



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

April 14, 2022

U. S. Army Corps of Engineers
Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

ATTN: Ms. Lori Beckwith
NCDOT Coordinator

Subject: **Application for Section 404 Regional General Permit 50, and 401 Water Quality Certification** for the proposed Replacement of Bridge Nos. 370 (EBL) and 373(WBL) over Reems Creek on US 19/23/25/70 in Buncombe County, North Carolina, Division 13, TIP No. B-4442. Debit \$570 from WBS Element No. 38368.1.2

Dear Ms. Beckwith:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridges 370 and 373 over Reems Creek on US 19/23/25/70 in Buncombe County with two 290', 2-span bridges (1@155, and 1@135) using 72" Florida I-Beam Bridges. The proposed bridge will be placed east of the existing bridge alignment, keeping the existing bridge during construction as an onsite detour.

This action will result in 446 lf of permanent impacts to streams from roadway fill, toe protection and a pipe extension; 0.07 acre of permanent impacts to wetlands from roadway fill and 0.03 ac of temporary construction impacts to streams from dewatering. Mitigation will be procured from the NC Division of Mitigation Services for wetland impacts and RES French Broad 05 Umbrella mitigation bank for stream impacts.


Please see enclosed copies of the Pre-Construction Notification (PCN), Stormwater Management Plan, and Permit Drawings. A Categorical Exclusion (CE) was completed in October 2021 and is included in this submittal.

This project calls for a letting date of September 20, 2022, and a review date of August 2, 2022.

A copy of this permit application and its distribution list will be posted on the NCDOT Website at: <https://xfer.services.ncdot.gov/pdea/PermApps/>. If you have any questions or need additional information, please contact Jeff Hemphill at (919) 219-8581.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. H.", with a stylized flourish at the end.

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

cc:
NCDOT Permit Application Standard Distribution List



Pre-Construction Notification (PCN) Form

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

April 13, 2022 Ver 4.3

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

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

Below is a link to the online help file.

<https://edocs.deq.nc.gov/WaterResources/0/edoc/624704/PCN%20Help%20File%202018-1-30.pdf>

A. Processing Information

Pre-Filing Meeting Date Request was submitted on: *

4/14/2022

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

Buncombe

Is this a NCDMS Project? *

☐ Yes ☒ No

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

Is this project a public transportation project? *

☒ Yes ☐ No

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

Is this a NCDOT Project? *

☒ Yes ☐ No

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

B-4442

WBS # *

38368.1.2

(for NCDOT use only)

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

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

Has this PCN previously been submitted? *

☐ Yes
☒ No

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

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

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

☐ Yes ☒ No

Regional General Permit (RGP) Number:

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

RGP Numbers (for multiple RGPs):

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

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

check all that apply

- | | |
|---|--|
| <input checked="" type="checkbox"/> 401 Water Quality Certification - Regular | <input type="checkbox"/> 401 Water Quality Certification - Express |
| <input type="checkbox"/> Non-404 Jurisdictional General Permit | <input type="checkbox"/> Riparian Buffer Authorization |
| <input type="checkbox"/> Individual 401 Water Quality Certification | |

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

*

For the record only for DWR 401 Certification:

☐ Yes ☒ No

For the record only for Corps Permit:

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

☒ Yes ☐ No

Acceptance Letter Attachment

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

B-4442 DMS Acceptance Letter.pdf	229.84KB
B-4442 Stream Mitigation - Bank - Dead Oak.pdf	85.6KB
FILE TYPE MUST BE PDF	

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

☐ Yes ☒ No

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

☐ Yes ☒ No

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

B. Applicant Information



1a. Who is the Primary Contact? *

NCDOT

1b. Primary Contact Email: *

jhemphill@ncdot.gov

1c. Primary Contact Phone: *

(xxx)xxx-xxxx

(919)707-6126

1d. Who is applying for the permit? *

☐ Owner
(Check all that apply)

☒ Applicant (other than owner)

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

☐ Yes ☒ No

2. Owner Information

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

n/a

2b. Deed book and page no.:

2c. Contact Person:

(for Corporations)

2d. Address *

Street Address

1598 Mail Service Center

Address Line 2

City

Raleigh

Postal / Zip Code

27606

State / Province / Region

NC

Country

US

2e. Telephone Number: *

(xxx)xxx-xxxx

(919)707-6126

2f. Fax Number:

(xxx)xxx-xxxx

2g. Email Address: *

pharris@ncdot.gov

3. Applicant Information (if different from owner)

3a. Name: *

NCDOT

3b. Business Name:

(if applicable)

3c. Address *

Street Address

1598 Mail Service Center

Address Line 2

City

Raleigh

Postal / Zip Code

27699

State / Province / Region

NC

Country

US

3d. Telephone Number: *

(919)707-6126

(xxx)xxx-xxxx

3e. Fax Number:

(xxx)xxx-xxxx

3f. Email Address: *

jhemphill@ncdot.gov

C. Project Information and Prior Project History

1. Project Information

1a. Name of project: *

Replacement of Bridge nos 370 and 373 over Reems Creek on US 19/23/25/70.

1b. Subdivision name:

(if appropriate)

1c. Nearest municipality / town: *

Weaverville

2. Project Identification

2a. Property Identification Number:

(tax PIN or parcel ID)

2b. Property size:

(in acres)

2c. Project Address

Street Address

Address Line 2

City

Postal / Zip Code

State / Province / Region

Country

2d. Site coordinates in decimal degrees

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

Latitude: *

35.68954

ex: 34.208504

Longitude: *

-82.58149

-77.796371

3. Surface Waters

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

Reems Creek

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

C

[Surface Water Lookup](#)

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

French Broad

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

060101050903

[River Basin Lookup](#)

4. Project Description and History

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

The existing parallel bridges 370 and 373 consist of 4-spans over Reems Creek and Quarry Road. Land use is residential and commercial property mixed with undeveloped land.

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

☐ Yes ☒ No ☐ Unknown

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

0.21

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

(intermittent and perennial)

3,485

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

The purpose of the proposed project is to replace both structurally deficient and/or functionally obsolete bridges.

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

The existing 4-span bridges will be replaced with two, 2-span bridges. The proposed bridges will not contain deck drains. Roadway drainage on the north and south side of the bridges will be collected by catch basins along concrete medians and shoulders, discharging at the bottom of the roadway fill slope. The bridges will be replaced on-site by reducing lanes and shifting traffic from one bridge to the other during construction; therefore, a detour is not planned. Standard road and bridge building equipment will be used, such as trucks, dozers, and cranes.

5. Jurisdictional Determinations

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

☒ Yes ☐ No ☐ Unknown

Comments:

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

☒ Preliminary ☐ Approved ☐ Not Verified ☐ Unknown ☐ N/A

Corps AID Number:

Example: SAW-2017-99999

SAW-2013-01886

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

Name (if known): Ron Johnson

Agency/Consultant Company: AECOM

Other:

5d. List the dates of the Corp jurisdiction determination or State determination if a determination was made by the Corps or DWR.

The project was verified as part of the A-0010 project (which the B-4442 bridges were originally part of) on October 8, 2015 with Lori Beckwith (USACE) and Kevin Barnett (NCDWR). Updated fieldwork and an updated PJD form for A-0010 (including B-4442 study area) was submitted to the Corps in April 2020. This was at the beginning of the pandemic and no reverification meeting or discussion has been held to my knowledge.

6. Future Project Plans

6a. Is this a phased project? *

☐ Yes ☒ No

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

D. Proposed Impacts Inventory

1. Impacts Summary

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

☒ Wetlands ☒ Streams-tributaries ☐ Buffers
☐ Open Waters ☐ Pond Construction

2. Wetland Impacts

If there are wetland impacts proposed on the site, then complete this question for each wetland area impacted.

"W." will be used in the table below to represent the word "wetland".

2a. Site # * (?)	2a1 Reason * (?)	2b. Impact type * (?)	2c. Type of W. *	2d. W. name *	2e. Forested *	2f. Type of Jurisdiction * (?)	2g. Impact area *
Site 2	Fill	P	Headwater Forest	WH	Yes	Both	0.020 (acres)

Site 2	Mech Clearing	P	Headwater Forest	WH	Yes	Both	0.050 (acres)
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2g. Total Temporary Wetland Impact

0.000

2g. Total Permanent Wetland Impact

0.070

2g. Total Wetland Impact

0.070

2i. Comments:

3. Stream Impacts

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

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

	3a. Reason for impact [*] (?)	3b.Impact type [*]	3c. Type of impact [*]	3d. S. name [*]	3e. Stream Type [*] (?)	3f. Type of Jurisdiction [*]	3g. S. width [*]	3h. Impact length [*]
S1	Site 1: Outfall Protection	Permanent	Rip Rap Fill	SHH UT to Reems Creek	Perennial	Both	3 Average (feet)	9 (linear feet)
S2	Site 1: Temporary	Temporary	Dewatering	SHH UT to Reems Creek	Perennial	Both	3 Average (feet)	24 (linear feet)
S3	Site 2: Roadway Fill	Permanent	Fill	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	69 (linear feet)
S4	Site 2: Temporary	Temporary	Dewatering	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	92 (linear feet)
S5	Site 2: Stream route	Permanent	Culvert	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	307 (linear feet)
S6	Site 2: Temporary	Temporary	Dewatering	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	45 (linear feet)
S7	Site 3: Toe Protection	Permanent	Stabilization	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	51 (linear feet)
S8	Site 3: Temporary	Temporary	Dewatering	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	89 (linear feet)
S9	Site 2: Bank Stabilization	Permanent	Bank Stabilization	SFF UT to Reems Creek	Perennial	Both	3 Average (feet)	10 (linear feet)

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

3i. Total jurisdictional ditch impact in square feet:

0

3i. Total permanent stream impacts:

446

3i. Total temporary stream impacts:

250

3i. Total stream and ditch impacts:

696

3j. Comments:

E. Impact Justification and Mitigation

1. Avoidance and Minimization

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

The proposed bridges will not contain deck drains. Roadway drainage on the north and south side of the bridge are collected by catch basins along concrete medians and shoulders, out-letting at the bottom of the roadway fill slope. Velocities are dissipated by riprap aprons.

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

Best management practices will be adhered to.

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

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

☒ Yes ☐ No

2c. If yes, mitigation is required by (check all that apply):

☒ DWR ☒ Corps

2d. If yes, which mitigation option(s) will be used for this project?

☒ Mitigation bank ☒ Payment to in-lieu fee program ☐ Permittee Responsible Mitigation

3. Complete if Using a Mitigation Bank

3a. Name of Mitigation Bank:

3b. Credits Purchased/Requested (attach receipt and letter)

Type:	Quantity:
Stream	872

3c. Comments

4. Complete if Making a Payment to In-lieu Fee Program

4a. Approval letter from in-lieu fee program is attached.

☒ Yes ☐ No

4b. Stream mitigation requested:

(linear feet)

436

4c. If using stream mitigation, what is the stream temperature:

cold

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

4d. Buffer mitigation requested (DWR only):

(square feet)

4e. Riparian wetland mitigation requested:

(acres)

0.07

4f. Non-riparian wetland mitigation requested:

(acres)

4g. Coastal (tidal) wetland mitigation requested:

(acres)

4h. Comments

Mitigation for the streams will be provided by NCDOT Mitigation (attached)
Mitigation for wetlands will be provided by NCDMS (attached)

6. Buffer mitigation (State Regulated Riparian Buffer Rules) - required by DWR

6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation? If yes, you must fill out this entire form - please contact DWR for more information.

☐ Yes ☒ No

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

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

1. Diffuse Flow Plan

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

☐ Yes ☒ No

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

If no, explain why:

2. Stormwater Management Plan

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

☒ Yes ☐ No

Comments:

G. Supplementary Information

1. Environmental Documentation

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No

2. Violations (DWR Requirement)

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

☐ Yes ☒ No

3. Cumulative Impacts (DWR Requirement)

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

☐ Yes ☒ No

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

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

4. Sewage Disposal (DWR Requirement)

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

☐ Yes ☒ No ☐ N/A

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

Asheville

5d. Is another Federal agency involved? *

☐ Yes ☒ No ☐ Unknown

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Link to the NLEB SLOPES document: http://saw-reg.usace.army.mil/NLEB/1-30-17-signed_NLEB-SLOPES&apps.pdf

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

☐ Yes ☒ No ☐ Unknown

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

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

☐ Yes ☒ No

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

☒ Yes ☐ No

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

IPAC and Informal Concurrence Letter from USFWS dated March 14, 2022: "Based upon a review of our records and the information provided, we agree with the "no effect" determinations for mountain sweet pitcher plant (*Sarracenia rubra* ssp. *jonesii*), Virginia spiraea (*Spiraea virginiana*), and rock gnome lichen (*Gymnoderma lineare*).

Suitable foraging, commuting, and roosting habitat for the gray bat (*Myotis grisescens*) is present within the action area; however, roost surveys conducted on the project bridges on June 9, 2021 and previously in 2019 did not detect bats or signs of bat use. Based on this and the commitment to the conservation measures described above, we concur with the determination that the project may affect, but is not likely to adversely affect gray bat.

Based on the information provided, suitable habitat is present for Appalachian elktoe (*Alasmidonta raveneliana*) in Reems Creek within the project area. An aquatic survey for freshwater mussels was conducted on August 25, 2021 and no Appalachian elktoe were detected. Based on this and the commitment to the conservation measures described above, we concur with the determination that the project may affect, but is not likely to adversely affect Appalachian elktoe.

Based on the information provided, the project is consistent with the final section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016 for northern long-eared bat (*Myotis septentrionalis*, NLEB). This rule exempts take of this species for any tree cutting activity that occurs more than 0.25 mile from a known hibernation site or more than 150 feet from a known maternity roost during the pup rearing season (June 1 - July 31). Because this project meets the "exempt" criteria, any take associated with the project has already been addressed in the Biological Opinion for the 4(d) rule, and no further action under section 7 of the Act is required for this species at this time."

Temporary lighting plants will be used during traffic shifts which will occur at night to reduce impacts to the motoring public, and for the safety of workers when traffic volumes are lower. Lighting will be limited to the current highway, primarily at the traffic shift, and will only be used when needed for these limited operations. All construction related lighting will be indirect in nature and will not project into adjacent forested areas or the water surface of Reems Creek. Construction-related lighting will be limited to only necessary lighting to maintain safety in active work areas.

6. Essential Fish Habitat (Corps Requirement)

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

☐ Yes ☒ No

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

Review of on-line mapping sources

7. Historic or Prehistoric Cultural Resources (Corps Requirement)

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

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

☐ Yes ☒ No

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

CE, State Historic Preservation Office Memo and Archaeology Memo and Tribal coordination Letters and responses.

8. Flood Zone Designation (Corps Requirement)

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

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

☒ Yes ☐ No

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

The project was determined by NCDOT to meet the requirements for a MOA Type 1.

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

FEMA floodmap.

Miscellaneous



Comments

Archaeology and Historic Architecture letters can be found in the attached CE.
Tribal coordination letters were sent to the Eastern Band of Cherokee Indians, Cherokee Nation, and United Keetoowah Band of Cherokee Indians on December 1, 2021. No responses were received.

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

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

B-4442 CE.pdf	6.78MB
B-4442 Final Permit Drawings.pdf	5.67MB
B-4442 Permit Application Cover Letter.pdf	246.14KB

File must be PDF or KMZ

Signature



*

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

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

Full Name: *

Michael Turchy

Signature *



Date

4/14/2022

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

MARC RECKTENWALD

Director



NORTH CAROLINA
Environmental Quality

March 30, 2022

Mr. Philip S. Harris, III, P.E.
Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699-1598

Dear Mr. Harris:

Subject: Mitigation Acceptance Letter:

B-4442, Replace Bridges 370 and 373 over Reems Creek on US 19/23 / US 25 / US 70,
Buncombe County

The purpose of this letter is to notify you that the Division of Mitigation Services (DMS) will provide the compensatory wetland mitigation for the subject project. Based on the information supplied by you on March 30, 2022, the impacts are located in CU 06010105 of the French Broad River basin in the Southern Mountains (SM) Eco-Region, and are as follows:

Stream and Wetlands	River Basin	CU Location	Eco-Region	Stream			Wetlands		
				Cold	Cool	Warm	Riparian	Non-Riparian	Coastal Marsh
Impacts	French Broad	06010105	SM	0	0	0	0.070	0	0

*Some of the wetland impacts may be proposed to be mitigated at a 1:1 mitigation ratio. See permit application for details.

The impacts and associated mitigation needs were under projected by the NCDOT in the 2022 impact data. NCDEQ-DMS will commit to implement sufficient compensatory mitigation credits to offset the impacts associated with this project as determined by the regulatory agencies using the delivery timeline listed in Section F.3.c.iii of the In-Lieu Fee Instrument dated July 28, 2010. If the above referenced impact amounts are revised, then this mitigation acceptance letter will no longer be valid and a new mitigation acceptance letter will be required from NCDEQ-DMS.

If you have any questions or need additional information, please contact Beth Harmon at 919-707-8420.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Harmon".

for James B. Stanfill
DMS Asset Management Supervisor

cc: Mr. Monte Matthews, USACE – Raleigh Regulatory Field Office
Ms. Amy Chapman, NCDWR
File: B-4442



North Carolina Department of Environmental Quality | Division of Mitigation Services
217 West Jones Street | 1652 Mail Service Center | Raleigh, North Carolina 27699-1652
919.707.8976

Dead Oak Mitigation Site

The Dead Oak Mitigation Site is part of the RES French Broad 05 Umbrella mitigation bank. The 41.58 acre project is located approximately one mile northwest of Alexander in Buncombe County, North Carolina.

NCDOT has acquired 1643.11 stream credits from the Dead Oak mitigation site to offset the impacts associated with future TIP's. NCDOT will be debiting the Dead Oak mitigation site for 872 linear feet, in order to offset the unavoidable impacts associated with this project.

PO Number

7700002202

HUC

6010105

River Basin

French Broad

Site Name

Dead Oak Site

Bank Name

RES French Broad 05 Stream UMB

Sponsor

EBX

Notes

Cool Stream

TIP Debits:

PO Number	TIP	Debit Amount	Permit Date	Notes
7700002202	B-4442	872		436 linear feet of impacts at 2:1 ratio.
* 7700002202		0		

Record: 1 of 1
No Filter
Search

Actual Total Credits

1643.11

Actual Total Debits

872

Remaining Credits

771.11

Update Totals



North Carolina Department of Transportation
Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS



(Version 3.00; Released August 2021)

WBS Element:	38368.1.2	TIP/Proj No:	B-4442	County(ies):	Buncombe	Page	1	of	2
General Project Information									
WBS Element:	38368.1.2	TIP Number:	B-4442	Project Type:	Bridge Replacement	Date:	1/24/2021		
NCDOT Contact:	David Webb			Contractor / Designer:	Meme Buscemi, PE				
Address:	NCDOT Century Center 1000 Birch Ridge Dr Raleigh NC 27610			Address:	AECOM 5438 Wade Park Boulevard, Suite 200 Raleigh, NC 27607				
	Phone: 919-707-6731				Phone: 919-854-6200				
	Email: dswebb1@ncdot.gov				Email: meme.buscemi@aecom.com				
City/Town:	Weaverville, NC			County(ies):	Buncombe				
River Basin(s):	French Broad			CAMA County?	No				
Wetlands within Project Limits?	Yes								
Project Description									
Project Length (lin. miles or feet):	0.67	Surrounding Land Use:	Wooded/Commercial/Residential						
Proposed Project									
Project Built-Up Area (ac.)	9.9	ac.	Existing Site						
Typical Cross Section Description:	6-lane, concrete median, divided. Shoulder section with 12' lanes. Roadside ditches and storm sewer.			4-lane, grassed median, divided. Shoulder section with 12' lanes. Roadside ditches and storm sewer.					
Annual Avg Daily Traffic (veh/hr/day):	Design/Future:	75400	Year:	2043	Existing:	55400	Year:	2023	
General Project Narrative: (Description of Minimization of Water Quality Impacts)	<p>Existing parallel bridges 0370 / 0373 consist of 4 spans of 67.50 ft, for total bridge lengths of 270 ft over Reems Creek and Quarry Road. Both bridges consist of reinforced concrete deck on I beams with reinforced concrete cap and column on spread footings, the end bents consist of reinforced concrete cap and piles. The replacement bridges are 2 span bridges (1@155, and 1@135) on 72" Florida I-Beam. The proposed bridges will not contain deck drains. Roadway drainage on the north and south side of the bridge are collected by catch basins along concrete medians and shoulders, outletting at the bottom of the roadway fill slope. Velocities are dissipated by rip rap aprons.</p> <p>In an effort to reduce wetland impacts, roadway fill slopes in regions near wetlands will be constructed at a 1.5:1 fill slope. The 18" CSP at -L- Sta. 321+16 LT, carrying highway runoff, results in permanent impacts to the wetlands north of the proposed bridges. The jurisdictional stream from -L- Sta. 322+81 LT to -L- Sta. 325+58 LT shall be routed through a storm network because of steep slopes outside of roadway slope stake lines. Relocating the stream channel would result in significant amount of cut into the existing slope.</p>								



North Carolina Department of Transportation
Highway Stormwater Program
STORMWATER MANAGEMENT PLAN
FOR NCDOT PROJECTS



(Version 3.00; Released August 2021)

WBS Element: 38368.1.2

TIP/Proj No.: B-4442

County(ies): Buncombe

Page 2 of 2

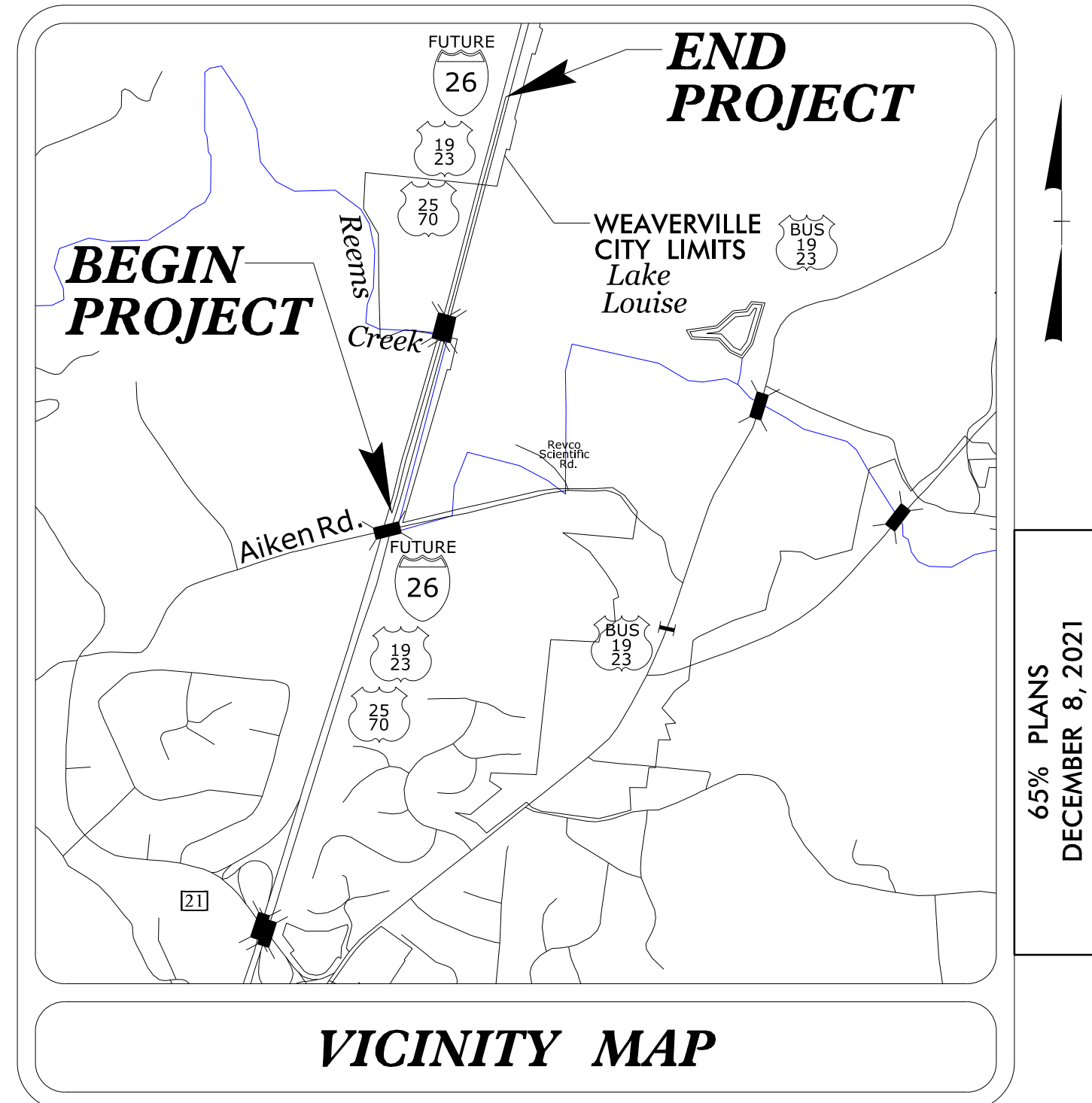
General Project Information

Waterbody Information

Surface Water Body (1):	Reems Creek	NCDWR Stream Index No.:	6-87-(10)
NCDWR Surface Water Classification for Water Body	Primary Classification:	Class C	
	Supplemental Classification:	None	
Other Stream Classification:	None		
Impairments:	None		
Aquatic T&E Species?	No	Comments:	
NRTR Stream ID:	Reems Creek	Buffer Rules in Effect:	N/A
Project Includes Bridge Spanning Water Body?	Yes	Deck Drains Discharge Over Buffer?	No
Deck Drains Discharge Over Water Body?	No	(If yes, provide justification in the General Project Narrative)	(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)
(If yes, provide justification in the General Project Narrative)			
Surface Water Body (2):	UT to Reems Creek	NCDWR Stream Index No.:	6-87-(10)
NCDWR Surface Water Classification for Water Body	Primary Classification:	Class C	
	Supplemental Classification:	None	
Other Stream Classification:	None		
Impairments:	None		
Aquatic T&E Species?	No	Comments:	
NRTR Stream ID:	SFF	Buffer Rules in Effect:	N/A
Project Includes Bridge Spanning Water Body?	No	Deck Drains Discharge Over Buffer?	N/A
Deck Drains Discharge Over Water Body?	N/A	(If yes, provide justification in the General Project Narrative)	(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)
(If yes, provide justification in the General Project Narrative)			
Surface Water Body (3):	UT to Reems Creek	NCDWR Stream Index No.:	6-87-(10)
NCDWR Surface Water Classification for Water Body	Primary Classification:	Class C	
	Supplemental Classification:	None	
Other Stream Classification:	None		
Impairments:	None		
Aquatic T&E Species?	No	Comments:	
NRTR Stream ID:	SHH	Buffer Rules in Effect:	N/A
Project Includes Bridge Spanning Water Body?	No	Deck Drains Discharge Over Buffer?	N/A
Deck Drains Discharge Over Water Body?	N/A	(If yes, provide justification in the General Project Narrative)	(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)
(If yes, provide justification in the General Project Narrative)			

TIP PROJECT: B-4442

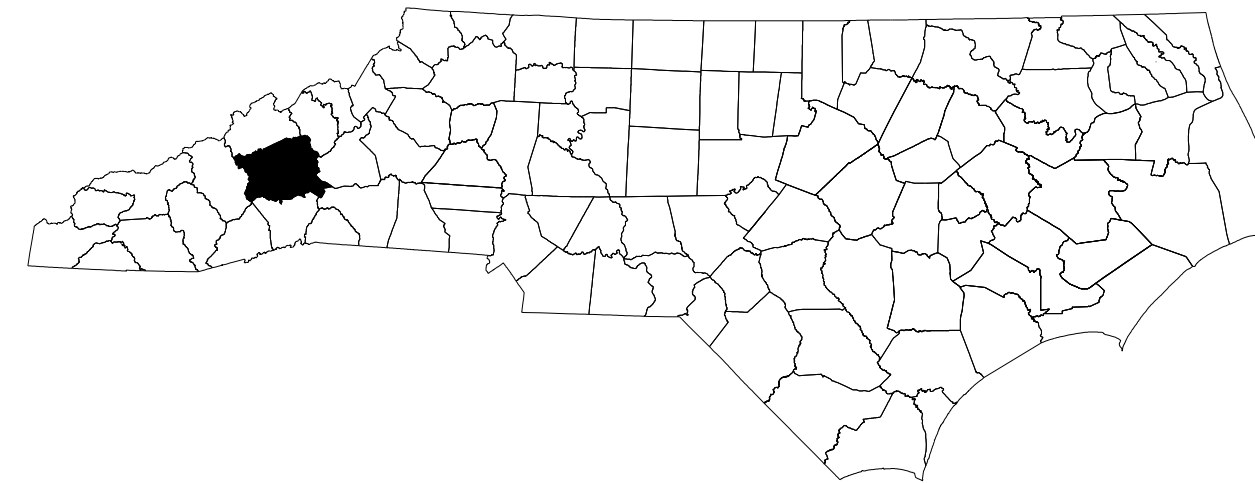
CONTRACT: 38368.1.2



See Sheet 1A For Index of Sheets
See Sheet 1B For Conventional Symbols
NOT TO SCALE

STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

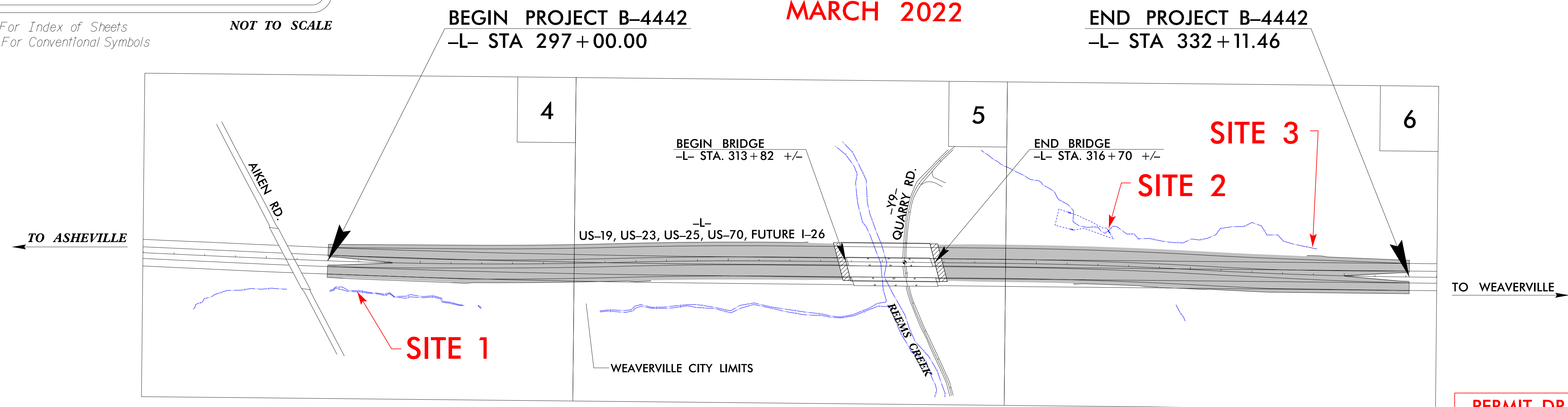
BUNCOMBE COUNTY



LOCATION: REPLACE US-19, US-23, US-25, US-70, FUTURE I-26
BRIDGES OVER REEMS CREEK- STRUCTURES NO. 370 and 373

TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURE

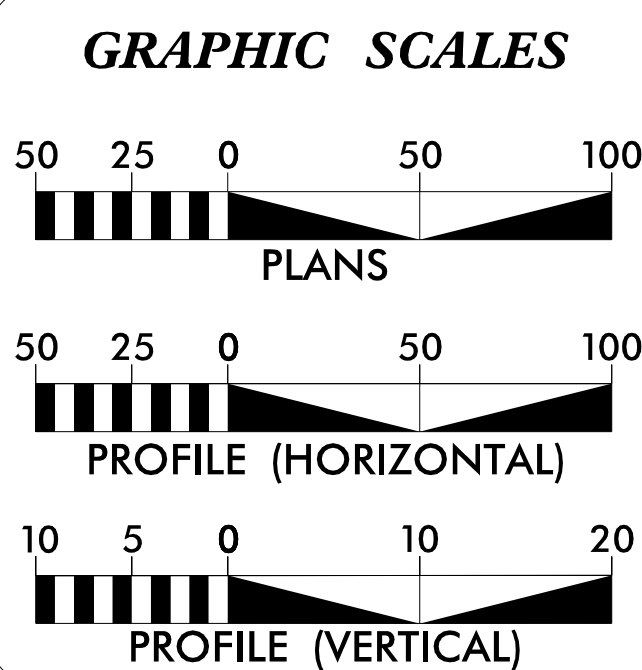
WETLAND AND SURFACE WATER IMPACTS PERMIT



THIS IS A FULL CONTROLLED ACCESS PROJECT WITH ACCESS ONLY AT INTERCHANGES
CLEARING ON THE PROJECT SHALL BE TO THE LIMITS
ESTABLISHED USING METHOD III.
THIS PROJECT IS WITHIN THE MUNICIPAL BOUNDARIES OF WEAVERVILLE.

PERMIT DRAWING
SHEET 1 OF 12

INCOMPLETE PLANS
DO NOT USE FOR R/W ACQUISITION
DOCUMENT NOT CONSIDERED FINAL
UNLESS ALL SIGNATURES COMPLETED

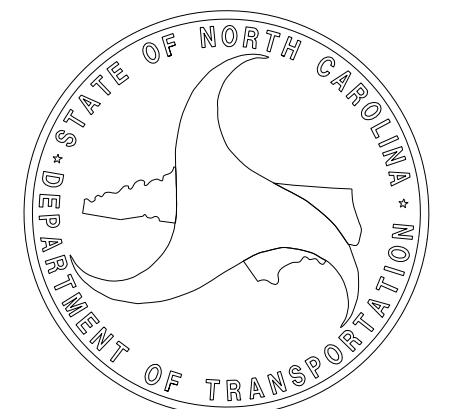


DESIGN DATA
ADT 2023 = 55,400
ADT 2043 = 75,400
K = 9 %
D = 65 %
T = 7 % *
V = 70 MPH
* (TTST 4%+ DUAL 3%)
FUNC CLASS =
INTERSTATE
STATEWIDE TIER

PROJECT LENGTH
LENGTH ROADWAY PROJECT B-4442 = 0.610 MILES
LENGTH STRUCTURE PROJECT B-4442 = 0.055 MILES
TOTAL LENGTH PROJECT B-4442 = 0.665 MILES

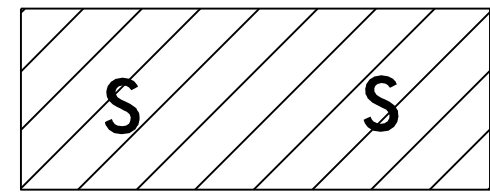
Prepared In the Office of:
AECOM
NC FIRM LICENSE No: F-0342
5438 Wade Park Boulevard, Suite 200
Raleigh, NC 27607
(919) 854-6200 - (919) 854-6259(FAX)
2018 STANDARD SPECIFICATIONS
RIGHT-OF-WAY DATE:
JANUARY 17, 2022
LETTING DATE:
SEPTEMBER 20, 2022
NCDOT CONTACT:
ART MCMILLAN, PE
PROJECT ENGINEER
MOHAMMED FALLAHA, PE
PROJECT DESIGN ENGINEER
BEVERLY ROBINSON

HYDRAULICS ENGINEER
SIGNATURE: P.E.
ROADWAY DESIGN ENGINEER
SIGNATURE: P.E.

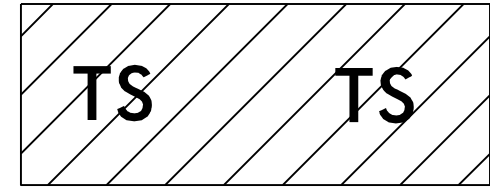


3/16/2022
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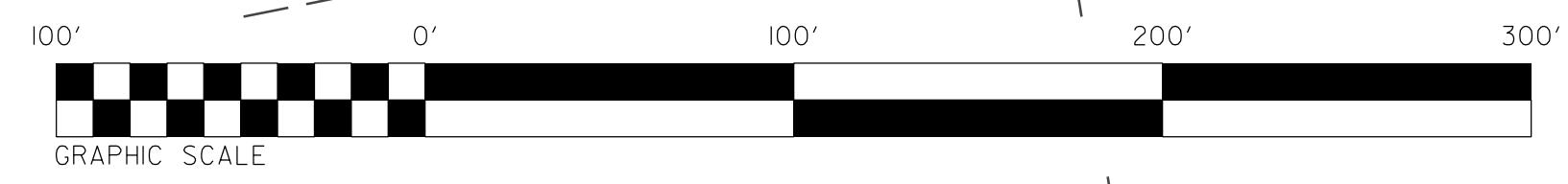
REVISIONS



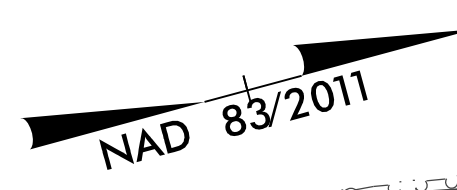
DENOTES IMPACTS IN
SURFACE WATER



DENOTES TEMPORARY
IMPACTS IN SURFACE WATER

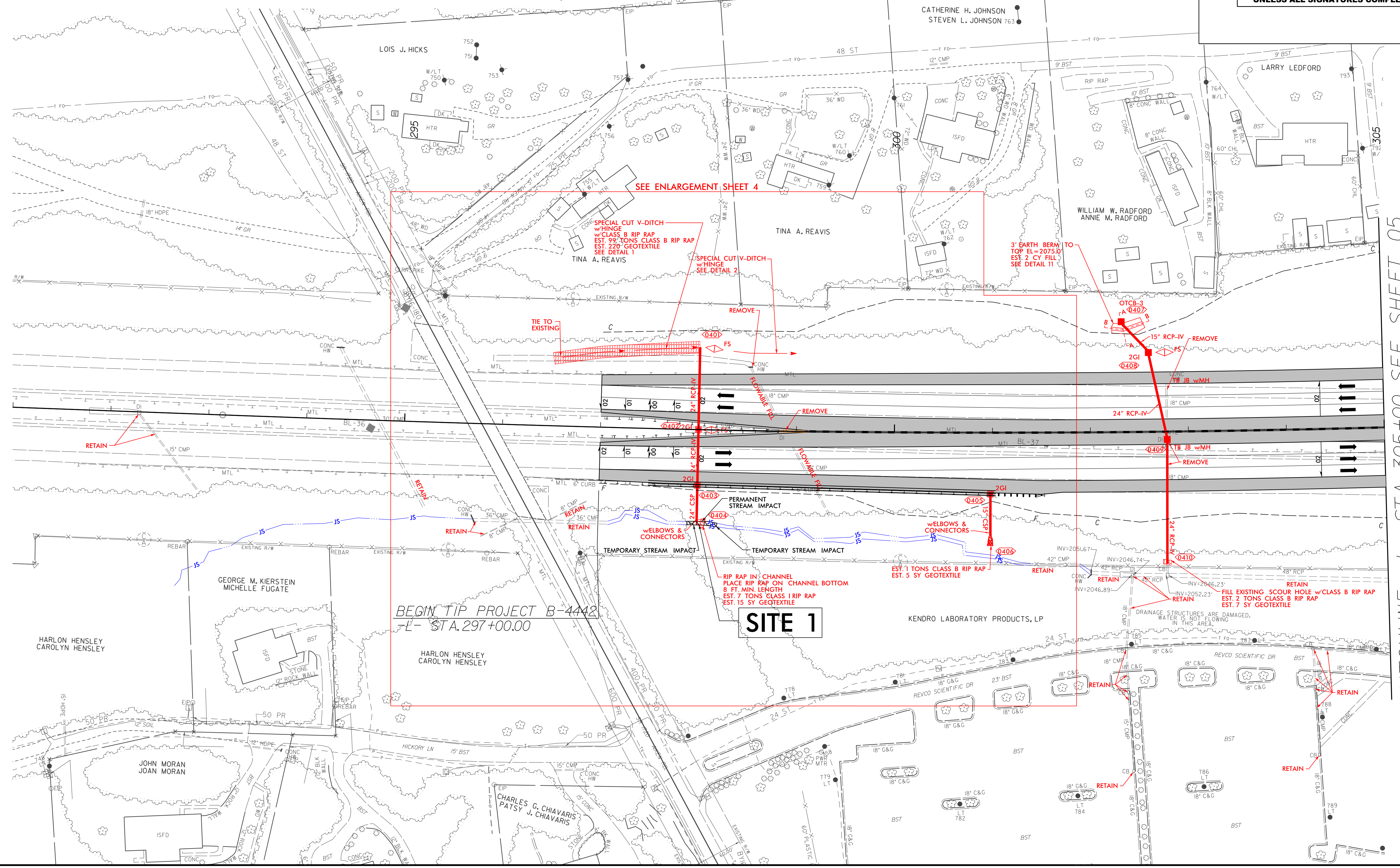


TERRY L. THOMAS
KIMELA L. THOMAS



PERMIT DRAWING
SHEET 2 OF 12

PROJECT REFERENCE NO.		SHEET NO.	
B-4442		4	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<div>INCOMPLETE PLANS</div> <div>DO NOT USE FOR R/W ACQUISITION</div>			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			

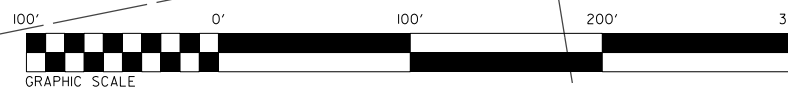


MATCHLINE -L- STA 305+00 SEE SHEET 05

PERMIT DRAWING
SHEET 3 OF 12

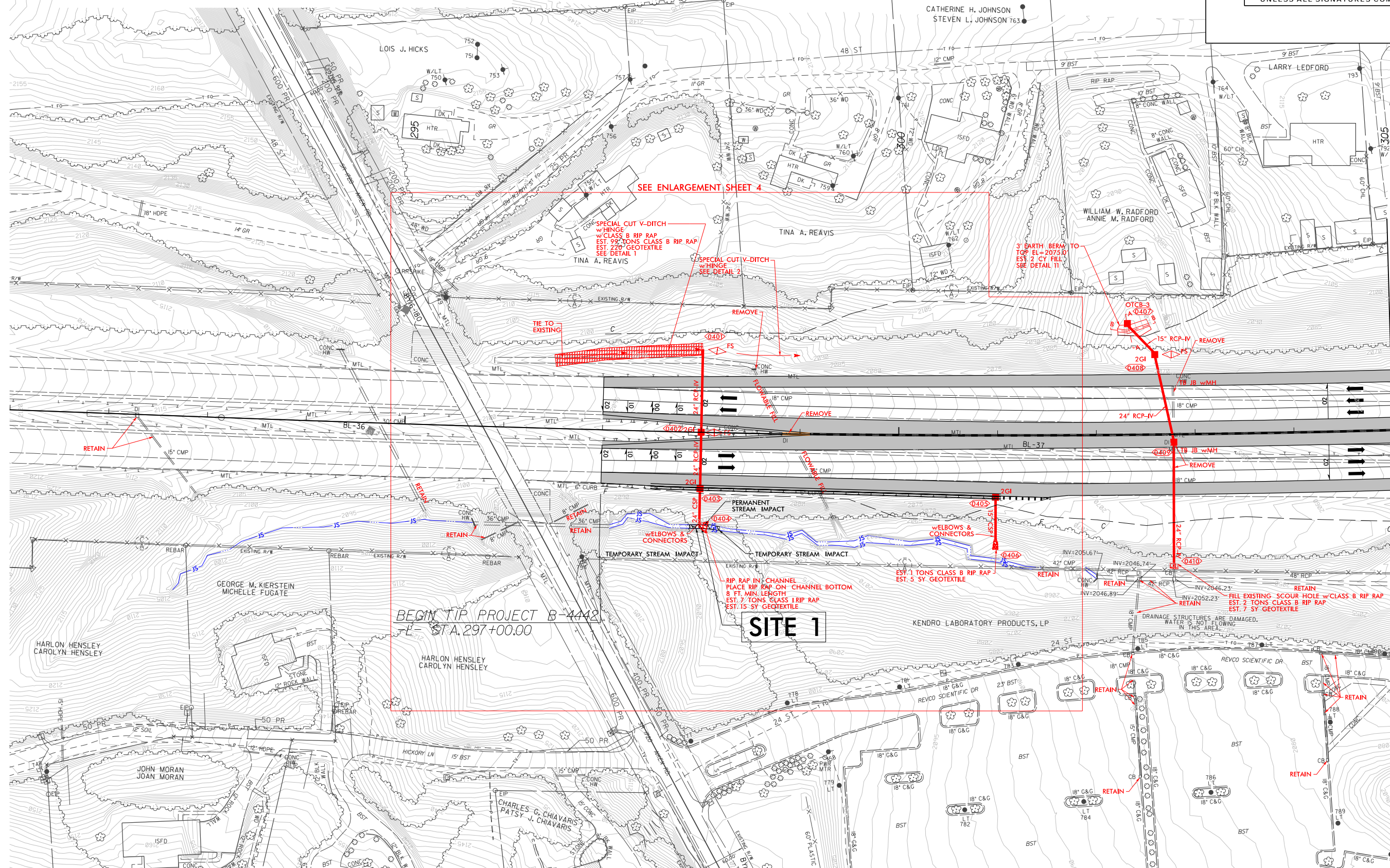
DENOTES IMPACTS IN
SURFACE WATER

DENOTES TEMPORARY
IMPACTS IN SURFACE WATER



TERRY L. THOMAS
KIMELA L. THOMAS

NAD 83/2017




 MATCHLINE -L- STA 305+00 SEE SHEET 05

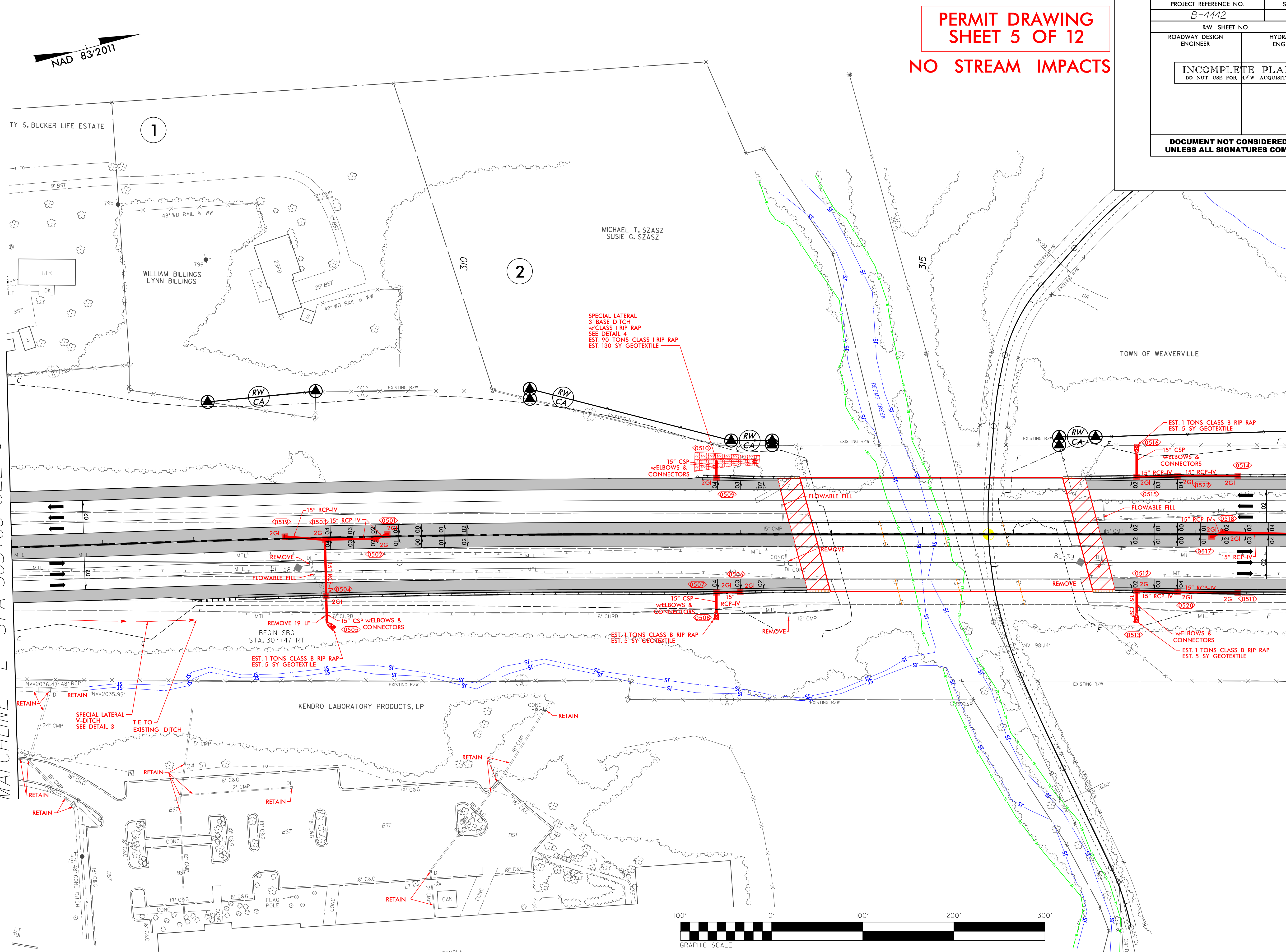
REVISIONS

8/16/2022
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jwheeler@aecom-na-pw.bentley.com

3/16/2022
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8/17/99

REVISIONS

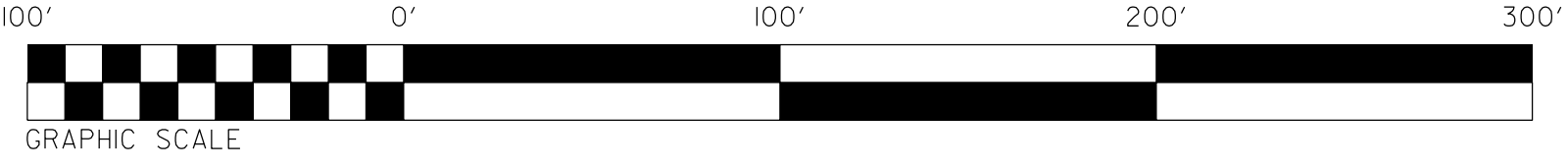
MATCHLINE -L- STA 305+00 SEE SHEET 04



PERMIT DRAWING
SHEET 5 OF 12
NO STREAM IMPACTS

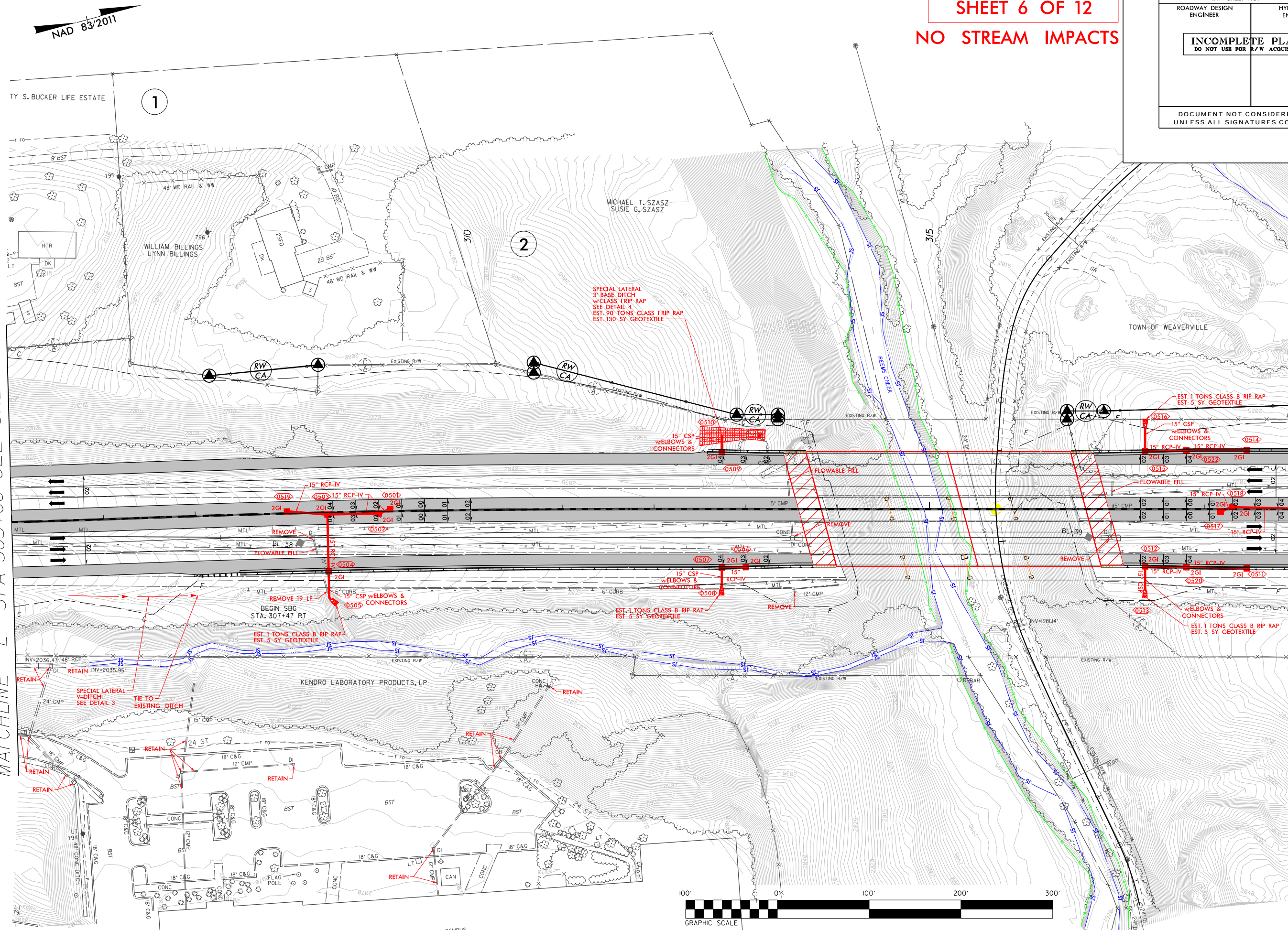
PROJECT REFERENCE NO.		SHEET NO.	
B-4442		5	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION			
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED			

MATCHLINE -L- STA 319+00 SEE SHEET 06



PERMIT DRAWING
SHEET 6 OF 12

NO STREAM IMPACTS



MATCHLINE -L- STA 305+00 SEE SHEET 04

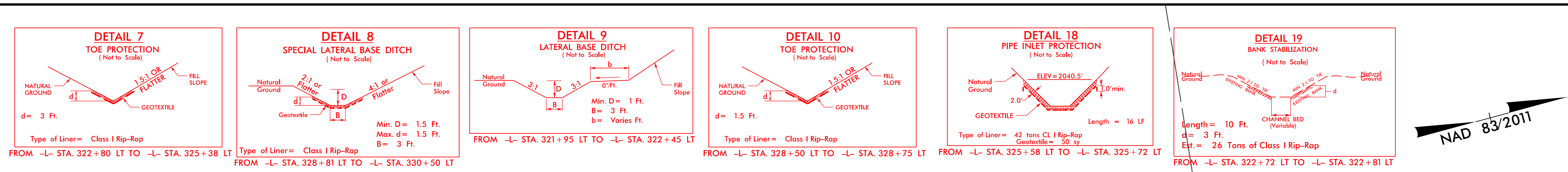
MATCHLINE -L- STA 319+00 SEE SHEET 06

REVISIONS

8/17/99

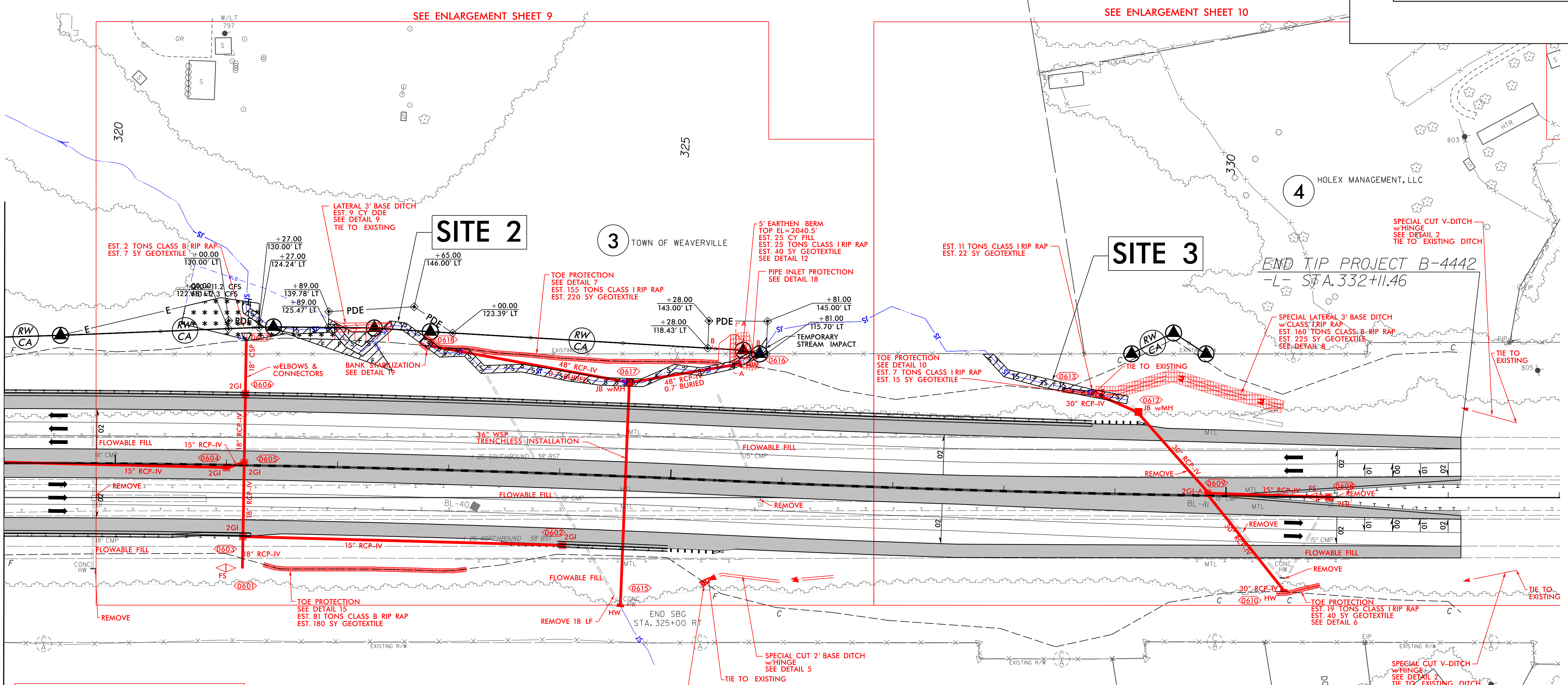
3/16/2022
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www.bentley.com

3/16/2022
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8/17/199



PROJECT REFERENCE NO.	SHEET NO.
B-4442	6
RW SHEET NO.	
ROADWAY DESIGN ENGINEER	HYDRAULICS ENGINEER
INCOMPLETE PLANS DO NOT USE FOR R/W ACQUISITION	
DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED	

MATCHLINE -L- STA 319+00 SEE SHEET 05

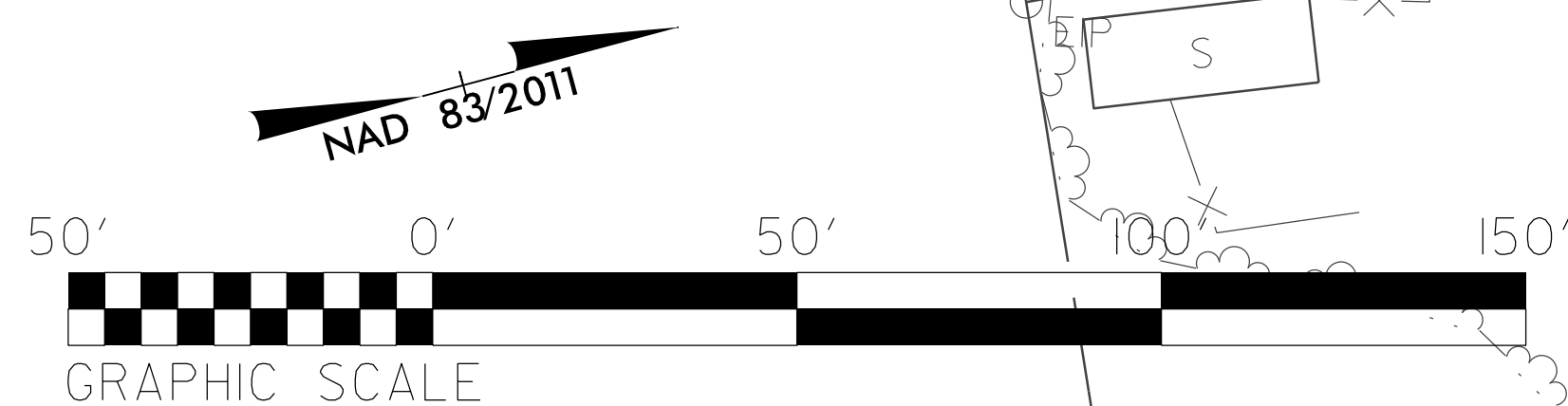


NAD 83/2011

DONALD L. BURNETTE, JR.
JERRY L. BURNETTE

WILLIAM J. BROCKMAN
JOY A. BROCKMAN
ANDREW T. SCHULTZ

PERMIT DRAWING
SHEET 10 OF 12



A rectangular region filled with diagonal hatching (lines from top-left to bottom-right). Two bold black 'S' labels are placed within the region, one on the left and one on the right.

DENOTES IMPACTS IN
SURFACE WATER

A rectangular block with diagonal hatching. Inside the block, the letters 'TS' are written twice, separated by a space.

DENOTES TEMPORARY
IMPACTS IN SURFACE WATER

SITE 3

EST. 11 TONS CLASS I RIP RAP
EST. 22 SY GEOTEXTILE

DETAIL 8

SPECIAL LATERAL BASE DITCH

(Not to Scale)

Natural Ground

2:1 or Flatter

4:1 or Flatter

Fill Slope

Geotextile

D

d

B

Min. D = 1.5 Ft.
Max. d = 1.5 Ft.
B = 3 Ft.

Type of Liner = Class I Rip-Rap

FROM -L- STA. 328 + 81 LT TO -L- STA. 330 + 50 LT

DETAIL 10

TOE PROTECTION
(Not to Scale)

NATURAL GROUND

d

1.5:1 OR FLATTER

FILL SLOPE

GEOTEXTILE

d = 1.5 Ft.

Type of Liner = Class I Rip-Rap

FROM -L- STA. 328+50 LT TO -L- STA. 328+75 L

HOLEX MANAGEMENT, LLC

END TIP PROJECT B-4442
-L- STA. 332+11.46

**SPECIAL CUT V-DITCH —
w/HINGE
SEE DETAIL 2
TIE TO EXISTING DITCH**

— SPECIAL LATERAL 3' BASE DITCH
w/CLASS 1 RIP RAP
EST. 160 TONS CLASS B RIP RAP
EST. 225 SY GEOTEXTILE
SEE DETAIL 8

TIE TO EXISTING

TOE PROTECTION
SEE DETAIL 10
EST. 7 TONS CLASS I RIP RAP
EST. 15 SY GEOTEXTILE

TIE TO EXISTING

30" RCP-IV

0612
JB w/MH

REMOVE 

15" RCP IV FS 0608 REMOVED 2GI

REMOVE

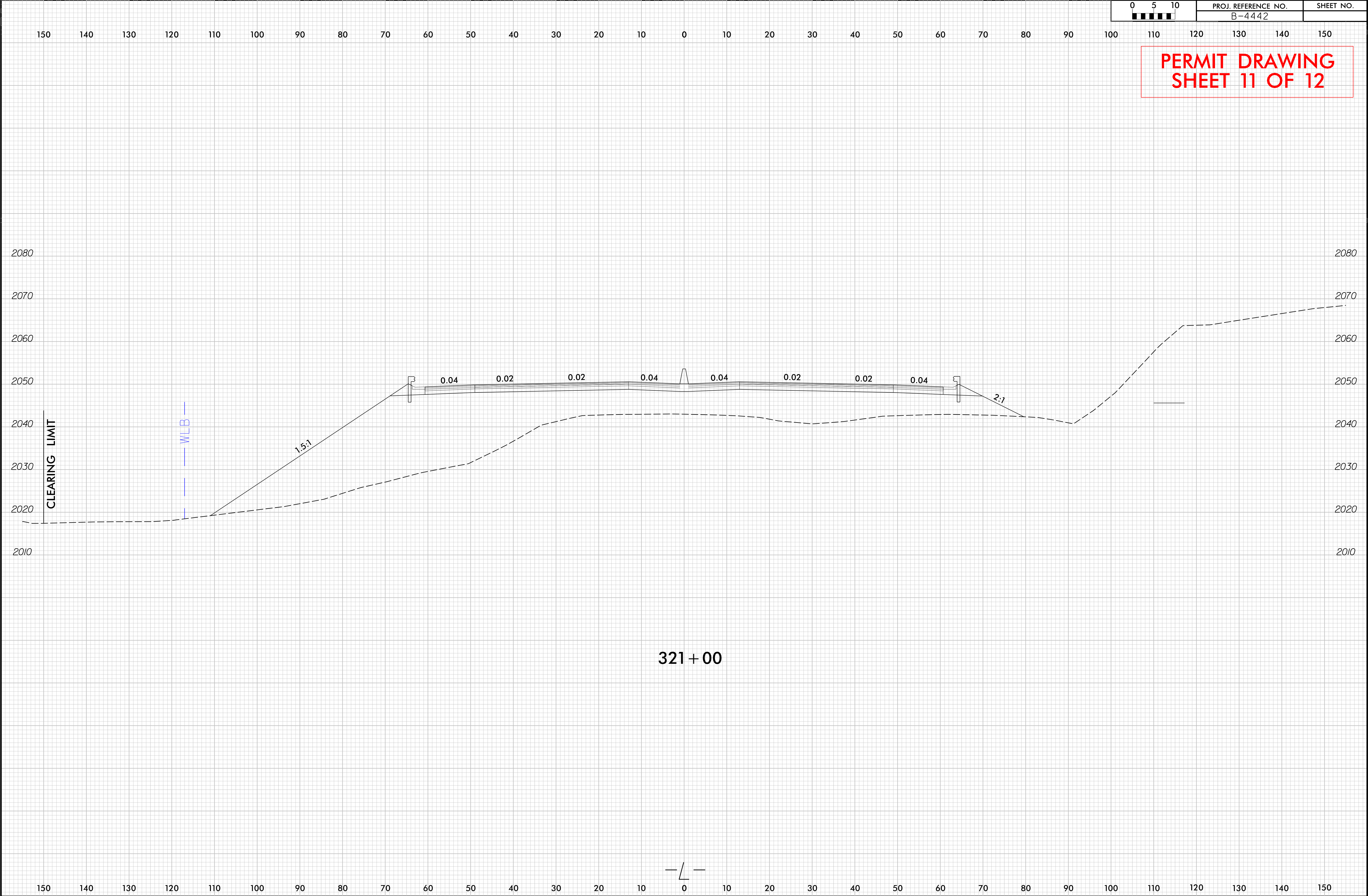
FLOWABLE FILL

REMOVE

30" RCP-IV
0610 HW

TOE PROTECTION

TIE TO EXISTING



WETLAND AND SURFACE WATER IMPACTS SUMMARY

			WETLAND IMPACTS					SURFACE WATER IMPACTS				
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands	Temp. Fill In Wetlands	Excavation in Wetlands	Mechanized Clearing in Wetlands	Hand Clearing in Wetlands	Permanent SW impacts	Temp. SW impacts	Existing Channel Impacts Permanent	Existing Channel Impacts Temp.	Natural Stream Design
			(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ft)	(ft)
1	-L- 297+90 RT to -L- 298+21 RT	24" Pipe						0.001	0.002	9	24	
2	-L- 320+58 LT to -L- 325+84 LT	18" Pipe / Roadway Fill	0.020			0.048		0.011	0.010	69	92	
		Toe Protection					0.050	0.005	307	31		
		Bank Stabilization					0.002	0.002	10	14		
3	-L- 327+78 LT to -L- 329+10 LT	oe Protection / Roadway Fi						0.008	0.015	51	89	
TOTALS*:			0.02			0.05		0.07	0.03	446	250	

*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
03/16/2022
Buncombe
B-4442
38368.1.2
SHEET 12 OF 12

SHEET 12 OF 12



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street Suite B
Asheville, North Carolina 28801



March 14, 2022

Philip S. Harris, III, P.E., C.P.M.
Environmental Analysis Unit Head
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699

Subject: Informal Consultation for Bridge 370 and 373 Replacement on US 19/23/25/70 over Reems Creek in Buncombe County, North Carolina; Division 13, WBS No. 38368.1.1, (STIP B-4442)

Dear Philip Harris:

On February 9, 2022, we received (via e-mail) your request for informal consultation and section 7 concurrence on effects the subject project may have on federally listed species. We have reviewed the information you submitted along with information from a prior start-of-study letter (July 16, 2021) and additional information submitted on March 02, 2022. The following is provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.); the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661 - 667e); and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 - 1543) (Act).

Project Description

According to the information provided, the North Carolina Department of Transportation (NCDOT) is proposing to replace Bridges 370 and 373 on US 19/23/25/70 over Reems Creek in Buncombe County, North Carolina. Information provided in the July 16, 2021 start-of-study materials describes the following: The existing bridges, constructed in 1962, are considered structurally deficient. The proposed work includes replacing the existing two-lane, four-span, 270-foot-long bridges with one six-lane bridge to include a 26-foot median, 12-foot paved shoulders, and a design speed of 70 miles per hour. The span arrangements are not yet determined but are not anticipated to impact Reems Creek, Quarry Road, or the existing sanitary sewer line. The section of approach roadway will be improved from a four-lane, median-divided freeway to six lanes with a 26-foot median and 12-foot paved shoulders. The project is located between New Stock Road (Exit 21) and Weaver Boulevard (Exit 19), with total project length at approximately 0.6 miles. Approximately five acres of tree clearing will occur as part of the project action. Construction is scheduled for fiscal year 2022. NCDOT has committed to the following conservation measures:

1. Night work will be minimized to the maximum extent practical and will be largely limited to traffic shifts.
2. No artificial lighting will be added to the action area.
3. Erosion and sediment control measures will be implemented to reduce impacts to Reems Creek.
4. Deck drains will not be present on the new bridge, reducing stormwater runoff directly into Reems Creek.

Federally Listed Species

Your letter provides a list of species that may occur within the project area per our Information for Planning and Consultation (IPaC) website. Based upon a review of our records and the information provided, we agree with the “no effect” determinations for mountain sweet pitcher plant (*Sarracenia rubra ssp. jonesii*), Virginia spiraea (*Spiraea virginiana*), and rock gnome lichen (*Gymnoderma lineare*).

Suitable foraging, commuting, and roosting habitat for the gray bat (*Myotis grisescens*) is present within the action area; however, roost surveys conducted on the project bridges on June 9, 2021 and previously in 2019 did not detect bats or signs of bat use. Based on this and the commitment to the conservation measures described above, we concur with the determination that the project may affect, but is not likely to adversely affect gray bat.

Based on the information provided, suitable habitat is present for Appalachian elktoe (*Alasmidonta raveneliana*) in Reems Creek within the project area. An aquatic survey for freshwater mussels was conducted on August 25, 2021 and no Appalachian elktoe were detected. Based on this and the commitment to the conservation measures described above, we concur with the determination that the project may affect, but is not likely to adversely affect Appalachian elktoe.

Based on the information provided, the project is consistent with the final section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016 for northern long-eared bat (*Myotis septentrionalis*, NLEB). This rule exempts take of this species for any tree cutting activity that occurs more than 0.25 mile from a known hibernation site or more than 150 feet from a known maternity roost during the pup rearing season (June 1 - July 31). Because this project meets the “exempt” criteria, any take associated with the project has already been addressed in the Biological Opinion for the 4(d) rule, and no further action under section 7 of the Act is required for this species at this time.

Please note, the U.S. Fish and Wildlife Service (Service) is currently reevaluating the listing status of NLEB, and a final listing decision is expected in 2022. **Consultations that use the 4(d) rule for NLEB may need to be reinitiated if the 4(d) rule is rescinded or the listing status of the species changes during the life of the project.**

Southern bog turtle (*Glyptemys muhlenbergii*), little brown bat (*Myotis lucifugus*), and tricolored bat (*Perimyotis subflavus*) are at-risk species (ARS), and monarch butterfly (*Danaus plexippus*) is a candidate species (CAN). ARS and CAN are not legally protected under the Act and are not subject to any of its provisions, including section 7, unless they are formally proposed or listed as endangered or threatened. While lead federal agencies are not prohibited from jeopardizing the continued existence of an ARS, CAN, or proposed species until the species becomes listed, **the prohibition against jeopardy and taking a listed species under section 9 of the Act applies as soon as the listing becomes effective, regardless of the stage of completion of the proposed action.** We are including these species in our response to give you advance notification and request your assistance in protecting them. We encourage you to coordinate projects with the North Carolina Wildlife Resources Commission (NCWRC) on behalf of these species in the event that suitable habitat and/or individuals may be affected by project actions.

We believe the requirements under section 7 of the Act are fulfilled for the federally listed species discussed above. However, obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this proposed action may affect listed species or critical habitat in a manner not previously considered, (2) this proposed action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed, or critical habitat is determined that may be affected by the proposed action.

Fish and Wildlife Resource Recommendations

We encourage consideration of the potential effects the proposed project could have on other natural resources within and surrounding the project area. The general recommendations for the benefit of fish and wildlife resources, outlined in our start-of-study response letter (August 02, 2021), remain relevant to the proposed project. Additional recommendations include:

- Direct runoff from the bridge surface into vegetated swales or similarly designed features to allow for filtering, settling, and velocity reduction to occur prior to draining into Reems Creek.
- Minimize the removal of riparian vegetation and re-plant disturbed areas with native plant species.
- Conduct tree clearing activities between **October 15 and April 1** of any given year to reduce impacts to northern long-eared bat, little brown bat, and tricolored bat.
- Should bridge demolition occur from March – November, conduct a pre-demolition visual survey for roosting bats within 14 days of demolition.
 - If bats are detected, notify the Service and NCWRC to discuss appropriate avoidance measures and do not proceed with structure work until discussion with the Service and NCWRC has been concluded.

We appreciate the opportunity to provide these comments. Please contact Ms. Holland Youngman of our staff at holland_youngman@fws.gov if you have any questions. In any future correspondence concerning this project, please reference our Log Number 21-354.

Sincerely,

-- original signed --

Janet Mizzi
Field Supervisor

21-05-0004



HISTORIC ARCHITECTURE AND LANDSCAPES NO HISTORIC PROPERTIES AFFECTED FORM

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

PROJECT INFORMATION

Project No:	B-4442	County:	Buncombe
WBS No.:	38368.1.2	Document Type:	CE
Fed. Aid No:	unassigned	Funding:	<input checked="" type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	USACE

Project Description:
 Replace Bridges 370 and 373 on I-26 (US 19/23/25/70) over Reems Creek and Quarry Road in Buncombe County. The study area is an approximate 4,000-foot long corridor running north of Aiken Road to Salem Road. While currently state-funded, Federal funds may be used during construction of this project. Once part of the A-0010A project, the two bridges are being pulled out to be replaced since the A-0010A is progressing slowly.

Description of review activities, field surveys, results, and conclusions:

Review of extended project area on HPOWeb GIS data was conducted in June 2021. There are no existing NR, SL, DE, LD or SS properties in the project area. The entire study area was surveyed for historic resources in 2017 during the studies for A-0010A and no historic resources were identified in this area. The two bridges were also evaluated for NR eligibility and determined to be not eligible. There is no need to conduct further surveys and the subsequent effects consultations with HPO confirm that there are no historic resources in this study area that would be affected by the project.

SUPPORT DOCUMENTATION

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



FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes – **NO HISTORIC PROPERTIES AFFECTED**

Mary Pope Furr

7/1/2021

NCDOT Architectural Historian

Date



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



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

PROJECT INFORMATION

Project No: **B-4442** County: Buncombe
WBS No: 38368.1.2 Document: Federal CE
F.A. No: na Funding: ☒ State ☐ Federal
Federal Permit Required? ☒ Yes ☐ No Permit Type: USACE & possible FHWA

Project Description:

The project calls for the replacement of Bridge Nos. 370 and 373 on I-26 (US 19/23/25/70) over Reems Creek in Buncombe County. The archaeological Area of Potential Effects (APE) for the project has been reduced since the Survey Required form was submitted. It is currently defined as an approximate 3,500-foot (1,066.80 m) long corridor running 1,500 feet (457.20 m) north and 2,000 feet (609.60 m) south along I-26 from the center of Bridge Nos. 370 and 373. The corridor width varies from 300 feet (91.44 m) to 400 feet (121.92 m) depending upon slope as it takes in all ground disturbing activities associated with the project. In all, the APE encompasses approximately 27 acres.

Federal funds may be used during construction of this project. As a result, this archaeological review was conducted in accordance with Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance (36 CFR Part 800).

SUMMARY OF ARCHAEOLOGICAL FINDINGS

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

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

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

NCDOT has conducted an archaeological reconnaissance and field investigation for the proposed replacement of Bridge Nos. 370 and 373 on I-26 (US 19/23/25/70) over Reems Creek in Buncombe County, North Carolina. The project is located just southwest of Weaverville, north of Asheville, and east of the French Broad River. The project area is plotted near the center of the Weaverville USGS 7.5' topographic quadrangle (Figure 1)

Background Research

A site files search was conducted using data from the Office of State Archaeology (OSA) on May 27, 2021 (HPOWEB 2021). No previous archaeological investigations have been carried out within the project limits, and no recorded archaeological sites are within the area. However, the larger I-26 improvement corridor (TIP A-0010A) was recommended for survey by the State Historic Preservation Office (SHPO) in April 2020 (see Attachment 1). The site file review also identified six known sites (31BN7, 31BN11, 31BN19, 31BN285, 31BN860, and 31BN861) are within a mile project. Information is limited at all the site as three (31BN7, 31BN11, and 31BN19) were recorded by the University of North Carolina at Chapel Hill in the 1960s, one (31BN285) by the Office of State Archaeology in 1985, and two (31BN860 and 31BN861) by an amateur archaeologist. All the sites show evidence of precontact occupations and have yet to be assessed for the National Register. Portion of at least three sites (31BN7, 31BN11, and 31BN860) reside or extend on to ridge or hill tops made up of Clifton clay loam (CkC2), while another two (31BN7 and 31BN19) are situated partially on floodplains composed of Rosman fine sandy loam (RsA) before they continue onto terraces or ridges. These known archaeological sites, found in a setting similar to the current project area, suggest unrecorded archaeological resources may be present. As a result, an investigation for the B-4442 project area was recommended.

According to the North Carolina State Historic Preservation Office online data base (HPOWEB 2021), there are no known historic architectural resources within the APE that may yield intact archaeological deposits.

An examination of historic maps concerning this project failed to find any significant features within APE. The 1901 USGS Asheville topographic map is one of the first to display a reliable location for the project (Figure 2). This map depicts Reems Creek with no crossing at the current bridge site. Nearby structures are outside of the project area to the south, east, and west. The later 1920 *Soil Map for Buncombe County* illustrates the same picture (Perkins et al. 1920) (Figure 3). Finally, the 1938 *North Carolina State Highway Map for Buncombe County* displays the first modern road alignments for the county (NCSHPWC 1938) (Figure 4). However, no roads or crossing are in the vicinity. Overall, the historic resources suggest that no historic deposits will be encountered.

The USDA soil survey shows the newly revised APE composed of six soil types (USDA NRCS 2021) (Figure 5). The hillsides are made up of Clifton clay loam (CkD2), the Evard-Cowee complex (EvD2), and the Walnut-Oteen-Mars Hill complex (WaD2). They encompass about 28 percent of the current APE. These are well drained soils with a slope of 15 to 30 percent. Soil erosion is also moderate. No significant archaeological deposits are expected on landforms with a slope of 15 percent or more, and therefore no subsurface tests are required on these series. The ridge tops consist also of Clifton clay loam (CkC2) but have a more gradual slope of 8 to 15 percent. Soil erosion is still considered moderate. The floodplain is of Rosman fine sandy loam (RsA). This is a well drained soil with a slope of less than 3 percent. It is subject to occasional flooding. These level soils make up about 10 percent of the current APE. They are well suited for evidence of early habitation if ground disturbance is low. Subsurface testing is recommended for these locations. Finally, the area along I-26 and a ridge top to the northwest consist of Udorthents loam (Ud) and the Udorthents-Urban land complex (UhE). These are disturbed soils in which their original characteristics have been altered by earth moving activities. They represent 62 percent of the current APE. Significant archaeological sites are not likely to be present on these soils.

Fieldwork Results

The archaeological field reconnaissance and survey for the proposed replacement of Bridge Nos. 370 and 373 on I-26 over Reems Creek was conducted on July 13, 2021. The investigation included a visual inspection and the excavation of five shovel tests (STPs) (see Figure 5). Shovel tests were judgmentally placed on landforms that were fairly level including ridge tops and the floodplain. No additional STPs were excavated on steep slopes or in areas that showed signs of obvious ground disturbance.

The project area is situated roughly north to south crossing Reems Creek, which meanders west emptying into the French Broad River. The area consists mostly of ridge tops and very steep hillside slopes; but a narrow floodplain runs along the north side of Reems Creek, while a drainageway for an unnamed tributary is in the southeast quadrant adjacent to I-26 (see Figure 5). The floodplain is entirely disturbed within the APE from a sewage pipeline running next to the creek (Figures 6 and 7). This was confirmed with the excavation of two STPs (#1 and 2), which produced only fill material. The adjacent tributary also appears to have been modified and straightened with the construction of I-26. Properties alongside I-26 are mostly densely vegetated with some residential lawns in the southwest quadrant along S. Haven Road. In general, soils were either greatly disturbed or steeply sloped.

The field investigations consisted of visually inspection of the APE with a walk-over. Fairly level locations were identified and judgmental STPs were excavated. The first two STPs were in the floodplain and confirmed the presence of a buried sewage pipeline. Manholes were found a considerable distance to the west. STPs 3 and 4 were excavated on ridge tops in the northeast quadrant. STP 3 displayed a disturbed upper soil layer of approximately 40 cm followed by very compact layer of fill. STP 4 produced a 20 cm thick layer of brown (10YR 4/3) sandy loam at the surface followed by subsoil, which is a yellow brown (10YR 5/6) clay loam. STP 5 is on a ridge top to the southwest. The upper soil layer at this test was a 25 cm thick brown (10YR 4/4) loam. Below this is subsoil, which again is a yellow brown (10YR 5/6) clay loam. No cultural material was identified in any of the shovel tests. In addition, no artifacts were seen on the surface, and no surface features such as rock shelters or standing ruins were observed during the visual inspection.

Recommendations

The archeological investigations for the proposed replacement of Bridge Nos. 370 and 373 on I-26 over Reems Creek in Buncombe County identified no archaeological sites. All STPs were negative for cultural material, and no resources were seen above ground. It is very unlikely significant archaeological sites are present as disturbance is high and landforms are steeply sloped. No further archaeological work is recommended for this project. However, if design plans change to impact areas outside of the archaeological APE, then further consultation might be necessary.


This project falls within a North Carolina County in which the Catawba Indian Nation, the Eastern Band of Cherokee Indians, the Cherokee Nation, the United Keetoowah Band of Cherokee Indians, and Muscogee (Creek) Nation have expressed an interest. We recommend that you ensure that this documentation is forwarded to these tribes using the process described in the current NCDOT Tribal Protocol and PA Procedures Manual.

SUPPORT DOCUMENTATION

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

Other: historic map images

Signed:



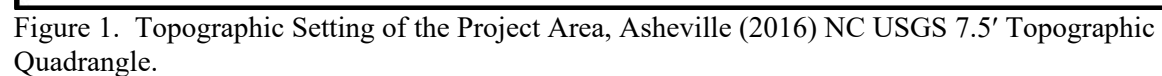
7/20/21

C. Damon Jones
NCDOT ARCHAEOLOGIST

Date

REFERENCES CITED**HPOWEB**

- 2021 North Carolina State Historic Preservation Office GIS Web Service.
<https://nc.maps.arcgis.com/apps/webappviewer/index.html?id=79ea671ebdcc45639f0860257d5f5ed7>. Accessed May 27, 2021.
- North Carolina State Highway and Public Works Commission (NCSHPWC)
1938 *North Carolina State Highway Map for Buncombe County*. North Carolina State Highway and Public Works Commission, Raleigh.
- Perkins, Samuel, Robert Devereux, Samuel Davidson, and William Davis
1920 *Soil Map for Buncombe County, North Carolina*. U.S. Department of Agriculture, Government Printing Office, Washington D.C.
- United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS)
2021 Buncombe County Soil Survey. Available online at
<http://webosilsurvey.nrcs.usda.gov/app/>. Accessed May 26, 2021.
- United States Geological Survey (USGS)
1901 Asheville, North Carolina-Tennessee 30 minute quadrangle map. Reprinted in 1907.
2016 Asheville, North Carolina 7.5 minute quadrangle map.



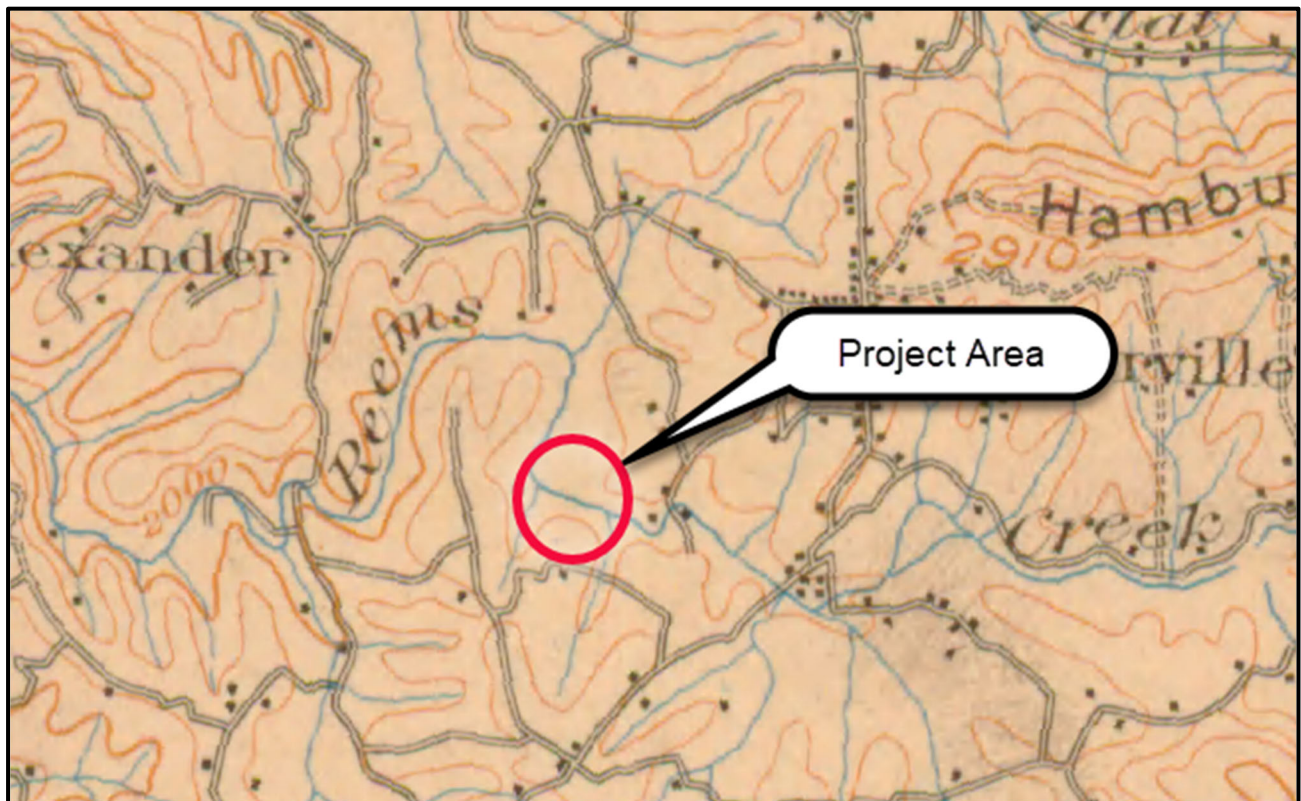


Figure 2. The 1901 USGS Asheville topographic map showing the location of the project area.

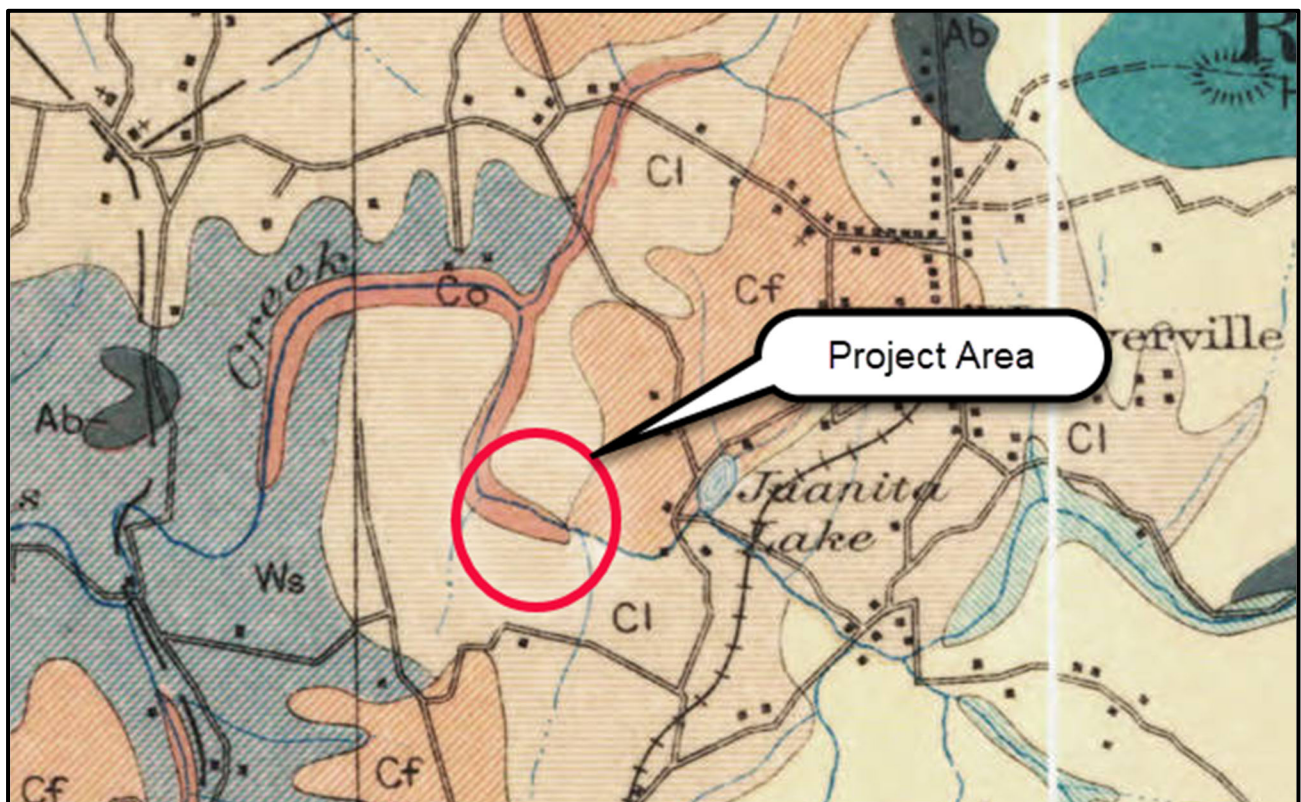


Figure 3. The 1920 Soil Map for Buncombe County showing the location of the project area.

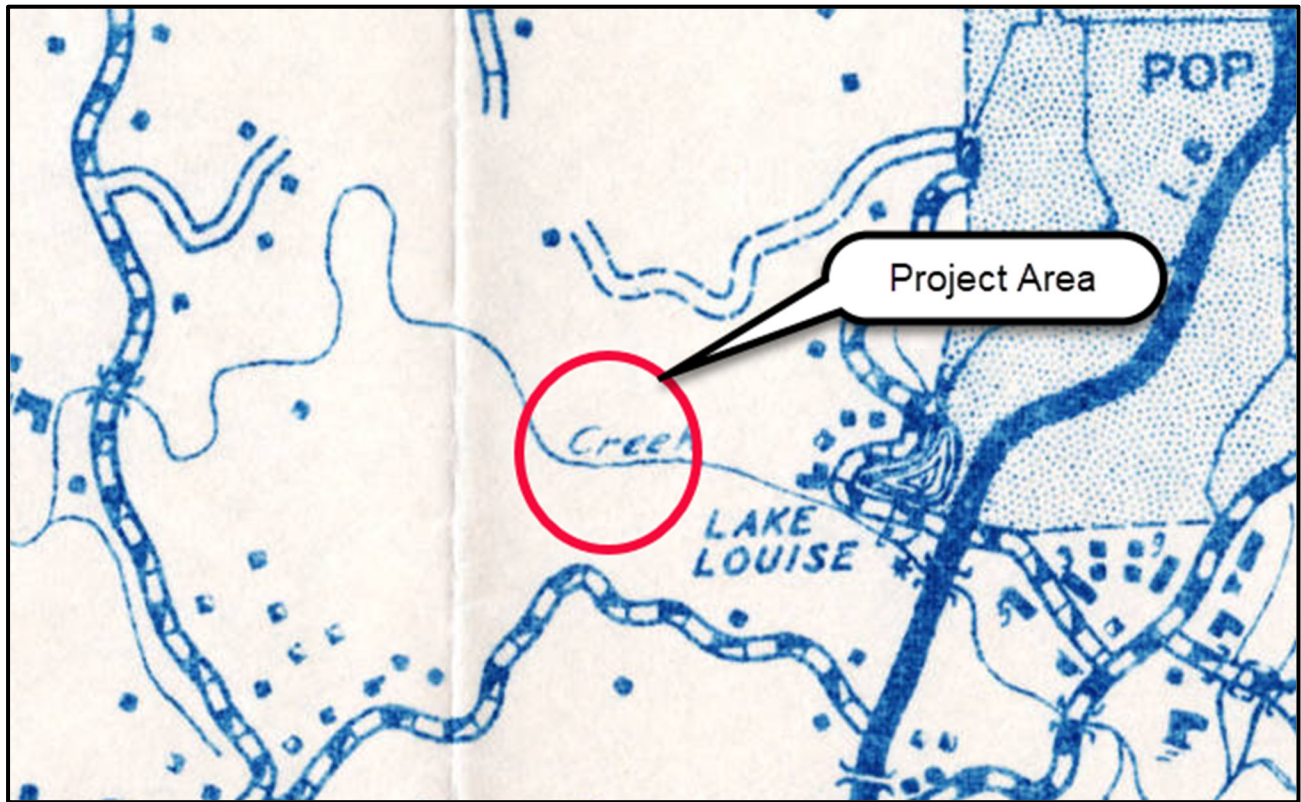


Figure 4. The 1938 *North Carolina State Highway Map for Buncombe County* showing the location of the project area.

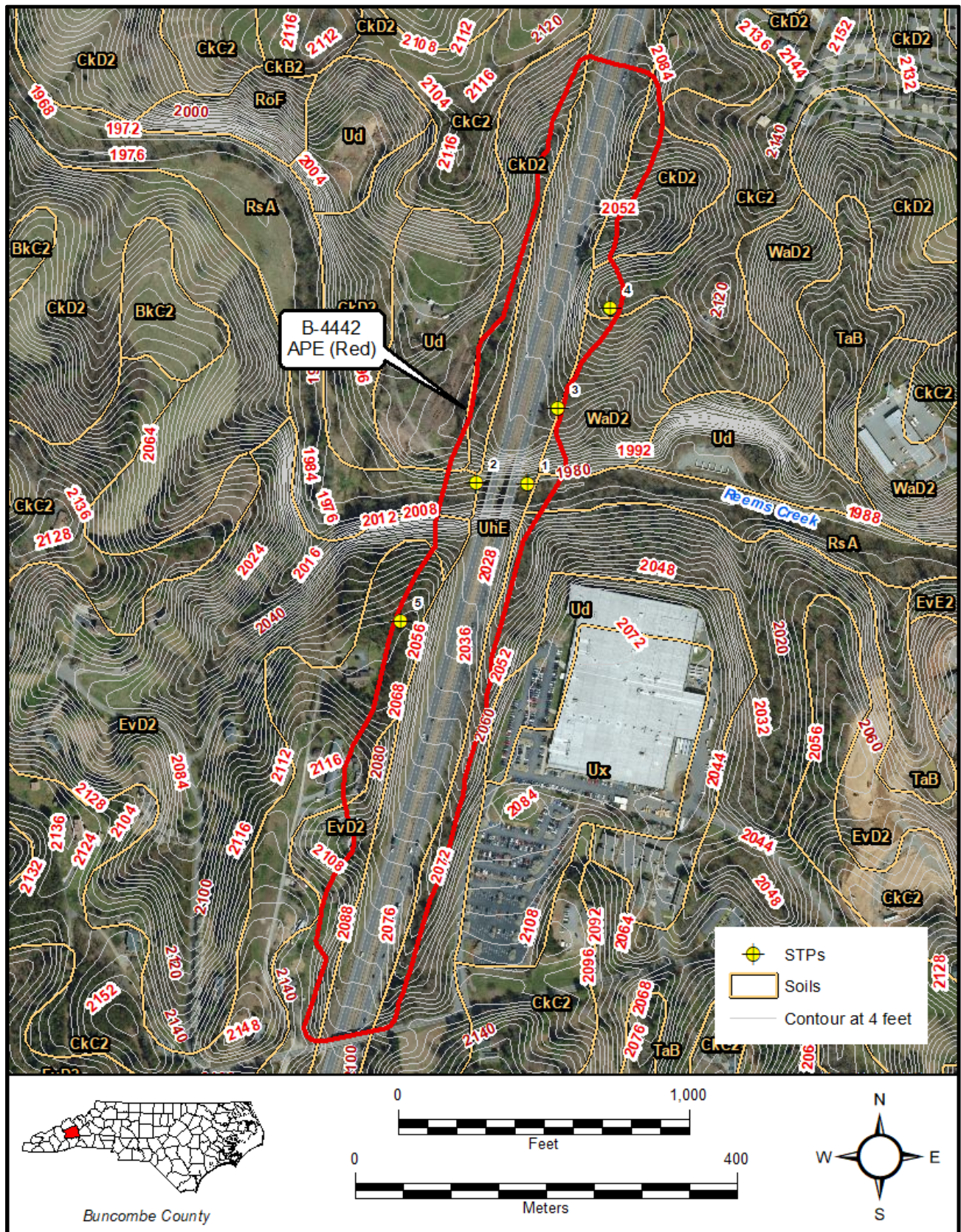


Figure 5. Aerial view of the project area showing landforms, contours, and STPs.



Figure 6. General view of the sewage pipeline in the floodplain looking west from under the bridges.



Figure 7. General view of the sewage pipeline in the floodplain looking east from under the bridges.



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

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi L. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

April 29, 2020

Elizabeth Workman-Maurer
AECOM
701 Corporate Center Drive
Suite 475
Raleigh, NC 27607

liz.workman@aecom.com

Re: US 19/23, Future I-26, Improvements, A-0010A, Buncombe County, ER 13-2173

Dear Ms. Workman-Maurer:

Thank you for your email of March 16, 2020, reinitiating the archaeological review for the above-referenced project. We have reviewed the materials provided and offer the following comments.

We recommend that a comprehensive archaeological survey be conducted prior to the initiation of any ground disturbing activities within the project area. The purpose of this survey is to locate archaeological sites and make recommendations regarding their eligibility status in terms of the National Register of Historic Places.

The work should be conducted by an experienced archaeologist who meets the Secretary of the Interior professional qualification standards. A list of archaeological consultants who have conducted or expressed an interest in contract work in North Carolina is available at <https://archaeology.ncdcr.gov/archaeological-consultant-list>. The archaeologists listed, or any other experienced archaeologist, may be contacted to conduct the recommended survey. Please note that our office now requests consultation with the Office of State Archaeology Review Archaeologist to discuss appropriate field methodologies prior to the archaeological field investigation.

One paper copy and one digital copy (PDF) of all resulting archaeological reports, as well as a digital copy (PDF) of the North Carolina Site Form for each site recorded, should be forwarded to the Office of State Archaeology (OSA) through this office, for review and comment as soon as they are available and in advance of any construction or ground disturbance activities. OSA's *Archaeological Standards and Guidelines for Background Research, Field Methodologies, Technical Reports, and Curation* can be found online at: https://files.nc.gov/dncr-arch/OSA_Guidelines_Dec2017.pdf.


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.

Location: 109 East Jones Street, Raleigh NC 27601 Mailing Address: 4617 Mail Service Center, Raleigh NC 27699-4617 Telephone/Fax: (919) 807-6570/807-6599

Attachment 1. Copy of SHPO letter recommending an archaeological survey for the TIP A-0010A.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,


for Ramona Bartos, Deputy
State Historic Preservation Officer

cc: Matt Wilkerson, NCDOT

mtwilkerson@ncdot.gov

Attachment 1. Copy of SHPO letter recommending an archaeological survey for the TIP A-0010A (continued).