

STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

February 16, 2022

U. S. Army Corps of Engineers Regulatory Field Office 3331 Heritage Trade Drive, Suite 105 Wake Forest, NC 27587

ATTN: Mr. Eric Alsmeyer

NCDOT Coordinator

Subject: Application for Section 404 Regional General Permit 50 and 401 Certification

for the Replacement of Bridges 57 and 59 on US 29/601 (Concord Parkway) over

Irish Buffalo Creek in Cabarrus County, Division 10, **TIP B-5808**. Debit \$570 from WBS 45762.1.1.

Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to replace bridge numbers 57 and 59 on US 29/601 with a new bridge on existing alignment. Traffic will be staged/phased on the existing and new bridges during construction.

As a result of replacing the existing bridges, there will be 265 linear feet of permanent impact from stream bank stabilization, and 275 linear feet (0.05 acre) of impervious dikes for dewatering for the installation of streambank stabilization. Note that 265 linear feet of the above 275 linear feet of temporary impact is within the permanent stream bank stabilization impact.

Please see enclosed copies of the Pre-Construction Notification (PCN), which includes the following attachments: pre-filing meeting request form, 4(d) memo, sunflower survey memo, no archaeological survey required form, no historic architecture required form, Catawba response letter, Stormwater Management Plan, and Permit Drawings.

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: http://connect.ncdot.gov/resources/Environmental. If you have any questions or need additional information, please contact Erin Cheely at ekcheely@ncdot.gov.

Telephone: (919) 707-6000

Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Sincerely,

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

ec: NCDOT Permit Application Standard Distribution List





Pre-Construction Notification (PCN) Form

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

December 6, 2021 Ver 4.2

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.

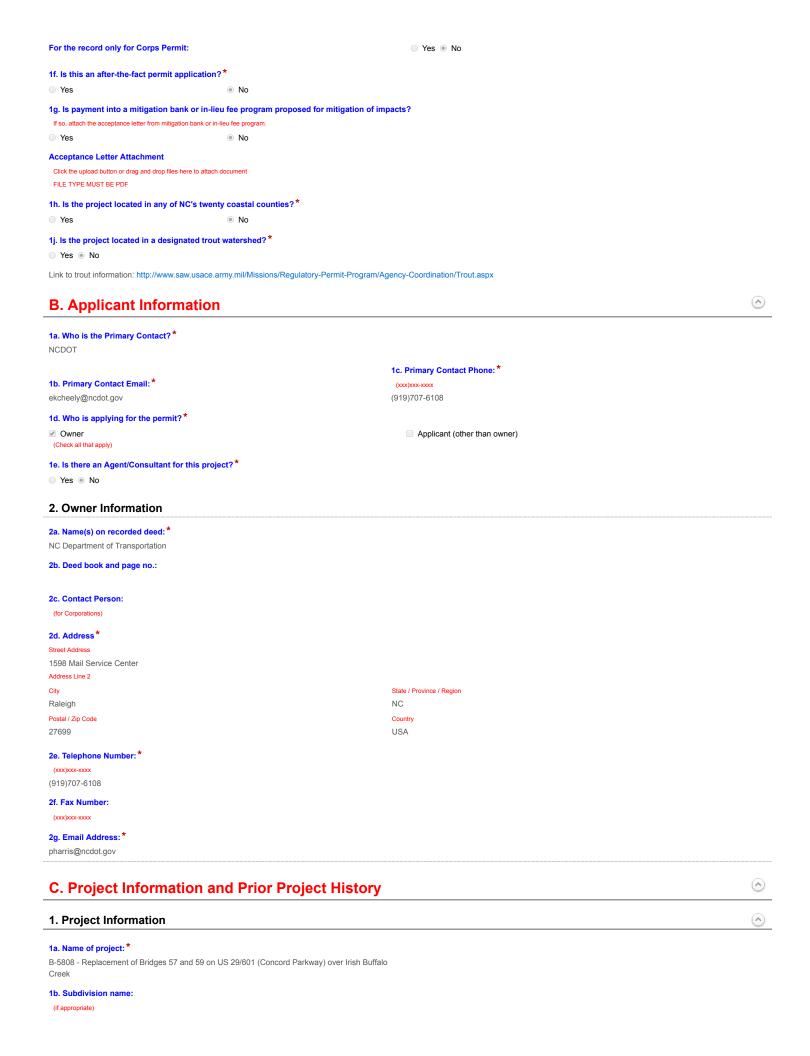
Below is a link to the online help file.

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

A. Processing Information



County (or Counties) where the project is located:*	
Cabarrus	
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 trail 	nsportation project.
Is this a NCDOT Project?*	
● Yes ○ No	
(NCDOT only) T.I.P. or state project number: B-5808	
WBS #*	
45762.1.1 (for NCDOT use only)	
1a. Type(s) of approval sought from the Corps:*	
 Section 404 Permit (wetlands, streams and waters, Clean Waters) Section 10 Permit (navigable waters, tidal waters, Rivers and H 	, , , , , , , , , , , , , , , , , , ,
Has this PCN previously been submitted?*	
Yes	
No	
1b. What type(s) of permit(s) do you wish to seek authorizatio Nationwide Permit (NWP)	n?*
Regional General Permit (RGP)	
Standard (IP)	
1c. Has the NWP or GP number been verified by the Corps?* Yes No	
tes • No	
Regional General Permit (RGP) Number:	201902350 - Work associated with bridge construction, widening, replacement, and
Regional General Permit (RGP) Number:	interchanges
RGP Numbers (for multiple RGPS):	
List all RGP numbers you are applying for not on the drop down list.	
1d. Type(s) of approval sought from the DWR: * check all that apply	
401 Water Quality Certification - Regular	401 Water Quality Certification - Express
Non-404 Jurisdictional General Permit	Riparian Buffer Authorization
Individual 401 Water Quality Certification	
1e. Is this notification solely for the record because written ap	proval is not required?



1c. Nearest municipality / town: * Concord		
2. Project Identification		٥
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	
	en 4-6 digits (unless you are using a survey-grade GPS device) after the decimal place as appropriate, based on how the location was ride locational precision in decimal degrees to map coordinates to 5 or 6 digits after the decimal place.)	
Latitude: *	Longitude: *	
35.415111 ex: 34.208504	-80.613390 -77.796371	
3. Surface Waters		
3a. Name of the nearest body of water to proposed project Irish Buffalo Creek	: *	
3b. Water Resources Classification of nearest receiving wa	ater:*	
Surface Water Lookup		
3c. What river basin(s) is your project located in?*		
Yadkin-PeeDee		
3d. Please provide the 12-digit HUC in which the project is 030401050203	located.*	
River Basin Lookup		
4. Project Description and History		
4a. Describe the existing conditions on the site and the get Surrounding land use is primarily commercial and residential w	neral land use in the vicinity of the project at the time of this application: * ith small amounts of patchy forested areas.	
4b. Have Corps permits or DWR certifications been obtaine ○ Yes No Unknown	ed for this project (including all prior phases) in the past? *	
4f. List the total estimated acreage of all existing wetlands 0	on the property:	
4g. List the total estimated linear feet of all existing stream (intermittent and perennial) 916	s on the property:	
have sufficiency ratings of 48.27 and 49.73 out of a possible 10	nt and functionally obsolete bridges. NCDOT Bridge Management Unit records indicate Bridge No. 57 and Bridge No. 59 10 for a new structure (respectively). Bridge No. 57 and Bridge No. 59 are considered structurally deficient due to a seral Highway Administration (FHWA) standards. The two bridges also meet the criteria for functionally obsolete due to a deck the end of their useful lives.	
4i. Describe the overall project in detail, including indirect The proposed project will replace the two existing 172 foot-long existing bridge and new bridge during construction.	impacts and the type of equipment to be used: * g three-span bridges with a single 190' long three-span bridge on the same alignment. Traffic will be staged/phased on the	
5. Jurisdictional Determinations		
5a. Have the wetlands or streams been delineated on the p	roperty or proposed impact areas?*	
Comments:		

Only impacts are to Irish Buffalo Creek. (Only perennial streams were identified within the project

5b. If the Corps made a jurisdictional determination, what type of determination was made? ${}^{\!\star}$

 $\ \bigcirc$ Preliminary $\ \bigcirc$ Approved $\ \circledcirc$ Not Verified $\ \bigcirc$ Unknown $\ \bigcirc$ N/A

study area.)

Sc I	f 5a ie voe	who dol	inested the	iurisdictiona	largae?

Name (if known): Chris Sheats and Nathan Howell

Three Oaks Engineering

Other:

6. Future Project Plans

Agency/Consultant Company:

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.

No.

D. Proposed Impacts Inventory



1. Impacts Summary

10	Whore a	ro the	impacte	accociator	with your	project?	(check all th	at annly).

Wetlands✓ Streams-tributaries□ Buffers□ Open Waters□ Pond Construction

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 *	- 3	3h. Impact length*
S1	Site 1 - Bank Stabilization	Permanent	Bank Stabilization	Irish Buffalo Creek	Perennial	Both	35 Average (feet)	265 (linear feet)
S2	Site 1 - Impervious Dikes	Temporary	Dewatering	Irish Buffalo Creek	Perennial	Both	35 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:

265

3i. Total temporary stream impacts:

10

3i. Total stream and ditch impacts:

275

3j. Comments

Note - Temporary impacts total 275 linear feet (0.05 acre), but 265 linear feet overlap with the bank stabilization impacts.

E. Impact Justification and Mitigation



1. Avoidance and Minimization

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

The existing drainage patterns are being maintained in the proposed condition. The majority of the bridge drainage will flow into a rip-rap energy dissipator basin. However, during high flow events, in order to keep water out of the travel lanes, 8 deck drains will help supplement drainage. Water discharging from these drains will flow into Class II rip-rap. The nearest drain is approximately 20 feet from Irish Buffalo Creek.

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

NCDOT will adhere to Best Management Practices for Construction and Maintenance Activities. The existing bridge will be used during construction while the new bridge is being built in phases, eliminating the need to construct an on-site temporary detour bridge. Impervious dikes and dewatering operation will be performed during the installation of streambank installation.

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	
2b. If this project DOES NOT require Compensatory Mitigation, explain why: The NCDOT does not propose mitigation for the temporary and bank stabilization impacts related to this project. These impacts do not require permanent fill in the stream bed, therefore, under Section 404 of the Clean Water Act, do not constitute Loss of Waters of the U.S., and are not subject to compensatory mitigation.	
NC Stream Temperature Classification Maps can be found under the Mitigation Concepts tab on the Wilmington District's RIBITS website.	
F. Stormwater Management and Diffuse Flow Plan (required by DWR)	
*** Recent changes to the stormwater rules have required updates to this section .***	
1. Diffuse Flow Plan	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules? No No	
For a list of options to meet the diffuse flow requirements, click here.	
If no, explain why: No buffered resources within project area.	
2. Stormwater Management Plan	
2a. Is this a NCDOT project subject to compliance with NCDOT's Individual NPDES permit NCS000250?* 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? * No 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 Riparian Buffer Rules (15A NCAC 2B .0200)?*	or
○ Yes	
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	

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 wat ⊚ Yes ○ No	ers of the U.S.?*	
5g. Does this project involve bridge maintenance or removal ■ Yes ○ No	?*	
5g(1). If yes, have you inspected the bridge for signs of bat τ F, pages 3-7.	use such as staining, guano, bats, etc.? Representative photos	of signs of bat use can be found in the NLEB SLOPES, Appendix
○ 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	f bat use?*	
Yes No Unknown		
*** If yes, please show the location of the bridge on the perm	lit drawings/project plans.	
5h. Does this project involve the construction/installation of ○ Yes ○ No	a wind turbine(s)?**	
5i. Does this project involve (1) blasting, and/or (2) other per	cussive activities that will be conducted by machines, such as	jackhammers, mechanized pile drivers, etc.? *
5j. What data sources did you use to determine whether you As of 2/7/2022, the USFWS identifies three species within the pro	r site would impact Endangered Species or Designated Critical oject area.	Habitat?*
NLEB is consistent with 4(d) (see attached NLEB memo which w	ras sent to USFWS 1/26/22 and response received 2/1/22).	
· · · · · · · · · · · · · · · · · · ·	d 9/22/20. No individuals of this species were found during either su, , Waxhaw, Duck or 6-mile Creek drainages, no further surveys are r	•
	16, October 2019, and October 2021 (most recent survey memo att entified during any of these surveys. The biological conclusion for So	•
6. Essential Fish Habitat (Corps Requi	rement)	
6a. Will this project occur in or near an area designated as a Yes No	n Essential Fish Habitat?*	
6b. What data sources did you use to determine whether you NMFS County Index	ur site would impact an Essential Fish Habitat? *	
	(O D	
7. Historic or Prehistoric Cultural Reso	burces (Corps Requirement)	
Link to the State Historic Preservation Office Historic Properties I	Map (does not include archaeological data: http://gis.ncdcr.gov/hpo	web/
7a. Will this project occur in or near an area that the state, fe designation or properties significant in North Carolina history	deral or tribal governments have designated as having historic ry and archaeology)?*	c or cultural preservation status (e.g., National Historic Trust
○ Yes No		
7b. What data sources did you use to determine whether you NEPA documentation, Historic Architecture and Archaeology me		
The state of the s		
8. Flood Zone Designation (Corps Req	uirement)	
Link to the FEMA Floodplain Maps: https://msc.fema.gov/port	al/search	
8a. Will this project occur in a FEMA-designated 100-year flo	odplain?*	
○ Yes ● No		
8c. What source(s) did you use to make the floodplain determine TEMA Maps	nination?*	

Miscellaneous

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-5808 Pre-Filing Meeting Request.pdf	53.05KB
B-5808 NLEB 4d Memo.pdf	265.02KB
B-5808 2021-10-18 Sunflower Survey.pdf	470.94KB
B-5808 2018-05-11 No Archaeological Survey Required.pdf	941.53KB
B-5808 2016-02-17 No Architecture Survey Required.pdf	542.87KB
B-5808 2020-11-16 Catawba Response.pdf	497.76KB
B-5808 2021-11-04 Permit Drawings.pdf	3.45MB
B-5808 CE Document_signed.pdf	5.16MB
B-5808 Cover Letter.pdf	297.41KB

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 *

Michael Tunchy

Date

2/15/2022



North Carolina Department of Transportation

Highway Stormwater Program STORMWATER MANAGEMENT PLAN



(Version 3.00; Released A	August 2021)				FOR NCDOT P	ROJECTS						
WBS Element:	45762.1.1	TIP/Proj No:	B-5808		County(ies):	Cabarrus			Pa	ge 1	of	3
				Ge	eneral Project I	nformation						
WBS Element:		45762.1.1		TIP Number:	B-5808		Project	Type:	Bridge Replacement	Date:	8/27/202	.1
NCDOT Contact:		David Stutts				Contractor / Desig	ner:	STV Engin	eers, Inc. / Edward Vance			
	Address:	1020 Birch Ridge	Drive			_	Address:	900 West	Trade Street, Ste. 715			
		Raleigh, NC 2761	0					Charlotte, I	NC 28202			
	Phone:	(919) 707-6442					Phone:	(704) 816-	2556			
	Email:	dstutts@ncdot.gov	v				Email:	Edward.Va	ance@stvinc.com			
City/Town:			Con	cord		County(ies):	Caba	ırrus				
River Basin(s):		Yadkin-F	Pee Dee			CAMA County?	N	0				
Wetlands within Pro	ject Limits?	No										
					Project Desc	ription						
Project Length (lin.	miles or feet):	0.178	miles	Surrounding I	_and Use:	Commercial and Ind	dustrial					
				Proposed Projec	t				Existing Site			
Project Built-Upon A	Area (ac.)		2.7		ac.			2.6	ac.			
Typical Cross Section	on Description:	Bridge: Six 12' lan	nes with 9' concre	te median, 2'-6" curl	b and gutter with	5' sidewalks on	Bridge: Two 1	12' lanes wit	h 1'-6" curb and gutter at both	ends of the tra	avel lanes (d	iual
		both sides, and 15					bridges with s		•			
				le 9.5' to 5.5' concre	ete median, 2'-6'	curb and gutter,	Approach: Tw	vo 12' lanes	with 8' unpaved shoulders			
		and 10' shoulders	with 5' sidewalks									
Annual Avg Daily Tr	affic (veh/hr/day):	Design/Future	e: 5	3,020	Year	2042	Existing:		36,820	Yea	ar: 202	2
General Proje									h a span arrangement of 1@5			
(Description of Min									e will be normal crown at 2% v			
Quality I	mpacts)								el lanes. This gives the bridge at top of the existing bridge align			
									A proposed ditch will convey			
									e will flow towards and into Iris			
									vel lane on the western side a			
									catch basins are placed in the			les of
									riprap to prevent future erosion			
					ormed during the	e installation of strear	mbank stabiliza	ation (riprap)). A rip rap engergy dissipator	pasin will be u	tilized at the	outfall
		for a 42" pipe on the	ne begin briage, i	ipstream side.								
1												
1												
1												
I												



North Carolina Department of Transportation



Highway Stormwater Program STORMWATER MANAGEMENT PLAN

(Version 3.00; Released August 2021)			FOR NCDOT I	PROJECTS						
WBS Element: 45762.1.1	TIP/Proj No.:	B-5808	County(ies):	Cabarrus			Page	2	of	3
			General Project	Information						
			Waterbody Inf	formation						
Surface Water Body (1):		Irish Buffa	alo Creek	NCDWR Stream In	dex No.:		13-17-9-(2)			
NCDWR Surface Water Classification fo	yr Water Body		Primary Classification:	Class (0					
NODWIX Surface Water Glassification is	i Water Body		Supplemental Classification:	None						
Other Stream Classification:	Nor	e								
Impairments:	Nor	ie								
Aquatic T&E Species?	No	Comments:				_				
NRTR Stream ID:	Irish Buffalo Creek	(Buffer Rules in Effect:			N/A	
Project Includes Bridge Spanning Wate	r Body?	Yes	Deck Drains Discharge Over Bu	uffer?	N/A	Dissipator Pads Provided	in Buffer?		No	
Deck Drains Discharge Over Water Bod	y?	No	(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Ge			no, justify in	n the
(If yes, provide justification in the	General Project Na	rrative)				Gene	eral Project Narr	ative)		
Surface Water Body (2):				NCDWR Stream In	dex No.:					
NCDWR Surface Water Classification fo	y Water Rody		Primary Classification:							
NCDWK Surface Water Classification is	i water body		Supplemental Classification:							
Other Stream Classification:										
Impairments:										
Aquatic T&E Species?		Comments:								
NRTR Stream ID:						Buffer Rules in Effect:				
Project Includes Bridge Spanning Wate	r Body?		Deck Drains Discharge Over Bu	uffer?		Dissipator Pads Provided	in Buffer?			
Deck Drains Discharge Over Water Bod	y?		(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Ge			10, justify ir	n the
(If yes, provide justification in the	General Project Na	rrative)				Gene	eral Project Narr	ative)		
Surface Water Body (3):				NCDWR Stream In	dex No.:					
NCDWR Surface Water Classification fo	w Water Body		Primary Classification:							
NCDWK Surface Water Classification is	i water body		Supplemental Classification:							
Other Stream Classification:										
Impairments:										
Aquatic T&E Species?		Comments:								
NRTR Stream ID:						Buffer Rules in Effect:				
Project Includes Bridge Spanning Wate	r Body?		Deck Drains Discharge Over Bu	uffer?		Dissipator Pads Provided	in Buffer?			
Deck Drains Discharge Over Water Bod	y?		(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Ge			no, justify ir	n the
(If yes, provide justification in the	General Project Na	rrative)]			Gene	eral Project Narr	ative)		



North Carolina Department of Transportation

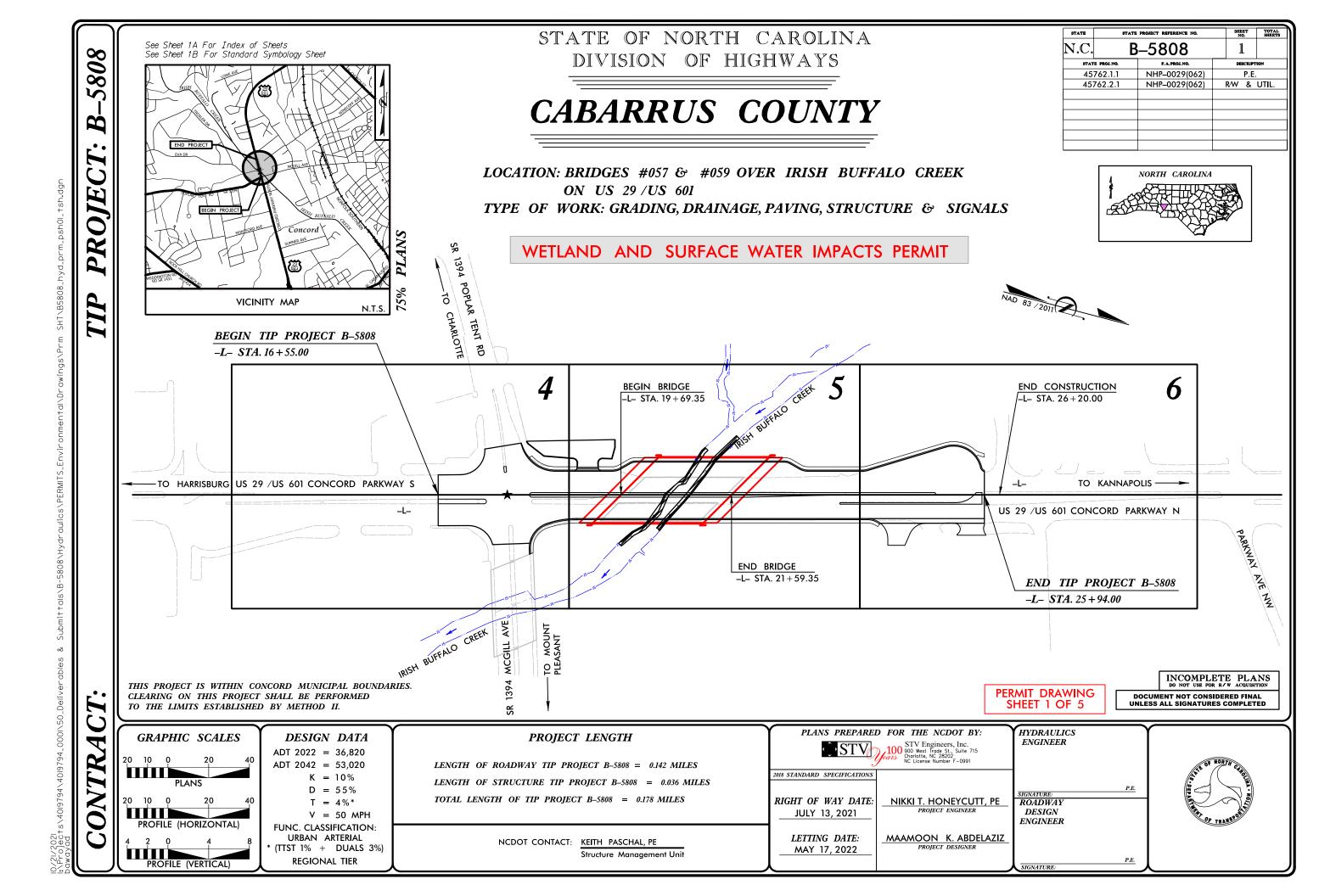
Highway Stormwater Program STORMWATER MANAGEMENT PLAN FOR NCDOT PROJECTS

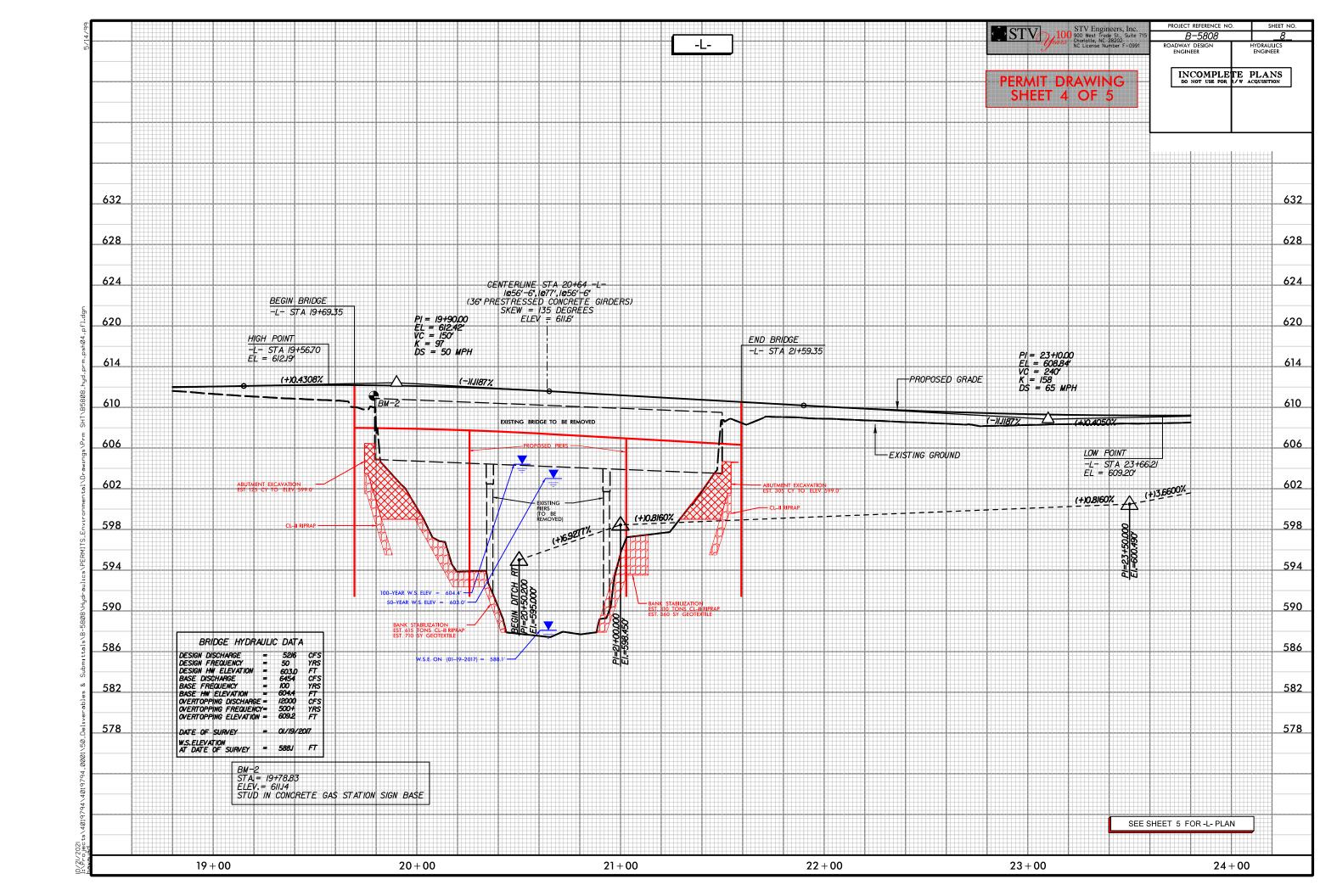
(Version 3.00; Released August 2021) WBS Element: TIP/Proj No.: B-5808 County(ies): Cabarrus Page

01: 4					Preformed Scour Holes and Energy Dissipators													
Sheet No.	Line	Station	Location (LT,RT,CL)	Latitude	Longitude	Surface Water Body		Riprap Type	Drainage Area (ac)	Conveyance Structure	Pipe (in) / Structure Dimensions (ft)	Q10 (cfs)	V10 (fps)	BMP Associated w/ Buffer Rules?				
4	Lille	20+30	LT	35.41494	20 6127E	(1)Irish Buffalo Creek	Energy Dissipator Type Riprap Energy Dissipator Basin	Class I	1.6	Pipe	42"	7.4	0.8	N/A				
4		20+30	LI	33.41494	-60.01373	(1)IIISH Bullalo Creek	Riprap Ellergy Dissipator Basili	Class I	1.0	ripe	42	7.4	0.6	IN/A				
	+																	
								Additional Comm										

Additional Comments

*Refer to the NCDOT Best Management Practices Toolbox (2014), NCDOT Standards, the Federal Highway Administration (FHWA) Hydraulic Engineering Circular No. 14 (HEC-14), Third Edition, Hydraulic Design of Energy Dissipators for Culverts and Channels (July 2006), as applicable, for design guidance and criteria.





				WETLAN	ID PERMIT	IMPACT SU	MMARY					
				WE	LAND IMPA	CTS			SURFACE	WATER IM		
Site No.	Station (From/To)	Structure Size / Type	Permanent Fill In Wetlands (ac)	Temp. Fill In Wetlands (ac)	in	Mechanized Clearing in Wetlands (ac)	Hand Clearing in Wetlands (ac)	Permanent SW impacts (ac)	Temp. SW impacts (ac)	Existing Channel Impacts Permanent (ft)	Existing Channel Impacts Temp. (ft)	Natural Stream Design (ft)
1	19+68.87 / 21+69.05	Bank Stabilization						0.02		265		
1	19+65.41 / 21+72.68	Impervious Dikes							0.05		10	
						1						

Notes: Temporary impacts total 275 feet, 265 feet are accounted for within the length of permanent impacts.

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
BRIDGES #057 & #059 OVER IRISH BUFFALO CREEK
ON US 29 / US 601
CABARRUS COUNTY
B-5808
SHEET 5 of 5 9/1/2021

ATN Revised 3/31/05



NICHOLAS J. TENNYSON Secretary

June 15, 2016

TO: Jeff Hemphill, Senior Environmental Specialist

Environmental Coordination & Permitting Group Western, NES - PDEA

CC: Angela Sanderson, Project Development Engineer

Project Development Group - Western Region, PDEA

FROM: Cheryl Gregory, Environmental Program Consultant

Biological Surveys Group, NES - PDEA

SUBJECT: Streamline Section 7 Consultation for the Northern Long-Eared Bat associated

with the replacement of Bridge Nos. 57 & 59 over Irish Buffalo Creek on US

29-US 601 in Cabarrus County, TIP No. B-5808.

The North Carolina Department of Transportation (NCDOT, Division 10) proposes to replace Bridge Nos. 57 & 59 over Irish Buffalo Creek on US 29-US 601 in Cabarrus County, TIP No. B-5808.

The project to replace Bridge Nos. 57 & 59 has been reviewed for effects on the northern long-eared bat (NLEB). As of May 4, 2015, NLEB is listed by the U.S. Fish and Wildlife Service (USFWS) as "Threatened" under the Endangered Species Act of 1973. As of April 11, 2016, NLEB is listed by USFWS as "probable/potential in Cabarrus County (http://www.fws.gov/raleigh/species/cntylist/nc_counties.html). USFWS also established a final rule under the authority of section 4(d) of the Endangered Species Act that provides measures for the conservation of NLEB. The USFWS has tailored the final 4(d) rule to prohibit the take of NLEB from certain activities within areas where they are in decline. This incidental take protection applies only to known NLEB occupied maternity roost trees and known NLEB hibernacula. Effective February 16, 2016, incidental take resulting from tree removal is prohibited if it 1) occurs within a ¼ mile radius of known NLEB hibernacula; or 2) cuts or destroys known occupied maternity roost trees, or any other trees within a 150-foot radius from the known maternity tree during the pup season (June 1-July 31).

According to the North Carolina Natural Heritage Program (NHP) Biotics Database, most recently updated January 2016, the nearest NLEB hibernacula record is 82 miles northwest of the project (EO ID 34299) and no known NLEB roost trees occur within 150 feet of the project area. EO 34299 represents three cave sites (Wind, Psuedosaltpeter, Limkiln) with multiple observations from 2001 to 2009.

NCDOT has also reviewed the USFWS Asheville Field office website (http://www.fws.gov/asheville/htmls/project review/NLEB in WNC.html) for consistency with NHP records. This project is located entirely outside of the red highlighted areas (12 digit HUC) that the USFWS Asheville Field Office has determined to be representative of an area that may require consultation.

For the proposed action, NCDOT has committed to the conservation measures listed below:

- 1) No alterations of a known hibernaculum's entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31);
- 2) No tree removal within a 0.25 mile radius of a known hibernacula (January 1 through December 31); and
- 3) No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

NCDOT has determined that the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016. NCDOT may presume its determination is informed by best available information and consider Section 7 responsibilities fulfilled for NLEB.

If you need any additional information, please contact Cheryl Knepp at 919-707-6102.



Three Oaks Engineering, Inc. 324 Blackwell Street, Suite 1200 Durham, NC 27701 (919) 732-1300

November 30, 2021

North Carolina Department of Transportation

ATTN: Michael Turchy

ECAP Western Regional Team Lead

Mailing Address:

1598 Mail Service Center Raleigh, NC 27699-1598

Physical Address:

Century Center, Building A 1000 Birch Ridge Drive Raleigh, NC 27610

SUBJECT: Schweinitz's' sunflower (Helianthus schweinitzii) Survey Report for STIP No. B-5808

in Concord, Cabarrus County, North Carolina

Mr. Turchy:

Below is the Schweinitz's' sunflower (*Helianthus schweinitzii*) species survey report for STIP No. B-5808 in Concord, Cabarrus County, North Carolina.

Project Description and Survey Methodology

The North Carolina Department of Transportation (NCDOT) is proposing to replace Bridge Nos. 57 and 59 on US 29 / US 601 over Irish Buffalo Creek in Concord, Cabarrus County, North Carolina. Three Oaks Engineering, Inc. (Three Oaks) was contracted by NCDOT to perform protected species surveys for Schweinitz's sunflower in suitable habitat within the approximately 18.3-acre project site (Figure 1). The purpose of these surveys was to update previously completed surveys and the following survey report will be used to support environmental documentation for the project and environmental permitting, if the latter is required.



Species Morphology and Habitat Description

Schweinitz's' sunflower

U.S. Fish and Wildlife Service (USFWS) Optimal Survey Window: late August – October (or first ground-level frost)

Schweinitz's' sunflower is a tall (6.5-foot) perennial plant that is found along the edges of open woodlands and prairie habitats. It is found in maintained utility corridors and in road rights-of-way (ROW) in the Piedmont regions of North and South Carolina. Schweinitz's sunflower is a composite flower that produces yellow rays and blooms from late August until frost. Distinguishing characteristics include a thick tuberous root, a purple stem, opposite leaves on the lower stem with alternate leaves on the upper stem, thick leaves with recurved edges, and stiff hairs along the leaf margins with soft hairs underneath.

Survey Results

On October 18, 2021, Three Oaks staff members Wade Biltoft and Caitlan Bell conducted a plant-by-plant survey for Schweinitz's' sunflower within the project site. Marginally suitable habitat for Schweinitz's' sunflower was present within the project site in areas with moderate disturbance regimes and little-to-no canopy cover. However, no individuals were present. Additionally, no typical associate species were identified. A review of the North Carolina Natural Heritage Program (NCNHP) October 2021 dataset revealed no known Schweinitz's' sunflower occurrences within the study area or within one mile of the project site. Due to the negative survey results of this survey and the lack of known occurrences within one mile, the Biological Conclusion rendered for the species is "No Effect".

Please let me know if you have any questions or require any additional information.

Sincerely,

James Mason Digitally signed by James Mason Date: 2021.11.30 11:38:06 -05'00'

James Mason

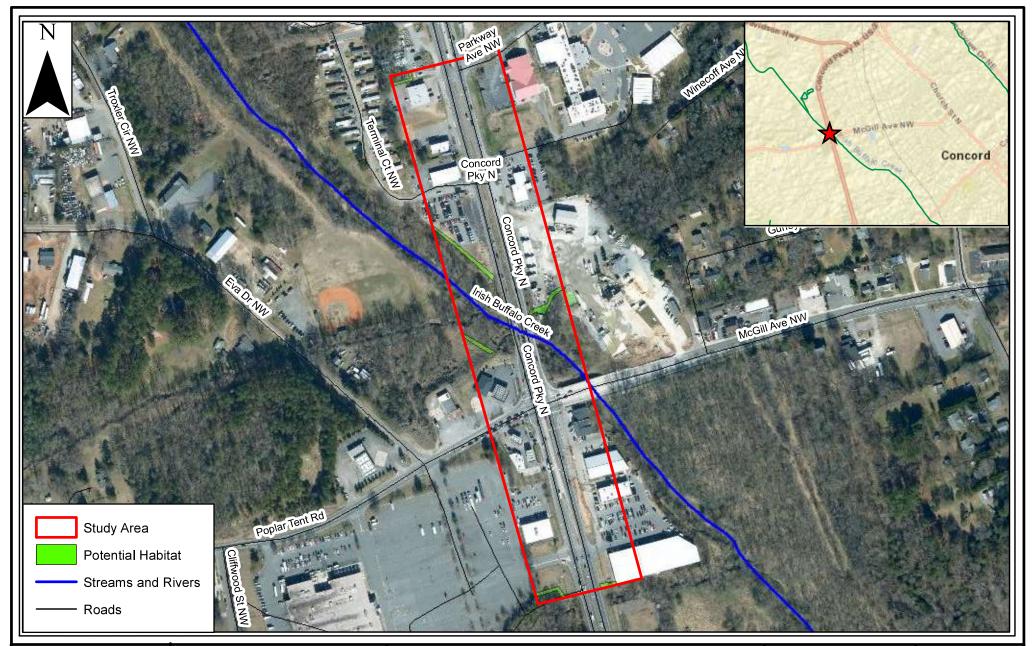
Senior Environmental Scientist Three Oaks Engineering, Inc.

james.mason@threeoaksengineering.com

Office: (919) 732-1300 Mobile: (704) 604-8358



Appendix A Figure







Replacement of Bridge Nos. 57 and 59 on US 29/601 over Irish Buffalo Creek STIP No. B-5808

Project Study Area Map/Habitat Map

Cabarrus County, North Carolina

November 2021				
Scale: 0 90 180	360 Feet			
Job No.: 21-625 Sunflower Surveys				
Drawn By: BL	Checked By: JM	۱		

Figure 1



November 15, 2021

Memorandum To: Michael Turchy, ECAP Western Regional Team Lead

From: Pete Stafford, PWS, CMS-UAS, RK&K Senior Manager

Subject: Bald and Golden Eagle Protection Act update, November 2021

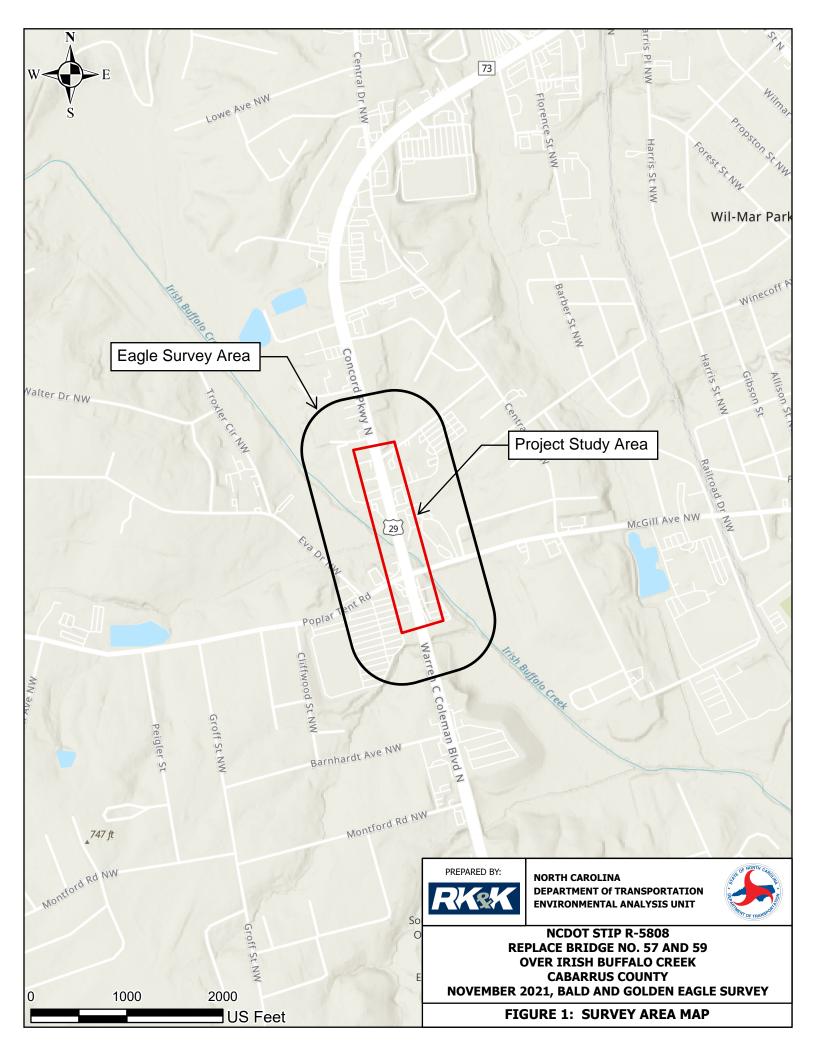
RK&K has been tasked to perform an eagle nest survey for the North Carolina Department of Transportation (NCDOT) STIP B-5808 project (Figure 1). The following memo has been prepared to summarize findings of the field survey.

All work was conducted in accordance with the NCDOT Environmental Coordination and Permitting's Preparing Natural Resources Technical Reports Procedure and the NRTR Template dated September 2021. Field work was conducted on November 9, 2021. No eagle nests were observed.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act is enforced by the USFWS. Golden eagles do not nest in North Carolina. Habitat for the bald eagle primarily consists of mature forests in proximity to large bodies of open water for foraging. Large dominant trees are utilized for nesting sites, typically within 1.0 mile of open water.

A desktop-GIS assessment of the project study area, as well as the area within a 1.0-mile radius of the project limits, was performed on November 8, 2021 using 2017 color aerials. Two water bodies large enough to be considered potential feeding sources were identified. A survey of the project study area and the area within 660 feet of the project limits was conducted on November 9, 2021. No eagle nests were identified. Additionally, a review of the NHP database on November 8, 2021 revealed no known occurrences of this species within 1.0 mile of the project study area. Due to the lack of nests, known occurrences, and minimal impact anticipated for this project, it has been determined that this project will not affect this species.



16-01-00073



NO ARCHAEOLOGICAL SURVEY REQUIRED FORM

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



PROJECT INFORMATION

Project No:	Br. Nos. 57 & 59	County:	Cabarrus
WBS No:	45762.1.1	Document:	CE Or MCC
F.A. No:	NHP-0029(062)	Funding:	State Federal
Federal Permit Requ	uired? \(\sum \) Yes	s 🗌 No Permit	Type: usace

Project Description: NCDOT proposes to replace Bridge Nos. 57 and 59 on US 29 / US 601 over Irish Buffalo Creek west of Concord in Cabarrus County. Conceptual design plans suggest the two bridges would be replaced in-place with a single wider bridge using a phased on-site detour and cross-over during construction. The project length is about 1200 feet (0.23 miles) with a construction width expanding to the north about 100 feet beyond the existing western ROW for the on site detour fill and construction. For purposes of this archaeological review, an earlier study area will be used as the Area of Potential Effects allowing for a range of design options should they later change. The APE is about 2000 feet (0.38) in length and 350 feet wide, centered in between the existing structures.

This is a federally funded and permitted undertaking and therefore falls under Section 106 of the National Historic Preservation Act for archaeological review.

SUMMARY OF CULTURAL RESOURCES REVIEW

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

The bridges to be replaced are located along US 29 / US 601 at an urbanized crossroads west of Concord. Gas stations, shopping centers, commercial and industrial lots are adjacent to the APE, including a likely concrete mixing plant. Driveways and underground utilities, including installed sewage main lines, are present. The majority of the APE is considered altered, lessening the archaeological integrity of any resouces that might otherwise be present.

USGS mapping (Concord) and aerial photography was studied (see Figures 1 and 2). Google and Bing street view tools were used and confirm the developed and altered nature of the APE. Note that a NC Highway Historic Marker Program sign (L 44), commemorating Red Hill some 1.5 miles west, is posted within the APE beside of a utility pole.

According to USGS mapping and GIS resources (data layer created by NCDOT archaeologist Paul J. Mohler), no cemetery is present at the APE.

Historic maps were examined to determine if any late historic structures, roads or other notations were present to help establish the a context of the recent past, especially farms, industry, land and transportation features which might offer hints to the presence of archaeological sites. The 1910 Soils Map of Cabarrus County (MC.016.1910a) depicts only an earlier version of SR 1394 (Poplar Tent Road / McGill Avenue), but the equivalent of US 29/US 601 had not been constructed. No other notable features were noted near the project area on historic mapping with the exception of two buildings assumed to be businesses on 1950 USGS mapping when US 29/US 601 first appears. The bridges were reportedly constructed in 1951.

The Office of State Archaeology was visited to review archaeological mapping and to reference any known archaeological surveys and sites. This helps establish an archaeological context for comparison. One environmental review, ER 04-0087, appears to be a sewage easement following Irish Buffalo Creek, though no archaeological sites were associated with this portion of the review. A short distance west, about 1000

Project Tracking No.:

16-01-00073

feet from the bridges, is site 31Ca308, though it will not be impacted being some distance outside of the APE. Several other surveys are present in the nearby, even overlapping area, though, if surveyed, no archaeological sites were identified and recorded.

For this undertaking, a double highway bridge replacement with an on-site detour, the project footprint will expand. The increase in the construction footprint is likely to occur west of the existing bridges, overlapping a developed (gas station) lot and sewage easement. The remaining APE has been also modified through grading, utilities, development and the road construction.

Expectations are low that an intact, significant archaeological site would be affected during the bridge construction in the APE where soils disturbances area notable. No archaeological survey is recommended for this undertaking as currently proposed. For archaeological review, the two bridge replacements should be considered compliant with Section 106.

Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:

The bridge replacements and on-site detour are located at a developed urban intersection. Most of the adjacent lots are developed or otherwise considered disturbed. It is unlikely that archaeological remains are present, especially in the wet soils, and if so, that they would be intact and significant. For archaeological review, this federally funded and permitted undertaking should be considered compliant with Section 106.

SUPPORT DOCUMENTATION		
See attached: Map(s) Previous Survey Info Photocopy of County Survey Notes	Correspondence	
FINDING BY NCDOT ARCHAEOLOGIST		
NO ARCHAEOLOGY SURVEY REQUIRED		
Bura Mut	5/11/2018	
NCDOT ARCHAEOLOGIST	Date	

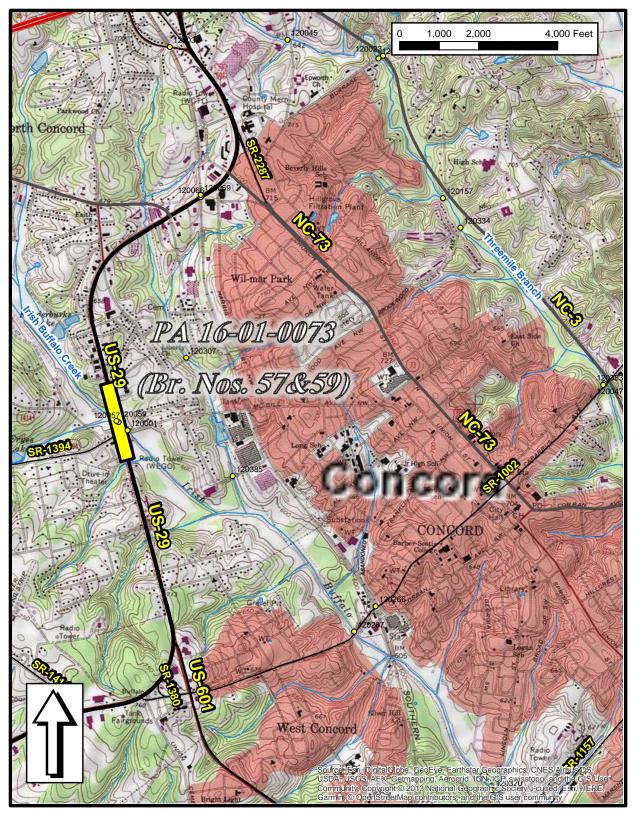


Figure 1. Vicinity of TIP # B-5808, PA 16-01-0073, the proposed replacement of Br. Nos. 57 & 59 on US 29/US 601 over Irish Buffalo Creek west of Concord.



Figure 2. Aerial map of TIP # B-5808, PA 16-01-0073, the proposed replacement of Br. Nos. 57 & 59 on US 29/US 601 over Irish Buffalo Creek west of Concord. The approximate, generous APE is shown in yellow. Note the developed properties.

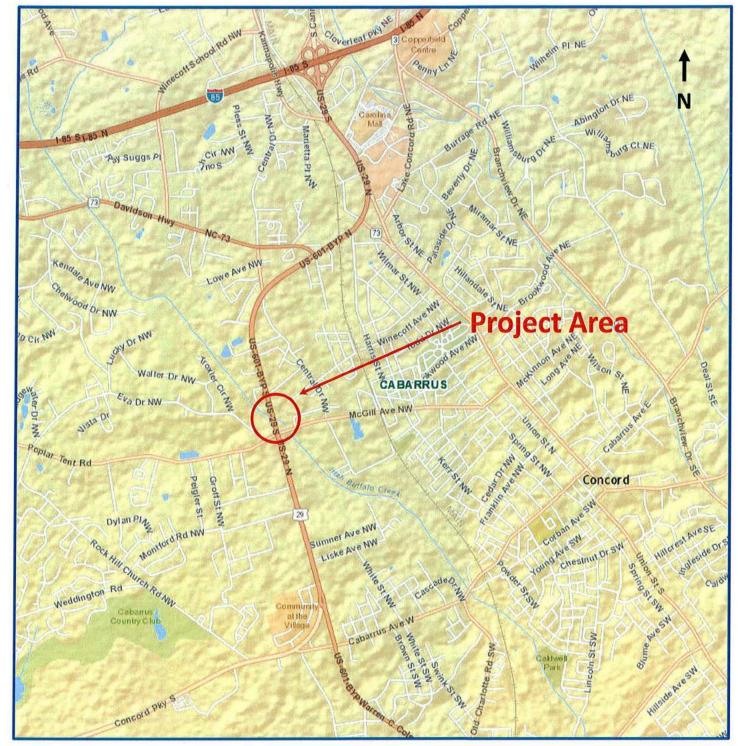
16-01-0073



HISTORIC ARCHITECTURE AND LANDSCAPES NO SURVEY REQUIRED FORM

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

	PROJECT	INFORMATI	ON
Project No:	B-5808	County:	Cabarrus
WBS No.:	45762.1.1	Document Type:	
Fed. Aid No:		Funding:	State X Federal
Federal Permit(s):	X Yes No	Permit Type(s):	NWP
	ion: Replace Bridge Number		nd 59 (SBL) on US 29 and US
	o Creek (no off-site detour		,
SUMMA	RY OF HISTORIC ARCHI	ITECTURE AN	ND LANDSCAPES REVIEW
current GIS mappi commercial resour February 2016). To North Carolina Highthe SR 1394 (Popla Bridge Numbers 57 NCDOT Historic Britype. Google Maps the APE (viewed 11 No an Why the available are no unidentificarea: APE extends the US 29-US 601 county architectura Kaplan, The Historic County GIS/tax maresources. No Nati	ing, aerial photography, and tax ces and one school dating from the several pre-1965 resources a hway Historical Marker L-84 ("Refer Tent Road)/ US 29-US 601 into 7 (1951) and 59 (1938) are not represented by the second of the	information indicathe mid-twentieth are unexceptional and Hill") is located tersection and refeligible for the Natesentative of any osence of critical had for the project in the desire basis for refectural or lands are existing bridge proposed constructions recorded forth Carolina (Concillustrate the absorbe please notify	n century to the 2000s (viewed 16 and altered examples of their types. It is just southeast of Bridge No. 57 at serences a site outside the APE. It is in all Register according to the redistinctive engineering or aesthetic inistoric structures and landscapes in a ct as currently defined. Leasonably predicting that there is in activities. The comprehensive in properties in the APE (Peter R. 1907, NC]: Historic Cabarrus, 1981; 2004)). Lence of significant architectural the APE. NCDOT Historic Architecture
_	_	OCUMENTA	
X Map(s)	Previous Survey Info.	Photos	Correspondence Design Plans
Historic Architec	FINDING BY NCDOT All ture and Landscapes NO SI		
NCDOT Architec	ctural Historian		Date ()



B-5808 Bridge Numbers 57 and 59 Replacements Cabarrus County WBS No. 45762.1.1 Base map: HPOWeb, nts

Catawba Indian Nation Tribal Historic Preservation Office 1536 Tom Steven Road Rock Hill, South Carolina 29730

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



January 16, 2020

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

Re. THPO#

Project #

Project Description

2020-193-85 B-5808

3

Replacement of Bridge Nos. 57 and 59 on US 29/US 601 over Irish Buffalo Creek

Dear Mr. Stutts,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail caitlinh@ccppcrafts.com.

Sincerely,

Wenonah G. Haire

Tribal Historic Preservation Officer

Cattle Rogers for

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	B-5808
WBS Element	45762.1.1
Federal Project No.	NHP-0029(062)

A. Project Description:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 57 and Bridge No. 59 on Concord Parkway (US 29/US 601) over Irish Buffalo Creek in Cabarrus County (Refer to Figure 1). Built in 1951, Bridge No. 57 (Northbound) and Bridge No. 59 (Southbound), built in 1938, have two 12-foot lanes each, approximately 170 feet in length, with reinforced concrete deck and girder construction. The project is scheduled for Right of Way in August 2019 and Let in August 2020. Minor ROW acquisition will be required.

Proposed improvements include adding 5-foot sidewalks, an additional northbound 12-foot left turn lane, and a southbound 12-foot right turn lane. The proposed bridge would be 180 feet in length, and the bridge replacement would be constructed in place through the use of an on-site detour, crossovers, and phased construction (Refer to Appendix A).

B. <u>Description of Need and Purpose:</u>

NCDOT Bridge Management Unit records indicate Bridge No. 57 and Bridge No. 59 have sufficiency ratings of 48.27 and 49.73 out of a possible 100 for a new structure (respectively). Bridge No. 57 and Bridge No. 59 are considered structurally deficient due to a substructure condition appraisal of 4 out of 9 according to Federal Highway Administration (FHWA) standards. The two bridges also meet the criteria for functionally obsolete due to a deck geometry appraisal of 2 out of 9. Both bridges are approaching the end of their useful lives.

C. <u>Categorical Exclusion Action Classification:</u>

\boxtimes	TYPE I A
	TYPE I B
	TYPE II A
П	TYPF II R

D. <u>Proposed Improvements:</u>

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Capacity Analysis:

In March 2018, a capacity analysis was completed that analyzed the intersection of US 29/601 and Poplar Tent Rd/McGill Ave. The 2016 Base Year No-Build found an overall LOS E during AM and PM peak hour with Poplar Tent Rd.

A 2025 construction year analysis was conducted to understand the impacts of construction phasing at the intersection of US 29/601 and Poplar Tent Rd/McGill Ave. The following three options were analyzed:

- Option 1 Michigan Left as proposed in C-4918A (a locally administered congestion mitigation air quality (CMAQ) project that will provide intersection improvements and additional turn lanes for Poplar Tent Rd at US 29/US 601).
- Option 2 Divided US 29/601 to restrict east/west through movements along Poplar Tent Road/McGill Ave.
- Option 3 Divided US 29/601 along with the detour of McGill Ave Traffic Poplar Tent Rd being restricted to right turns only.

After analyzing all three construction phasing options, it is predicted that option 1 will achieve acceptable overall LOS at the intersection of US 29/601 and Poplar Tent Rd/McGill Ave.

Phasing:

During Phase I, a temporary detour bridge will be constructed while a temporary crossover for northbound traffic is constructed. Existing traffic patterns will not be altered. Southbound traffic will be rerouted to the temporary detour bridge and northbound traffic will shift via the crossover to the existing southbound lane during Phase II. In this phase, the east side of the new bridge will be constructed. Phase III shifts northbound traffic to the newly constructed bridge while maintaining southbound traffic on the temporary detour bridge. The remaining side of the new bridge is constructed in this phase. In the final phase, Phase IV, southbound traffic will be shifted to the newly constructed bridge and the temporary detour bridge will be removed.

Anticipated Permit or Consultation Requirements: The proposed project has been designated as a CE for the purposes of National Environmental Policy Act (NEPA) documentation. As a result, a Nationwide Permit (NWP) 23 will likely be applicable. A NWP 33 may also apply for temporary construction activities such as stream dewatering, work bridges, or temporary causeways that are often used during bridge construction or rehabilitation. The USACE holds the final discretion as to what permit will be required to authorize project construction. If a Section 404 permit is required, then a Section 401 Water Quality Certification (WQC) from NCDWR will be needed. Irish Buffalo Creek, which is part of the Yadkin-PeeDee River basin, crosses under Bridge No. 57 and 59 and is listed on the North Carolina 2016 Final 303(d) list of impaired waters but not for sedimentation.

Environmental Commitments: Greensheet commitments are located at the end of the checklist.

Estimated Costs (Pending): The estimated costs, FY 2018, are as follows:

Utility	\$ 1,417,100	(NCDOT)
R/W	\$ 309,200	(NCDOT)
Const.	\$ 8,760,000	(STV Engineers Inc.)
Total	\$ 10,486,300	

Estimated Traffic: A traffic forecast was conducted in September 2016, and a capacity analysis completed in March 2018. The SYNCHRO analysis determined the need for a six (6) lane section of the bridge in 2040 to provide additional storage for vehicles traveling north/south on US 29/601.

Current 2016 32,000 vpd Year 2040 51,400 vpd

TTST 1% Dual 3%

Crash Analysis: A crash analysis was completed on February 15, 2017 by NCDOT on this section of US 29 and US 601(Concord Parkway) from 500 feet south of Bridge No. 57 to 500 feet north of the bridge. The crash analysis was performed using NCDOT's TEAAS system with a study period of five years, from January 1, 2012 to December 31, 2016. 111 crashes were found occurring in the vicinity of the project. The crash analysis found the Total Crash Rate for crashes per 100 million vehicle miles to be 943.70 which is higher than the comparable state average of 321.99.

Design Exceptions: There are no anticipated design exceptions for this project.

Pedestrian and Bicycle Accommodations: There are no existing bike and pedestrian facilities along Concord Parkway (US 29/US 601). The City of Concord requested incorporating sidewalks on both bridges as well as 14-ft outside wide lanes to accommodate bicycles. B-5808 proposes 5-foot sidewalks along Concord Parkway.

Irish Buffalo Creek is the future site of the Irish Buffalo Creek Greenway, which is an adopted segment of the Carolina Thread Trail connecting Concord to Kannapolis. This segment is noted in the adopted Carolina Thread Trail Master Plan for Cabarrus County (August 2009). The NC Division of Bicycle and Pedestrian Transportation recommended working with the City of Concord to discuss accommodations underneath the replaced bridge. B-5808 proposes vertical clearance ranging from 8 feet to 18 feet underneath the bridge.

The City of Concord confirmed on May 22, 2018 that the proposed greenway is not funded and the trail is planned to be a paved path along Irish Buffalo Creek. On July 2, 2018, the City of Concord confirmed that none of the parcels surrounding Bridge Nos. 57 & 59 are owned by the City of Concord, Cabarrus County, or have publicly owned easements on them.

Alternative Analysis:

No Build – The no build alternative would not replace deficient bridges, and thus is not a viable option.

Rehabilitation – Rehabilitation would only provide a temporary solution to the structural deficiency of the bridge.

Staged Construction with Onsite Detour (Preferred Alternative) – Staged construction is the current and preferred alternative since it utilizes an onsite detour bridge. Phased construction will be utilized. Southbound traffic will be moved to a temporary detour bridge and northbound traffic will be shifted to the existing southbound lanes. In addition, due to concerns regarding the number of school buses using the bridge and the high level of impact on emergency response services, an offsite detour was not feasible.

New Alignment – A new alignment option for US 29/US 601 (Concord Parkway North) is not feasible.

Offsite Detour – The closest available detour route is approximately 7 miles long and follows Concord Parkway North, NC 73 (Church Street North), and SR 1002 (Cabarrus Avenue West). Given the potential for a high level of impact on emergency response services and school transportation, an alternative that utilizes a temporary on-site detour is preferred.

Agency Comments: Start of Study letters were sent to the City of Concord, Cabarrus County, Cabarrus-Rowan MPO, NC Department of Parks and Recreation, NC DEQ, NC Division of Bicycle and Pedestrian Transportation, and the US Army Corps of Engineers in December of 2015.

In 2016, The City of Concord's Transportation Director noted C-4918A, a locally administered congestion mitigation air quality (CMAQ) project, which modifies the current US 29 Poplar Tent/McGill intersection to a superstreet, is located in the study area. Due to an unpermitted left turn from US 29 south to McGill Ave, it is requested that width be provided on the northbound lane to provide future storage for the U-turn north of the intersection.

Input forms were sent to the Concord Fire Chief, Town of Concord Planner, and the Cabarrus County Schools Transportation Technical Planner in April and May of 2016. Comments were received back from the Concord Fire Chief and the Cabarrus County Schools Transportation Technical Planner in April and May of 2016. The Cabarrus County School Transportation Technical Planner expressed concern regarding the potential impact of this project on school transportation services and high impacts for regular traffic if the bridge was closed for up to a year. The Concord Fire Chief expressed concern regarding the potential high level of impact this project would have on EMS services if the bridge was closed for up to a year.

Public Involvement: Census data indicates a Spanish language-speaking population which exceeds the US Department of Justice Limited English Proficiency Safe Harbor threshold within the DCIA. Census data also indicates an Asian/Pacific language speaking populations within the area. A landowner notification letter was sent on February 16, 2016 to all property owners affected directly by this project to inform them of representatives being present on their property. The letter indicated the following, "Please note that if the U.S. Army Corps of Engineers has already issued a Jurisdictional Determination on your property confirming the presence of streams and/or wetlands, or if you have general questions or comments about the project, contact the NCDOT Planning Engineer Jonathan Carr by phone (919) 707-6014, or via email at jecarr@ncdot.gov." No comments have been received to date.

F. Project Impact Criteria Checklists:

Type I & II - Ground Disturbing Actions					
FHWA A	FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA				
If any of	If any of questions 1-7 are marked "yes" then the CE will require FHWA approval. Yes No				
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?		×		
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?		\boxtimes		
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?		\boxtimes		
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?		×		
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?		\boxtimes		
6	Does the project require an Individual Section 4(f) approval?		\boxtimes		
7	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)?		×		
If any of questions 8 through 31 are marked "yes" then additional information will be required for those questions in Section G.					
Other Considerations			No		
8	Does the project result in a finding of "may affect not likely to adversely affect" for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)?		×		

9	Is the project located in anadromous fish spawning waters?		\boxtimes		
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)?	×			
11	Does the project impact waters of the United States in any of the designated mountain trout streams?				
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?				
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?				
14	Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains?		\boxtimes		
Other Considerations (continued)					
15	Does the project involve hazardous materials and/or landfills?	\boxtimes			
16	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?	×			
17	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?				
18	Does the project require a U.S. Coast Guard (USCG) permit?		\boxtimes		
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?		\boxtimes		
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?		X		
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?				
22	Does the project involve any changes in access control?		\boxtimes		
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?		\boxtimes		
24	Will maintenance of traffic cause substantial disruption?		\boxtimes		
25	Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?		×		
26	Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property?		\boxtimes		

27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?	\boxtimes
29	Is the project considered a Type I under the NCDOT's Noise Policy?	\boxtimes
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	
31	Are there other issues that arose during the project development process that affected the project decision?	\boxtimes

G. Additional Documentation as Required from Section F

Response to Question 10- 303(d) Impaired Water Bodies: Irish Buffalo Creek is listed on the North Carolina 2014 and 2016 Final 303(d) list of impaired waters in the study area. Impacts to water quality resulting from the design and construction of the proposed improvements will be minimized or avoided through the use of the NCDOT Stormwater Best Management Practices Toolbox.

Response to Question 15 – Hazardous Materials: A GeoEnvironmental Report completed on August 12, 2016 identified nine petroleum Underground Storage Tank (UST) facilities within the project limits (Refer to Figure 1). There will be ROW acquisition on two parcels that have identified UST's. An active gas station is located on the western quadrant of the Concord Parkway (US 29/US 601) and Poplar Tent Rd intersection. A cement plant is in the northeastern quadrant of the intersection with two UST's and one above ground storage tank (AST). All nine UST facility sites are anticipated to present low geoenvironmental impacts to this project. Soil and ground water assessment will be conducted at each of the affected sites prior to right of way acquisition.

Response to Question 16 – Floodplain: This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed asbuilt construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

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

H. Project Commitments

Cabarrus County
Bridge No. 57 and No. 59 over Irish Buffalo
Federal Project No. NHP-0029(062)
WBS No. 45762.1.1
STIP No. B-5808

Structures Management Unit, Project Manager FEMA Coordination

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

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

Division Ten, Division Bridge Program Manager Sidewalks

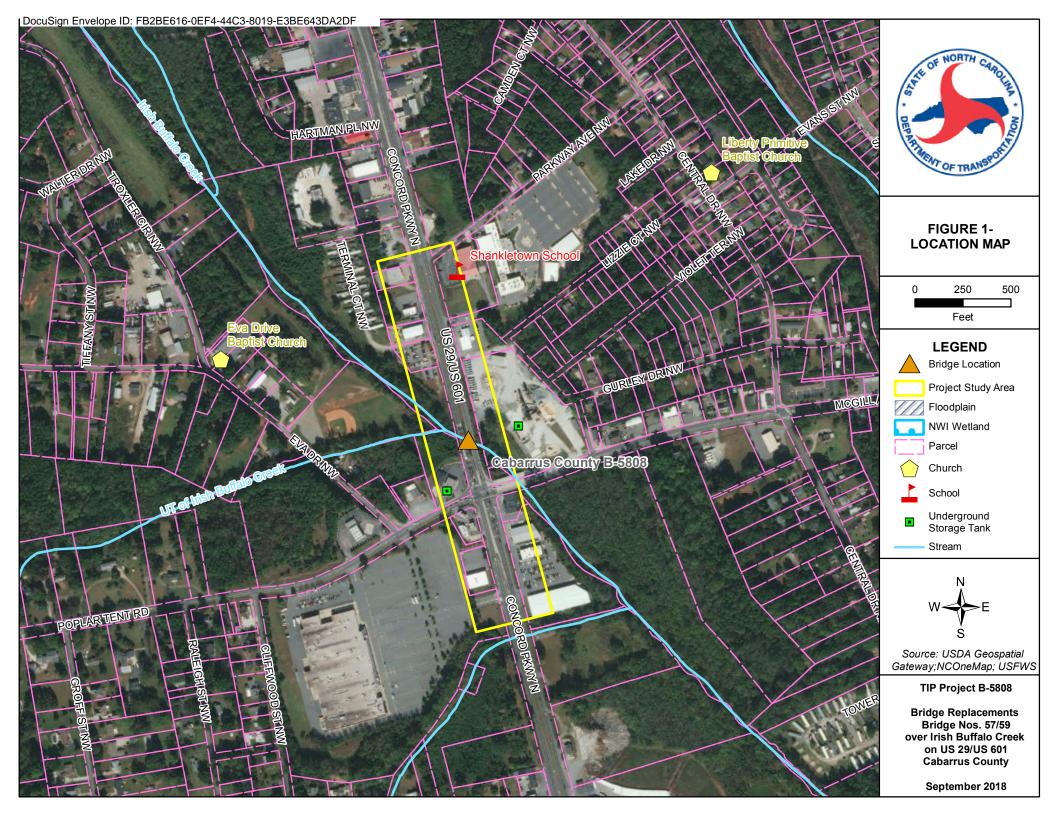
Proposed sidewalks are included on both sides throughout the project. This should be included in the municipal agreement between NCDOT and the City of Concord.

Division Ten, Division Bridge Program Manager, GeoEnvironmental Hazardous Materials

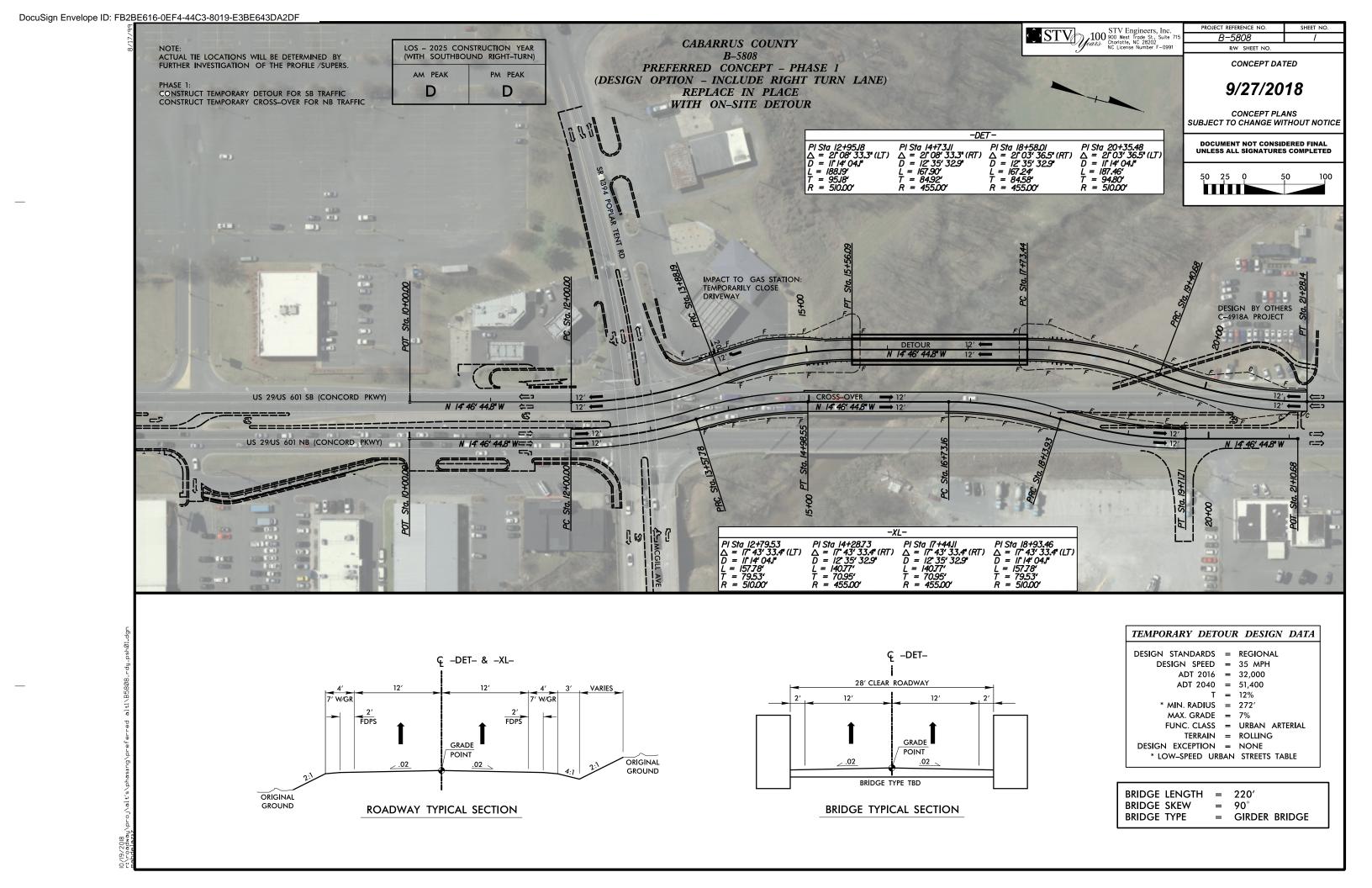
If further design indicates potential impacts to Hazardous Materials, soil and groundwater assessments will be conducted at each of the affected sites prior to right of way acquisition by NCDOT GeoEnvironmental.

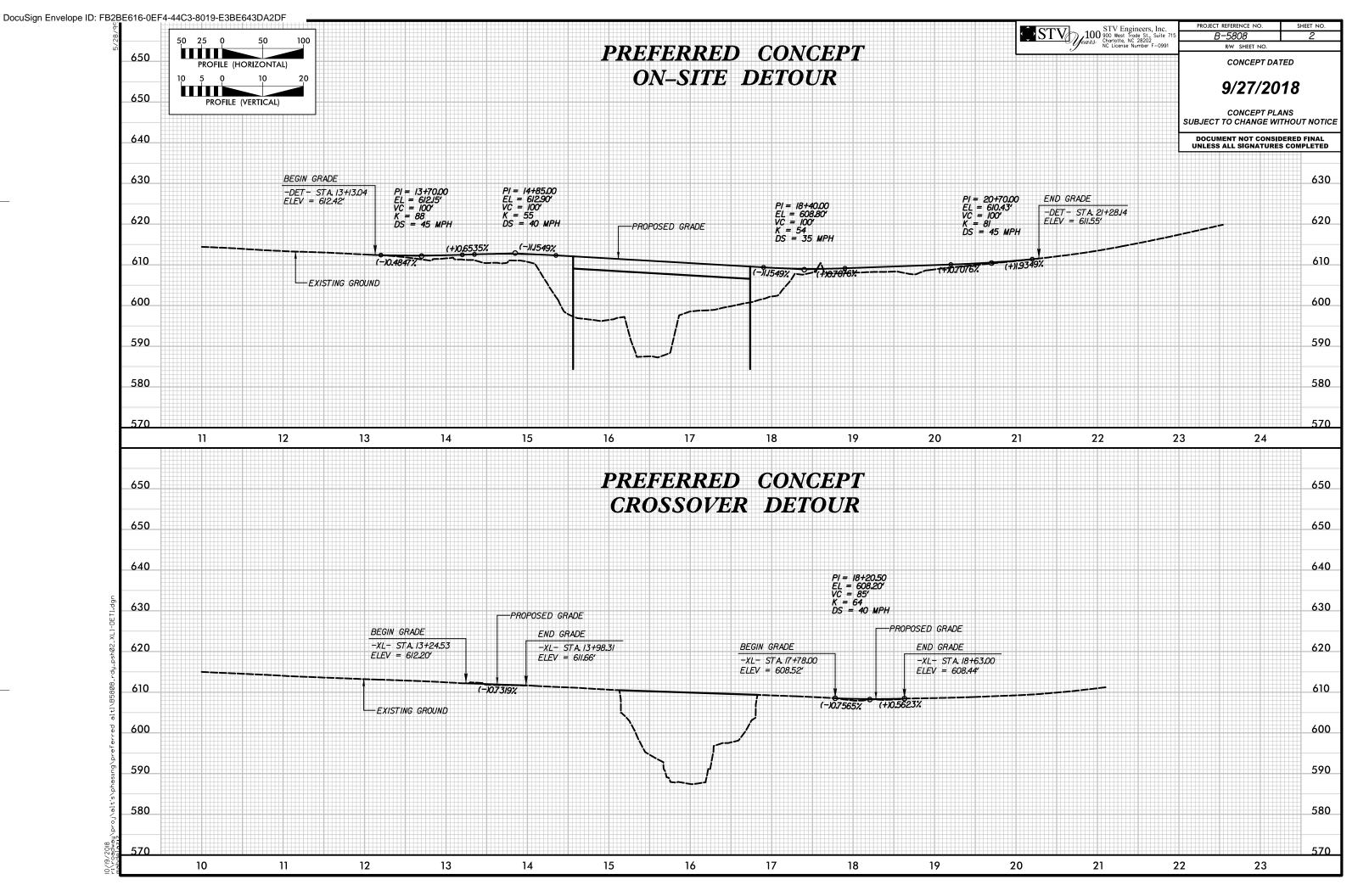
I. <u>Categorical Exclusion Approval</u>

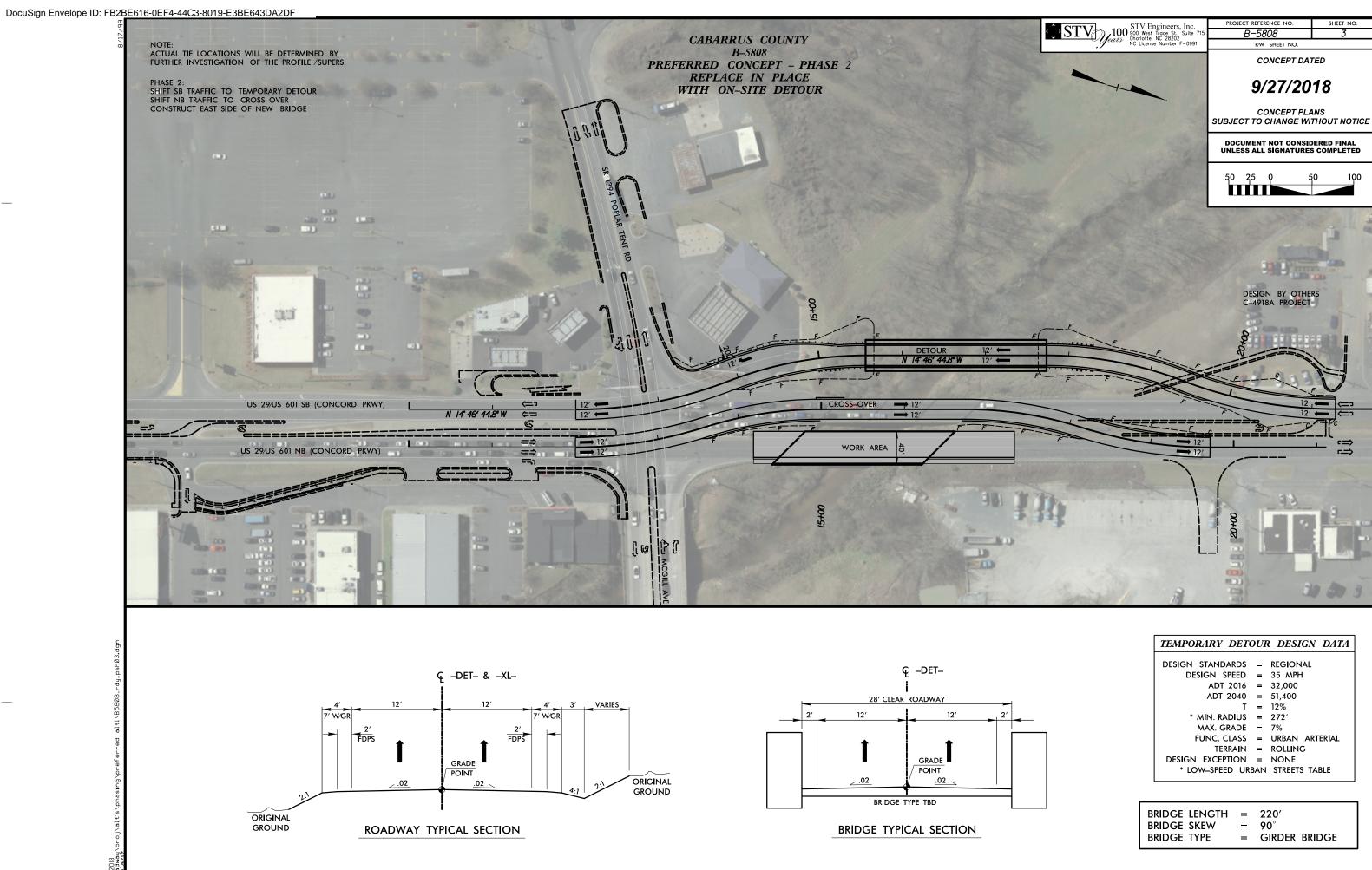
STIP Project No.	B-5808
WBS Element	45762.1.1
Federal Project No	NHP-0029(062)
Prepared By:	DocuSigned by:
11/7/2018	Elizabeth Scott
Date Eli	zabeth Scott, EI, STV Engineers Inc.
Prepared For: N	North Carolina Department of Transportation
Reviewed By: 11/8/2018	Docusigned by: Graviano Haywoon
Date Ga	arland Haywood, PE, Division Bridge Program Manager orth Carolina Department of Transportation
⊠ Approved	If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.
□ Certified	If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.
11/26/2018	Levin Fischer
	evin Fischer, PE, Structures Management Unit lorth Carolina Department of Transportation
	For Projects Certified by NCDOT (above), FHWA signature required.
	nn F. Sullivan, III, PE, Division Administrator ederal Highway Administration

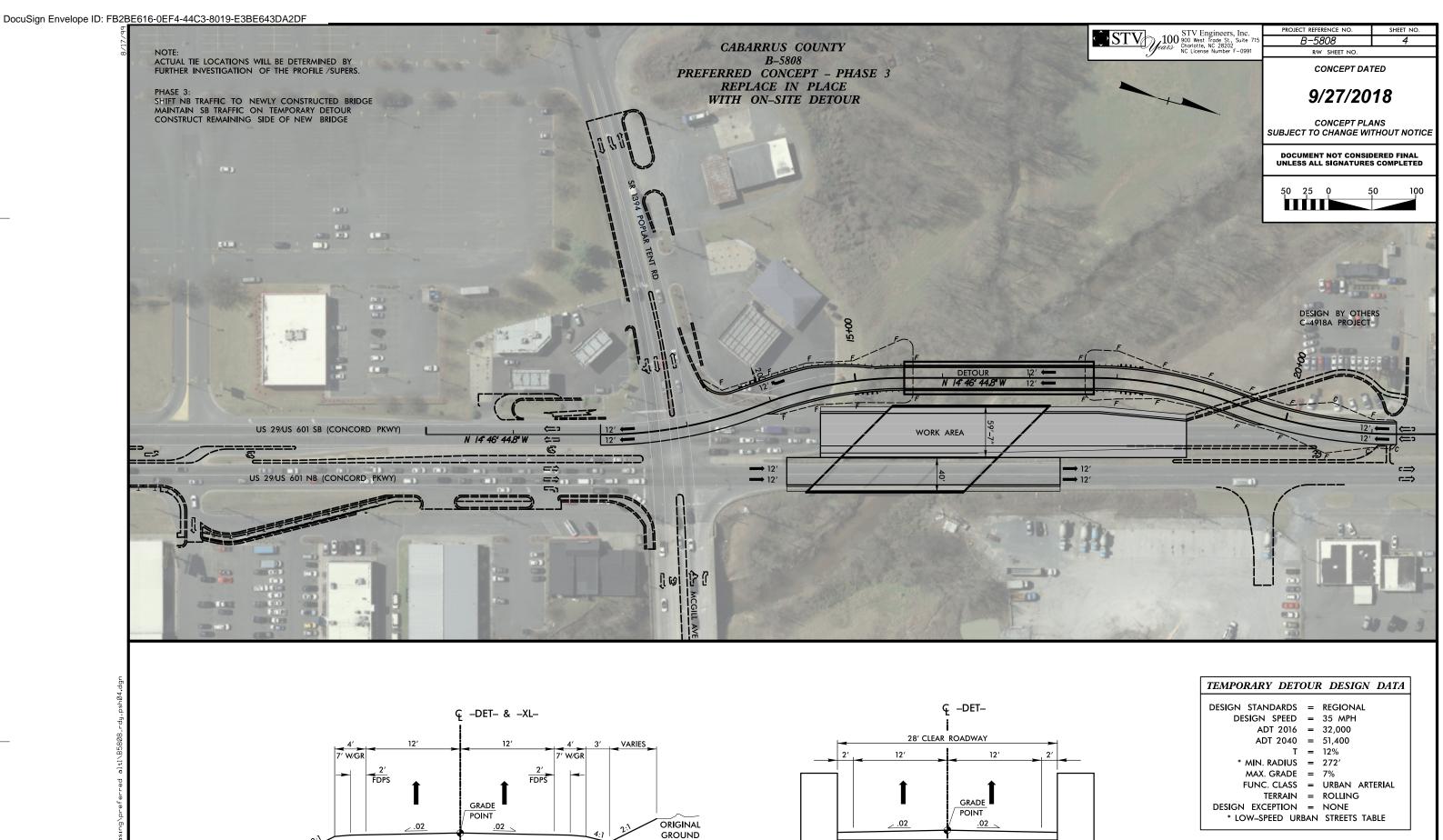


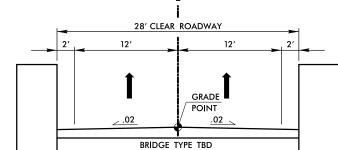
Appendix A











BRIDGE TYPICAL SECTION

BRIDGE LENGTH = 220'

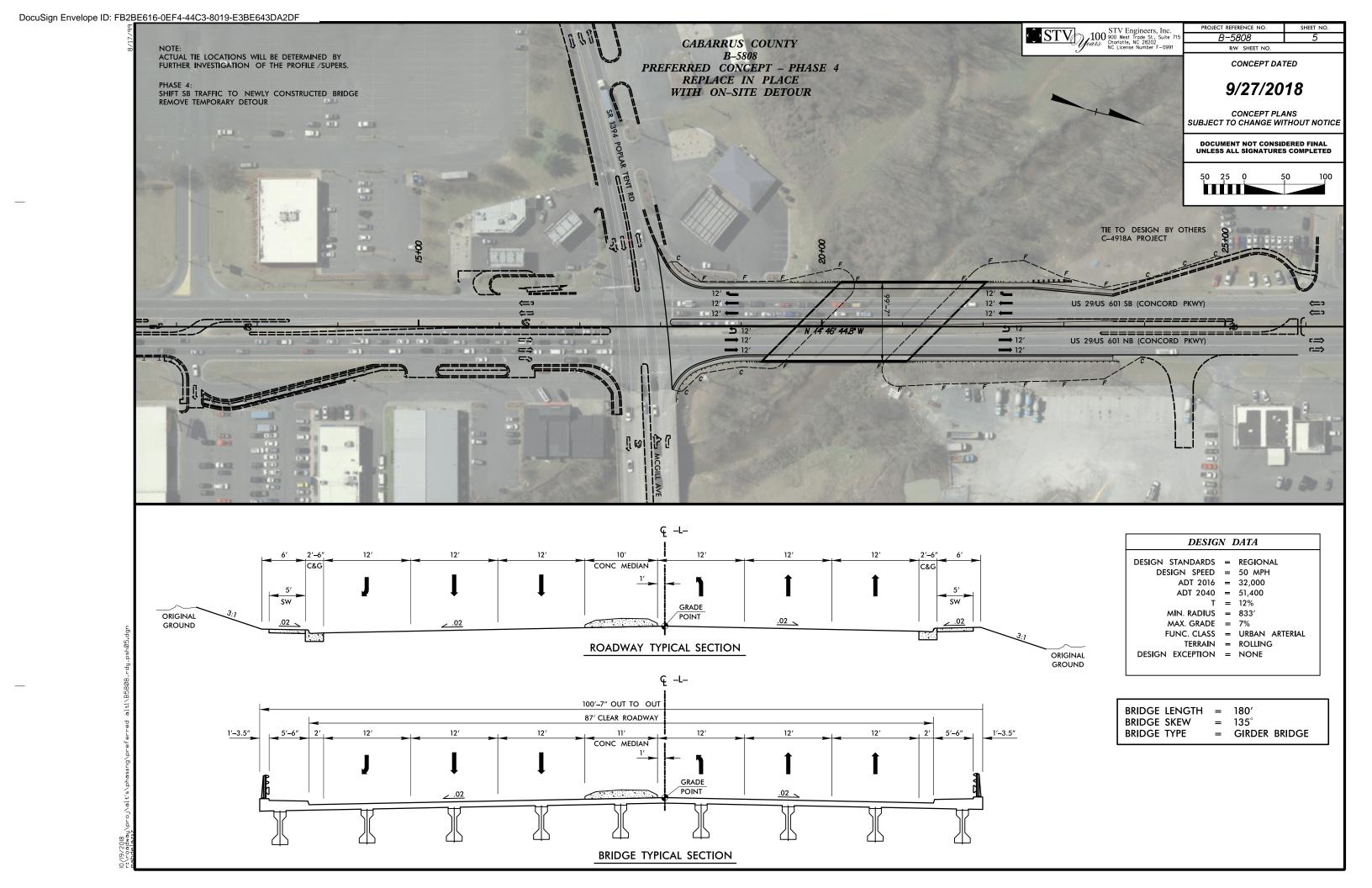
BRIDGE SKEW = 90°

BRIDGE TYPE = GIRDER BRIDGE

ORIGINAL

GROUND

ROADWAY TYPICAL SECTION



North Carolina Department of Transportation **Preliminary Estimate**

TIP No. B-5808 Func

County: Cabarrus

US 28 (Concord Parkway) Route SR 1394 (Poplar Tent Road) From

CONSTR. COST \$8,760,000

Typical Section

Prepared By:

G. McCauley Date 9/27/2018

Requested By: Date

Line		Sec							
Item	Des	No.	Description	Quantity	Unit	┸	Price		Amount
						╙			
						<u> </u>			
			Grading	1	LS	\$	800,000.00	\$	800,000.00
			D : E : /: L /:	0.20	3.61	Φ.	050 000 00	Ф	100 000 00
			Drainage Existing Location	0.20	Miles	\$	950,000.00	\$	190,000.00
			Fine Grading	2,430	SY	\$	10.00	\$	24,300.00
			New Pavement	2,430	SY	\$	75.00	\$	182,250.00
			Pavement Resurfacing	6,565	SY	\$	20.00	\$	131,300.00
			aveillent Resurracing	0,303	31	T D	20.00	Φ	131,300.00
						╁			
						+			
			1'-6" Concrete Curb and Gutter		LF	+		\$	_
			2'-6" Concrete Curb and Gutter	770	LF	\$	25.00	\$	19,250.00
			4" Concrete Sidewalk	470	SY	\$	50.00	\$	23,500.00
			5" Monolithic Islands	420	SY	\$	100.00	\$	42,000.00
						Ť		Ė	,
			Erosion Control	4.0	Acres	\$	50,000.00	\$	200,000.00
									·
					Each				
			Upgrade Traffic Signal	1	Each	\$	75,000.00	\$	75,000.00
			Traffic Signal (New)	1	Each	\$	125,000.00	\$	125,000.00
			Traffic Control	1.0	LS	\$	300,000.00	\$	300,000.00
			Thermo and Markers	0.2	Miles	\$	50,000.00	\$	10,000.00
			Structures						
			Temporary Bridge (Monthly Rental)	30.00	Month	\$	20,000.00	\$	600,000.00
			Stage Constructed Bridge	18,000.00	SF	\$	170.00	\$	3,060,000.00
			Utility Construction						
			Relocate Existing Water Line	260	LF	\$	500.00	\$	130,000.00
			Relocate Existing Sewer Line	300	LF	\$	500.00	\$	150,000.00
						\perp		_	
			Misc. & Mob (15% Strs&Util)			\perp		\$	591,000.00
			Misc. & Mob (45% Functional)			<u> </u>		\$	955,170.00

Contract Cost Lgth 0.2 Miles 7,608,770.00 E. & C. 15% 1,141,315.50 8,750,085.50

Construction Cost