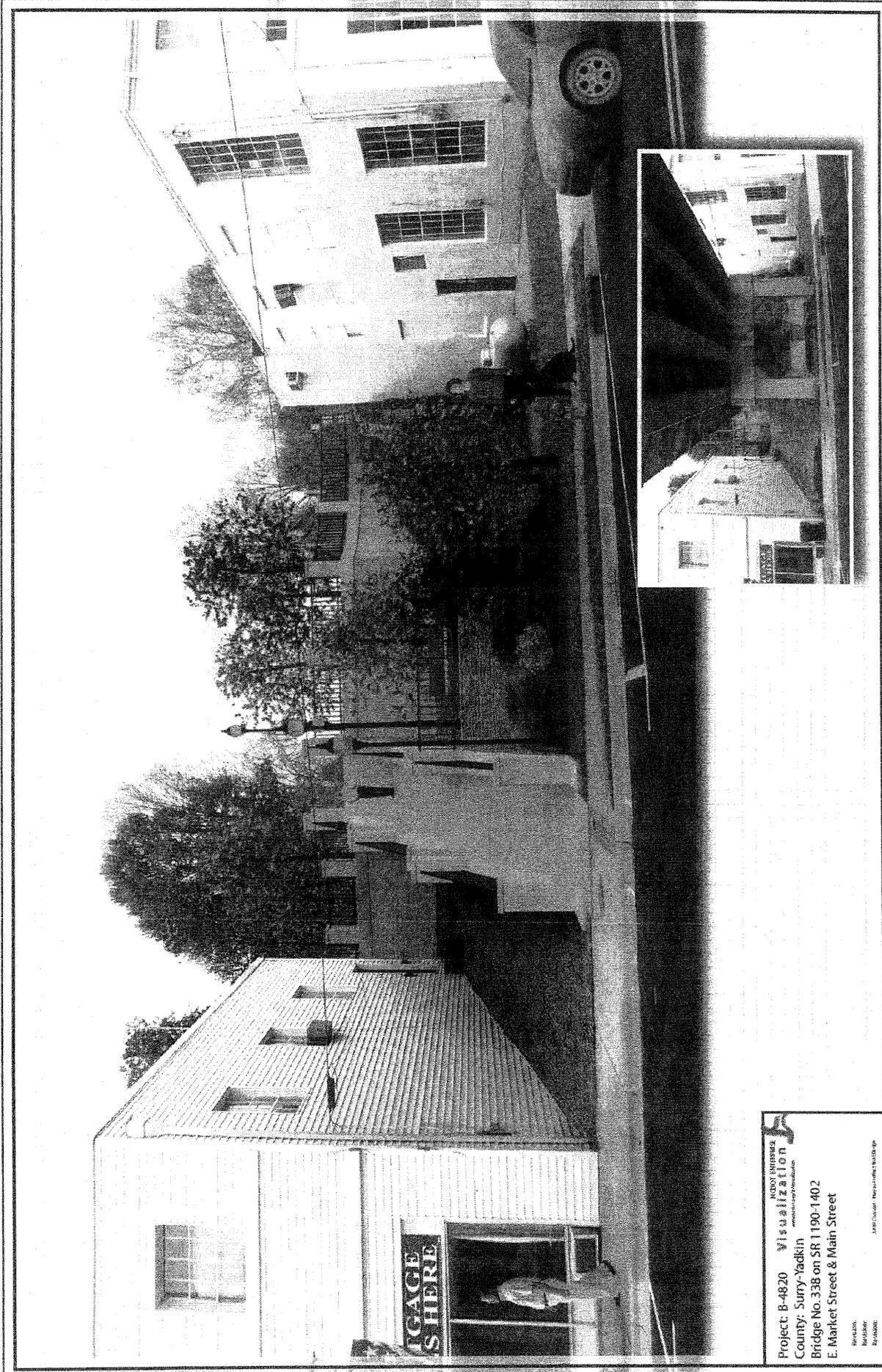
- Color digital images (all views). Images are to be shot on a SLR digital camera with a minimum resolution of 6 megabyte pixels, at a high quality (preferably RAW) setting, to be saved in TIF format as the archival masters.
- All processing to be done to archival standards.
- The accompanying printed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

Copies and Curation

- One (1) set of all above mentioned photographic documentation will be deposited with the North Carolina Division 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.
- One (1) contact sheet shall be deposited in the files of the Elkin Public Library.

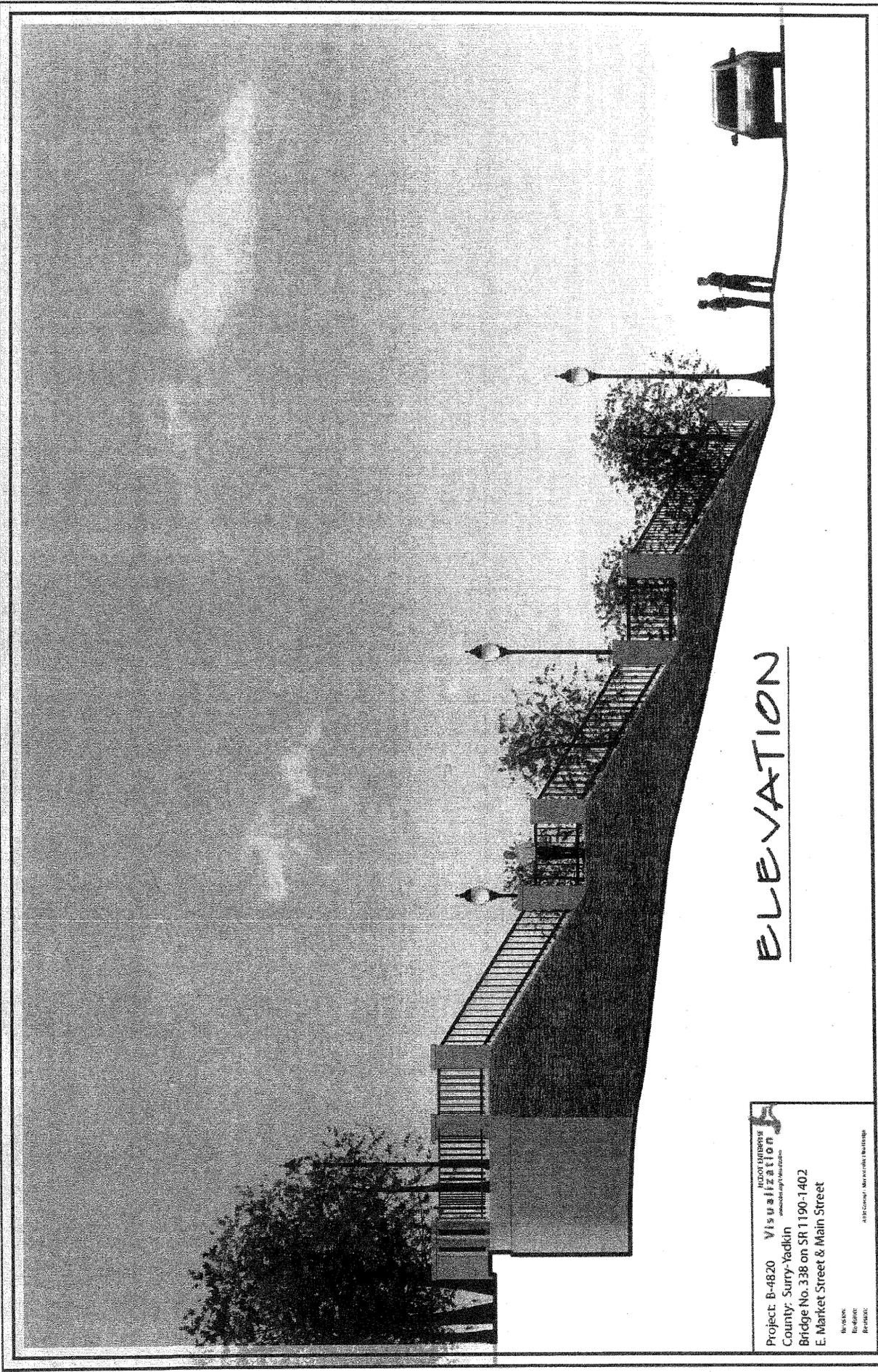
APPENDIX B

Elevation and Plan View
Proposed Stairway, Terrace, and Landscaping
For the Removal of Bridge No. 338 on SR 1190/1402 (Gwyn Avenue)
TIP No. B-4820
Federal Aid Project No. BRZ – 1190(2)
Yadkin and Surry Counties, North Carolina
Dated 1/26/2009



PROJECT B-4820 VISUALIZATION
COUNTY: SURRY-YADKIN
BRIDGE NO. 338 ON SR 1190-1402
E. MARKET STREET & MAIN STREET

PROJECT: B-4820 VISUALIZATION
COUNTY: SURRY-YADKIN
BRIDGE NO. 338 ON SR 1190-1402
E. MARKET STREET & MAIN STREET



ELEVATION

Project: B-4820
County: Surry-Yadkin
Bridge No. 338 on SR 1190-1402
E. Market Street & Main Street

VISION
Visualization
ARCHITECTURE & ENGINEERING

VISION
ARCHITECTURE & ENGINEERING

Federal Aid # BRZ-1190(2)

TIP # B-4820

County: Surry/Yadkin

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: **Remove Bridge No. 338 on SR 1190/SR 1402 over Yadkin River in Elkin**

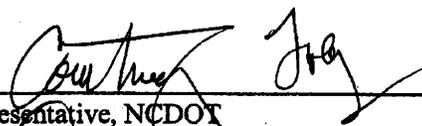
On **28 January 2008** representatives of

- North Carolina Department of Transportation (NCDOT)
- Federal Highway Administration (FHWA)
- North Carolina State Historic Preservation Office (HPO)
- Other

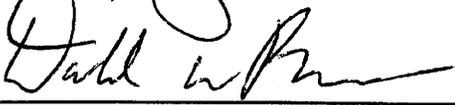
Reviewed the subject project and agreed

- There are no effects on the National Register-listed property/properties located within the project's area of potential effect and listed on the reverse.
- There are no effects on the National Register-eligible property/properties located within the project's area of potential effect and listed on the reverse.
- There is an effect on the National Register-listed property/properties located within the project's area of potential effect. The property/properties and the effect(s) are listed on the reverse.
- There is an effect on the National Register-eligible property/properties located within the project's area of potential effect. The property/properties and effect(s) are listed on the reverse.

Signed:

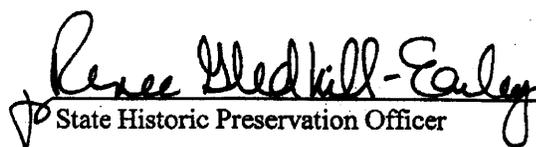


Representative, NCDOT 28 JANUARY 2008
Date



FHWA, for the Division Administrator, or other Federal Agency 1-28-08
Date

Representative, HPO Date



State Historic Preservation Officer 1-28-08
Date

Federal Aid # BRZ-1190(2)

TIP # B-4820

County: Surry/Yadkin

Properties within the area of potential effect for which there is no effect. Indicate if property is National Register-listed (NR) or determined eligible (DE).

Properties within the area of potential effect for which there is an effect. Indicate property status (NR or DE) and describe the effect.

BRIDGE NO 338 (NR) - ADVERSE EFFECT

ELKIN HISTORIC DISTRICT (NR) - ADVERSE EFFECT

Reason(s) why the effect is not adverse (if applicable).

Initialed:

NCDOT CA

FHWA DB

HPO Pye



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

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

November 29, 2007

MEMORANDUM

TO: William T. Goodwin
Bridge Project Development Unit
Project Development and Environmental Analysis Branch, NCDOT

FROM: Peter Sandbeck *PS for Peter Sandbeck*

RE: Bridge #338 on SR 1420 & SR 1190 over Yadkin River, Elkin/Jonesville, B-4820,
Surry & Yadkin Counties, ER07-2211

Thank you for your letter of October 8, 2007, concerning the proposed undertaking referenced above.

The bridge in question is likely to be historic and the area surrounding it may contain a historic district.

We recommend that a Department of Transportation architectural historian identify and evaluate any structures over fifty years of age within the project area, and report the findings to us.

There are no known archaeological sites within the proposed project area. Based on our knowledge of the area, it is unlikely that any archaeological resources that may be eligible for inclusion in the National Register of Historic Places will be affected by the project. We, therefore, recommend that no archaeological investigation be conducted in connection with this project.

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

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763. In all future communication concerning this project, please cite the above referenced tracking number.

cc: Mary Pope Furr, NCDOT
Matt Wilkerson, NCDOT



U.S. Department
of Transportation
**Federal Highway
Administration**

North Carolina Division

December 12, 2008

310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

Mr. Don Klima, Director
Office of Federal Agency Programs (OFAP)
Advisory Council on Historic Preservation
The Old Post Office Building
1100 Pennsylvania Ave., N.W. # 809
Washington, D.C. 20004

In Reply Refer To:
HDA-NC

Dear Mr. Klima:

This letter serves as notification of an Adverse Effect Determination pursuant to 36 CFR 800.6(a)(1) on the Downtown Elkin Historic District, a property listed in the National Register of Historic Places, in Elkin, North Carolina (Yadkin and Surry Counties). The project is described as "Removal of Bridge No. 338 (Hugh Chatham Bridge) Over the Yadkin River on SR 1190/1402 (Gwyn Avenue)" (TIP # B-4820).

This project is subject to compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, and the Advisory Council on Historic Preservation (ACHP) regulations for compliance (36 CFR 800). The Federal Highway Administration (FHWA) is the federal agency official for this project. This notification does not offer a formal invitation to the Council for your participation in the consultation process because none of the circumstances specified in 36 CFR 800.6(a)(1)(I)(A-C) exist for this project.

The effect on the Downtown Elkin Historic District is adverse due to the removal of Bridge No. 338, which is a contributing resource within the District. The North Carolina State Historic Preservation Officer has concurred in the determination of effects.

The following information is attached with this letter:

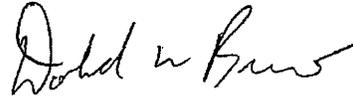
- A description of the undertaking
- A description of the steps to identify historic properties
- Location maps
- Photos of historic properties
- A description of the affected historic properties
- Concurrence form for Assessment of Effects
- A description of proposed mitigation measures
- Public comment

MOVING THE
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Should you have any questions, please contact Donnie Brew at 919.747.7017 or donnie.brew@fhwa.dot.gov. Should you wish to reply electronically, please send your correspondence to NorthCarolina.FHWA@fhwa.dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Donnie Brew". The signature is fluid and cursive, with a large initial "D" and a long horizontal stroke at the end.

For John F. Sullivan, III, P.E.
Division Administrator

Attachments

cc: Mary Pope Furr, NCDOT-HEU
Pam Williams, NCDOT-Bridge

Town of Elkin

TOWN MANAGER
Lloyd Wm. Payne, Jr.

TOWN ATTORNEY
Raymond A. Parker



MAYOR
Lestine H. Hutchens

COMMISSIONERS
J. L. Lowe, Jr.
Gambill Aldridge
Gill Ripley
Harold Lee Wagoner
Joe Walker

April 14, 2008

Ms. Pamela Williams
Project Development Engineer
Bridge Unit
North Carolina Department of Transportation
1551 Mail Service Center
Raleigh, NC 27699-1551

Re: B-4820 Elkin Bridge Removal

Dear Ms. Williams:

On behalf of the Elkin Town Board of Commissioners, I would like to express my appreciation for your visit to Elkin on Thursday, April 10th to discuss the removal of the Hugh Chatham Bridge. The Board has reviewed the proposed plan and accepts the proposed stairs and landscape as mitigation for the adverse effect to the historic district of removing the bridge, and we furthermore agree to the maintenance of the enhancement once complete.

The Board understands the land will still belong to the NC Department of Transportation and a subsequent Memorandum of Agreement will be composed furthering clarifying the relationship of both parties to this effect. The Town of Elkin will purchase the lighting as denoted on the proposed plan for continuity with our existing lighting in Downtown Elkin and will be reimbursed by NC DOT for the actual costs. In addition, the Town has spent a great deal of money on our benches in the downtown area and would like to utilize the same type and style of benches as is currently present. This could be accomplished in much the same manner as the lighting through a Town purchase and NC DOT reimbursement.

Crater Park, located at the river, is owned and operated as a municipal park by the Town of Elkin. The Town of Elkin considers the removal of the bridge no effect to the Park and its functionality. We accept the proposed temporary roadway during the demolition of the bridge as mitigation that is proposed from Standard Street to the canoe launch access road.

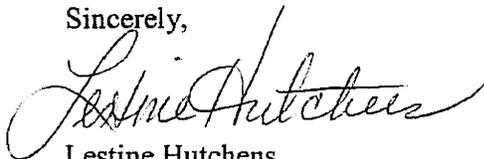
In reviewing the plan, several items were noted by the Town Board and staff, thus a response is requested on the following items:

1. The existing gabon is unsightly and will not complement the proposed work plan. We would like to see additional work in this area with possibly a more permanent structure that shows the continuity of the proposed stairs and supports.
2. There is an active skateboarding community in Elkin. The railings and banisters, as proposed, present a "welcoming" venue for skateboarders to potential deface, scar, and turn into an unsightly area. We request consideration in the final design of the railings/banisters to discourage or complicate this activity from occurring.
3. Due to the historic nature of the bridge and the surrounding historic district, we would like to see as much of the existing bridge concrete railing to be utilized in the proposed plan as is possible.
4. As a reminder of the existing bridge, we would like to see a plaque at the top and bottom of the stairs briefly describing its history and years in operation.
5. The Town of Elkin would like to sit down with NC DOT staff to review the final project plan prior to it going out to bid. As the responsible party following the completion of the project, we would like to feel comfortable with the plan we will be maintaining in the future. Furthermore, it would be helpful if NC DOT staff, at this meeting, could present a proposed schedule along with proposed costs to the Town for the maintenance of this area for our future budgetary considerations.
6. We understand trees will need to be removed in and around Crater Park for the demolition project and request for NC DOT to replace these trees following the completion of the project.

Again, the Town of Elkin is appreciative to NC DOT for our inclusion in this project. We feel the project is a wonderful approach to beautify our downtown area and look forward to working with your office on this development.

Feel free to contact me if I can be of further assistance to you.

Sincerely,



Lestine Hutchens
Mayor
Town of Elkin

Cc: Elkin Board of Commissioners
Lloyd Wm. Payne, Jr., Town Manager
Teresa Howell, Main Street Manager



TOWN OF JONESVILLE

136 West Main Street Jonesville, NC 28642
Phone (336) 835-3426 Fax (336) 835-3231



Pamela R. Williams
Bridge Project Planning Engineer
Department of Transportation
1551 Mail Service Center
Raleigh, 27699-1551

Dear Ms. Williams,

I would like to ask that DOT consider as part of the demolition of the Hugh Chatham Bridge that a pedestrian bridge be constructed to link the greenways of both Towns. We understand that a new bridge is being studied and we are years from any replacement. This bridge served as a vital link between the Two Towns and we need something to replace the current pedestrian link. I feel that DOT should give priority to our communities for local enhancement funds as part of this demolition. This is in reference to TIP No. B-4820. Thank you for any consideration we can receive concerning this matter.

Sincerely,

Ron Niland
Town Manager
Jonesville