Fiscal Years 2024 through 2026 Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation Competitive Grant Program, Resilience Grant Application, PROTECT



The NC 88 Mountain Corridor Resilience and Stabilization Project

Categorical Exclusion

NCDOT Priority #11

Applicant:
North Carolina Department of Transportation

October 9, 2026

Docusign Envelope ID: BED0BF4E-BE8F-4E73-ABF3-F33382CD5849

Type III Categorical Exclusion Action Classification Form

STIP Project No.	**R-5832**
WBS Element	47104.1.1
Federal Project No.	4710402

A. Project Description:

The North Carolina Department of Transportation (NCDOT) is proposing improvements between NC 88 in Smethport and the NC 88/NC 194 intersection in Warrensville, Ashe County. The improvements are intended to provide transportation infrastructure necessary for safety and mobility along NC 88 (see **Figure 1**).

The project limits are approximately 3.8 miles in length. These improvements are included in the 2024-2033 State Transportation Improvement Program (STIP) (amended August 2024) as division-led, state-funded project number R-5832. Right-of-way and utilities are scheduled to begin in Fiscal Year 2025 with construction scheduled to begin in FY 2028.

NC 88 is an approximate 41-mile-long roadway in western North Carolina traveling in an east/west direction between Laurel Springs, North Carolina in the east and continuing west into Tennessee. Existing NC 88 within the project corridor is a two-lane facility classified as a rural collector. There is no control of access.

The NC 88 project corridor is classified as a rural collector. According to NCDOT's North Carolina Speed Limits Map¸ the posted speed limit near Smethport is 45 miles per hour (mph) and 35 mph near Warrensville. Based on the Traffic Estimate for R-5832, 2022 estimated Average Annual Daily Traffic (AADT) along NC 88 ranges from 6,500 to 9,300 vehicles. By 2040 estimated AADT is forecasted between 4,000 and 9,900 vehicles.

The proposed project will include widening and addition of paved shoulders, two new bridges over Buffalo Creek, realignment of curves and a single-lane roundabout at the intersection of NC 88/NC 194. The typical section for the project on NC 88 includes two undivided 12-foot travel lanes with five to eight-foot paved shoulders. The design speed is 40 mph. The proposed right-of-way would vary as required. Retaining walls are proposed throughout the corridor (see roadway plans in project file).

B. Description of Need and Purpose:

The purpose of the project is to improve the operation and safety of NC 88 by improving shoulders, adding turn lanes, realigning the roadway, adding a roundabout, and replacing Bridge Nos. 040049 and 040055 carrying NC 88 over Buffalo Creek.

The need for the proposed project is as follows:

- This segment of NC 88 currently features tight curves due to steep hillsides and Buffalo Creek which NC 88 follows along the length of the project.
- Improve visibility and reduce the potential for roadway collisions for vehicles traveling the corridor, including a notable volume of truck and school bus traffic.
- NCDOT records indicate Bridge Nos. 040049 and 040055 have sufficiency ratings of 5.98 and 26.86, respectively, out of a possible 100. Both bridges are considered structurally deficient. Components of the bridges are experiencing an increasing degree of deterioration that can no longer be addressed by reasonable maintenance activities. The bridges are approaching the end of their useful life, and the replacements will result in safer traffic operations.

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C. Categorical Exclusion Action Classification:

Type III

D. Proposed Improvements:

N/A

E. Special Project Information:

Alternatives Studied

The project proposes to improve the operation and safety of NC 88 by improving shoulders, adding turn lanes, realigning the roadway for improved sight distance, and replacing bridges 040049 and 040055 carrying NC 88 over Buffalo Creek. The section of NC 88 between Smethport and Warrensville includes tight curves due to steep hillsides and the location of Buffalo Creek. The project seeks to improve visibility and reduce the potential for collisions along the corridor. Initially, the Build Alternative proposed going through the mountain near the northern crossing of Buffalo Creek (and south of Stanley Road) but was removed from further study due to high costs and impacts. Subsequently, the project evaluated proposed roundabouts at both ends of the corridor; however, following public involvement, the roundabout on the northern end has been eliminated from the Preferred Alternative. The Preferred Alternative includes a roundabout at the intersection of NC 88/NC 194 just south of Smethport.

Cultural Resources

Historic Architecture

On January 26, 2022, a Comprehensive Eligibility Evaluation was submitted to North Carolina State Historic Preservation Office (NCHPO) for several properties in the Area of Potential Effects (APE) for this project (see project file). One structure was determined eligible for National Register listing, Ashe County Bridge No. 353. As noted on the No Historic Properties Affected form, dated March 25, 2024, design plans will not replace or affect the bridge which is closed to traffic. The form can be found as Attachment 1.

Archaeology

NCDOT Archaeology provided a No National Register of Historic Places Eligible or Listed Archaeological Sites Present form dated October 4, 2024, located in the project file. The archaeological survey did not identify any archaeological sites. A total of 12 shovel tests (STs) were excavated within the four archaeological potential areas in 2021. An analysis of the updated study area submitted in 2024 show they are all located on landforms with a low potential for prehistoric archaeological sites. No additional archaeological survey is required for these areas. No further work is recommended for this project.

Tribal Letters

In accordance with NCDOT's Tribal Coordination policy, the Catawba Indian Nation, Cherokee Nation, Muscogee Creek Nation, Eastern Band of Cherokee Indians, and United Keetoowah Band of Cherokee Indians were informed of the project via mailed and e-mailed letter on September 5, 2024. Responses were received from the Catawba Indian Nation and Muscogee Creek Nation. Both the Catawba and Muscogee Creek Nations concurred with the determination of No Historic Properties Affected but should be notified should any artifacts and/or human remains be located during ground disturbance. Tribal coordination can be found as Attachment 2.

Natural Environment

Water resources in the study area are part of the New River basin [U.S. Geological Survey (USGS) Hydrologic Unit 05050001]. Fifteen jurisdictional streams and six jurisdictional wetlands were identified in the study area and are detailed in the project's Natural Resources Technical Report (NRTR), found in the project file. The location of these streams and wetlands are shown on **Figure 2.**

The project is anticipated to have approximately 1,148 linear feet of permanent stream impacts and 956 linear feet of temporary stream impacts. The project is also anticipated to have approximately 0.41 acres of wetland impacts, based on a 25-foot buffer of the slope stakes. Although impacts to jurisdictional

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streams and wetlands have been avoided and minimized in the preliminary design, impacts may be further minimized during the final design phase.

Preliminary Jurisdictional Determinations (PJD) were submitted to the US Army Corps of Engineers (USACE) on August 23, 2019 and January 12, 2024. It is anticipated that a RGP 50, a Section 401 Water Quality Certification (WQC), and Trout Buffer Variance from the NC Division of Land Resources will be needed for the project. The regulatory permitting agencies hold the final discretion as to what permits will be required to authorize project construction.

Paddy Mountain Preserve is a dedicated nature preserve located to the west of NC 88 in the southern half of the study area (see **Figure 2**). Coordination was conducted with the NC Department of Agriculture & Consumer Services, the primary custodian of the Preserve, in May 2024 and it was determined the project falls within an excluded portion along NC 88. Coordination can be found in the project file.

Voluntary Agricultural District

The project is anticipated to impact approximately 0.17 acres of VAD to PIN 19182007, 0.61 acres of VAD to PIN 19182008, and 0.03 acres of VAD to PIN 19186072 based on the project's proposed right-of-way (see **Figure 2** for the location of VAD's).

If right-of-way is acquired from VAD properties through eminent domain, the Ashe County VAD Ordinance (Chapter 161 of the Ashe County Code of Ordinances)[1] requires the Ashe County Voluntary Farmland Preservation Program Board hold a public hearing on the proposed condemnation before condemnation may be initiated, or other specific provision of that county's enabling ordinance. Any VAD lands converted to non-agricultural use as part of a temporary construction easement must be returned to farmable condition by the project's completion.

Bicycle and Pedestrian Accommodations

The NCDOT Integrated Division (IMD) provided recommendations for bicycle and pedestrian accommodations in correspondence dated May 30, 2024. The review recommends wide paved shoulders which can be utilized by bicyclists. Wide paved shoulders are anticipated to have a positive effect on active transportation by providing a facility for bicyclists. The Complete Streets Review Assessment (CSRA) and signed Complete Streets Project Sheet can be found in the project file.

Community Resources

A Community Impact Assessment (CIA) was completed for the project in July 2024 (see project file). The CIA noted while minority and low-income populations are present in the project's Direct Community Impact Area (DCIA), no notably adverse community impacts are anticipated with this project; thus, impacts to minority and low-income populations do not appear to be disproportionately high and adverse. Benefits and burdens resulting from the project are anticipated to be equitably distributed throughout the community. No disparate impacts are anticipated under Title VI and related statutes.

Public and Stakeholder Involvement

Start of Study Notification – October 22, 2018

Start of Study Letters were sent to federal and state resources, regulatory agencies, and local government officials on October 22, 2018.

Public Meeting – March 21, 2023

The North Carolina Department of Transportation (NCDOT) held an in-person public meeting on March 21, 2023. 134 comments were received through comment forms left at the public meeting, voicemails to the project phone number, and the project's publicinput.com website. A majority of the comments received did not support the roundabouts. Due to the public outreach, the roundabout at the northern end was eliminated from the preferred alternative.

Relocations

Based on the project right-of-way, it is anticipated both Miller's Country Store and Carolina Grading will be relocations. There is a possibility of additional residences along NC 88 being relocated if septic

[1] Ashe County Code of Ordinances. Web. https://codelibrary.amlegal.com/codes/ashecounty/latest/ashecounty_nc/0-0-0-3551#JD_Chapter161

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fields are located within the proposed right-of-way or construction limits. However, this will not be determined until right-of-way is underway and the location of septic fields are determined.

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F. Project Impact Criteria Checklists:

F3. Type III Actions

Proposed improvement(s) that fit Type III Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix C) answer questions below.

- *NCDOT will certify the Categorical Exclusion for FHWA approval.*
- *If any questions are marked "Yes" then additional information will be required for those questions in Section G.*

		Yes	No
1	Does the project involve potential effects to Threatened or Endangered species listed by the US 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)?	☐	☑
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☑
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☑
5	Does the project involve substantial residential or commercial displacements or right of way acquisition?	☐	☑
6	Does the project include a determination under Section 4(f)?	☐	☑
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	☐	☑
8	Does the project impact anadromous fish spawning waters?	☐	☑
9	Does the project impact waters classified as Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supply Watershed Critical Areas, 303(d)-listed impaired water bodies, buffer rules, or submerged aquatic vegetation (SAV)?	☑	☐
10	Does the project impact Waters of the United States in any of the designated mountain trout streams?	☑	☐
11	Does the project require a US Army Corps of Engineers (USACE) Individual Section 404 Permit?	☐	☑
12	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	☐	☑
13	Does the project include Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	☐	☑
14	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	☑	☐
15	Does the project require work encroaching and adversely effecting 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?	☑	☐
16	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Areas of Environmental Concern (AEC)?	☐	☑

Type III Actions (continued)		Yes	No
17	Does the project require a US Coast Guard (USCG) permit?	☐	☑
18	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☑
19	Does the project involve Coastal Barrier Resource Act (CBRA) resources?	☐	☑
20	Does the project impact federal lands (e.g. US Forest Service (USFS), US Fish and Wildlife Service (USFWS), etc.) or Tribal (Trust) Lands?	☐	☑
21	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	☐	☑
22	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☑
23	Will maintenance of traffic cause substantial disruption?	☐	☑
24	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	☐	☑
25	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, 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?	☐	☑
26	Does the project involve Federal Emergency Management Act (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	☐	☑
27	Is the project considered a Type I under the NCDOT's Noise Policy?	☐	☑
28	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	☐	☑
29	Is the project in an Air Quality non-attainment or maintenance area for a National Ambient Air Quality Standard (NAAQS)?	☐	☑
30	Are there other issues that arose during the project development process that affected the project decision?	☐	☑

G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):

Question 1. Threatened and Endangered Species

As of August 20, 2024, there are six listed or proposed species under the US Fish and Wildlife Service (USFWS) jurisdiction within the study area according to the Information for Planning and Consultation (IPaC) database (**Table 1**).

As noted above, a NRTR was prepared for the project in August 2019, with surveys conducted on February 4 - 6, 2019 to determine if habitat is present. An Addendum was prepared in August 2024 for the project and updated surveys are planned closer to the permitting phase of the project. Both the NRTR and Addendum can be found in the project file.

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Table 1. Threatened and Endangered Species

Common Name	Scientific Name	Federal Status	Habitat Present	Biological Conclusion
Gray bat	*Myotis grisescens*	E	Yes	Unresolved
Bog turtle	*Glyptemys uhlenbergii*	T (S/A)	Yes	NR
Green floater	*Lasmigona subviridis*	PT	TBD	Unresolved
Heller's blazing star	*Liatris helleri*	T	No	NE
Swamp pink	*Helonias bullata*	T	Yes	Unresolved
Rock gnome lichen	*Gymnoderma lineare*	E	No	NE

E – Endangered
T (S/A) – Threatened due to similarity of appearance
PT – Proposed Threatened
T – Threatened
TBD – To Be Determined
NE – No Effect
NR – Not Required

Gray bat
According to the North Carolina Natural Heritage Program (NCNHP) Biotics Database, Gray bat was observed in Ashe County in 2020. NCNHP data indicated that the closest known occurrence of gray bat is approximately 4.5 miles northeast of the project study area.

On July 30, 2019, Three Oaks Engineering biologists assessed the project study area for potential gray bat habitat. Based on the lack of evidence of bats using bridges, culverts, abandoned buildings, or rock outcrops the biological conclusion at that time was ***No Effect*** for the gray bat. However, additional surveys are required and will be provided, along with a biological conclusion, closer to the permitting phase of the project.

Bog turtle
Although there is habitat for bog turtle, there is a biological conclusion of ***Not Required*** due to the listing of Threatened due to similarity of appearance.

Green floater
On July 26, 2023, USFWS announced a proposal to list the green floater as threatened under the Endangered Species Act. USFWS has not provided an official effective listing date. If listed, USFWS is expected to provide habitat descriptions and an area of influence/distribution range for the green floater. When this information is provided an informed determination on habitat that could be impacted by the project will be made.

The biological conclusion is ***Unresolved***. Prior to project right-of-way authorization, habitat assessments and surveys will be completed by a permitted environmental scientist.

Heller's blazing star
A review of NCNHP records on February 22, 2019 indicated a known occurrence within 1.0 mile of the study area. However, there was no habitat then or now for Heller's blazing star within the study area. Therefore, the biological conclusion for Heller's blazing star is ***No Effect***.

Swamp pink
Habitat for swamp pink does exist in Wetlands WA and WE. A review of NCNHP records on February 22, 2019 indicated no known occurrences within 1.0 mile of the study area. A survey for swamp pink was conducted on May 27, 2019 and no individuals were found. Therefore, the biological conclusion at that time was ***No Effect***. However, additional surveys are required and will be provided, along with a biological conclusion, closer to the permitting phase of the project.

Rock gnome lichen
Suitable habitat for rock gnome lichen does not exist in the study area. A review of NCNHP records on February 22, 2019 indicates no known occurrences within 1.0 mile of the study area. Therefore, the biological conclusion for rock gnome lichen is ***No Effect***.

Question 9. High Quality Waters, 303(d)-listed waters

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As noted above, fifteen streams were identified in the study area. Buffalo Creek is designated as High-Quality Waters (HQW).

Little Buffalo Creek runs parallel to NC 88 on the east side and is a 303(d)-listed impaired water according to the NC Department of Environmental Quality (NCDEQ) 2022 Integrated Report.[2] Little Buffalo Creek from source to Buffalo Creek is identified as Category 5, exceeding criteria and Total Maximum Daily Load (TMDL) required.

Question 10. Designated Mountain Trout Streams

According to USACE, Ashe County falls entirely within a trout watershed.[3] NCDEQ also identifies Buffalo Creek and Little Buffalo Creek as classification Tr, trout waters.[4]

NC Wildlife Resources Commission (WRC) recommends a trout moratorium from October 15 to April 15 prohibiting in-stream work and land disturbance within the 25-foot trout buffer of Buffalo Creek and its unnamed tributaries to avoid impacts to trout reproduction. In coordination with the WRC, some tributaries may be assessed during construction to determine whether the moratorium should be waived due to a limited potential to affect trout spawning. In addition, NCDOT will implement Design Standards in Sensitive Waters for this project.

Question 14. GeoEnvironmental Sites of Concern

A GeoEnvironmental Phase I Report was prepared for the project in March 2021. A total of 13 sites of concern were identified within the project area (see **Figure 2**). Underground storage tank (UST) facilities were identified within the project area. The report notes that low monetary and scheduling impacts are anticipated as a result of these sites. Two of the sites fall within the 25' buffer of the slope stakes. Sites of concern identified in this report should be reviewed by the NCDOT GeoEnvironmental Section once the Final Right-of-Way plans are complete to determine if Phase II Investigations and Right-of-Way Recommendations are necessary prior to right of way being acquired.

Question 15. Floodway

A Zone AE floodplain along Buffalo Creek intersects with the proposed project. Areas zoned AE are classified as containing moderate flood hazard and are located within the 100-year floodplain. The Hydraulics Unit will coordinate with the NCDOT Floodplain Mapping Program (FMP) to determine the status of the project regarding applicability of NCDOT's Memorandum of Agreement (MOA), or approval of a Conditional Letter of Map Revision (CLOMAR) and subsequent final Letter of Map Revision (LOMR).

[2] NCDEQ. Integrated Report Files. 2022. Web. https://www.deq.nc.gov/about/divisions/water-resources/water-planning/modeling-assessment/water-quality-data-assessment/integrated-report-files

[3] US Army Corps of Engineers. Trout Resources in Western NC. Web. https://www.saw.usace.army.mil/Missions/Regulatory-Permit-Program/Agency-Coordination/Trout/

[4] NCDEQ. NC Surface Water Classifications Online Map. Web. https://experience.arcgis.com/experience/7073e9122ab74588b8c48ded34c3df55/#data_s=id%3AdataSource_1-SurfaceWaterClassifications_6584_4677%3A665

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PROJECT COMMITMENTS

NC 88, FROM NC 88 TO NC 194. UPGRADE ROADWAY
T.I.P Number:R-5832
Ashe
Federal Aid Number:
WBS:47104.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Hydraulics - Construction in FEMA Floodplain
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.

Geotech/Geoenvironmental - GeoEnvironmental Investigation
A Phase II GeoEnvironmental Investigation should be conducted for any parcels that were identified in the Phase I Investigation and will be impacted by right of way acquisition.

Division Environmental Staff - Threatened & Endangered Species Surveys
The biological conclusion for the Green Floater, Gray bat, and Swamp Pink is Unresolved. Prior to project permitting, updated habitat assessments and surveys will be completed by a permitted environmental scientist.

Construction Office - Trout Moratorium
NC Wildlife Resources Commission recommends a trout moratorium from October 15 to April 15 prohibiting in-stream work and land disturbance within the 25-foot trout buffer of Buffalo Creek and its unnamed tributaries to avoid impacts to trout reproduction. In coordination with the WRC, some tributaries may be assessed during construction to determine whether the moratorium should be waived due to a limited potential to affect trout spawning. In addition, NCDOT will implement Design Standards in Sensitive Waters for this project.

COMMITMENTS FROM PERMITTING

No permitting commitments developed to date.

*****END OF PROJECT COMMITMENTS*****

NC 88, FROM NC 88 TO NC 194. UPGRADE ROADWAY
47104.1.1

Docusign Envelope ID: BED0BF4E-BE8F-4E73-ABF3-F33382CD5849

I. Categorical Exclusion Approval:

STIP Project No.	**R-5832**
WBS Element	47104.1.1
Federal Project No.	4710402

Prepared By:

11/12/2024 — Jeffrey Dayton
Date — Jeffrey J. Dayton, PE, Transportation Engineer
HDR Engineering, Inc. of the Carolinas

Prepared For: Heath Slaughter, NCDOT Division 11

Reviewed By:

11/13/2024 — [signature]
Date — Kevin Hining, Division 11 PDEA Engineer
NCDOT

☐ ~~**Approved**~~

☑ **Certified** • If classified as Type III Categorical Exclusion.

11/12/2024 — Ramie Shaw
Date — Ramie Shaw, Division 11 Project Development Engineer
North Carolina Department of Transportation

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

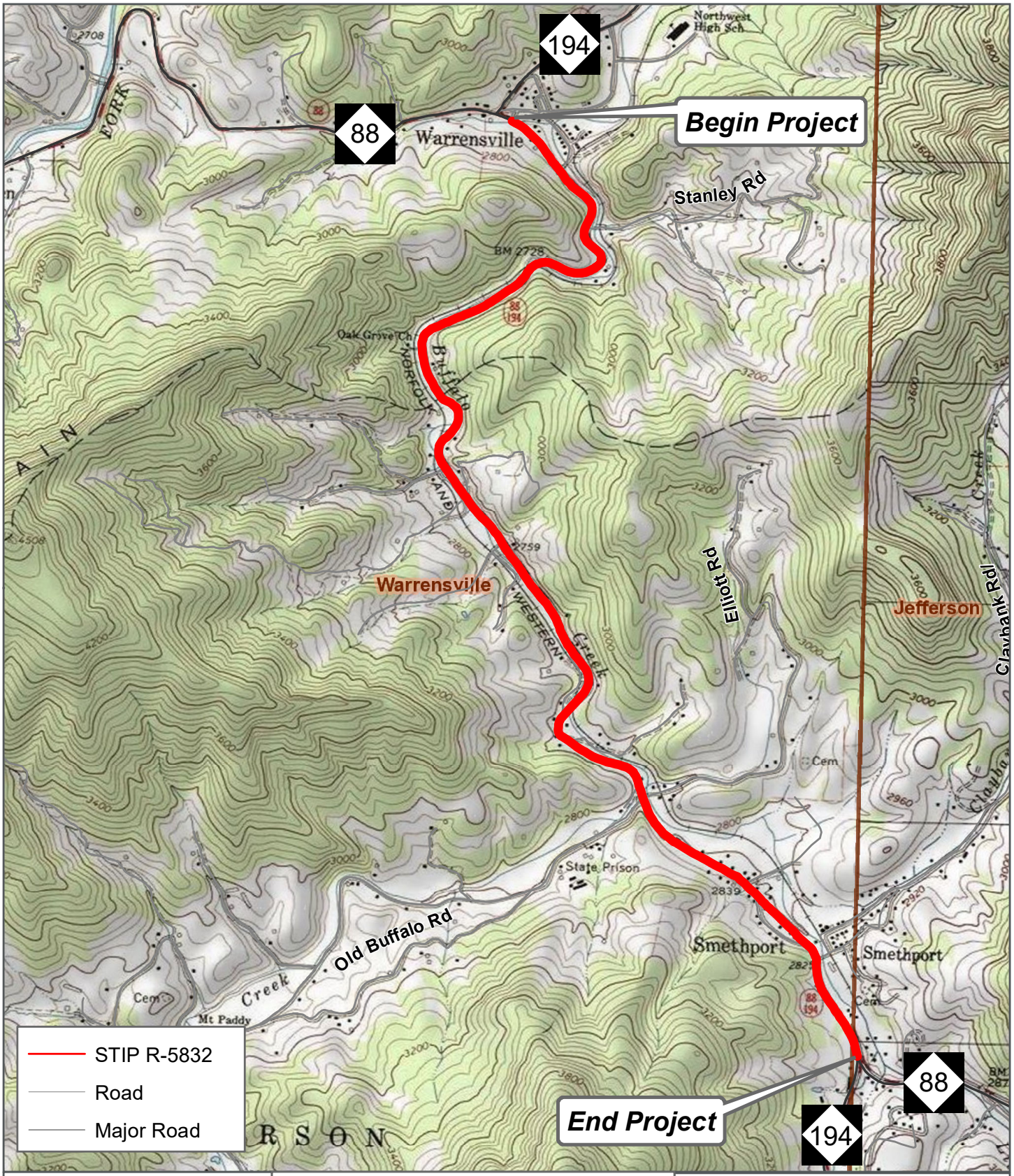
11/18/2024 — *for* Loretta Barren
Date — Yolonda K. Jordan, Division Administrator
Federal Highway Administration

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).

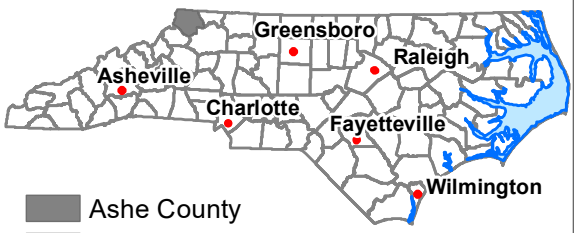
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FIGURES

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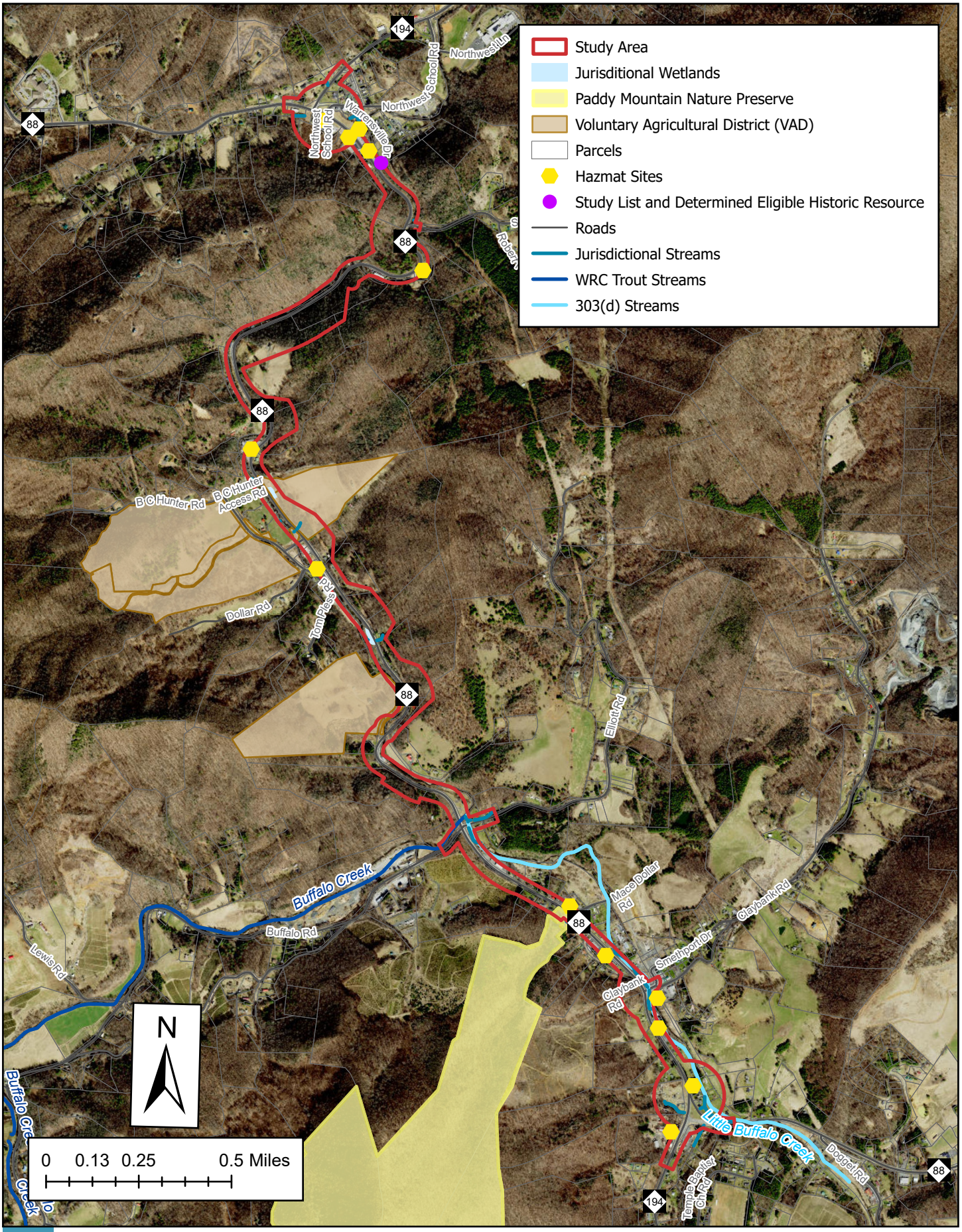
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VICINITY MAP
NC 88/ NC 194
IMPROVEMENTS

STIP PROJECT R-5832
ASHE COUNTY
Figure 1

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ENVIRONMENTAL FEATURES MAP

FIGURE 2

Docusign Envelope ID: BED0BF4E-BE8F-4E73-ABF3-F33382CD5849

ATTACHMENT 1
HISTORIC ARCHITECTURE FORM

Docusign Envelope ID: BED0BF4E-BE8F-4E73-ABF3-F33382CD5849

Project Tracking No. (Internal Use)

19-08-0006
update



HISTORIC ARCHITECTURE AND LANDSCAPES
NO HISTORIC PROPERTIES AFFECTED FORM

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

PROJECT INFORMATION

Project No:	R-5832	***County***:	Ashe
WBS No.:	47104.1.1	***Document Type***:	FCE
Fed. Aid No:		***Funding***:	☐ State ☒ Federal
Federal Permit(s):	☒ Yes ☐ No	***Permit Type(s)***:	USACE

Project Description:
Improvements between NC 88 in Smethport and the NC 88/NC 194 intersection in Warrensville. Proposed improvements include widening and addition of paved shoulders, two new bridges over Buffalo Creek, realignment of curves and single-lane roundabouts at both ends Typical section for the project on NC 88 includes two undivided 12-foot travel lanes with 5 to 8-foot paved shoulders. The design speed is 40 mph.

Description of review activities, field surveys, results, and conclusions:
On January 26, 2022, a Comprehensive Eligibility Evaluation was submitted to NCHPO for several properties in the Area of Potential Effects for this project. One structure was for to be eligible for National Register listing, Ashe County Bridge No. 353. Design plans will no replace or affect the bridge which is closed to traffic. Fill will be added to stabilize the bank. There will be no historic properties affected by this project. In March 2024, the study area was expanded. These additions to the APE do not fall outside of what has already been considered for Historic Architecture. No historic properties will be affected.

SUPPORT DOCUMENTATION

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

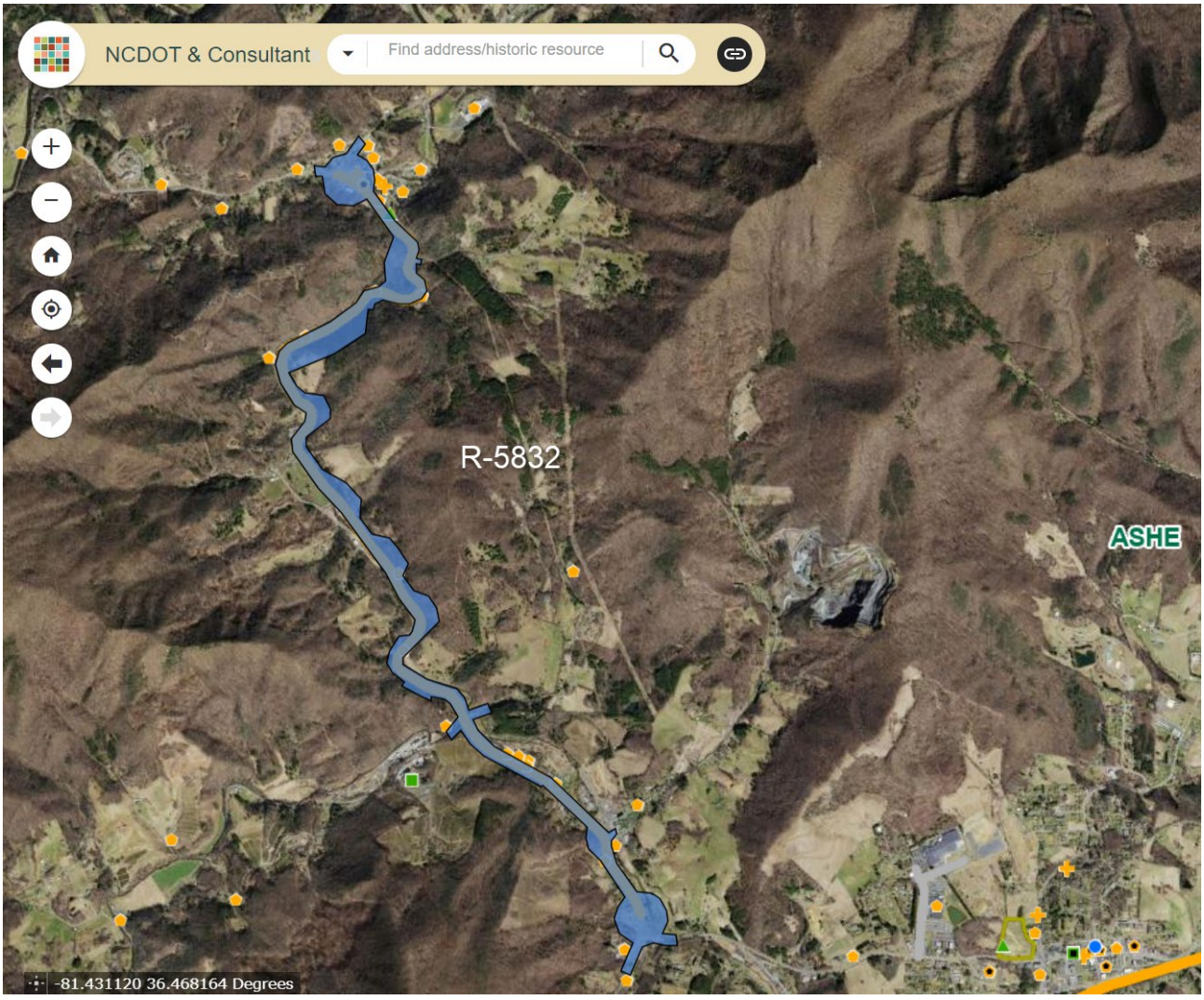
FINDING BY NCDOT ARCHITECTURAL HISTORIAN

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

Shelby Reap — March 25, 2024

NCDOT Architectural Historian — Date

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Expanded APE for R-5832 (March 2024)

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ATTACHMENT 2
TRIBAL LETTERS

Docusign Envelope ID: BED0BF4E-BE8F-4E73-ABF3-F33382CD5849

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

September 5, 2024

Dr. Wenonah Haire
Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, SC 29730

Dear Dr. Haire,
The North Carolina Department of Transportation (NCDOT) is starting the project development, environmental, and engineering studies to improve NC 88 from the intersection of NC 194 in Smethport to the intersection at NC 94 in Warrensville, Ashe County, as R-5832. Proposed improvements include the addition of shoulders, adding turn lanes, realigning the roadway for improved sight distance, and replacing bridges 040049 and 040055 carrying NC 88 over Buffalo Creek. The Federal Highways 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 US Army Corps of Engineers (USACE). A project study area map is attached. The coordinates of this project are approximately 36.443205, -81.517977.

We would appreciate any information you might have that would be helpful in evaluating potential environmental impacts of the project including recommendation of alternates to be studied. Your comments may be used in the preparation of a 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 October 5, 2024 so that your comments can be used in the scoping of this project. If you have any questions concerning this project, or would like any additional information, please contact Heath Slaughter, Project Manager at 336-903-9202 or by e-mail at hslaughter@ncdot.gov. Please include the STIP Project Number R-5832 in all correspondence and comments.

Thank you,

Heath Slaughter
Heath Slaughter
NCDOT Project Manager

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

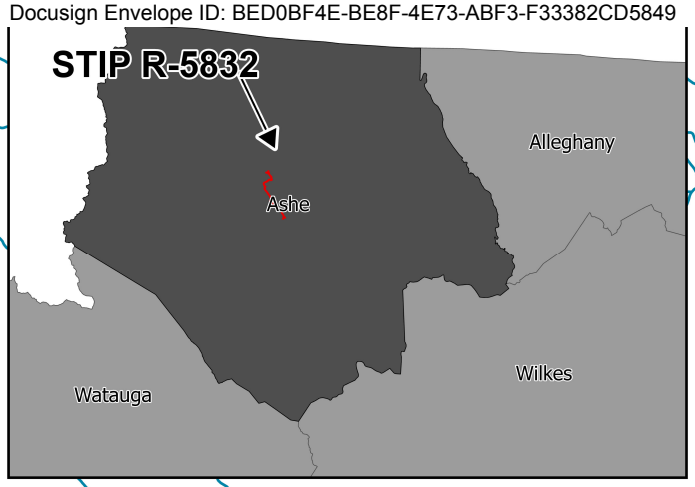
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RAIL DIVISION
1553 MAIL SERVICE CENTER
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Fax: (919) 715-6580
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RALEIGH, NC 27601

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N

Lansing

North Fork New River

88

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Jefferson

West Jefferson

0 0.5 1 2 Miles

R-5832 Corridor
Major Roads
Streams and Creeks
Water Bodies
West Jefferson
Jefferson
Lansing

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

September 5, 2024

Elizabeth Toombs
Cherokee Nation
Tribal Historic Preservation Office
PO Box 948
Tahlequah, OK 74465

Dear Ms. Toombs,
The North Carolina Department of Transportation (NCDOT) is starting the project development, environmental, and engineering studies to improve NC 88 from the intersection of NC 194 in Smethport to the intersection at NC 94 in Warrensville, Ashe County, as R-5832. Proposed improvements include the addition of shoulders, adding turn lanes, realigning the roadway for improved sight distance, and replacing bridges 040049 and 040055 carrying NC 88 over Buffalo Creek. The Federal Highways 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 US Army Corps of Engineers (USACE). A project study area map is attached. The coordinates of this project are approximately 36.443205, -81.517977.

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Thank you,

Heath Slaughter
Heath Slaughter
NCDOT Project Manager

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

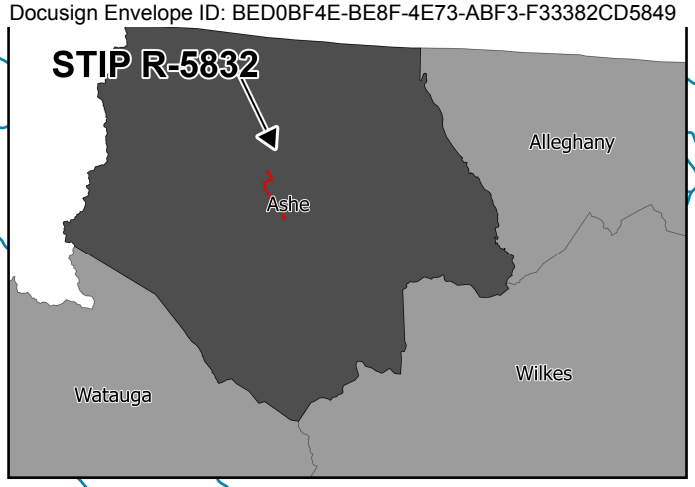
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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

September 5, 2024

Muscogee Creek Nation
Section 106 Coordinator
PO Box 580
Okmulgee, OK 74447

To Whom it May Concern,
The North Carolina Department of Transportation (NCDOT) is starting the project development, environmental, and engineering studies to improve NC 88 from the intersection of NC 194 in Smethport to the intersection at NC 94 in Warrensville, Ashe County, as R-5832. Proposed improvements include the addition of shoulders, adding turn lanes, realigning the roadway for improved sight distance, and replacing bridges 040049 and 040055 carrying NC 88 over Buffalo Creek. The Federal Highways 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 US Army Corps of Engineers (USACE). A project study area map is attached. The coordinates of this project are approximately 36.443205, -81.517977.

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Thank you,
Heath Slaughter
Heath Slaughter
NCDOT Project Manager

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

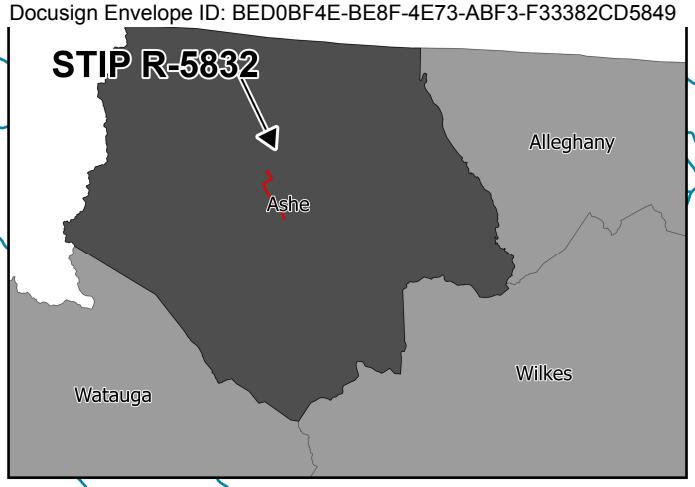
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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

September 5, 2024

Russell Townsend
Eastern Band of Cherokee Indians
Tribal Historic Preservation Office
2077 Governors Island Road
Bryson City, NC 28713

Dear Mr. Townsend,
The North Carolina Department of Transportation (NCDOT) is starting the project development, environmental, and engineering studies to improve NC 88 from the intersection of NC 194 in Smethport to the intersection at NC 94 in Warrensville, Ashe County, as R-5832. Proposed improvements include the addition of shoulders, adding turn lanes, realigning the roadway for improved sight distance, and replacing bridges 040049 and 040055 carrying NC 88 over Buffalo Creek. The Federal Highways 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 US Army Corps of Engineers (USACE). A project study area map is attached. The coordinates of this project are approximately 36.443205, -81.517977.

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Heath Slaughter
NCDOT Project Manager

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

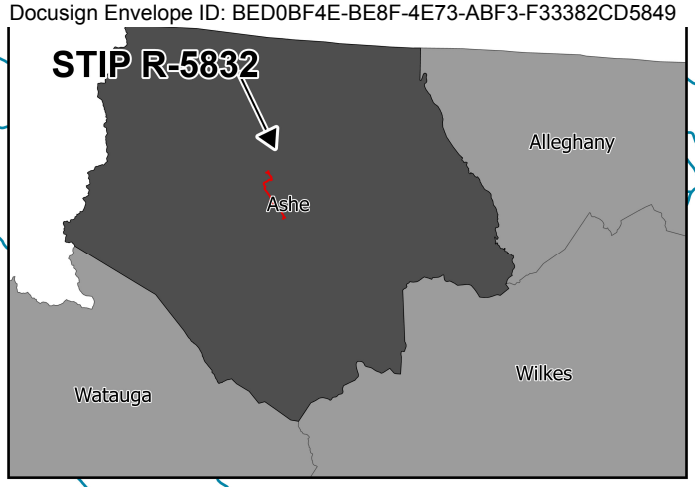
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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J.R. "JOEY" HOPKINS
SECRETARY

September 5, 2024

Roger Cain
United Keetoowah Band of Cherokee Indians
Section 106 Coordinator
PO Box 746
Tahlequah, OK 74465

Dear Mr. Cain,
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Thank you,
Heath Slaughter
Heath Slaughter
NCDOT Project Manager

cc: Matt Wilkerson, NCDOT Archaeology Team Leader

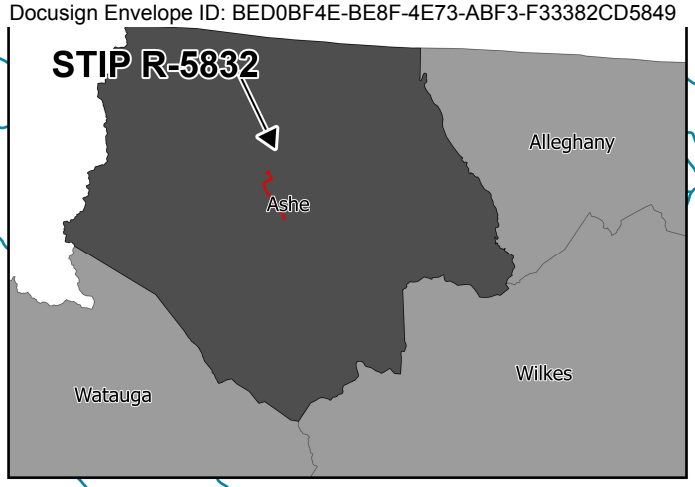
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From: Section106
To: Kiersnowski, Elizabeth
Subject: Re: NCDOT STIP R-5832 Tribal Coordination
Date: Friday, September 6, 2024 11:25:46 AM

CAUTION: [EXTERNAL] 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.

Thank you for your response! After review, the Muscogee (Creek) Nation is unaware of any Muscogee sacred sites, burial grounds, or significant cultural resources located within the immediate project area. The Muscogee Nation concurs with the determination of **No Historic Properties Affected** for the proposed undertaking in accordance with 36 CFR 800.4(d)(1).

However, as the project is located in an area that is of general historic interest to the Tribe, we request that work be stopped and our office contacted immediately if any Native American cultural materials are encountered, as outlined in your special conditions. This stipulation should be placed on the construction plans to ensure contractors are aware of it. Please feel free to contact me with any further questions or concerns.

Mvto,

Logan Guthrie
Cultural Technician
Historic and Cultural Preservation Department
The Muscogee (Creek) Nation
P.O. Box 580 | Okmulgee, OK 74447
T (918) 732-7759 | F (918) 758-0649
lguthrie@mucogeenation.com
www.MuscogeeNation.com

From: Kiersnowski, Elizabeth <Elizabeth.Kiersnowski@hdrinc.com>
Sent: Friday, September 6, 2024 8:22 AM
To: Section106 <Section106@muscogeenation.com>
Cc: Poole, Emily <Emily.Poole@hdrinc.com>
Subject: RE: NCDOT STIP R-5832 Tribal Coordination

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Good morning, Logan!
An NCDOT Archaeology No HRHP Sites Present Form is attached. Within this attachment there is a colored topographic map with evaluated resources. I have also attached an additional topographic map for reference. Please let me know if you need anything further!

Thank you!

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Elizabeth Kiersnowski, AICP
D 704.248.3600 **M** 864.350.9316

hdrinc.com/follow-us

From: Section106 <Section106@muscogeenation.com>
Sent: Thursday, September 5, 2024 4:09 PM
To: Kiersnowski, Elizabeth <Elizabeth.Kiersnowski@hdrinc.com>
Subject: Re: NCDOT STIP R-5832 Tribal Coordination

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CAUTION: [EXTERNAL] 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 afternoon Ms. Kiersnowski,

Before we can comment on the likelihood of this project affecting Muscogee historic or sacred sites, we would like to know if this area has been previously surveyed for archaeological resources. Also, please provide us a color topographic map indicating the area that has been surveyed and any archaeological resources within 1 mile of the project area so that we can better assess any direct and indirect affect to cultural resources. We also request your official finding based on your background research as to whether any historic properties will be affected by this project. Please feel free to contact me with any further questions or concerns.

Mvto,

Logan Guthrie
Cultural Technician
Historic and Cultural Preservation Department
The Muscogee (Creek) Nation
P.O. Box 580 | Okmulgee, OK 74447
T (918) 732-7759 | F (918) 758-0649
lguthrie@mucogeenation.com
www.MuscogeeNation.com

From: Kiersnowski, Elizabeth <Elizabeth.Kiersnowski@hdrinc.com>
Sent: Thursday, September 5, 2024 2:50 PM
To: Section106 <section106@muscogeenation.com>
Cc: mtwilkerson@ncdot.gov <mtwilkerson@ncdot.gov>; loretta.a.beckwith@usace.army.mil <loretta.a.beckwith@usace.army.mil>
Subject: NCDOT STIP R-5832 Tribal Coordination

You don't often get email from elizabeth.kiersnowski@hdrinc.com. Learn why this is

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important

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Attached you will find the Tribal Coordination Package which includes a project overview letter and a vicinity map. To assist with the project planning effort, you are requested to provide input by **October 5, 2024**.

If you have any questions, please do not hesitate to contact us. Thank you very much and we look forward to working with you soon.

Elizabeth Kiersnowski, AICP
Transportation Planner

HDR
440 S. Church Street, Suite 1200
Charlotte, NC 28202
D 704.248.3600 **M** 704.248.3600
elizabeth.kiersnowski@hdrinc.com

hdrinc.com/follow-us

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

October 15, 2024

Attention: Heath Slaughter
NC Department of Transportation
1553 Mail Service Center
Raleigh, NC 27699

Re. THPO #	TCNS #	Project Description
2024-193-258		Improve NC 88 from the intersection of NC 194 in Smethport to the intersection at NC 94 in Warrensville, Ashe Co. as R-5832

Dear Ms. Slaughter,

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,

Caitlin Rogers for

Wenonah G. Haire
Tribal Historic Preservation Officer

