# Pre-Construction Notification





# **Pre-Construction Notification (PCN) Form**

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

October 2, 2023 Ver 4.3

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

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

Below is a link to the online help file.

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

# **A. Processing Information**



If this is a courtesy copy, please fill in this with the submission date.
Does this project involve maintenance dredging funded by the Shallow Draft Navigation Channel Dredging and Aquatic Weed Fund or involve the distribution or transmission of energy or fuel, including natural gas, diesel, petroleum, or electricity?*
○ Yes ⊚ No
Is this project connected with ARPA funding?*
○ Yes ⑤ No
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.
DO NOT CHECK YES, UNLESS YOU ARE DMS OR CO-APPLICANT.
Is this project a public transportation project?*
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:
BR-0067
WBS #*
67067.1.1
(for NCDOT use only)
1a. Type(s) of approval sought from the Corps: *
Section 404 Permit (wetlands, streams and waters, Clean Water Act)  Section 10 Permit (navigable waters, tidal waters, Rivers and Harbors Act)
Has this PCN previously been submitted?*
○ Yes  ◎ No
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

Nationwide Permit (NWP) Number:

14 - Linear transportation

NWP Numbers (for multiple NWPS):

1d. Type(s) of approval sought from the DWR: *		
check all that apply  401 Water Quality Certification - Regular  Non-404 Jurisdictional General Permit  Individual 401 Water Quality Certification	<ul><li>401 Water Quality Certification - Express</li><li>Riparian Buffer Authorization</li></ul>	
1e. Is this notification solely for the record because written approval is not required?		
	*	
For the record only for DWR 401 Certification:		
For the record only for Corps Permit:	○ Yes ⊚ No	
1f. Is this an after-the-fact permit application?*		
○ Yes		
1g. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of imput so, attach the acceptance letter from mitigation bank or in-lieu fee program.	pacts?	
○ Yes		
Acceptance Letter Attachment  Click the upload button or drag and drop files here to attach document  FILE TYPE MUST BE PDF		
1h. Is the project located in any of NC's twenty coastal counties? *  ○ Yes  ○ No		
1j. Is the project located in a designated trout watershed?*  No		
You must submit a copy of the appropriate Wildlife Resource Commission Office.		
Link to trout information: http://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Ac	pency-Coordination/Trout.aspx	
B. Applicant Information		$\bigcirc$
1a. Who is the Primary Contact?* William A. Barrett		
1b. Primary Contact Email: * wabarrett@ncdot.gov	1c. Primary Contact Phone: * (xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner	(xxx))xxx-xxxx	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *  Yes  No	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: *	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *  Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  1c. Contact Person: (for Corporations)  2d. Address *	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  2c. Contact Person: (for Corporations)	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *  Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  2c. Contact Person: (for Corporations)  2d. Address * Street Address	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *  Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  (for Corporations)  2d. Address * Street Address  1598 Mail Service Center	(xxx)xxx-xxxx (919)707-6103	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? *  Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? *  Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  (for Corporations)  2d. Address * Street Address 1598 Mail Service Center Address Line 2  City Raleigh Postal / Zip Code	(919)707-6103  Applicant (other than owner)  State / Province / Region NC Country	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  (for Corporations)  2d. Address * Street Address  1598 Mail Service Center Address Line 2  City Raleigh Postal / Zip Code 27699-1598	(919)707-6103  Applicant (other than owner)  State / Province / Region NC	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  (for Corporations)  2d. Address * Street Address  1598 Mail Service Center Address Line 2  City Raleigh Postal / Zip Code 27699-1598  2e. Telephone Number: *	(919)707-6103  Applicant (other than owner)  State / Province / Region NC Country	
1b. Primary Contact Email: * wabarrett@ncdot.gov  1d. Who is applying for the permit? * Owner (Check all that apply)  1e. Is there an Agent/Consultant for this project? * Yes No  2. Owner Information  2a. Name(s) on recorded deed: * NCDOT  2b. Deed book and page no.:  (for Corporations)  2d. Address * Street Address  1598 Mail Service Center Address Line 2  City Raleigh Postal / Zip Code 27699-1598	(919)707-6103  Applicant (other than owner)  State / Province / Region NC Country	

2g. Email Address: *			
ekcheely@ncdot.gov			
3. Applicant Information (if different from	owner)		
3a. Name:*			
William A. Barrett			
3b. Business Name: (if applicable)			
3c. Address*			
Street Address			
1598 Mail Service Center Address Line 2			
City		State / Province / Region	
Raleigh		NC	
Postal / Zip Code		Country	
27699-1598		USA	
3d. Telephone Number:*			
(919)707-6103		3e. Fax Number:	
(xxx)xxx-xxxx		(xxx)xxx-xxx	
3f. Email Address: *			
wabarrett@ncdot.gov			
C. Project Information and Prior	Project History		<u>^</u>
1. Project Information			<u>^</u>
1. Froject information			0
1a. Name of project: * BR-0067 - Bridge 86 on NC 151 over Stony Fork Creek			
1b. Subdivision name: (if appropriate)			
1c. Nearest municipality / town: * Candler			
2. Project Identification			<u>^</u>
2a. Property Identification Number:		2b. Property size:	
(tax PIN or parcel ID)		(in acres)	
2c. Project Address Street Address			
Address Line 2			
City		State / Province / Region	
Postal / Zip Code		Country	
2d. Site coordinates in decimal degrees			
		g a survey-grade GPS device) after the decimal place as appropriate, based on how the location was all degrees to map coordinates to 5 or 6 digits after the decimal place.)	
Latitude: *	Longitude: *		
35.459147	-82.736995		
ex: 34.208504	-77.796371		
3. Surface Waters			
3a. Name of the nearest body of water to proposed project:	*		

Stony Forl

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

C;Tr

Surface Water Lookup

3c. What river basin(s) is your project located in?  $^{\star}$ 

French Broad

3d. Please provide the 12-digit HUC in which 060101050501	n the project is located.*		
River Basin Lookup			
4. Project Description and H	listory		
Bridge Project Existing Conditions: 2-lane rural	yay fill slopes behind the wingwalls, and discharges into the	ct at the time of this application: * ing bridge does not contain deck drains. All storm water runoff from the bridge floodplain. Runoff along the rest of the road sheets across the pavement, down	
General land use: rural residential.			
4b. Have Corps permits or DWR certification  Yes No Unknown	ns been obtained for this project (including all prior pha	ses) in the past?*	
<b>4f.</b> List the total estimated acreage of all exi 0.45	sting wetlands on the property:		
4g. List the total estimated linear feet of all of (intermittent and perennial) 1,895	existing streams on the property:		
4h. Explain the purpose of the proposed pro			
	ice a structurally deficient bridge. Structure #86 was built in nts replacement. As bridges age, cost of repairs and mainte	1959 and reconstructed in 1980. This structure has a sufficiency rating of 34.78, nance increases.	
Project BR-0067 involves replacement of bridg bridge #100086, a 1@35'-6", 1@15'-4" structur	•	nile of roadwork on NC 151 (Pisgah Hwy) in Buncombe County. The existing ", is to be replaced by a 1@70'-0" structure with an overall length of 70'-0" and	
Standard road and bridge building equipment s	such as trucks, dozers, and cranes will be used.		
5. Jurisdictional Determinat	ions		
5a. Have the wetlands or streams been delir	neated on the property or proposed impact areas?*		
Yes	○ No	○ Unknown	
Comments: Six (6) streams and three (3) wetlands are with Stony Fork Creek.	in the project study area. Only impact is to perennial		
5b. If the Corps made a jurisdictional determ O Preliminary O Approved Not Verified	nination, what type of determination was made?*  Unknown N/A		
Corps AID Number: Example: SAW-2017-99999			
5c. If 5a is yes, who delineated the jurisdicti	onal areas?		
Name (if known):	Amber Coleman, Mike Williams, and Amanda Voges		
Agency/Consultant Company:	Stantec		
Other:			
6. Future Project Plans			
6a. Is this a phased project?*			
Yes	No		
	nit(s), or individual permits(s) used, or intended to be u jects that require Department of the Army authorization	sed, to authorize any part of the proposed project or related activity? This inc but don't require pre-construction notification.	ludes other
D. Proposed Impacts In	ventory		
1. Impacts Summary			
1a. Where are the impacts associated with y	our project? (check all that apply):		
Wetlands Open Waters	Streams-tributaries	☐ Buffers	

# 3. Stream Impacts

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

	3a. Reason for impact * (?)	3b.Impact type *	3c. Type of impact*	3d. S. name*	•	3f. Type of Jurisdiction*		3h. Impact length *
S1	Road Crossing 1	Temporary	Other	Stony Fork	Perennial	Both	14 Average (feet)	61 (linear feet)
S2	Road Crossing 1	Permanent	Bank Stabilization	Stony Fork	Perennial	Both	14 Average (feet)	28 (linear feet)
S3	Road Crossing 1	Temporary	Other	Stony Fork	Perennial	Both	14 Average (feet)	66 (linear feet)

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

3i. Total jurisdictional ditch impact in square feet:

U

3i. Total permanent stream impacts:

28

3i. Total temporary stream impacts:

127

3i. Total stream and ditch impacts:

155

#### 3i. Comments:

The temporary stream impacts are associated with the Bridge removal/replacement and with necessary clearing at the site.

# 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: \*

An alignment to the east was considered as alternative 2. However, the new bridge would be very close to the existing bridge over Chestnut Creek and properties would be greatly impacted. Alternative 1 was

considered to have the least impact to water elevation rise on the adjacent residential structures and could be built faster. Due to the anticipated impacts caused by staged construction, and having a viable offsite detour, replace in place was chosen as the preferred alternate.

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

NCDOT will utilize Best Management Practices (BMPs) during construction.

# 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?

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

The bank stabilization and temporary impacts associated with this project do not require fill in the stream bed, and therefore, under Section 404 of the Clean Water Act, do not constitute Loss of Waters of the US and are not subject to 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?

For a list of options to meet the diffuse flow requirements, click here.

### If no, explain why:

Project is not located within, or adjacent to, any of the NC Riparian Buffer basins.

# 2. Stormwater Management Plan

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

Yes No

# Comments

see attached permit drawings.

1. Environmental Documenta	ation	
1a. Does the project involve an expenditure of	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 Environmental Policy Act (NEPA/SEPA)?*    Yes	the project require preparation of an environmental document pursuant to the  No	requirements of the National or State (North Carolina)
	he document review been finalized by the State Clearing House? (If so, attach a	a copy of the NEDA or SEDA final approval letter )*
Yes	No	a copy of the NEFA of SEFA final approval letter.)
2. Violations (DWR Requirem	nent)	
Riparian Buffer Rules (15A NCAC 2B .0200)?		C 2H .1300), or DWR Surface Water or Wetland Standards or
Yes	No	
3. Cumulative Impacts (DWR	Requirement)	
3a. Will this project (based on past and reason Yes	onably anticipated future impacts) result in additional development, which could    No	d impact nearby downstream water quality?*
3b. If you answered "no," provide a short nat		
Due to minimal transportation impact resulting fr	om the bridge replacement, the project will not stimulate growth but may influence ne	earby land use.
4. Sewage Disposal (DWR Re	equirement)	
4a. Is sewage disposal required by DWR for to ○ Yes ○ No ◎ N/A	his project?*	
5. Endangered Species and I	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 conce Yes	erning Endangered Species Act impacts?*  No	
<b>5c. If yes, indicate the USFWS Field Office yo</b> Asheville	u have contacted.	
5d. Is another Federal agency involved?*		
Yes	○ No	Unknown
What Federal Agency is involved? FHWA		
5e. Is this a DOT project located within Division Section 1. Sect	on's 1-8?*	
	ne whether your site would impact Endangered Species or Designated Critical language and agency for this project. See attached informal concurrence/conference letter from U	
6. Essential Fish Habitat (Co	rps Requirement)	
6a. Will this project occur in or near an area of	designated as an Essential Fish Habitat?*   No	
<b>6b. What data sources did you use to determ</b> National Marine Fisheries (NMFS)	ine whether your site would impact an Essential Fish Habitat?*	
7. Historic or Prehistoric Cul	tural Resources (Corps Requirement)	
Link to the State Historic Preservation Office His	toric Properties Map (does not include archaeological data: http://gis.ncdcr.gov//hpow	web/
7a. Will this project occur in or near an area of designation or properties significant in North  Yes	that the state, federal or tribal governments have designated as having historic a Carolina history and archaeology)? *  No	or cultural preservation status (e.g., National Historic Trust
	ine whether your site would impact historic or archeological resources? *	
	ies and Landscanes Form/Letter (attached to this application). Tribal coordination doc	cumentation also

Archaeological Form/Letter and Historic Properties and Landscapes Form/Letter (attached to this application). Tribal coordination documentation also attached.

# 8. Flood Zone Designation (Corps Requirement)

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

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

Yes
No

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

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

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

FEMA Flood Maps.

# **Miscellaneous**



#### Comments

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

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

BR-0067 Buncombe February 15 2024.pdf

15.02MB

File must be PDF or KMZ

# **Signature**



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

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

Full Name: \*

Erin K. Cheely

Signature \*

Erin K. Cheely

Date

2/15/2024

# Permit Drawings



# North Carolina Department of Transportation

# Highway Stormwater Program STORMWATER MANAGEMENT PLAN

	STORMWATER MANAGEMENT PLAN						Const			
	Version 3.00; Released August 2021) FOR NCDOT PROJECTS									
WBS Element:	67067.1.1								Page 1	of 2
			G	eneral Project I	nformation	_				
WBS Element:		67067.1.1	TIP Number:	BR-0067		Project	Туре:	Bridge Replacement	Date:	10/13/2023
NCDOT Contact:		Jonathan Moore			Contractor / Design	ner:	Corey Cava	alier		
	Address:	1590 Mail Service Center				Address:	1590 Mail 9	Service Center		
		Raleigh, NC 27699-1590					Raleigh, NO	C 27699-1590		
	Phone:	(919) 707-6738				Phone:	(919) 707-6	6763		
	Email:	jlmoore6@ncdot.gov				Email:	cacavalier@	@ncdot.gov		
City/Town:		1	I/A		County(ies):	Bunco	mbe			
River Basin(s):		French Broad			CAMA County?	No	)			
Wetlands within Pro	ject Limits?	No								
				Project Desc						
Project Length (lin. r	niles or feet):	0.074 miles	Surrounding	Land Use:	Rural residential					
			Proposed Projec	t				Existing Si	te	
Project Built-Upon A		0.3		ac.			0.2	ac.		
Typical Cross Section	on Description:	Two 11' lanes with 4' paved should	der.			Two 9'-6" lane	es with 0-5'	grassed shoulder.		
Annual Avg Daily Tra		Design/Future:	1490		2044	Existing:		1200	Ye	
General Proje		Project BR-0067 involves replace								
(Description of Min Quality In		existing bridge #100086, a 1@35'-					1 of 22'-0", is	s to be replaced by a 10	₹70°-0" structure wit	n an overall length
Quality II	inpacts)	of 70 -0 and out-out width of 33 -0	of 70'-0" and out-out width of 33'-0". The new bridge will be in the same location as the existing bridge.							
		The existing bridge does not conta	The existing bridge does not contain deck drains. All storm water runoff from the bridge collects along the railing, flows down the roadway fill slopes behind the wingwalls, and							
		discharges into the floodplain. Ru								
		itself.								
		NC SELDM Catalog Results:		-#	-4-6-14-46-14					
		Stony Fork Creek - Direct discharge Chestnut Creek - Direct discharge								
		Chestriat Creek - Direct discharge	or storriwater runor	i may be accept	able at this stream cit	ossing.				
ĺ										
ĺ										



# North Carolina Department of Transportation



Stormwater			Highway Stormw STORMWATER MAI					The or man state of	
(Version 3.00; Released August 2021)  WBS Element: 67067.1.1	TIP/Proj No.:	BR-0067	FOR NCDOT County(ies):				Page	2	of 2
WBS Element: 67067.1.1	TIP/Proj No.:	DR-0007					Page		of 2
	General Project Information								
			Waterbody In						
Surface Water Body (1):		Stony Fo		NCDWR Stream In			6-76-5-3		T
NCDWR Surface Water Classification fo	r Water Body		Primary Classification:	Class					_
	-		Supplemental Classification:	Trout Wate	rs (Tr)				_
Other Stream Classification:	No								
Impairments:	mercur	, , ,							
Aquatic T&E Species?	No	Comments:							
	Stony Fork					Buffer Rules in Effect:			N/A
Project Includes Bridge Spanning Water	•	Yes	Deck Drains Discharge Over B		No	Dissipator Pads Provided i			
Deck Drains Discharge Over Water Body		No	(If yes, provide justification in	the General Project	Narrative)	(If yes, describe in the Ge			o, justify in the
(If yes, provide justification in the	General Project Na	arrative)				Gene	ral Project Nar	rative)	
Surface Water Body (2):		Chestni	ut Creek	NCDWR Stream Ir	ndex No.:		6-76-5-3-2		
NCDWR Surface Water Classification fo	r Water Rody		Primary Classification:	Class	С				
NODWK Surface Water Classification to	Water Body		Supplemental Classification:	Trout Wate	rs (Tr)				
Other Stream Classification:	No	ne							
Impairments:	mercur	y (Hg)							
Aquatic T&E Species?	No	Comments:		•		•			
NRTR Stream ID:	Chestnut Creek					Buffer Rules in Effect:			N/A
Project Includes Bridge Spanning Water	r Body?	No	Deck Drains Discharge Over B	uffer?	N/A	Dissipator Pads Provided i	in Buffer?		N/A
Deck Drains Discharge Over Water Body		N/A	(If yes, provide justification in the General Project Narrative)					o, justify in the	
(If yes, provide justification in the	General Project Na	arrative)				Gene	ral Project Nar	rative)	
						_			
Surface Water Body (3):				NCDWR Stream In	ndex No.:				
2 \ /	- Weter Deals		Primary Classification:						
NCDWR Surface Water Classification fo	r water Body		Supplemental Classification:						
									1
Other Stream Classification:									
Impairments:									1
Aquatic T&E Species?		Comments:							
NRTR Stream ID:		2 23				Buffer Rules in Effect:			
Project Includes Bridge Spanning Water	r Body?		Deck Drains Discharge Over B	uffer?		Dissipator Pads Provided i	in Buffer?		
Deck Drains Discharge Over Water Body	•		(If yes, provide justification in		Narrative)			arrative; if no	o, justify in the
(If yes, provide justification in the		arrative)	(iii yoo, provide justineation in the Goneral Froject (validate)			(If yes, describe in the General Project Narrative; if no, justify in the General Project Narrative)			
(ii joo, provido jadandation in the t	l .				•				

See Sheet 1A For Index of Sheets See Sheet 1B For Conventional Symbols 900 TIP PROJECT 8 IE VICINITY MAP OFFSITE DETOUR -NORTH CAROLINA

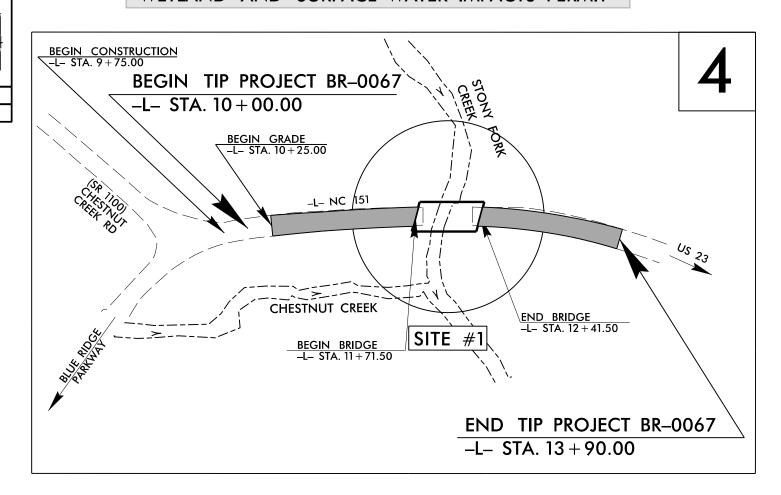
STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

# **BUNCOMBE COUNTY**

LOCATION: BRIDGE NO. 86 ON NC 151 OVER STONY FORK CREEK

TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURE

# WETLAND AND SURFACE WATER IMPACTS PERMIT

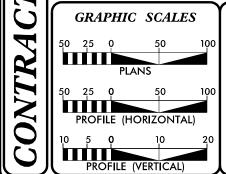


NAD 83/2011

THIS PROJECT HAS NO CONTROLLED ACCESS.
THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES.
CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD II.

**PLANS** 

DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED



# DESIGN DATAADT 2024 = 1200

ADT 2024 = 1200 ADT 2044 = 1490 K = % D = % T = % \* V = 40 MPH

T = % \*
V = 40 MPH
\* TTST = \_ DUAL 3%
FUNC CLASS =
RURAL COLLECTOR
REGIONAL TIER

# PROJECT LENGTH

LENGTH OF ROADWAY TIP PROJECT BR-0067 = 0.061 MI

LENGTH OF STRUCTURE TIP PROJECT BR-0067 = 0.013 MI

TOTAL LENGTH OF TIP PROJECT BR-0067 = 0.074 MI

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

RIGHT OF WAY DATE:

\_\_\_\_\_\_JULY 31, 2023

LETTING DATE:

JULY 31, 2023

DAVID J. CLODGO, PE

PROJECT ENGINEER

AUGUST 20, 2024

PIOTR J. STOJDA

VERROL MCLEARY

PROJECT MANAGER

HYDRAULICS ENGINEER

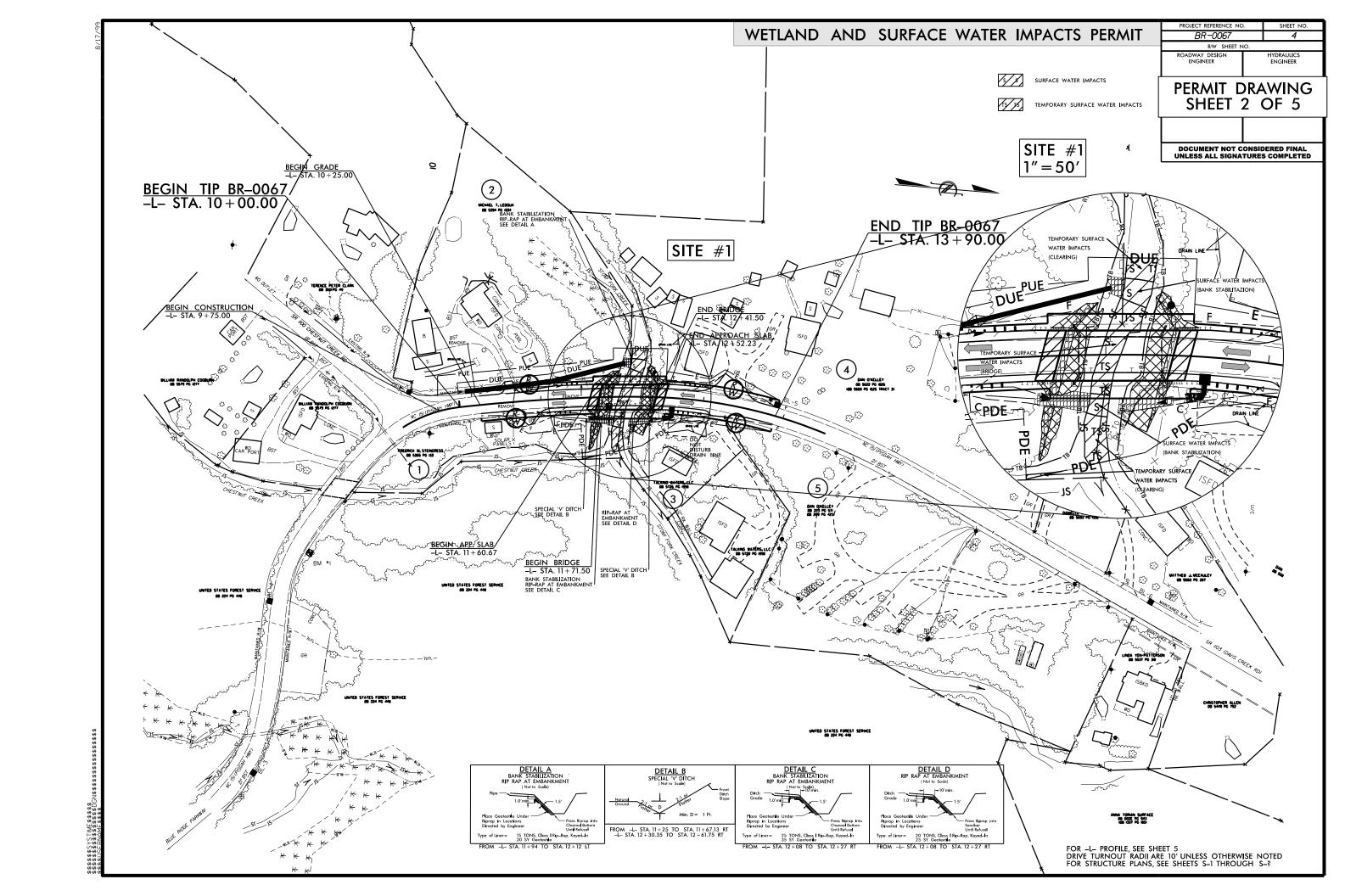
P.E.

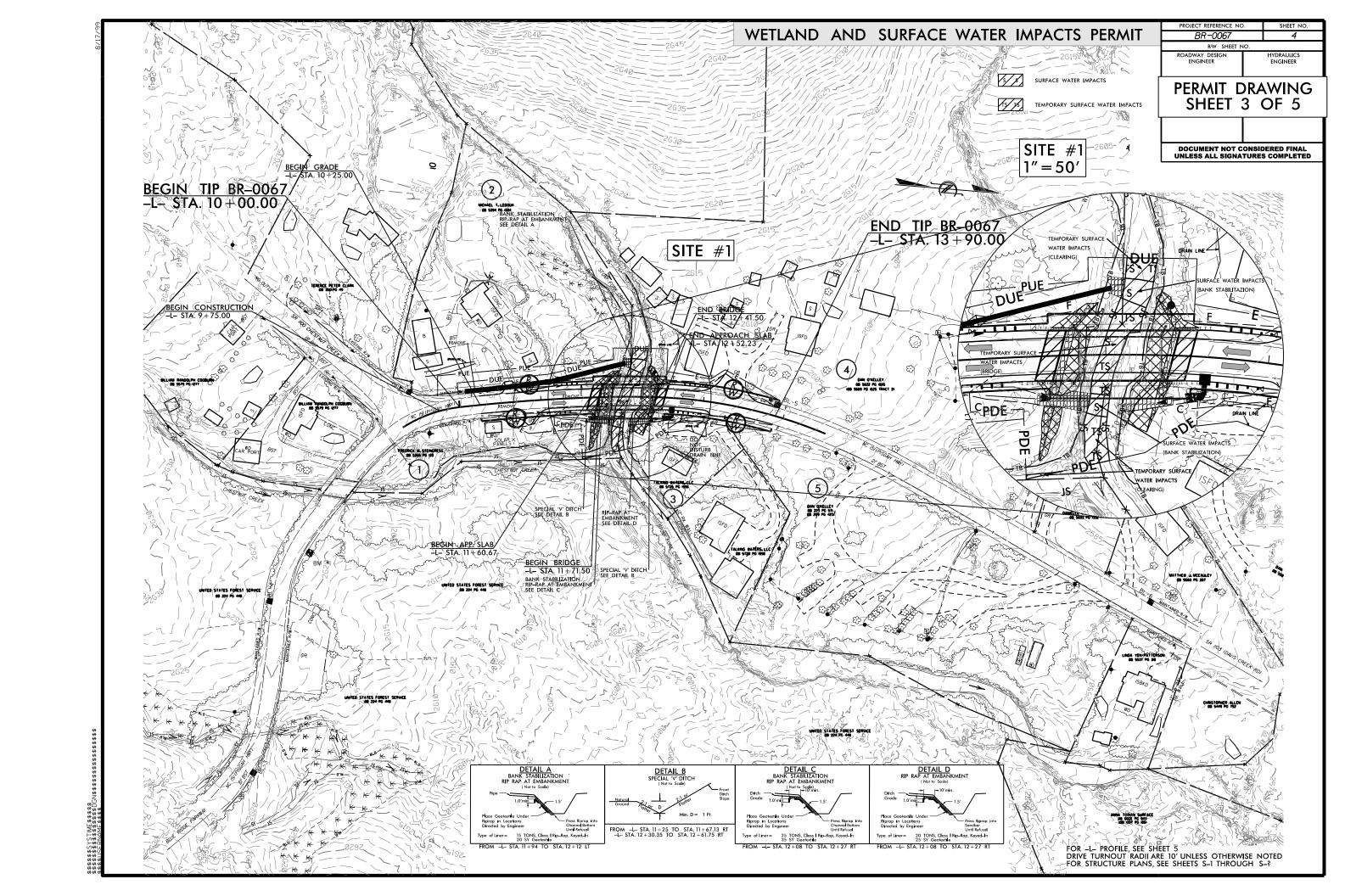
SIGNATURE:

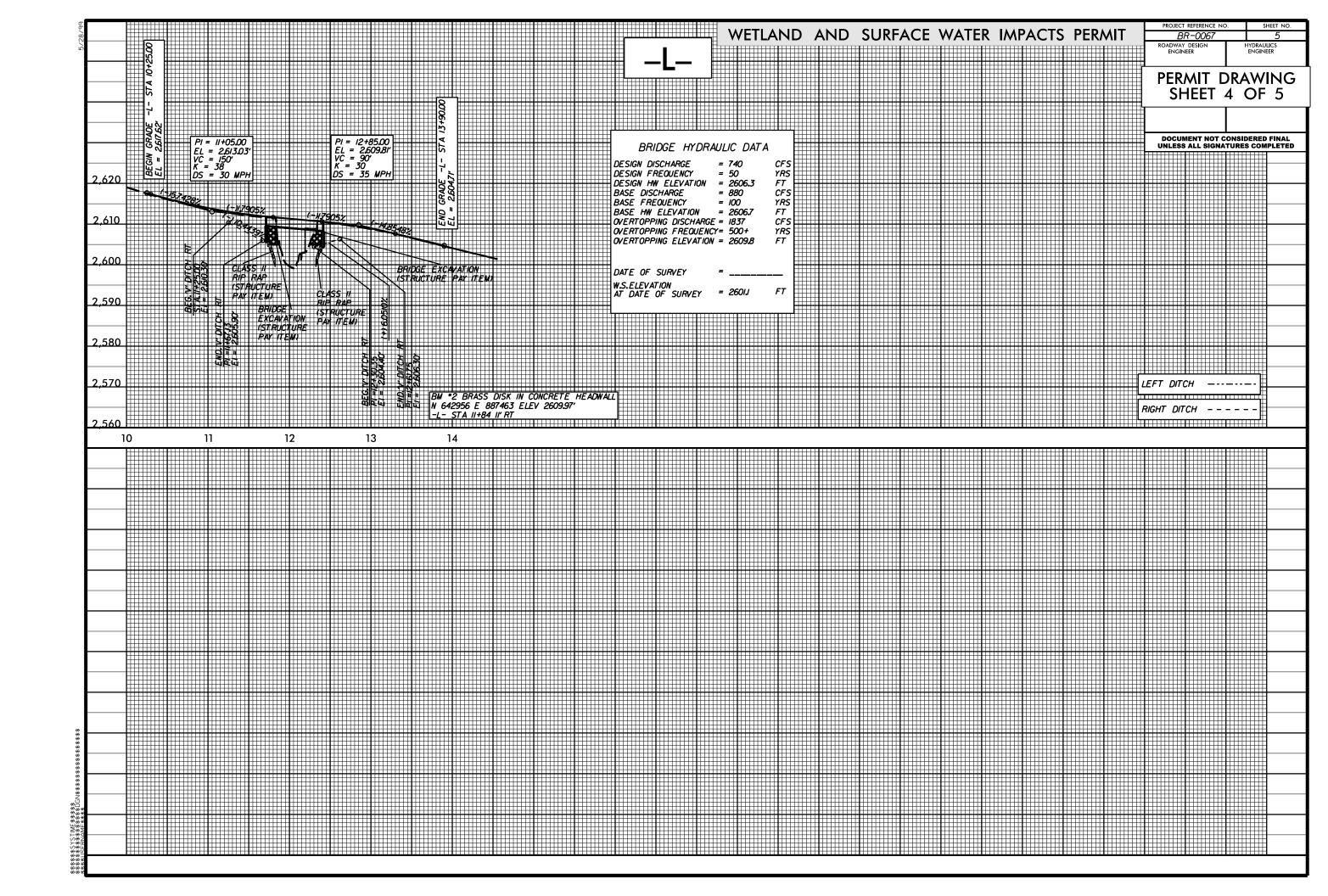
ROADWAY DESIGN ENGINEER

P.E.









				WETLAND AND SURACE WATER IMPA WETLAND IMPACTS			SURFACE WATER IMPACTS					
							Hand			Existing	Existing	
			Permanent	Temp.	Excavation	Mechanized	Clearing	Permanent	Temp.	Channel	Channel	Natural
Site	Station	Structure	Fill In	Fill In	in	Clearing	in	SW	SW	Impacts	Impacts	Stream
No.	(From/To)	Size / Type	Wetlands	Wetlands	Wetlands	in Wetlands	Wetlands	impacts	impacts	Permanent	-	Design
			(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ac)	(ft)	(ft)	(ft)
1	-L- 11+90 / 12+24.5	Bridge + Rip Rap							0.02		61	
		Slope Protection										
		·										
	-L- 11+87.5 / 12+28.5	Bank Stabilization						< 0.01		28		
	-L- 11+48 / 12+30.5	Clearing							0.02		66	
	2 111 107 1210010								0.02			
TOTAL	S*·							< 0.01	0.03	28	127	0

\*Rounded totals are sum of actual impacts

NOTES:

NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
10/13/2023
BUNCOMBE
BR-0067
67067.1.1

OF

5

5

SHEET

Revised 2018 Feb

# Protected Species/ Section 7



# United States Department of the Interior



# FISH AND WILDLIFE SERVICE Asheville Field Office 160 Zillicoa Street Suite B Asheville, North Carolina 28801

January 17, 2024

William A. Barrett Environmental Coordinator, Environmental Analysis Unit North Carolina Department of Transportation 1598 Mail Service Center Raleigh, North Carolina 27699

Subject: Informal Consultation and Conference for Replacement of Bridge 086 over Stony Fork Creek in Buncombe County (TIP No. BR-0067, Service Log #22-218)

Dear William A. Barrett:

On November 21, 2023, we received your request to initiate informal consultation and section 7 concurrence on effects the subject project may have on federally listed species and conference procedures for effects the subject project may have on federally proposed species. We have reviewed the information you submitted along with a prior scoping letter issued from this office for the subject project on January 19, 2022, and 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) proposes to replace Bridge 086 over Stony Fork Creek in Buncombe County. The existing bridge is a two-span structure with steel beams, timber deck, concrete end walls and metal guard rails. The overall length of the bridge is 51 feet. No culverts meeting NCDOT's Standard Operating Procedures for Preliminary Bat Habitat Assessments were identified meeting the criteria of greater than 3 feet wide and 60 feet in length during this site visit. Several trees adjacent to the bridge site will be cleared. Percussive activities such as pile driving, pile excavation/drilled pier excavation, and guardrail installation will occur. No information on current or future lighting conditions in the action area was provided. The Federal Highway Administration (FHWA) is the federal lead for this project for section 7 purposes, with authority delegated to NCDOT.

NCDOT has agreed to implement the following conservation measures for the project:

- 1. Tree clearing will take place from October 16 to March 31.
- 2. The existing bridge will be demolished between November 16 and March 14.
- 3. No blasting will occur.

# **Federally Listed Species**

The information provided indicates that "No Effect" (NE) determinations have been made for rock gnome lichen (*Gymnoderma lineare*) and mountain sweet pitcher-plant (*Sarracenia rubra ssp. jonesii*). In instances of suitable habitat being absent from the action area, we would agree that NE determinations are appropriate. This information is provided for the sake of the administrative record.

The correspondence received from NCDOT requests consultation on gray bat (*Myotis grisescens*) and northern long-eared bat (*Myotis septentrionalis*) and requests conference for tricolored bat (*Perimyotis subflavus*) and little brown bat (*Myotis lucifugus*).

A suitable bridge roost and suitable roosting, commuting, and foraging habitat for gray bat, northern long-eared bat, tricolored bat, and little brown bat occurs within the action area. Bridge 086 was surveyed for bats and signs of bat use on July 28, 2022 and previously in 2019, and results were negative. There is element occurrence data for several listed and proposed bat species within 2-5 miles of the project location.

The completed structure survey and proposed conservation measures minimize effects to bats potentially occurring within the action area. However, effects from construction noise to unknown tree roosts within the action area but outside the construction limits, while minimized, are not avoided. Bats that are present in proximity to transportation corridors are expected to be tolerant of baseline noise and vibration levels (or have already modified their behaviors to avoid them). How temporary increases in noise and vibration from construction activities effect bats within existing transportation corridors has not been well studied to our knowledge, though one study found that bats habituated rapidly to traffic noise (Luo et al. 2014). Given the information available and conservation measures above, we do not believe any response to project noise and vibration by bats that are already tree-roosting in the area is expected to rise to the level of harm (as defined at 50 CFR 17.3). Given the information available and conservation measure commitments, we concur with the NCDOT that the project is NLAA gray bat and northern long-eared bat. With the implementation of conservation measures, we believe the project is consistent with the *Interim Consultation Framework for the Northern Long-eared Bat* (Service, March 6, 2023).

On September 14, 2022, the U.S. Fish and Wildlife Service (Service) published a proposal in the Federal Register to list the tricolored bat as endangered under the Act. As a result, NCDOT has requested a conference for the tricolored bat as the project may be on-going after the effective date of any final listing rule, if one is published. Little brown bat is considered an at-risk species. At-risk species 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 at-risk species unless the species becomes listed, the prohibition against jeopardy and taking a listed species under section 9 of the Act applies as soon as a listing becomes effective, regardless of the stage of completion of the proposed action. NCDOT has requested a conference for the little brown bat, as the project may be on-going after a potential proposal for listing and effective date of any final listing rule, if one is published. Based on the information provided, the analysis above, and the commitments to minimize project impacts, we have determined that the proposed project will not jeopardize the continued existence of the tricolored bat or little brown bat. Additionally, we would concur with the NCDOT's determination that the project is NLAA the tricolored bat and the little brown bat should the species become listed.

# **Conservation Recommendations**

Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. General recommendations for the benefit of fish and wildlife resources were provided in our letter on January 19, 2022 and remain valid. We offer additional recommendations here:

• **Provide Terrestrial Wildlife Passage**: Where riparian corridors suitable for wildlife movement occur adjacent to a project, a spanning structure that also spans a portion of the floodplain and provides or maintains a riprap-free level path underneath for wildlife passage would provide a safer roadway and facilitate wildlife passage. A 10-foot strip may be ideal, though smaller widths can also be beneficial. Alternatively, a "wildlife path" can be constructed with a top-dressing of

finer stone (such as smaller aggregate or on-site alluvial material) to fill riprap voids if full bank plating is required. If a multi-barrel culvert is used, the low flow barrel(s) should accommodate the entire stream width and the other barrel should have sills to the floodplain level and be backfilled to provide dry, riprap-free wildlife passage and well as periodic floodwater passage.

- Riparian Replanting: Because the removal of forested riparian habitat can affect the quality and suitability of foraging and commuting habitat for bats and the water quality for aquatic organisms, we recommend replanting the riparian zone with native, fast-growing trees and shrubs that would serve to stabilize the stream bank, filter runoff and reduce erosion and sedimentation, block light pollution, and generally improve the quality of the habitat for bats and aquatic species. Examples of potential native tree species to plant include: Sycamore, tulip poplar, black cherry and river birch. Planting with established (e.g. containerized) young trees can increase the survival rate of plantings and contribute to faster improvement of riparian habitat.
- Noise Considerations for Bats: If suitable roost trees are present near high-decibel activity (81 162 dBA) and would experience noise above background levels (41 70 dBA), avoid conducting those high-decibel activities during the bat maternity season (May 15 August 15). Alternatively, activity could avoid the pup season (June 1 and July 31). To minimize noise levels, incorporate sound-dampening devices such as noise shrouds for pile driving.

# • Lighting:

- Lighting should only be on when needed, only lighting the needed area, be no brighter than necessary, minimize blue light emissions, and be fully shielded (pointing downward).
- Avoid lighting landscape features such as trees, shrubs, building facades, adjacent wooded areas, and the surface waters of rivers and streams that provide suitable habitat for bats, pollinators, and other wildlife species.
- When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the Backlight-Uplight-Glare (BUG) system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.
- o Use light fixtures with a lower lumen output, reducing overall brightness.
- O Use the shortest light poles that meet highway and safety requirements.
- o If using LEDs, use lights with Type I or II distribution patterns that create rectangular lighting patterns that limit light spill into adjacent habitats.
- o For bridge projects, consider design features that block automobile headlights from reaching surface waters and surrounding riparian habitats.
- O Prioritize use of low-pressure sodium (LPS), high-pressure sodium (HPS), or LED light sources that emit "warm" light. "Warm" light sources are those that contain low amounts of blue light in their spectrum. Choosing light sources with a color temperature of no more than 3,000 Kelvins will minimize the effects of blue light exposure.

# **Reinitiation Notice**

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.

We appreciate the opportunity to provide these comments. Please contact Ms. Holland Youngman of our staff at <a href="https://holland.youngman@fws.gov">holland.youngman@fws.gov</a> if you have any questions. In any future correspondence concerning this project, please reference our Service Log #22-218.

Sincerely,
-- original signed --

Janet Mizzi Field Supervisor

Electronic CC: Yates Allen, NCDOT, Division 13, Environmental Specialist

# Archaeology



# NO NATIONAL REGISTER OF HISTORIC PLACES ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES PRESENT OR AFFECTED 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.

PROJE	CT INFORMATION	ON			
Project	No: BR	-0067	County:	Buncombe	
WBS No	o: <b>67</b> 0	067.1.1	Document:	Minimum (	Criteria
F.A. No	: NA	L	Funding:	State	☐ Federal
Federal	Permit Required?	⊠ Yes □ No	Permit Type:	USACE	
The NCD Buncomb project w and 825 j approxim from its p bounds o The APE meters) la corridor the road situated p	the County (TIP BR-00) was defined as a 1,575 feet (251.46 meters) so that ly 400 feet (121.90) oresent centerline. The funited States Fores whas since been reducing corridor running is approximately 300 from its present center wartly on USGS propositions.	te Bridge No. 86 on No. 267). The original arc 5-foot (480.06-meter) is outh along NC 151 from 152 meters) wide extend the APE encompassed arches 560 feet (170.69 meters) werline. Presently, the serty.	chaeological Area of long corridor runniom the center of the ling 200 feet (60.96 approximately 15 aperty.  The graph of the list of list of the list of the list of l	f Potential Effecting 750 feet (228. e bridge. The conmeters) on either cres and was locally ow defined as a feet (167.64 meters eet (45.72 meters)	ts (APE) for the 60 meters) north ridor was r side of the road ated within the 1,110-foot (338.33 rs) south. The so on either side of
	th Carolina Departm nd determined:	ent of Transportation	(NCDOT) Archae	ology Group rev	iewed the subject
r	oresent within the locuments as need	,	otential effects. (	Attach any not	tes or
=		eological investigat gations did not reve	-	1 0	
	considered eligible	ations did not reveal for the National Reg	ister.		
$\square$	All identified archa	aeological sites loca	ted within the A	PE have been c	considered and

Preservation Act and GS 121-12(a) has been completed for this project.

all compliance for archaeological resources with Section 106 of the National Historic

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

On April 18-24, 2019, Stantec Consulting Services Inc. (Stantec) conducted an intensive archaeological survey and evaluation for proposed replacement of Bridge No. 86 over the Stony Fork Creek on NC 151 in Buncombe County (BR-0067) under the direction of Olivia McCarty and supervised by Ellen Brady and Brynn Stewart. This survey covered the original APE. An NCDOT review of the Office of State Archaeology's (OSA's) site files indicated that no previous archaeological investigations have occurred within the project limits, and no known sites are recorded. However, archaeologists with USFS carried out limited testing for a land exchange in October 1998 and identified two archaeological sites (P5-1-98 and P5-4-98) either adjacent to or slightly within the original APE (Figure 1). Neither site was reported to OSA, and NCDOT was only made aware of the sites during a USFS review of the draft PA form. As a result, a field reconnaissance was conducted by archaeologists with NCDOT on July 17, 2019, and the APE was subsequently reduced to avoid these resources.

Stantec's archaeological survey and evaluation were designed to identify cultural resources within the defined APE and to obtain sufficient information to make recommendations regarding their potential eligibility for listing in the National Register of Historic Places (NRHP). During their field investigations, a pedestrian survey covered the entire original APE and was followed by systematic subsurface testing in those areas defined as retaining a higher potential for the identification of archaeological sites, which had not been significantly disturbed. A total of 76 shovel tests were excavated at 15-meter (49.2-foot) intervals along transects spaced 15 meters (49.2 feet) apart. Of these, no shovel tests were positive for cultural material. No archaeological sites including those reported by USFS were identified during the investigations, and no further archaeological work is recommended by Stantec. In the event that the APE changes, additional archaeological studies may be necessary. NCDOT concurs with this recommendation. Stantec's archaeological report for the investigation is attached.

NCDOT reconnaissance consists of a pedestrian survey to determine the approximate location and boundaries for sites P5-1-98 and P5-4-98 according to USFS field notes. Site P5-1-98 is situated in a campground, north of NC 151 and east of Stony Fork and Chestnut Creek (see Figure 1). Although information is limited, the site includes a light scatter of precontact and historic material collected from four shovel tests covering a wide area. The field notes describe the site as light soil over a field of boulders and cobbles with ground disturbance from construction of the campground and its facilities. The current field visit confirms that boulders and cobbles are visible at the surface with a high level of disturbance. The digitized P5-1-98 boundaries from the field notes show that only the edge of the site's southwestern corner falls within the revised APE. However, the site boundaries in the notes are approximation and not to scale. The field visit suggest that the site is likely smaller than what was drawn and slightly further to the north based upon the extent of the landform, the placement of streams, and the location of campground features. This would place it just outside or at the edge of the original APE. With the light and wide dispersal of artifacts and possibility of a smaller than depicted site, it is reasonable to comprehend why the site was not relocated during Stantec's investigations. It is not expected that any significant resources associated with P5-1-98 will be encountered or that the site can be relocated within the revised APE. No further work in relocating and evaluating site P5-1-98 is required unless the APE expands.

Site P5-4-98 is located north of NC 151 and just west of a gravel Forest Service road leading to a swimming pool at the southeast corner of the original APE (see Figure 1). Again, the site boundaries are approximation based of field notes from the 1998 investigations. Information is limited, but it appears USFS recorded five positive shovel tests at the site, which possible contained precontact artifacts. NCDOT's field visit suggest that the site is situated further north by at least 15 to 20 meters (49.21 to

65.61 feet) as the southern portion of the landform within the digitized site boundary is low and wet. It is also possibility that the site is smaller than what is depicted. Regardless, the revised APE will avoid site P5-4-98 entirely, and no additional work is necessary unless the project limits are enlarged.

Please note, this project falls within a North Carolina County in which the Catawba Nation, Muscogee (Creek) Nation, Eastern Band of Cherokee Indians, the Cherokee Nation, and the United Keetoowah Band of Cherokee Indians have expressed an interest. It is recommended that you contact each federal agency involved with this project to determine their Section 106 Tribal consultation requirements.

NCDOT ARC	CHAEOLOG	AIST		
C. Damon Jo	nes			Date
C. Dan	Jan	_		9/18/19
Signed				
	Other: Cultu	ıral Review		
See attached:	Map(s)	Previous Survey Info	Photos	Correspondence
SUPPORT D	OCUMENTA	ATION		

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

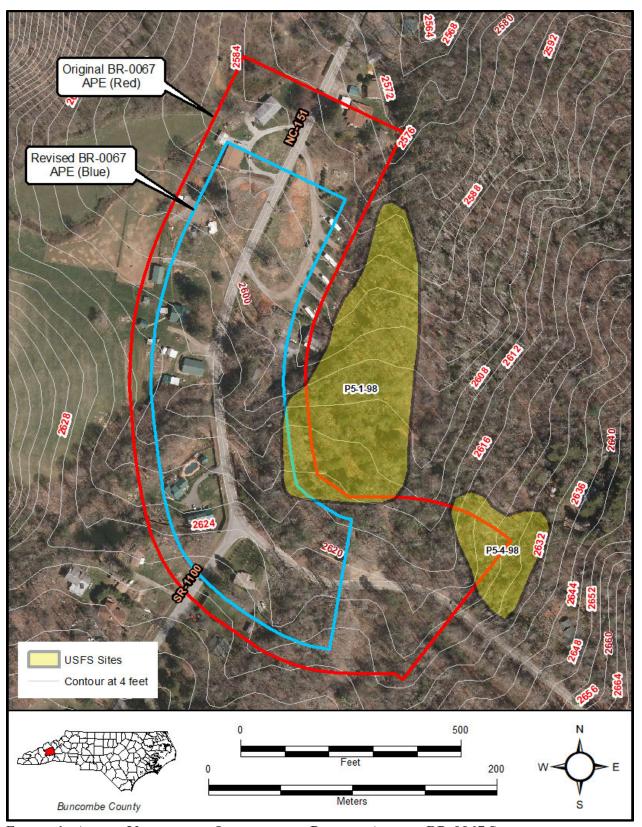


Figure 1. Aerial View of the Original and Revised Ape for BR-0067 Showing the Location of Sites P5-1-98 and P5-4-98.

Archaeological Survey, Western Bridges Project Bridge No. 86 in Buncombe County TIP BR-0067; Project WBS No.: 67067.1.1 Stantec Consulting Services Inc., June 17, 2018

# Introduction

On April 18-24, 2019, Stantec Consulting Services Inc. (Stantec) conducted a Phase I archaeological survey of site BR-0067 in Buncombe County, North Carolina. The proposed Bridge 86 replacement project (BR-0067) is located southwest of Asheville and southeast of Canton in Buncombe County, North Carolina. The project area is plotted near the western edge of the Dunsmore Mountain USGS 7.5' topographic quadrangle. The project calls for the replacement of Bridge No. 86 on NC 151 (Pisgah Highway) over Stony Fork in Buncombe County (TIP BR-0067). The archaeological Area of Potential Effects (APE) for the project is defined as an approximately 480.06-meter (1,575-foot) long corridor running 228.60 meters (750 feet) north and 251.46 meters (825 feet) south from the center of the bridge. The corridor is approximately 121.92 meters (400 feet) wide extending 60.69 meters (200 feet) from either side of the centerline (**Attachment 1**).

The total project area is estimated at 6 hectares (15 acres), with a notable portion of the APE comprising the existing roadway facility, slope, woods, and residential housing. As such, much of the estimated 15-acre project area has already been modified by earlier roadway construction, compromising chances for intact, significant archaeological sites within those disturbed soils. The current land use for the project area consists of residential and United States Forest Service (USFS) property. The USFS property is wooded and found southeast of the bridge and at the southern end of the APE. Residential properties are north of the bridge and west of NC 151. Approximately one third of the APE is considered disturbed and lacking enough integrity of soil to yield intact deposits, or unfavorable for use, and was excluded from the intensive shovel testing methodology, unless otherwise merited as discovered through background research or pedestrian inspection. The remaining approximate acreage was the focus of the subsurface field effort

All archaeological services were conducted pursuant to the National Historic Preservation Act of 1966, as amended, the Archeological and Historic Preservation Act of 1974, Executive Order 11593, and relevant sections of 36 CFR 60 and 36 CFR 800. The work performed was conducted in accordance with procedures and policies established by the North Carolina Department of Transportation (NCDOT) for compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended; and was administered under the 2007 Programmatic Agreement (revised 2015) between the Federal Highway Administration (FHWA), NCDOT, and the North Carolina State Historic Preservation Office (NCSHPO) with regards to minor transportation projects. The Stantec Principal Investigator and Project Archaeologist directing this survey meet professional qualification standards of the Department of the Interior (48 FR 44738-9). The fieldwork and analyses components of these investigations will conform to the qualifications specified in the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (Federal Register 48:44716- 44742, September 29, 1983) and that of the North Carolina Office of State Archaeology (OSA) published guidelines for archaeological reports.

In consultation with the NCDOT and USFS, it was determined that an individual Archaeological Resource Protection Act (ARPA) permit would not be required for this project. Because NCDOT was the sponsoring agency, it was found that the work conducted by Stantec would be covered under the NCDOT's blanket permit agreement.

Cultural Resources Practice Leader Ellen Brady and Senior Principal Investigator Brynn Stewart oversaw the project. Principal Investigator Aimee Leithoff authored the report. Archaeologist Olivia McCarty led the fieldwork. Fieldwork was completed with the help of Archaeologists Ashley Bocan, Timmis Maddox,

and Wes Stewart. GIS Analyst Elise Ljiko prepared the report graphics and project maps. Copies of all field notes, maps, correspondence, and historical research materials are on file at Stantec's office in Richmond, Virginia.

### **Environmental Context**

The overall APE is located within Stony Fork Park with several small campgrounds in the vicinity, including both cabins and recreational vehicle (RV) parking areas. It is almost entirely wooded, except for those areas cleared for recreation. There is one small agricultural field at the northern end of the project area. The terrain was generally flat; however, wetlands, streams, gentle slope, and areas of steep slope were also present. The project area is adjacent to Saw Mountain.

# Topography and Geology

The approximately 480.06-meter (1,575-foot) APE lies within the Blue Ridge Mountain physiographic province. The Blue Ridge Mountain province lies across roughly 10 percent of the state of North Carolina and is a deeply dissected mountainous area of numerous steep mountain ridges, intermontane basins and trench valleys. The APE is situated on schists, gneisses, slates, and quartzites, and are extensively intruded by igneous bodies. Elevation within the APE is approximately 314 meters (1030.2 feet) above mean sea level (amsl) (North Carolina Department of Environmental Quality [DEQ]; North Carolina Geological Survey 1985).

# Hydrology

The APE is located in proximity to Stony Fork and is located in the French Broad River Basin. The French Broad River generally flows to the southeast and eventually drains into the Gulf of Mexico. The French Broad River Basin is made up of one major waterway and 53 smaller watersheds. This river basin originates in Tennessee as the Holston River Basin. It begins in Kingsport, Tennessee, and transitions into the French Broad River Basin in North Carolina. The APE is situated approximately 13.8 kilometers (8.57 miles) west of the French Broad River (North Carolina Environmental Education, NCDEQ n.d. and 2013).

# Soil Morphology

The soils in the APE range from well drained to moderately well drained. Table 1 presents the soil types found within APE and serves as a key to **Attachment 2**.

Table 1. Soils in the Project Area.

Symbol	Map Unit Name	Percent Slope	Drainage Description
TkC	Tate Loam	8-15%	Well Drained
ToC	Toecane-Tusquitee Complex	8-15%	Well Drained
TwB	Tusquitee-Whiteside Complex	2-8%	Well Drained
TwC	Tusquitee-Whiteside Complex	8-15%	Well Drained
WtB	Whiteside Loam	2-8%	Moderately Well Drained

# Natural Resources

The character of the topography, the proximity of water resources, and the types of soils all have a direct effect on the variety of flora that is attracted to the setting and in turn, the fauna that relies on that ecological setting for sustenance. The quantity and variety of both plants and animals in an area has a direct influence on human habitation. Native American populations successfully utilized a wide variety of native flora and fauna whose seasonal availability was well known to them.

During the Holocene, prior to European contact, this region of North Carolina supported a diverse biotic and floral community. The riverine area was dominated by hardwoods, including chestnut, hickory, and several species of oak, as well as several soft woods, such as southern pines and hemlock (NCpedia n.d.; North Carolina Wildlife Resources Commission 2018a, 2018b).

There are two distinct areas of vegetation in the Blue Ridge Mountains: The Deciduous Forests and the Boreal Conifer Forests. These include beech, black locust, chestnut oak, hemlock, red maple, shortleaf pine, tulip poplar, white ash, balsam, ferns, mountain ash, red spruce, sugar maple, yellow birch, and others (NCpedia n.d.). Over 50 species of mammals, including deer, bobcat, black bear, beaver, shrew, river otter can be found in the Blue Ridge Mountains, as well as 150 types of birds and 40 species of reptiles and amphibians.

# **Background Research**

# Previous Investigations

The background research for the archaeological survey and evaluation included an on-site review and collection of data from the North Carolina Office of State Archaeology (OSA). The OSA files of archaeological sites were examined, and information was retrieved on sites located within a 1.6-kilometer (1-mile) radius of the survey corridor. Additionally, a review of previously recorded architectural resources within a 1.6-kilometer (1-mile) radius of the survey corridor was conducted utilizing the NCSHPO files available online through the HPOWEB GIS Service (<a href="http://gis.ncdcr.gov/hpoweb/">http://gis.ncdcr.gov/hpoweb/</a>) of architectural surveys. Background research also focused on relevant sources of local historical information and available historical maps, which were examined to provide an historical context for the APE and to check for any buildings and other cultural features present within the APE.

# Archaeological Sites

There are no archaeological sites within the project limits. There are five archaeological sites within a 1.6-km (1-mile) radius of the APE (**Table 2.**; **Attachment 3**). Two of the sites are prehistoric and the remaining three sites are multi-component. One of the multi-component sites (31BN518) yielded a single stemmed projectile point (Morrow Mountain) dating to the Middle Archaic period. Three resources (31BN515–31BN517) were determined to be not eligible for listing on the National Register of Historic Places (NRHP) while the remaining resource (31BN518) is unassessed.

Table 1. Previously Identified Archaeological Sites within a 1-Mile Radius of the Project Area

Resource	Resource Type	Association	Reference	NRHP Status
31BN515	Limited Activity	Prehistoric Unknown	Noel 1991	Not Eligible
31BN516	Limited Activity; Home	Prehistoric Unknown; 20 <sup>th</sup> c.	Noel 1992	Not Eligible
31BN517	Limited Activity	Prehistoric Unknown	Noel 1992	Not Eligible
31BN518	Lithic Workshop; Other	Middle Archaic; 20 <sup>th</sup> c.	Noel 1992	Unassessed

# Architectural Resources

There are no architectural resources within the project limits or within a 1.6-kilometer (1-mile) radius of the APE (**Attachment 4**).

# Historic Map Review

Historic maps were reviewed as part of the background research conducted for these investigations. Online map repositories, including the Library of Congress, the United States Geological Survey (USGS) Historical Topographic Map Explorer, and others, were examined to identify historic maps which depict the APE. Some of the earliest maps depicting the APE vicinity were created in the nineteenth century. Generally, these early maps provide little detail beyond major waterways and terrain. The earliest available maps for the region show very little detail for the project area but two from the later nineteenth and early twentieth century do show major waterways and some local place towns and place names (**Figures 1–3**). More detailed USGS maps dating to 1905 and 1967, illustrate the project location in greater detail (**Figures 4 and 5**).

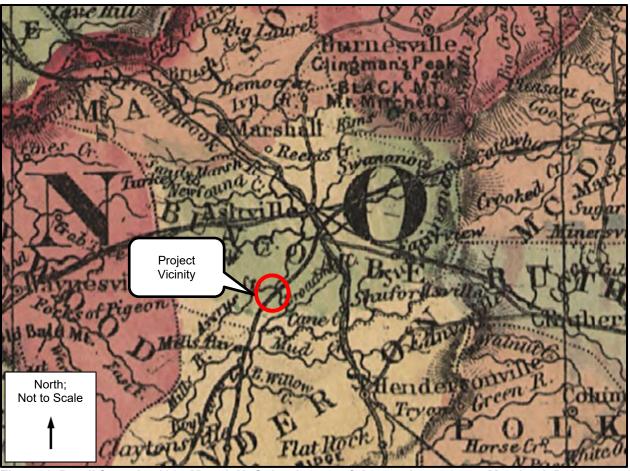


Figure 1. Detail from the 1865 Map J. H. Colton's map of the southern states. Maryland, Delaware, Virginia, Kentucky, Tennessee, Missouri, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Arkansas, Louisiana and Texas (http://hdl.loc.gov/loc.gmd/g3860.cw0037600, accessed April 2019).

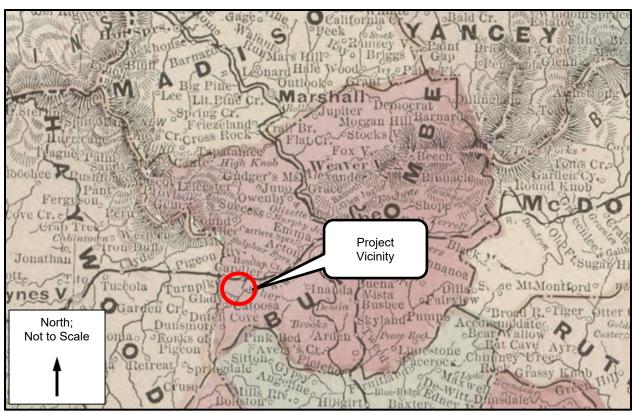


Figure 2. Detail from G. F. Cram's 1901 Map Western Part of North and South Carolina. (https://dc.lib.unc.edu/cdm/ref/collection/ncmaps/id/787, accessed June 2019).

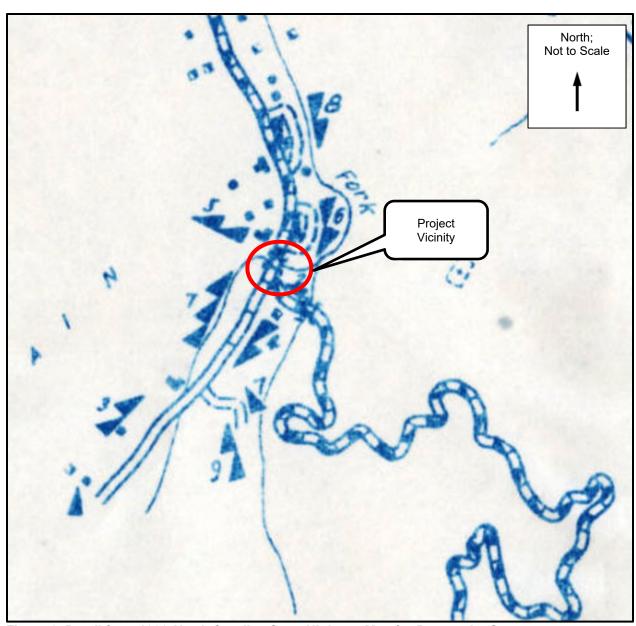


Figure 3. Detail from 1938 North Carolina State Highway Map for Buncombe County. (https://dc.lib.unc.edu/cdm/compoundobject/collection/ncmaps/id/511/rec/30, accessed June 2019).

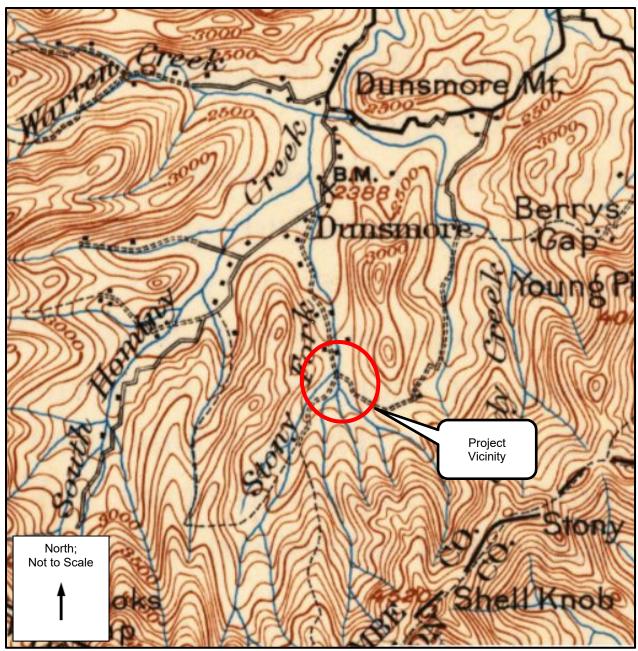


Figure 4. Detail of 1905 *Pisgah, North Carolina* 1:125,000 Series USGS Topographical Map. (http://historicalmaps.arcgis.com/usgs/, accessed June2019)

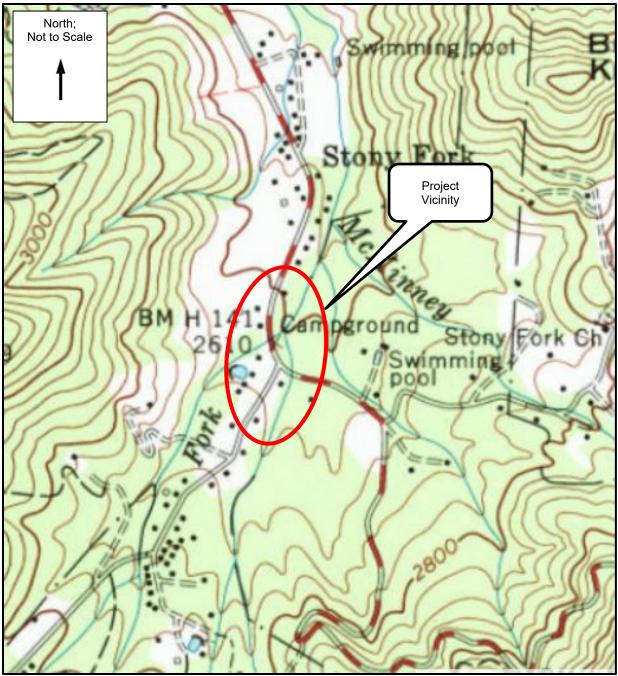


Figure 5. Detail of 1967 *Dunsmore Mountain, North Carolina* 7.5-Minute Series USGS Topographical Map. (<a href="http://historicalmaps.arcgis.com/usgs/">http://historicalmaps.arcgis.com/usgs/</a>, accessed April 2019)

# **Historic Context**

Native American occupations in North Carolina's Blue Ridge Mountain region are generally divided into three periods: Paleoindian (prior to 9,500 years before present (BP), Archaic (9,500–4,000 years BP), and Woodland (4,000–400 years BP). The Paleoindian period is characterized by the presence of fluted projectile points. Paleoindian people lived a nomadic life and therefore lacked the large, permanent settlements that would become common in later periods. Materials used in the Blue Ridge Mountain region are various types of chert, argillite, quartz, quartzite, and rhyolite (Ward and Davis 1999).

The Paleoindian period transitioned into the Archaic period in part due to climate change resulting in the extinction of large game. This transition included a shift from large game hunting to a seasonal rotation of hunting and gathering. Archaic peoples continued to live a primarily nomadic lifestyle; however, there is evidence that some Archaic people settled into larger and more permanent sites. From the coast to the mountains, the Archaic period began with wandering bands of hunters and gatherers who faced a wide variety of changing environmental conditions. These bands occasionally came together at favored locations in major river valleys, but most of their time was spent scattered across the landscape foraging for food and raw materials. Archaic peoples became more familiar with their environments, learning which plants were edible as well as becoming familiar with the habits of their quarry. An increase in plant usage led to the development of grinding stones and mortars. Increased evidence of fire cracked rock (FCR) on Archaic sites reveal advancements in cooking. The innovation of the atlatl with polished weight stones, and the polished grooved axes found on Archaic sites showcase an evolution in tool technology and material culture as well. Toward the end of the Archaic period, large groups began to settle more permanently, living most of, if not all year, in areas rich in raw material and food resources (Perdue and Oakley 2010).

The increased sedentism of the Late Archaic period ushered in the Woodland period, which was characterized in part by the use of horticulture. These horticultural practices represented the beginnings of plant domestication, including corn, beans, squash, and sunflowers. The development of ceramic technology and the use of pottery for cooking and storing of food is also a defining characteristic of the Woodland period. In addition, changes in stone tool manufacturing occurred during this period, including such innovations as the production of small triangular project points for use with the bow and arrow (Coe and Wilson 1976:2-6; Perdue and Oakley 2010). Both large and small camps became common, as did larger and permanently occupied villages with substantial houses of wood or wattle and daub and thatched roofs. Some seasonal movements to collect available plants or hunt animals was still common during the Woodland period.

As native groups began more sedentary lives, populations became more complex and individualistic. Chiefdoms began to arise with different social, political, and economic systems. The Mississippian tradition reached the mountains of North Carolina on its far Eastern fringes of its influence. The South Appalachian Mississippian tradition was very active in Western North Carolina, their stylistic markers are very similar to that of Northern Georgia and Eastern Tennessee (University of North Carolina Research Laboratories for Archaeology [UNC-RLA] 2010). During the Spaniard Hernando de Soto's expedition in the sixteenth century, many of the natives in the area succumbed to either European disease or were taken as slaves (Blue Ridge Natural Heritage Area [BRNH] 2010).

As European-Americans began to settle in western North Carolina, they primarily encountered the Cherokee. The Cherokee fought with the British against the French in the French and Indian War, and again with the British against the Americans during the American Revolution, due to their encroachment further into their lands after the British said they would curb their expansion. The Europeans who settled in the French Broad River basin were primarily of Scottish and German descent. Immigrants from Scotland were common after the failed Jacobite rebellion of 1745 (Anderson and Wetmore 2006). After the revolution, a series of treaties was signed in order to try and stop the further advancement of settlers. However, with the discovery of gold in the area in 1828, the U.S. government and Andrew Jackson issued a forced relocation instead of honoring the previous treaties (Anderson and Wetmore 2006).

North Carolina was a region divided during the Revolutionary War. Wealthy planters tended to be Whigs while backcountry farmers tended to be Tories. North Carolina supplied many troops during the American Revolution. Few British loyalists actively resisted Patriot control after their defeat at Moore's Creek Bridge. This was due in part to the difficult choices they faced once the Whigs were in control; either leave the Colonies behind by accompanying the British or remain to face Patriot rule (Howard 2010; Tindall and Shi 2000).

Prior to the outbreak of the Civil War, Buncombe County formed a militia called the Buncombe Riflemen, led by William Wallace McDowell. North Carolina succeeded from the United States on May 20, 1861. Over 80 percent of adult white males in North Carolina served in the Confederate Army during the war. Shortly after the first shots at Fort Sumner, McDowell led the Buncombe Riflemen to Raleigh to join the war effort. The Battle of Asheville occurred April 6, 1865, when Union troops attempted to capture the city. Enfield riffles were produced in the armory in Ashville, but the attempt by the federal troops was not successful (Inscoe 2006). The Confederates surrendered three days later at Appomattox.

George Washington Vanderbilt II built the Biltmore Estate in the late nineteenth century. Originally the property was built on over 100,000 acres. The land was bought from farmers and noted that the land was in very bad condition (Boyle 2017). Most of the economy of Buncombe county was agriculture, now it is primarily agriculture, mining, and manufacturing (Martin 2016).

# **Fieldwork Results**

# Survey Methodology

Stantec field archaeologists conducted systematic pedestrian survey throughout the entire 457.2-meter (1,500-foot) APE, in conjunction with systematic shovel testing. Shovel tests were excavated at 15-meter (49.2-foot) intervals along transects spaced 15 meters (49.2-feet) apart. Radial shovel tests were excavated at 7.5-meter (24.6-foot) intervals around positive shovel tests to determine the extent of newly identified cultural resources. Judgmentally placed shovel tests were excavated as appropriate within areas exhibiting some disturbances comingled with apparently intact soils. Shovel tests were not excavated in areas exhibiting more than 15 percent slope, that were wet, or that were determined to retain a low probability due to other disturbances following pedestrian survey. All shovel tests measured approximately 38 centimeters (14 inches) in diameter and were excavated to sterile subsoil, or a maximum depth of 1 meter (39.37 inches). Soil from all shovel tests was passed through 6.35-millimeter (0.25-inch) mesh screen. Stratigraphic profiles were recorded utilizing the following United States Department of Agriculture (USDA) soil horizon definitions and in reference to Munsell Color Charts (Munsell 2009):

- A (topsoil or surface vegetation) Organic or humus layer consisting of grass, leaf litter, or other surface materials.
- Ap (Plow Zone) A horizon soils that have been impacted by plowing and agricultural
  practice; usually an organic layer that has formed through decomposition of A horizon soils
  mixed with leftover organic matter from agricultural practices
- E (eluviated) Leached of clay, minerals, and organic matter, leaving a concentration of sand and silt particles of quartz or other resistant materials missing in some soils but often found in older soils and forest soils. Often interpreted as a transition layer between A and B horizon soils; often present in intact archaeological site settings and is representative of a living surface.
- B (subsoil) Rich in minerals that leached (moved down) from the A or E horizons and accumulated here. Typically denoted as the culturally sterile subsoil as deposits tend to predate human occupation.

18-09-0043

All pertinent data including: the site location, the location of features, any permanent landmarks, the topography, the vegetation, any disturbed areas, and the location of surface survey and subsurface tests was digitally collected utilizing ESRI's Collector for ArcGIS installed on Apple iPads enabled with GPS location services and supplemented by a Trimble R1 GPS Receiver. Field survey notes were collected by Stantec's Project Archaeologists and Crew Chief documenting daily progress, conditions, and access issues.

### Survey Results

The project area encompasses a 480.06-meter (1,575-foot) section of existing Highway NC 151 (Pisgah Highway). The overall APE consists of residential areas and wooded slope. The terrain within the APE is made up of residential properties with manicured lawns, an RV Park with graveled areas, wetlands areas, streams, gently sloping fields, and highly sloped areas (**Attachment 5: Figures 6-10**). A portion of the APE has been moderately to heavily disturbed by recent human activity, primarily residential development.

A total of 76 shovel tests, excavated at 15-meter (49.2-foot) intervals along transects spaced 15 meters (49.2 feet) apart but also including judgmentally place shovel tests, were excavated within the APE. While the entirety of the APE was subjected to pedestrian survey, large areas of disturbance such as slope, drainage, utilities, and modern construction, were not shovel tested. When cultural material was observed on the ground surface, judgmentally placed shovel tests were excavated in the vicinity to determine site boundaries. None of the shovel tests were positive for cultural material. There were two representative stratigraphic profiles observed in the shovel tests (**Table 3**). One shovel test was positive for cultural material, but material recovered was determined to be modern metal debris and was discarded.

**Table 3. Representative Shovel Tests** 

STP	Stratum	Width (cm)	Depth (cm)	Munsell Color	Soil Description	Interpretation
B13	1	39.62	15	10YR 4/3 Brown	Loamy Sand	A Horizon
	II					ROCK IMPASS
A1	1	39.62	8	7.5YR 5/6 Strong Brown	Clay	B Horizon

### **Summary and Recommendations**

The archaeological survey and evaluation were designed to locate and identify cultural resources within the defined APE and to obtain sufficient information to make recommendations regarding their potential eligibility for listing on the NRHP. During the survey, Stantec conducted pedestrian survey of the entire APE and systematic subsurface testing in those areas defined as retaining a higher potential for the identification of archaeological sites and that had not been significantly disturbed. A total of 76 shovel tests were excavated at 15-meter (49.2-foot) intervals along transects spaced 15 meters (49.2 feet) apart. Of these, no shovel tests were positive for prehistoric or historic cultural material. No new archaeological sites were identified during this survey and no further archaeological work is recommended. However, if design plans change to effect areas outside of the APE, additional archaeological investigations may be required.

Aimee J. Leithoff, MA, RPA Principal Investigator Stantec Consulting Services Inc.



Figure 6. Stoney Fork Bridge and Stream; View to the East.



Figure 7. Stream within the APE; View to the North.



Figure 8. View of RV Park; View to the East.



Figure 9. View of Residential Houses and Manicured Lawns; View to the Southwest.



Figure 10. View of Woods; View to the West.

18-09-0043

### **REFERENCES CITED**

Anderson, William L. and Ruth Y. Wetmore

2006 Cherokee Indians. <a href="https://www.ncpedia.org/cherokee/overview">https://www.ncpedia.org/cherokee/overview</a>, accessed May 2019.

Blue Ridge Natural Heritage Area (BRNH)

2010 Our Heritage. https://www.blueridgeheritage.com/heritage/, accessed May 2019.

Coe. J. L. and J. H. Wilson

1976 Archaeological Survey of Randleman and Howard Mills Reservoirs. Ms. On file, Research Laboratories of Archaeology, University of North Carolina, Chapel Hill.

Colton, J.H.

J. H. Colton's map of the southern states. Maryland, Delaware, Virginia, Kentucky, Tennessee, Missouri, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Arkansas, Louisiana and Texas. Library of Congress Map Collection, <a href="http://hdl.loc.gov/loc.gmd/g3860.cw0037600">http://hdl.loc.gov/loc.gmd/g3860.cw0037600</a>, accessed April 2019.

Cram, George F.

1895 Western part of North and South Carolina.

https://dc.lib.unc.edu/cdm/ref/collection/ncmaps/id/787, accessed June 2019.

Howard, Josh

2010 North Carolina in the US Revolution. NCpedia.

https://www.ncpedia.org/history/usrevolution/overview, accessed June 2018.

Inscoe, John C.

2006 Battle of Asheville. NCpedia, https://www.ncpedia.org/asheville-battle, accessed May 2019.

Martin, Jonathon

2016 Buncombe County (1791). North Carolina History Project,

https://northcarolinahistory.org/encyclopedia/buncombe-county-1791/, accessed May 2019.

Munsell Color

2009 Munsell Soil Color Charts. Macbeth Division of Kollmorgen Instruments Corporation, New Windsor, NY.

**NCPedia** 

n.d. Wildlife of North Carolina's Piedmont region. NCpedia. Available from https://www.ncpedia.org/wildlife/piedmont, accessed June 2018.

North Carolina Department Environmental Quality

2015 Physiographic Provinces of NC. September 29, 2015. Available from:

https://ncdenr.maps.arcgis.com/apps/MapSeries/index.html?appid=1316f4eb4e3349298c3bd0063ab8fb89, accessed June 2018.

North Carolina Environmental Education, Department of Environmental Quality (NCDEQ)

n.d. River Basin App. Department of Environmental Quality, Office of Environmental Education and Public Affairs. Available from:

https://ncdenr.maps.arcgis.com/apps/PublicInformation/index.html?appid=f82f583438e74bf29adcc76247381eee, accessed June 2018.

North Carolina Office of State Archaeology (OSA)

2017a North Carolina Office of State Archaeology Archaeological Investigation Standards and Guidelines for Background Research, Field Methodologies, Technical Reports, and Curation. North Carolina Department of Natural & Cultural Resources. December 2017.

2017b Archaeological Site Form Handbook. Last Updated May 31, 2017. <a href="https://files.nc.gov/dncr-arch/PDF/OSA">https://files.nc.gov/dncr-arch/PDF/OSA</a> site form handbook V7.pdf., accessed June 2018.

North Carolina State Highway and Public Works Commission (NCSHPWC)

North Carolina State Highway Map for Buncombe County. North Carolina State Highway and Public Works Commission, Raleigh; https://dc.lib.unc.edu/cdm/singleitem/collection/ncmaps/id/545/rec/15, accessed June 2019.

North Carolina Wildlife Resources Commission

2018a *Habitats: Piedmont*. Learning. Available from: <a href="http://ncwildlife.org/Learning/Habitats/Piedmont">http://ncwildlife.org/Learning/Habitats/Piedmont</a>, accessed June 2018

2018b Habitats. Learning. Available from: http://ncwildlife.org/Learning/Habitats, accessed June 2018

Perdue, Theda and Christopher Arris Oakley

2010 *Native Carolinians: The Indians of North Carolina*. North Carolina Department of Cultural Resources. Raleigh.

Tindall, George Brown and David Emory Shi

2000 America: A Narrative History. 6th edition. W.W. Norton & Co. New York, New York.

Williard, David C.

2010 *North Carolina in the Civil War.* Ncpedia.com. Available from: <a href="https://www.ncpedia.org/history/cw-1900/civil-war">https://www.ncpedia.org/history/cw-1900/civil-war</a>, accessed February 2019.

United States Department of the Interior (USDI)

1983 Secretary of the Interior's Standards and Guidelines for Archaeological and Historic Preservation.

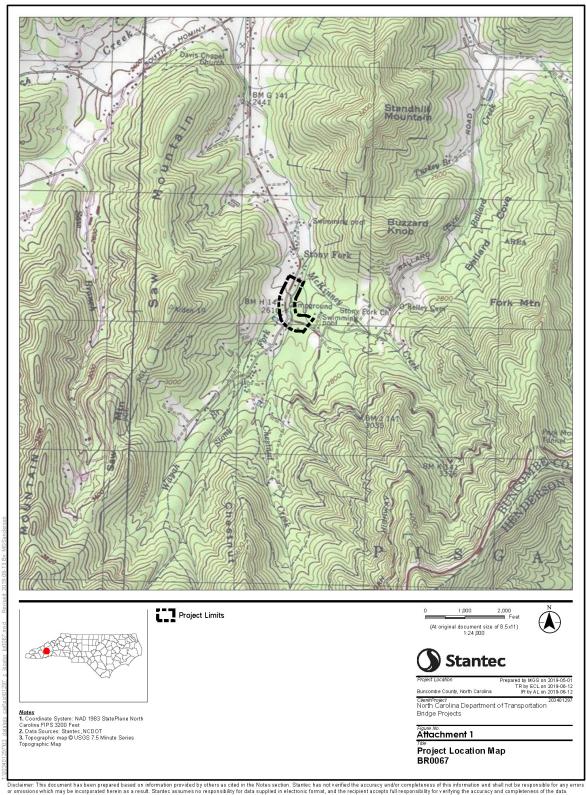
United States Geological Society (USGS)

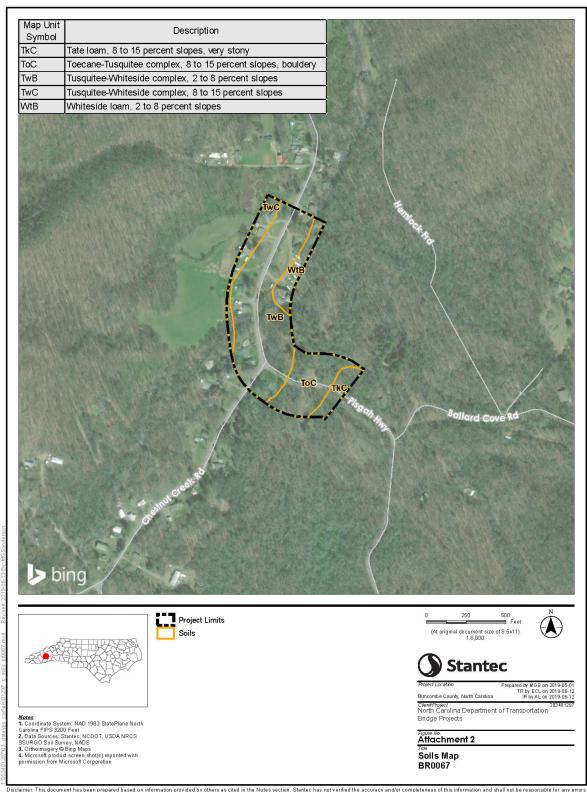
1905 *Pisgah, North Carolina* 1:125,000 Series Quadrangle, <a href="http://historicalmaps.arcgis.com/usgs/">http://historicalmaps.arcgis.com/usgs/</a>, accessed June 2019.

1967 *Dunsmore, North Carolina* 7.5-Minute Series Quadrangle, <a href="http://historicalmaps.arcgis.com/usgs/">http://historicalmaps.arcgis.com/usgs/</a>, accessed June 2019.

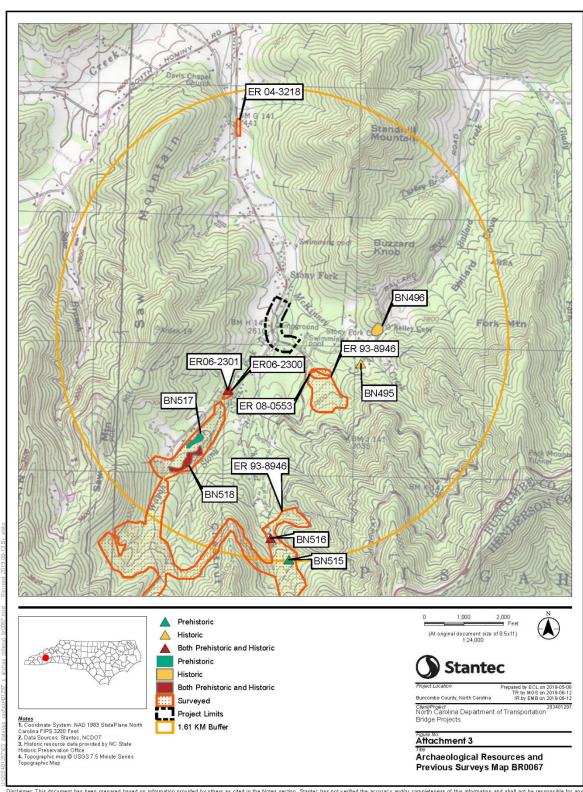
University of North Carolina Research Laboratories of Archaeology (UNC-RLA).

2010 The Woodland and Mississippian Periods of North Carolina.

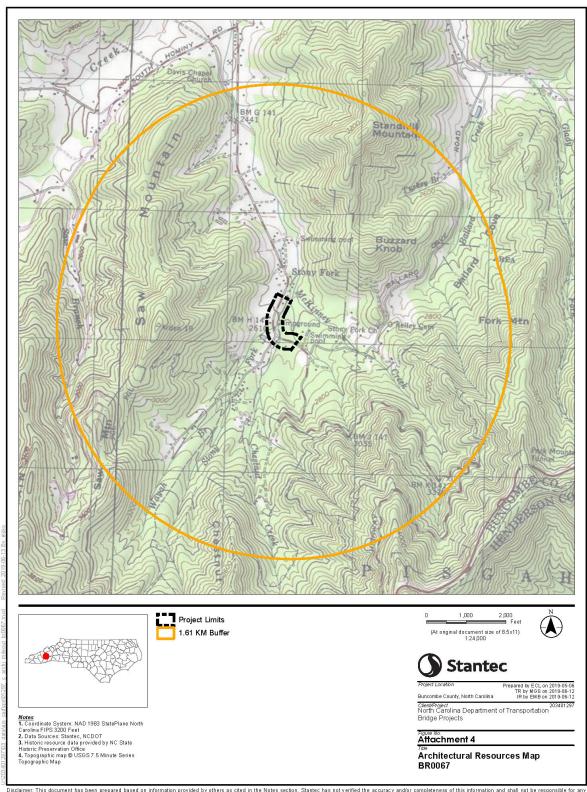




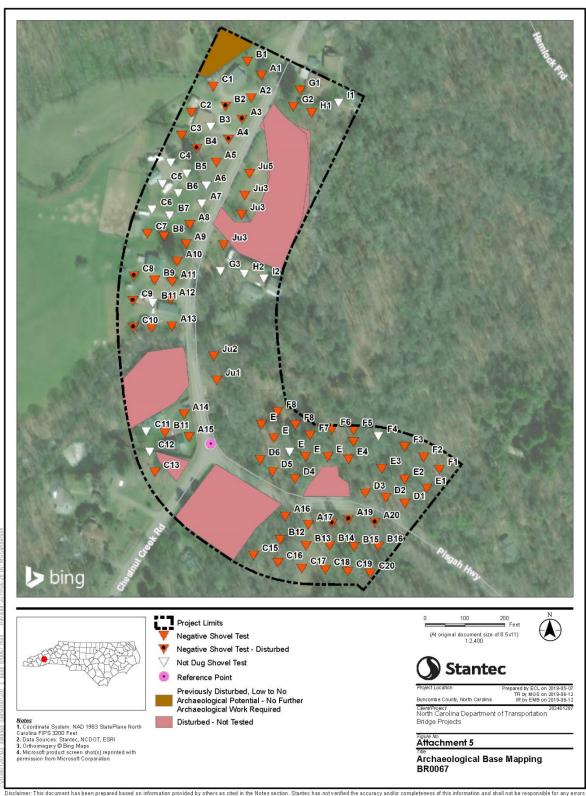
Disclaimer. This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsibility for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



Disclaimer. This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or ormissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or ormissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



# Historic Architecture and Landscapes

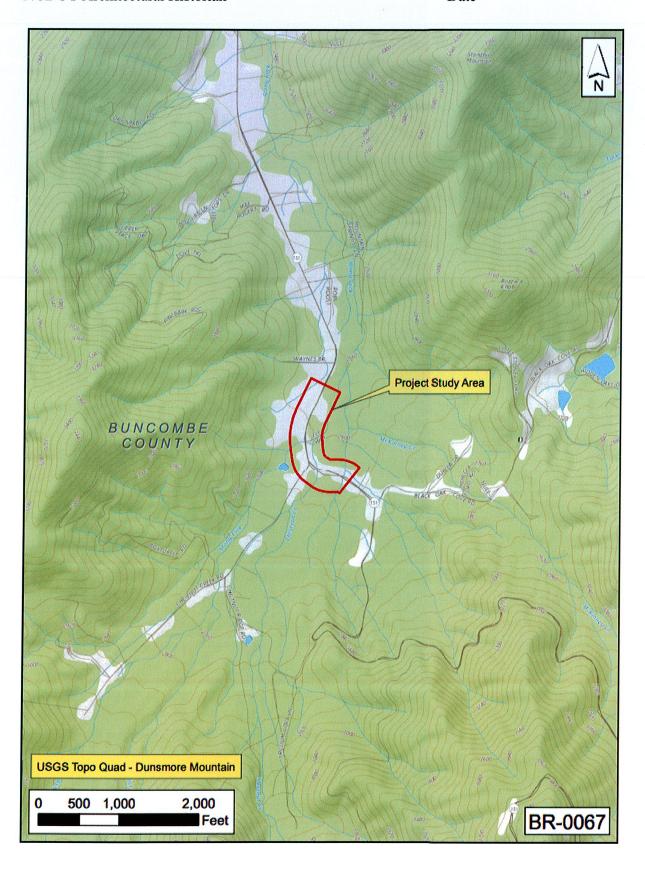
18-09-0043



### 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.

		CT INFORMATION	ON .
Project No:	BR-0067	County:	Buncombe
WBS No.:	67067.1.1	Document	MCC
		Type:	
Fed. Aid No:	N/A	Funding:	State
Federal	⊠ Yes □ No	Permit	N/A
Permit(s):		Type(s):	
Project Descript	tion: Replace Bridge No. 8	6 on NC 151 over S	tony Fork Creek.
			<u></u>
SUMMA	RY OF HISTORIC ARC	HICTECTURE A	ND LANDSCAPES REVIEW
	eview activities, results, ar		
			signations roster, and indexes was
	•		e are no existing NR, SL, LD, DE,
or SS properties	s in the Area of Potential	Effects, which is de	efined on the following maps and
			fifty years of age were evaluated
			parcel information. The area is
			ouses used as vacation homes and
			through the loss of materials and
			er listing. There are no National
•		survey is required.	If design plans change, additional
review will be re			
			reasonably predicting that there
<u>are no unidenti</u>	ified significant historic	architectural or lai	ndscape resources in the project
<u>area</u> :	1 010 1 0	I' ND GI II	
			D, DE, and SS properties for the
			formation, and Google Maps are
			hood of historic resources being
	9	listed or eligible p	roperties within the APE and no
survey is require	a.		
. 1	CHDDAD	r documentat	ION
HMon(a)	Previous Survey Info.	Γ DOCUMENTAT  ☐ Photos ☐	Correspondence Design Plans
₩ap(s) L	Ti revious survey iiiio.		Correspondence Design Flams
	FINDING BY NCDOT	ARCHITECTUR	AL HISTORIAN
,	1		
Historic Architec	cture and Landscapes NO	SURVEY REQUI	RED
hata			alla1- 2
1/1/000	M (Attay)		9/19/2018

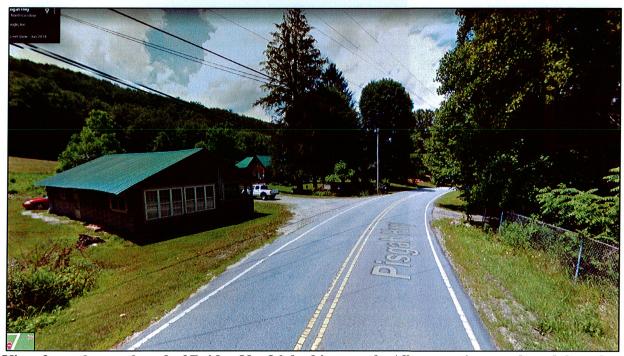




State Historic Preservation Office GIS.



Looking north towards Bridge No. 86.

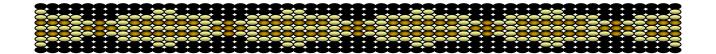


View from the north end of Bridge No. 86, looking north. All properties are altered, have lost integrity, and are not eligible for NR listing.

# Tribal Coordination

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

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



February 10, 2022

Attention: Verrol McLeary NC Department of Transportation 1548 Mail Service Center Raleigh, NC 27699

Re. THPO # TCNS # Project Description

BR-0067 - proposes to replace bridge #086 on NC 151 over Stony Fork

2022-193-76 Creek in Buncombe Co.

Dear Mr. McLeary,

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

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

Sincerely,

Wenonah G. Haire

Tribal Historic Preservation Officer

Cattle Rogers for



# CHEROKEE NATION®

P.O. Box 948 • Tahlequah, OK 74465-0948 918-453-5000 • www.cherokee.org Chuck Hoskin Jr.

Principal Chief
GF FOF \$AS
0-EOGA

Bryan Warner
Deputy Principal Chief
\$ZAPVA
WPA DLGA 0-EOGA

February 14, 2022

Verrol McLeary North Carolina Department of Transportation 1548 Mail Service Center Raleigh, NC 27699-1548

Re: BR-0067, Proposed Bridge 86 Replacement

Mr. Verrol McLeary:

The Cherokee Nation (Nation) is in receipt of your correspondence about **BR-0067**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found no instances where this project intersects or adjoins such resources. Thus, the Nation does not foresee this project imparting impacts to Cherokee cultural resources at this time.

However, the Nation requests that the North Carolina Department of Transportation (NCDOT) halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project. Additionally, the Nation requests that NCDOT conduct appropriate inquiries with other pertinent Tribal and Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

If you require additional information or have any questions, please contact me at your convenience. Thank you for your time and attention to this matter.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer Cherokee Nation Tribal Historic Preservation Office

elizabeth-toombs@cherokee.org

918.453.5389

### McLeary, Verrol

From: LeeAnne Wendt <LWendt@muscogeenation.com>

**Sent:** Friday, January 28, 2022 4:11 PM

**To:** McLeary, Verrol

Cc: Adima, Nathan N; Robinson, Beverly G; Wilkerson, Matt T; Beckwith, Loretta A CIV USARMY CESAW (USA; Hoops, George

(FHWA)

Subject: [External] Re: BR0067 NCDOT Tribal Coordination\_Muscogee (Creek) Nation

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Thank you for sending an early notification for the BR-0067 NCDOT project which proposes to replace bridge #086 over Stony Fork Creek in Buncombe County, North Carolina. At this juncture, this Muscogee (Creek) Nation has no comments to give besides making sure that a Phase I survey is conducted on the property, if one has not been conducted before and if the project goes outside of the established ROW. Also, that the NC SHPO be contacted concerning this project. We look forward to reviewing the report when it is completed.

Regards, LeeAnne Wendt

LeeAnne Wendt, M.A., RPA
Tribal Archaeologist, Historia

From: McLeary, Verrol <vmcleary1@ncdot.gov>
Sent: Wednesday, January 12, 2022 4:32 PM

To: LeeAnne Wendt < Iwendt@muscogeenation.com>

Cc: Adima, Nathan N <nadima@ncdot.gov>; Robinson, Beverly G <br/>brobinson@ncdot.gov>; Wilkerson, Matt T <mtwilkerson@ncdot.gov>; Beckwith, Loretta A

CIV USARMY CESAW (USA <Loretta.A.Beckwith@usace.army.mil>; Hoops, George (FHWA) <george.hoops@dot.gov>

Subject: BR0067 NCDOT Tribal Coordination\_Muscogee (Creek) Nation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Day,

The North Carolina Department of Transportation (NCDOT) Project Management Unit (PMU) is beginning the project development, environmental, and engineering studies for project BR-0067, replace Bridge #086 on NC 151 over Stony Fork Creek in Buncombe County.

Please see the attached information for your review and let me know if you have any comments by February 15, 2022.

Regards,

### Verrol M<sup>c</sup>leary

Project Manager – Divisions 11-14
Project Management Unit – Team D
North Carolina Department of Transportation

919 707 6044 office vmcleary1@ncdot.gov

1000 Birch Ridge Drive (Delivery) Raleigh, North Carolina 27610

1582 Mail Service Center (Mail) Raleigh, North Carolina 27699-1582



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

### McLeary, Verrol

From: Acee Watt <awatt@ukb-nsn.gov>
Sent: Wednesday, March 9, 2022 12:06 PM

To: McLeary, Verrol
Cc: Whitney Warrior

**Subject:** [External] RE: BR0067 NCDOT Tribal Coordination\_United Keetoowah Band of Cherokee Indians

Categories: AGENCY RESPONSE

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to Report Spam.

Good afternoon,

I apologize for the very late response. I was ill most of January with pneumonia, and the message you sent on the 1st I must have missed.

Thank you for consulting with the UKB. I have no current comments or questions regarding the proposed project. If you need any additional information from the UKB please let me know.

Kind regards,

Acee Watt (he/him)
Section 106 Coordinator
Office of Historic Preservation
Main Line: 918.871.2852
Cell: 918.930.0458
awatt@ukb-nsn.gov
ukbthpo@ukb-nsn.gov

This communication is confidential | Destroy if received in error and please let me know | Unauthorized use, copying or distribution is prohibited.

From: Whitney Warrior < wwarrior@ukb-nsn.gov>

**Sent:** Tuesday, March 1, 2022 3:51 PM

To: McLeary, Verrol < vmcleary1@ncdot.gov>; Office of Historic Preservation < ukbthpo@ukb-nsn.gov>; Acee Watt < awatt@ukb-nsn.gov>

**Cc:** Robinson, Beverly G <br/>
Subject: Re: BR0067 NCDOT Tribal Coordination\_United Keetoowah Band of Cherokee Indians

Im going to have my 106 contact get with you on this

Whit Warrior, MBA, MLS
Director
Office of Environmental Services &
Historic Preservation
918.871.2825
Wwarrior@ukb-nsn.gov
Oes@ukb-nsn.gov

Ukbthpo@ukb-nsn.gov

This communication is confidential. Destroy if received in error and please let me know. Unauthorized use, copying or distribution is prohibited.

From: McLeary, Verrol < wmcleary1@ncdot.gov >

**Sent:** Tuesday, March 1, 2022 2:56:58 PM

**To:** Whitney Warrior < <u>wwarrior@ukb-nsn.gov</u>>; Office of Historic Preservation < <u>ukbthpo@ukb-nsn.gov</u>>

**Cc:** Robinson, Beverly G < <a href="mailto:brobinson@ncdot.gov">brobinson@ncdot.gov</a>>; Adima, Nathan N < <a href="mailto:nadima@ncdot.gov">nadima@ncdot.gov</a>> **Subject:** RE: BR0067 NCDOT Tribal Coordination\_United Keetoowah Band of Cherokee Indians

Good Day,

I wanted to follow up with you regarding BR-0067 tribal coordination letter to make sure I didn't miss your comments.

Thank you,

### Verrol M<sup>c</sup>leary

Project Manager – Divisions 11-14
Project Management Unit – Team D
North Carolina Department of Transportation

919 707 6044 office vmcleary1@ncdot.gov

1000 Birch Ridge Drive (Delivery) Raleigh, North Carolina 27610

1582 Mail Service Center (Mail) Raleigh, North Carolina 27699-1582



From: McLeary, Verrol

**Sent:** Wednesday, January 12, 2022 5:19 PM **To:** wwarrior@ukb-nsn.gov; ukbthpo@ukb-nsn.gov

Cc: Robinson, Beverly G < <a href="mailto:brobinson@ncdot.gov">brobinson@ncdot.gov</a>; Adima, Nathan N < <a href="mailto:nadima@ncdot.gov">nadima@ncdot.gov</a>; Wilkerson, Matt T < <a href="mailto:mtwilkerson@ncdot.gov">mtwilkerson@ncdot.gov</a>; Beckwith, Loretta A

CIV USARMY CESAW (USA <<u>Loretta.A.Beckwith@usace.army.mil</u>>; Hoops, George (FHWA <<u>george.hoops@dot.gov</u>>

Subject: BR0067 NCDOT Tribal Coordination\_United Keetoowah Band of Cherokee Indians

Good Day,

The North Carolina Department of Transportation (NCDOT) Project Management Unit (PMU) is beginning the project development, environmental, and engineering studies for project BR-0067, replace Bridge #086 on NC 151 over Stony Fork Creek in Buncombe County.

Please see the attached information for your review and let me know if you have any comments by February 15, 2022.

Regards,

Verrol M<sup>c</sup>leary
Project Manager – Divisions 11-14
Project Management Unit – Team D
North Carolina Department of Transportation

919 707 6044 office vmcleary1@ncdot.gov

1000 Birch Ridge Drive (Delivery) Raleigh, North Carolina 27610

1582 Mail Service Center (Mail) Raleigh, North Carolina 27699-1582



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.



## STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

January 12, 2022

Mr. Russell Townsend Preservation Specialist Eastern Band of Cherokee Indians (ECPI) THPO 2077 Governor's Island Road Bryson City, NC 28713

Dear Mr. Townsend,

The North Carolina Department of Transportation (NCDOT) has started the project development, environmental, and engineering studies for the BR-0067. The project proposes to replace Bridge #086 on NC 151 over Stony Fork Creek in Buncombe County. The Federal Highway Administration (FHWA) is the lead federal agency for compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (NHPA) and a Permit is anticipated under the Section 404 Process with the USACE. A project features map is also attached.

We would appreciate any information you might have that would be helpful in evaluation potential environmental impacts of the project. Your comments may be added to the NEPA Environmental Document.

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

Please respond by February 15, 2022, so that your comments can be used in the engineering studies of this project. If you have any questions concerning this project, or would like any additional information, please contact me at <a href="https://www.vmcleary1@ncdot.gov">wmcleary1@ncdot.gov</a> or (919) 707-6044.

Thank you,
Docusigned by:

Verrol McLeary

Project Management Unit, NCDOT

Cc: Beverly Robinson, CPM, Team Lead, NCDOT Matt Wilkerson, Archaeology Team Leader, NCDOT

Website: www.ncdot.gov





NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
ENVIRONMENTAL COORDINATION AND PERMITTING



### 1:2,400 (At original document size of 11x17)

1. Coordinate System: NAD 1983 StatePlane North Carolina FIPS 3200 Feet
2. Jurisdictional Delineation completed by Stantec on June 21 and July 11, 2019.
3. Orthoimagery © NCOneMap, 2019.

### Legend

Potential Jurisdictional Perennial Streams

Potential Jurisdictional Intermittent Stream

Select Culverts

Potential Jurisdictional Perennial Streams

Potential Jursictional Wetlands

Select Culverts/Bridges

Project Study Area

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Candler Buncombe County, NC

Prepared by JPA on 2020-06-03 Technical Review by MMR on 2021-11-05 Independent Review by EL on 2021-11-08

NCDOT - Environmental Coordination and Permitting NC 151 Bridge Replacement Over Stony Fork TIP BR-0067

### Figure No.



Potential Jurisdictional Features Map

# NEPA/SEPA Document

### Type I or II Categorical Exclusion Action Classification Form

STIP Project No.	BR-0067
WBS Element	67067.1.1
Federal Project No.	N/A

### A. Project Description:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge 100086 on NC 151 over Stony Fork Creek in Buncombe County. Please see the attached vicinity map (*Fig. 1*) and environmental features map (*Fig. 2*).

Existing Bridge Number 100086 is 52 feet long with a deck width of 22 feet (20 feet and 6 inches clear roadway width). The existing structure is a 2-span with steel I-Beams, timber floor, concrete end walls and guardrails. The project site is in southwestern Buncombe County, about 14 miles southwest of Asheville. In the vicinity of bridge 100086, NC 151, also known as Pisgah Highway, is two lanes, has no control of access, and does not have paved shoulders or sidewalks. It connects the project site with the Blue Ridge Parkway to the south and Candler to the north. The existing structure is a 2 lane-divided bridge with 11 -foot lanes. The existing roadway is about 12 feet above the stream channel. The existing bridge is in a short horizontal tangent in between two curves and is relatively flat. There is no posted weight limit on the bridge.

The new bridge is proposed to have an approximate structure length of 68 feet with two 11-foot lanes and 4-foot shoulders. The proposed bridge would generally follow existing conditions with a design speed of 40 mph. The preferred alternative is to replace the bridge in place with an offsite detour. During construction, traffic will be detoured onto SR 3452 (Upper Glady Fork Road) and SR 3464 (Black Oak Cove Road), approximately 6 miles. The proposed roadway is approximately 12 feet above the stream channel. The new structure proposes a 1-span bridge using 24 inches of prestressed concrete cored slabs.

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

The purpose of the proposed project is to replace a structurally deficient bridge. Structure #86 was built in 1959 and reconstructed in 1980. This structure has a sufficiency rating of 34.78, with a status of structurally deficient that warrants replacement. As bridges age, cost of repairs and maintenance increases.

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

### Type I(A) - Ground Disturbing Action

### D. Proposed Improvements:

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

### E. Special Project Information:

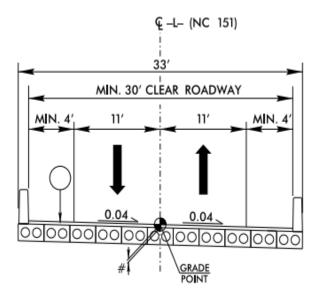
### **Alternatives:**

Two alternatives were initially investigated for this project;

- Alt. 1, Replace in place with offsite detour
- Alt. 2, Staged construction to the east of bridge

An alignment to the east was considered as alternative 2. However, the new bridge would be very close to the existing bridge over Chestnut Creek and properties would be greatly impacted. Alternative 1 was considered to have the least impact to water elevation rise on the adjacent residential structures and could be built faster. Due to the anticipated impacts caused by staged construction, and having a viable offsite detour, replace in place was chosen as the preferred alternate.

### **Proposed Typical Section:**



### **TYPICAL SECTION ON STRUCTURE**

### **Environmental Coordination**

### **Cultural Resources**

On behalf of NCDOT, Stantec Consulting Services Inc. (Stantec) conducted an intensive archaeological survey and evaluation for the proposed project area April 18-24, 2019 and identified no archaeological resources. NCDOT's review of the Office of State Archaeology's (OSA's) site files indicated that no previous archaeological investigations have occurred within the project limits, and no known sites were recorded. However, archaeologists with the US Forest Services (USFS) carried out limited testing for a land exchange in October 1998 and identified two archaeological sites either adjacent to or slightly within the original area of potential effects. Neither site was reported to OSA, and NCDOT was only made aware of the sites during a USFS review of the draft PA form. As a result, a field reconnaissance was conducted by archaeologists with NCDOT on July 17, 2019, and the APE was subsequently reduced to avoid these resources. There are no National Register listed or eligible archaeological sites present within the project's area of potential effects based on a November 2022 review of the current design plans by NCDOT cultural resources staff.

### Natural Resources

Field work was conducted on June 21 and July 11, 2019. At that time, no verification meetings had been held regarding jurisdictional features identified in the study area.

### Protected Species

As of November 2022, the United States Fish and Wildlife Services (USFWS) lists seven federally protected species, under the Endangered Species Act (ESA) within the project study area: bog turtle, gray bat, northern long-eared bat, Appalachian elktoe, mountain sweet pitcherplant, virginia spiraea and rock gnome lichen. The tricolored bat is proposed for listing but is not currently listed.

Based on a lack of suitable habitat, NCDOT rendered a No Effect biological conclusion for the bog turtle, mountain sweet pitcher plant, Virginia spiraea, and rock gnome lichen.

On July 28, 2022, biologists assessed all structures located in the project study area for the bat species. Bridge Number 100086 was also surveyed by NCDOT biologist earlier in 2019. No evidence of bats (bats, staining, guano) was observed. On September 28, 2021, biologists completed a mussel survey. No live individual freshwater mussel, shells, or shell fragments were observed. The biological conclusion is May Affect, Not Likely to Adversely Affect (MANLAA) for the NLEB, gray bat and Appalachian elktoe.

### • Bald and Golden Eagle Protection Act

A desktop-GIS assessment of the project study area, as well as the area within a 1.13- mile radius (1.0 mile plus 660 feet) of the project limits, was performed on May 9, 2019 using 2018 color aerial orthoimagery. No bodies of water large enough or sufficiently open to be considered potential feeding sources were identified within the search radius. Since there was no foraging habitat within the review area, a survey of the project study area and the area within 660 feet of the project limits was not conducted. Additionally, a review of the NHP database updated October 2021 revealed no known occurrences of the species within 1.0 mile of the project study area. Due to the lack of habitat, known occurrences, and minimal impact anticipated for the project, it has been determined that this project will not affect this species.

### • Water Resources

Water resources in the study area are part of the French Broad River basin [U.S. Geological Survey (USGS) Hydrologic Unit 06010105]. Six streams were identified in the study area; Stony Fork, Chestnut Creek, 3 unnamed tributaries to McKinney Creek and 1 unnamed tributaries to Stony Fork. All streams within the study area have a Best Usage Classification (BUC) of Class C; Trout Water (C;Tr). Sedimentation and erosion control measures shall adhere to the Design Standards in Sensitive Watersheds.

### Clean Water Act

Six jurisdictional streams were identified in the study area. All jurisdictional streams in the study area have been designated as cool water streams for the purposes of stream mitigation.

Three jurisdictional wetlands were identified within the study area. All wetlands in the study area are located within the French Broad River basin.

### Construction Moratoria

The project area is located within a trout watershed. Per a memo dated December 17, 2021, the NC Wildlife Resources Commission is not requesting a trout moratorium for this project. Based on the MANLAA biological conclusion for the bat species, USFWS may request a tree-clearing moratorium. Final determination will be made during concurrence with the USFWS.

### **Estimated Cost:**

Roadway Construction Cost	\$850,000		
Right of Way and Utility relocation Cost	\$440,172		
Total Estimated Cost	\$1,290,172		

Data is based on updated Cost Verification Memo dated November 21, 2022.

### **Estimated Traffic:**

ADT (2024) 1200 ADT (2044) 1490

### **Public Involvement:**

Notifications were mailed out on May 16,2019 to nearby residents. The mailing list included 35 properties within a 500-foot buffer surrounding the project study area. NCDOT anticipates sending a follow-up newsletter in the near future to advise of the detour and the project schedule.

### **Agency Coordination**

NCDOT sent out start of study letters to state and local agencies and native tribes on January 12, 2022. Agency coordination letters and responses are included in NCDOT's project files.

F. Project Impact Criteria Checklists:

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)				
PROJECT IMPACT THRESHOLDS  (FHWA signature required if any of the questions 1-7 are marked "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 (BGEPA)?		V	
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?		V	
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?		V	
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?			
6	Does the project require an Individual Section 4(f) approval?		V	
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)?		V	
	y question 8-31 is checked "Yes" then additional information will be required for those tion G.	questio	ns in	
Othe	Other Considerations Yes N			
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?		V	
9	Is the project located in anadromous fish spawning waters?		$\overline{\mathbf{A}}$	
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)?		V	
11	Does the project impact Waters of the United States in any of the designated mountain trout streams?	$\overline{\mathbf{A}}$		
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?		$\overline{\mathbf{A}}$	
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?		$\overline{\mathbf{A}}$	

<u>Othe</u>	er Considerations for Type I and II Ground Disturbing Actions (continued)	Yes	No
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?		V
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?		V
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?	V	
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)?		<b>V</b>
18	Does the project require a U.S. Coast Guard (USCG) permit?		$\checkmark$
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?		$\overline{\mathbf{V}}$
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?		$\checkmark$
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	<b>V</b>	
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?		V
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?		$\overline{\checkmark}$
24	Will maintenance of traffic cause substantial disruption?		
25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?		V
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), Tribal Lands, 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?		<b>V</b>
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?		<b>V</b>
28	Does the project include a de minimis or programmatic Section 4(f)?		$\checkmark$
29	Is the project considered a Type I under the NCDOT Noise Policy?		V
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?		<b>V</b>
31	Are there other issues that arose during the project development process that affected the project decision?		$\overline{\checkmark}$

- G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):
- 8. The biological conclusion for the bat species and for the Appalachian Elktoe is MANLAA. NCDOT will obtain concurrence prior to permitting.
- 11. The stream is located within a trout watershed; however, NC Wildlife Resources Commission is not requesting a trout moratorium.
- 16. Project is in FEMA regulated flood zone, NCDOT Hydraulics Unit will coordinate with North Carolina Flood Mapping Program for all necessary permits.
- 21. There is a potential for NCDOT to affect access to Pisgah National Forest properties, including the Stony Fork Park picnic area, due to the detour being proposed under the current design. Further coordination with the US Forest Service liaison is necessary to clarify whether the Service has any concerns with the proposed detour.
- 24. For certain users of this road, some disruption may be felt due to the detour. NCDOT does plan to reach back out to the community and stakeholders due to the anticipated detour. Any further feedback that affects project decision-making will be detailed through the NEPA Consultation process.

### NCDOT PROJECT COMMITMENTS

STIP Project No. **BR-0067**Replace Bridge 100086 on NC 151 over Stony Fork Creek
Buncombe County
WBS Element 67067.1.1

**Buncombe County Schools** – Prior to construction, NCDOT Division staff (likely the Resident Engineer's Office) will coordinate with school officials regarding road closure and detour routes.

**Emergency Responders / Local Official - NCDOT Division staff (likely the Resident Engineer's office)** will coordinate with Buncombe County EMS response officials and other neighboring counties regarding detour routes and road closure to provide adequate advance notice prior to construction.

**Roadside Environmental Unit / Division 13 Construction -** All streams within the study area have a Best Usage Classification (BUC) of Class C; Trout Water (C;Tr). Sedimentation and erosion control measures shall adhere to the Design Standards in Sensitive Watersheds.

**United States Forest Service** – NCDOT will Coordinate with USFS during final design to confirm that there are no impacts to Forest Service lands and to provide advance notice prior to construction activities and the closure/detour.

**Public Involvement -** While the original landowner notifications did not produce any substantial feedback, NCDOT plans to reach back out to the community and stakeholders due to the anticipated detour. Any further feedback that affects project decision-making will be detailed through the NEPA Consultation process.

**Biological Survey Group / ECAP** – In order to receive concurrence for the bat species, a commitment to <u>NOT</u> clear trees during the time when bats are active (March 15<sup>th</sup> to November 15<sup>th</sup>) may be required. Final determination will be made during concurrence with the US Fish & Wildlife Service.

### I. Categorical Exclusion Approval:

STIP Project No.	BR-0067
WBS Element	67067.1.1
Federal Project No.	N/A
Prepared By: 12/12/2022	DocuSigned by:
	292116A6B9BD4EC
Date	Verrol Mcleary, Project Manager NCDOT/Project Management Unit
Prepared For:	NCDOT Structures Management Unit
Reviewed By: 12/13/2022	DocuSigned by:  Hannah Headrick  821C76C4D61C42A
Date	Hannah Headrick, Environmental Program Consultant NCDOT Environmental Policy Unit
✓ Approve Certifie	<ul> <li>Categorical Exclusion.</li> <li>If ANY grey boxes are checked in Section F (pages 2 and 3) NCDOT certifies the Type I or Type II</li> </ul>
	If classified as Type III Categorical Exclusion.  —Docusigned by:
12/13/2022	Sola Somilar
	John Jamison, Environmental Policy Manager North Carolina Department of Transportation
FHWA Approved: F	for Projects Certified by NCDOT (above), FHWA signature required.
	N/A John F. Sullivan, III, PE, Division Administrator Federal Highway Administration

Note: Prior to ROW or Construction authorization, a consultation may be required (please see Section VII of the NCDOT-FHWA CE Programmatic Agreement for more details).

# **ATTACHMENTS**





NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
ENVIRONMENTAL COORDINATION AND PERMITTING

0 200 400 Feet

1:2,400 (At original document size of 11x17)

### Notes

1. Coordinate System: NAD 1983 StatePlane North Carolina FIPS 3200 Feet
2. Jurisdictional Delineation completed by Stantec on June 21 and July 11, 2019.
3. Orthoimagery © NCOneMap, 2019.

### Legend

Potential Jurisdictional Perennial Streams

Potential Jurisdictional Intermittent Stream

Select Culverts

Potential Jurisdictional Perennial Streams

Potential Jursictional Wetlands

Select Culverts/Bridges

Project Study Area

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Candler Buncombe County, NC Prepared by JPA on 2020-06-03 Technical Review by MMR on 2021-11-05 Independent Review by EL on 2021-11-08

### Client/Project

NCDOT - Environmental Coordination and Permitting NC 151 Bridge Replacement Over Stony Fork TIP BR-0067

Figure No.



Potential Jurisdictional Features Map