

Type I or II Categorical Exclusion Action Classification Form

STIP Project No.	Project Number (e.g. R-1234)
WBS Element	BP13.R052.3
Federal Project No.	N/A

A. Project Description:

NCDOT is proposing to replace Bridge 800239 in Rutherford County. The Bridge is located on SR 1325 (Nanneytown Road) over Cathey's Creek. The Department is proposing to replace the current bridge with a 100-foot bridge with two – ten-foot lanes.

B. Description of Need and Purpose:

The replacement of Bridge 800239 is needed due to the current bridge being structurally deficient and obsolete and is currently closed to the traveling public.

C. Categorical Exclusion Action Classification:

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 crossing, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Cultural Resources

NCDOT Historic Architecture and Archaeology staff have reviewed the project. NCDOT Archaeology reviewed the area and determined no survey was required dated April 2026. NCDOT Architecture and Landscapes reviewed the area and determined no survey was required dated April 2026. Both Archaeology and Architecture forms are attached.

Tribal Coordination was initiated with the Catawba Indian Nation, Cherokee Nation, Eastern Band of Cherokee Indians, Muscogee Creek Nation and United Keetoowah Band of Cherokee Indians on May 14, 2026. The Department has received one response from the Catawba Indian Nation (attached).

Natural Environment

Jurisdictional Resources: Water resources in the study area are part of the Broad River Basin.

Stream Name or Label	NCDWR		Flow Regime	NCSAM Rating
	Index Number	Classification		
Catheys Creek	9-41-13-(0.5)	WS-V	Perennial	-

No streams within the study area has been designated as an Outstanding Resource Water, and there are no designated High Quality Waters or water supply watersheds present or located within 1 mile downstream of the study area.

The USACE and the North Carolina Wildlife Resources Commission have not identified streams in the study area as trout, anadromous fish or primary nursery waters.

No wetland or open surface waters were identified.

Threatened & Endangered Species

The United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) tool was reviewed on May 27, 2026. USFWS lists the following species below as federally protected with potential to be found within the project study area as of this date:

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Myotis grisescens</i>	Gray bat	E	Yes	Unresolved
<i>Myotis sodalist</i>	Indiana bat	E	Yes	Unresolved
<i>Perimyotis subflavus</i>	Tricolored bat	PE	Yes	Unresolved
<i>Glyptemys muhlenbergii</i>	Bog turtle	SAT	No	Not Required
<i>Danaus plexippus</i>	Monarch butterfly	PT	Yes	Not Required
<i>Isotria medeoloides</i>	Small whorled pogonia	T	No	No Effect

PE – Proposed endangered, E – Endangered, SAT – Threatened based on Similarity of Appearance, PT- Proposed Threatened, T – Threatened

The Monarch Butterfly was proposed for federal listing under the Endangered Species Act (ESA) in December 2024. However, as of December 2025 the final decision has been delayed, and the status has been moved to “long-term action”, meaning no final ruling is expected for at least another year. No regulatory protections will take effect until the listing is finalized. Until that time, proposed species do not receive formal ESA protections, though federal action agencies are still required to ensure that their actions do not jeopardize the continued existence of the species. Federal action agencies may initiate consultation with the U.S. Fish and Wildlife Service (USFWS) to obtain a conference opinion. If and when the listing is finalized, and at the agency’s request, the Service may adopt the conference opinion as a biological opinion—provided no relevant new information has emerged and no substantial changes to the proposed action have occurred.

Community Resources

A Direct and Indirect Screening Tool (DIST) was used to assess potential impacts to the local community, farm lands, and pedestrian accommodations (see project site). Should any additional ROW or permanent easements be needed after design is available, the preliminary screening process should be initiated with Community Studies.

Complete Streets

The NCDOT Integrated Mobility Division (IMD) provided a Complete Street Review Assessment in April 2026 and noted no recommendations.

Agency Coordination

NCDOT reached out to federal and local agencies in April 2026 to take part in a Field Scoping Meeting on site on May 11, 2026. If agencies were not able to attend, we sent information to them to get their input.

Public and Stakeholder Involvement

Project Newsletter – April 23, 2026

A project newsletter was distributed to homeowners and businesses in the vicinity of the project on April 23, 2026 (see project file).

Additional Information

The bridge will be replaced utilizing an off-site detour and cost approximately \$2.5 million to complete. Vicinity map attached.

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F. Project Impact Criteria Checklists:

F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)			
For proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22, 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B), answer the project impact threshold questions (below) and questions 8–31. • If any question 1-7 is checked “Yes” then NCDOT certification for FHWA approval is required. • If any question 1-30 is checked “Yes” then additional information will be required for those questions in Section G. <i>Source documents should be cited for each question as appropriate. If no source is needed or available, denote as “n/a”. Please note that some “no” answers should have a corresponding email/memo/report cited for that NCDOT discipline. Project reports or memos/emails should be linked to their location on the project’s Precon site; other publications (e.g. the STIP) can be linked directly. Example: (Source: NCDOT HE-0001 NRTR [HE-0001 NRTR.pdf, 2022])</i>			
PROJECT IMPACT THRESHOLDS (FHWA signature required if any of the questions 1-7 are marked “Yes.”)		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS) in which a “likely to adversely affect determination” has been made? (Source: NRTR , 2026)	☐	☒
2	Does the project result in effects subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)? (Source: NRTR , 2026)	☐	☒
3	Does the project generate substantial controversy or public opposition, regarding human and/or natural environment concerns, following appropriate public involvement? (Source: Landowner Notification , 2026)	☐	☒
4	[REDACTED]		
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition? (Source: Design Recommendations - RFP, 2026)	☐	☒
6	Does the project require an Individual Section 4(f) approval? (Source: EPU GIS Screening, 2026)	☐	☒
7	Does the project result in adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or result in an adverse effect on a National Historic Landmark (NHL)? (Source: NCDOT Cultural Resources Review , 2026)	☐	☒
Other Considerations		Yes	No
8	Is an Endangered Species Act (ESA) determination unresolved or resolved utilizing a Section 7 programmatic agreement? Include in Section G any utilization of a Section 7 Programmatic Agreement. (Source: NRTR , 2026)	☒	☐
9	Is the project located in anadromous fish spawning waters? (Source: EPU GIS Screening, 2026)	☐	☒
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)? (Source: EPU GIS Screening, 2026)	☐	☒
11	Does the project impact waters of the United States in any of the designated mountain trout streams? (Source: EPU GIS Screening, 2026)	☐	☒

12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit? (Source: EPU GIS Screening, 2026)	☐	☒
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility? (Source: EPU GIS Screening, 2026)	☐	☒
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects findings other than a No Effect, including archaeological remains? No matter the effect finding, list any commitments (conditions) in Section I made in association with the effect finding detailed in Section G. (Source: NCDOT Cultural Resources review , 2026)	☐	☒
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.? (Source: Design Recommendations – RFP, 2026)	☐	☒
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? (Source: Design Recommendations – RFP, 2026)	☒	☐
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)? (Source: EPU GIS Screening, 2026)	☐	☒
18	Does the project require a U.S. Coast Guard (USCG) permit? (Source: EPU GIS Screening, 2026)	☐	☒
19	Does the project involve Coastal Barrier Resources Act (CBRA) resources? (Source: EPU GIS Screening, 2026)	☐	☒
20	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River? (Source: EPU GIS Screening, 2026)	☐	☒
21	Does the project impact federal lands (e.g., U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands? (Source: EPU GIS Screening, 2026)	☐	☒
22	Does the project involve any changes in access control to the interstate (modification or construction of an interchange)? (Source: Design Recommendations – RFP, 2026)	☐	☒
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness? (Source: Design Recommendations – RFP, 2026)	☐	☒
24	Will maintenance of traffic or detours cause substantial disruption? (Source: Design Recommendations – RFP, 2026)	☐	☒
25	Is the project inconsistent with the NCDOT's federally approved 4-year STIP or NCDOT's BMIP, and where applicable, the Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP)? (Source: Emergency project, not in STIP)	☒	☐
26	Does the project require the acquisition of lands under the protection of the Land and Water Conservation Fund, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), Tribal Lands, Dedicated Nature Preserves, 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? (Source: Atlas Screening, 2026)	☐	☒
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)? (Source: Atlas Screening, 2026)	☐	☒
28	Does the project "use" Section 4(f) property, and/or result in a <i>de minimis</i> determination? (Source: NCDOT Cultural Resources Review , 2026)	☐	☒
29	Is the project considered a Type I under the NCDOT Noise Policy? (Source: NA – Replace in kind, 2026)	☐	☒
30	Does the project impact VAD-enrolled property, or prime or important farmland soil, as defined by the Farmland Protection Policy Act (FPPA)? (Source: Atlas Screening, 2026)	☐	☒

- G. Additional documentation as required from Section F; documentation should address the context and intensity (or severity) of the impact. (Required for all questions marked 'Yes.')

8. The U.S. Fish and Wildlife Service (USFWS), in partnership with the Federal Highway Administration (FHWA), U.S. Army Corps of Engineers (USACE), and NCDOT, has issued a combined Programmatic Biological Opinion (PBO) and Programmatic Conference Opinion (PCO) for the following bat species: Indiana bat (*Myotis sodalis*, MYSO), gray bat (*M. grisescens*, MYGR), northern long-eared bat (*M. septentrionalis*, MYSE), tricolored bat (*Perimyotis subflavus*, PESU), and little brown bat (*M. lucifugus*, MYLU).

The proposed biological conclusion for bats is unknown at this stage in project planning and will be rendered prior to let as appropriate. After sufficient design has been completed, the project will be evaluated for potential usage of the PBO/PCO. The PBO/PCO will ensure compliance with Section 7 of the Endangered Species Act for five years (effective through April 1, 2030) for all NCDOT projects with a federal nexus in Divisions 9-14, which includes Rutherford County, where BP13.R052.3 is located.

16. The project is within a Flood Hazard Zone for which the 100-year base flood elevations and corresponding regulatory floodway/non-encroachment area have been established. The project intersects a FEMA mapped stream studied by the North Carolina Floodplain Mapping Program.

25. This project is an emergency replacement due to the bridge being structurally deficient and obsolete. The Bridge Inspection Report has marked multiple beams with critical corrosion issues. The bridge is currently closed to all traffic.

H. Categorical Exclusion Approval:

STIP Project No.	Project Number (e.g. R-1234)
WBS Element	BP13.R052.3
Federal Project No.	N/A

Prepared By:

Date	Name of Qualified Preparer, Title Organization/Division
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Prepared For: Project Manager's Name, Title, NCDOT

Reviewed By:

Date	Name of Qualified Reviewer, Title North Carolina Department of Transportation
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Approved

- If NO grey boxes are checked in Section F, NCDOT approves the Type I or Type II Categorical Exclusion.

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Certified

- If ANY grey boxes are checked in Section F, NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval.

Date	Name of Qualified Approver, Title North Carolina Department of Transportation
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FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

Date	for Yolonda K. Jordan, Division Administrator Federal Highway Administration
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Note: Prior to ROW or Construction authorization, a [consultation](#) may be required (please see Section VIII of the NCDOT-FHWA CE Programmatic Agreement for more details). Upload final documentation to ATLAS workbench and add commitments to the green sheet and Commitments dashboard.

I. Project Commitments (attach as Green Sheet to CE Form):

NCDOT PROJECT COMMITMENTS

STIP Project No. **Project Number (e.g. R-1234)**
Replacement of Bridge 800239 over Catheys Creek on SR 1325
Rutherford County
Federal Aid Project No. N/A
WBS Element BP13.R052.3

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

BIOLOGICAL SURVEYS GROUP

The proposed biological conclusion for bats is unknown at this stage in project planning and will be rendered prior to let as appropriate. After sufficient design has been completed, the project will be evaluated for potential usage of the PBO/PCO. The PBO/PCO will ensure compliance with Section 7 of the Endangered Species Act for five years (effective through April 1, 2030) for all NCDOT projects with a federal nexus in Divisions 9-14, which includes Rutherford County, where BP13.R052.3 is located.

Prior to construction, NCDOT will send project-level pre notification to US Fish and Wildlife Service.

Roadside Environmental Unit - Riparian area restoration

Replant riparian areas with native, fast-growing tree and shrub species such as American sycamore (*Platanus occidentalis*), river birch (*Betula nigra*), silky dogwood (*Cornus amomum*), and black willow (*Salix nigra*) where vegetation has been removed. Riparian plantings will not occur in utility, drainage, and construction easements. If excess property is available outside normal maintenance limits at bridge locations, riparian plantings will be installed where safety requirements allow.

Division Office - Tree Clearing and/or structure removal reporting

For each project involving tree clearing or structure removal, submit final numbers of tree clearing and/or number of structures demolished and the date(s) that these activities actually occurred. This will ensure accurate payments and submittal to USFWS in the required annual report. Numbers must be reported using the link to the PBO Reporting Requirement Form on the Biological Surveys Group (BSG) Connect site here <https://forms.cloud.microsoft/q/iiEeEtHFU4>.

Construction in FEMA Coordination

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall: (1) construct all vertical and horizontal elements within the floodplain as designed; and (2) consult with the Hydraulics Unit of any planned deviation of these elements within the floodplain prior to commencing any such changes; and (3) submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction. The Hydraulics Unit will then verify either: (1) the drainage structure(s) and roadway embankment located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically; or (2) any changes made to the plans were reviewed and approved to meet FEMA SFHA compliance; or (3) appropriate mitigation measures will be achieved prior to project close-out.

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