

**FINDING OF NO SIGNIFICANT IMPACT
ON THE
ENVIRONMENTAL ASSESSMENT
FOR
REHABILITATION OF FDR 597
From SR 1179 to FDR 544
UWHARRIE NATIONAL FOREST
Montgomery County, North Carolina
Project NC PFH 49-1(3)**

INTRODUCTION

The Eastern Federal Lands Highway Division (EFLHD) of the Federal Highway Administration (FHWA) in cooperation with the United States Department of Agriculture (USDA), Forest Service (FS) has prepared and made available for public review and comment the Environmental Assessment (EA) for the rehabilitation of FDR 597 (Badin Lake Road) in Montgomery County, North Carolina. The project is located within the Uwharrie National Forest, and extends from SR 1179 (Shamrock Road) to FDR 544 (McLean's Creek Road).

The purpose of this project is to upgrade FDR 597 from FDR 544 to SR 1179 in Uwharrie National Forest to current North Carolina Department of Transportation (NCDOT) standards, while preserving the adjacent natural and cultural resources and minimizing impacts to private properties along the road corridor. This project includes widening and paving FDR 597, replacing a vented ford with a bridge at Reeves Spring Branch, and reconstructing two stone masonry headwall culverts. NCDOT anticipates adding FDR 597 to the state highway system following improvements.

The proposed project will provide safety improvements to FDR 597, including widening lanes, standardizing lane width, and improving the horizontal alignment. The existing gravel-surfaced road ranges from 13 to 16 feet wide, which is narrower than required by current NCDOT design standards and is inconsistent throughout the length of the project. The project also will improve the horizontal alignment at the intersection of FDR 597 and SR 1179 to a more perpendicular angle, which will improve visibility at the intersection. Improving FDR 597 to NCDOT standards also allows the State to assume future maintenance for FDR 597.

The vented ford is a structure designed to allow water to flow underneath it or, when the water levels are high, over the top of it. The primary reason for replacing the vented ford is to meet current NCDOT design standards for Secondary Roads. The existing vented ford, which is approximately 20 feet long, is functionally obsolete. It is one lane wide, is susceptible to clogging by natural debris, and shows evidence of frequent overtopping. The US Bureau of Land Management guidelines for vented fords note that crossing can be dangerous during periods of overtopping. Replacing the existing structure with a

bridge will allow natural debris to pass under the structure, will raise the roadway grade to meet NCDOT hydraulic design standards, and will provide more protection to drivers and passengers crossing during high water events.

Additionally, FDR 597 is one of two remaining sections of FH 49 that have not been upgraded, widened, and paved within the last several years. Improving FDR 597 will provide a more consistent south-north roadway for recreational and residential use.

SELECTED ALTERNATIVE

The FHWA has selected the Preferred Alternative, Alternative 3 with Modification 3A, 3B, 3C, and 3F, for design and construction. This alternative uses 30 mph design standards, which allows for the proposed roadway to follow the existing roadway alignment. In order to balance cut and fill and minimize impacts, the roadway alignment was shifted in several locations. There will be no impacts to wetlands or cultural resources. The existing one lane crossing of Reeves Spring Branch will be replaced with a new two-lane bridge which will allow for debris movement under the roadway and will accommodate flood waters so that water no longer will overtop the roadway. The Selected Alternative will impact 651 linear feet of streams and impact a total area of 24.85 acres. The parking at the Holt's Picnic Area will be reconfigured for easier use. The intersection at SR 1179 will be aligned more perpendicularly to improve visibility and safety. The Selected Alternative will upgrade the existing roadway to NCDOT standards and improve safety and visitor access to potential recreation opportunities at Badin Lake and Holt's Picnic Area. Residents of Wood Land Estates and Skiers Cove will experience a more consistently maintained roadway.

FHWA prepared an EA in accordance with 23 CFR 771.119 to assess the environmental impacts of the proposed project; pursuant to the Council of Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) (40 CFR 1500 et seq.).

OTHER ALTERNATIVES CONSIDERED

A brief summary of alternatives considered is presented below:

No Action Alternative: Alternative 1 is the No Action Alternative. This alternative makes no changes in the project study area other than regularly schedule maintenance.

Alternative 2: This alternative uses 35 mile per hour (mph) design standards horizontally and vertically. Alternative 2 would not allow enough area to retain the Holt's Picnic Area parking pullout. This alternative crosses the creek at a new location approximately 230 feet downstream of the existing Reeves Spring Branch crossing, which could be constructed while keeping the existing road open to traffic. This alternative would impact 0.07 acres of wetlands, 752 linear feet of streams, and impact a total area of 25.19 acres. Four modifications were proposed to reduce specific impacts to Alternative 2.

Alternative 2 with Modifications: Modifications to Alternative 2 were developed in four locations to reduce impacts to wetlands, to avoid cutting into a hill on a curve, to rebuild the Holt's Picnic Area parking pullout, and to provide another crossing option at Reeves Spring Branch. Alternative 2 with Modifications would impact 0.01 acres of wetlands, 887 linear feet of streams, and impact a total area of 25.52 acres.

Alternative 3: This alternative uses a 30 mph design speed. Alternative 3 without modifications crosses Reeves Spring Branch at the existing location, which would require constructing a detour and temporary bridge or closing of the existing road. This alternative would impact 0.04 acres of wetlands, 676 linear feet of streams, and impact a total area of 24.38 acres. Six modifications were proposed to reduce specific impacts to Alternative 3.

Alternative 3 with Modifications: Modifications to Alternative 3 were developed in six locations to reduce impacts to wetlands, to rebuild the Holt's Picnic Area parking pullout, to align the FDR 597/SR 1179 intersection more perpendicularly, to provide another crossing option at Reeves Spring Branch, and to avoid a historic house. Two proposed modifications were dismissed because it was determined that staying on or close to the existing alignment was preferable to building on new location.

ENVIRONMENTAL IMPACTS

The following social and environmental impacts were identified in the EA and supporting documentation and would result from implementation of the Selected Alternative.

Concerns for the Federal, State and National Forest rare and protected species were addressed in the EA. Correspondence from the U.S. Fish and Wildlife Service indicated that the project site does not contain any federally-listed endangered or threatened species, their formally designated critical habitat, or species currently proposed for listing. Impacts to State and Forest-listed species will be minor.

One significant natural heritage area will be impacted by the Selected Alternative, the West Branch/Eldorado Forest. Correspondence from the North Carolina Natural Heritage Program indicates that this impact is considered insignificant if it is confined to a narrow area immediately adjacent to the existing road right of way. Cut and fill was minimized through this area to reduce impacts. Therefore, the proposed project will cause long-term, minor, adverse impacts to approximately 3.1 acres of natural forests within this area.

There will be no long-term negative impacts on air quality, noise, energy use, or existing utilities as a result of the Selected Alternative. The viewshed from the road is expected to improve as part of this project.

The Selected Alternative will cause long-term, minor, adverse impacts to 6.54 acres of forestland, primarily the dry-mesic oak-hickory forest and the mesic mixed hardwood forest. There will be short-term, minor, adverse impacts to terrestrial wildlife during

construction. Overall impacts to aquatic habitat and wildlife are anticipated to be long-term, minor, and adverse.

There will be no direct impacts on wetlands as a result of the Selected Alternative. The project is expected to impact 651 linear feet of streams during construction, although it is not anticipated to change the physical characteristics of the streams permanently. There will be a negligible (0.14 ft) increase in flood elevation at Reeves Spring Branch. Short-term water quality impacts of sedimentation will occur during construction activities; however, use and enforcement of all appropriate best management practices, and sediment and erosion control measures during construction will result in minimal impacts.

A Phase I Archaeological Survey site delineation and Phase II testing were prepared for the existing road corridor and proposed improvements. Based on the field results, no sites have been determined eligible or potentially eligible to the National Register of Historic Places. Background research and a field survey were completed to investigate historic resources. There is no direct impact to any NRHP-eligible historic resources by the Selected Alternative. Correspondence from the North Carolina Department of Cultural Resources concurred with this finding.

Implementation of the Selected Alternative will impact the house located south of Reeves Spring Branch. In addition, 15 other private parcels will be impacted, with the total area to be acquired from private owners of 0.74 acres. Any acquisition of property and/or relocation of residents, if applicable, will be done in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public law 91-646, as amended by 100-17; regulations at 49 CFR 24). The program is committed to assisting individuals and families find and relocate to decent, safe, and sanitary housing that is adequate to meet their needs and within their financial means.

Paving and widening FDR 597 will improve the driving conditions for residents along FDR 597 and for visitors who use the Forest facilities accessed via FDR 597. The existing T-intersection at SR 1179 will be realigned to intersection more perpendicularly while avoiding a historic property. The impact on roadways, driving conditions, and safety along FDR 597 is long-term, minor, and beneficial. The Selected Alternative is not anticipated to induce development, and therefore will have no impact on traffic volumes along FDR 597.

The USFS has past and present projects that create or improve Forest facilities, the NCDOT TIP contains future projects to increase capacity and access, and three housing developments are planned in the project vicinity. Access to utilities has recently improved inside and outside the Forest boundaries, which increases development potential. Increased visitation could negatively impact air quality via vehicular and boat emissions. Although unlikely, increased emissions could adversely affect plant communities, which could adversely affect Forest aesthetics. Noise conditions could also be negatively impacted by an increase in the number of vehicles and boats. It is unclear whether the recent Embarq installation is a harbinger of future increases in utilities access

in the Forest, which also could expand the number of residents within Forest boundaries. An increase in the number of residents could negatively affect aesthetics. The combination, however, of improving Forest facilities, increasing capacity and access, and increasing the potential of new residents could lead to increased use of the Uwharrie National Forest by the general public. This increased use supports the USFS' motto ("Caring for the Land and Serving People"). Overall, the cumulative impact on the human environment is long-term, minor, and adverse. The cumulative impact on land use, visitor use and experience is long-term, minor, and beneficial.

Therefore, the proposed action (Alternative 3 with Modifications), rehabilitation of FDR 597 between SR 1179 and FDR 544, is in compliance with the relevant laws and implementing regulations.

MINIMIZATION AND MITIGATION COMMITMENTS

In order to minimize and mitigate adverse impacts as a result of the implementation of the Selected Alternative, the FHWA has committed to:

- Strictly enforce best management practices (BMPs) to control sedimentation and erosion during project construction. Stage and stockpile materials in parking lots or other disturbed areas to minimize construction traffic and impacts.
- Minimize clearing and grubbing, which protects biological communities and natural resources as well as helps to prevent sedimentation and erosion.
- Decrease or eliminate discharges into surface waters, which protects water quality and aquatic wildlife and habitats.
- Minimize "in-stream" activity.
- Quickly reestablish vegetation on exposed areas, particularly streamsides. This method reduces sedimentation and impacts by stabilizing underlying soils.
- Ensure that materials brought into the Forest are free of exotic species in order to avoid adverse effects from invasive species.
- In compliance with the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq), if during construction human remains are discovered, all work will stop and the USFS and SHPO will be notified immediately in order to minimize impacts as much as possible
- And, complete any compensatory mitigation required in conjunction with required permits, such as the Army Corps of Engineers Section 404 Permit and a Section 401 Water Quality Certification.

PUBLIC INVOLVEMENT

A letter was sent to 54 area homeowners and tenants in August 2006. The letter explained the project and urged recipients to contact the USFS with any questions or concerns. The District Ranger met with interested property owners in September 2006 and listened to their comments and concerns. The comments that the USFS received were supportive of the proposed project.

A newsletter was sent to area homeowners and tenants, the Town of Troy, and Montgomery County announcing the availability of the EA for public comment. Notice was also advertised in the local newspapers and posted on the FHWA and Forest websites. A 30-day comment period was held from February 23, 2009 until March 25, 2009. All comments supported the preferred alternative, and two citizens requested additional information. Comments and responses are included in the Errata.

AGENCY COORDINATION

Consultation and coordination occurred with a number of agencies and organizations having jurisdictional approval authority relative to the proposed action or anticipated to have a vested interest in the project plans and decision process. The coordinating agencies reached consensus in the selection of the preferred alternative. EA was recommended for approval by the Forest Service and the North Carolina Department of Transportation.

Following distribution of the EA in January 2009, the following agencies responded with comments:

- Catawba Indian Nation
- State Historic Preservation Office (SHPO)
- North Carolina Department of Environment and Natural Resources (NCDENR)
- NCDENR Division of Water Quality (two sets of comments)
- NCDENR Wildlife Resources Commission

None of the agencies had comments on the Environmental Assessment. NCDENR requested that permit applications include detailed information and that the project continue to conform to applicable design standards. The Catawba Indian Nation asked to be notified if Native American human remains are found during construction of this project. Comments and responses are included in the Errata.

WHY THE SELECTED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined at 40 CFR 1508.27, from the regulations of the Council on Environmental Quality that implement the provisions of NEPA, significance is determined by examining the following criteria:

Impacts that may be both beneficial and adverse – In addition to the effects of the project described above that FHWA believes are not significant either individually or cumulatively, the project will have some beneficial impacts on the environment. However, it is not anticipated that these beneficial impacts will be significant. The improvements to FDR 597 will provide safer access to the area for residents and visitors. (See EA pages 3-87, 3-88)

The degree to which the project affects public health or safety – It is not anticipated that the project will adversely affect public health or safety. There will be no long-term impact to air quality, and the improvements to the roadway are anticipated to enhance the safety for residents and visitors. (See EA pages 3-68, 3-87, 3-88)

Unique characteristics of the geographical area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas – The project is in the vicinity of cultural resources and wetlands; however, these resources will not be impacted by the project. (See EA pages 3-27, 3-28, 3-39, 3-40, 3-61)

The degree to which the effects on the environment are expected to be controversial – Comments received during the public comment period were generally in support of the project; therefore the effects on the environment are not expected to be controversial. (See EA page 6-2)

The degree to which the effects on the quality of the human environment are highly uncertain or involve unique or unknown risk – There are no known impacts on the quality of the human environment that can be considered highly uncertain or involve unique or unknown risks. (See EA pages 3-67 through 3-69)

The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration – This action will not set a precedent for future actions with significant effects or represent a decision in principle about a future consideration. This project improves an existing roadway facility, and does not force additional improvements to be made to the transportation system. (See EA page 3-87 through 3-89)

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – Additional actions and their associated impacts were identified during the cumulative impact analysis; however the Selected Action when combined with other past, present, and future actions will not have significant impacts. (See EA pages 3-13, 3-19, 3-28, 3-42, 3-62, 3-69, 3-89)

The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss of significant scientific, cultural, or historical resources – No cultural resources listed in or eligible for listing in the National Register of Historic Places will be adversely affected by the Selected Alternative. (See EA pages 3-27, 3-28)

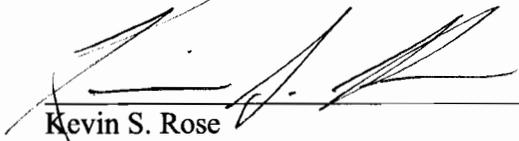
The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act – The project will not adversely affect an endangered or threatened species or its habitat. (See EA page 3-60)

Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment – The proposed action does not knowingly threaten a violation of any federal, state, or local law for the protection of the environment. All applicable permits will be acquired prior to construction. (See EA pages 1-10, 5-1)

CONCLUSION

The FHWA has determined that the Selected Alternative will not have any significant impact on the environment. There are no significant impacts on public health, public safety, threatened or endangered species, sites or districts listed in or eligible for the National Register of Historic Places, or other unique characteristics of the region. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements or precedence were identified. Implementation of the Selected Alternative will not violate any Federal, State, or local environmental protection law. This Finding of No Significant Impact (FONSI) is based on the attached Environmental Assessment (EA) and supporting documentation, which has been determined to adequately and accurately discuss the environmental issues and impacts of the proposed project. Based on the foregoing, it has been determined that an EIS is not required for this project and thus will not be prepared.

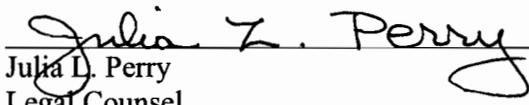
Recommended:



Kevin S. Rose
Environmental Team Leader
Eastern Federal Lands Highway Division
Federal Highway Administration

5/18/09
Date

Reviewed for Legal Sufficiency:



Julia L. Perry
Legal Counsel
Eastern Federal Lands Highway Division
Federal Highway Administration

6/5/09
Date

Approved:



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6/9/09
Date

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ERRATA

The combination of the EA and this errata form the complete and final record on which the FONSI is based. Additionally, the FHWA's responses to substantive comments on the EA are included. The "Responses to Comments" section addresses those comments that warranted clarification or explanation.

ERRATA

The last sentence on page 3-2 should begin "Residents from large population centers to the west..."

Table 4.1 in the Environmental Assessment incorrectly shows an impact for floodplains of "0.14 feet above sea level." This item should indicate a "0.14 foot increase in flood elevation," as stated correctly on page 3-40.

RESPONSE TO COMMENTS

The following comments were received from citizens during the comment period following distribution of the Environmental Assessment. Some of the comments have been edited to protect personal information provided as part of the comment.

**Carl Robbins and Vicki Cooper
March 25, 2009**

Comment: We have had land in Skier's Cove since 1990. In 1999 we had a neighbor that needed first aid attention that the ambulance came in from Blaine Road and we feel that if in an emergency situation the forest road is in such rough shape that a lot of valuable time would be wasted for an emergency vehicle to get to our subdivision or also Woodland Estate subdivision on the same road. There is Kings Point, Badin Lake Campground, Arrowhead Campground, and Cove Boat ramp that have a lot of visitors on the weekends and thru the weeks during summer months and hunting season that travel this road that time would make all the difference in any emergency situation. We have had a home in Skiers Cove since 2001 and travel the road every day. We have 13 lots in our subdivision that only allow only homes of 1000 sq feet or more and another privately

owned lot beyond us and Woodland Estates has even more lots. We would appreciate any help you could give us on getting our road paved up to standard.

Response: Thank you for your comment.

Elizabeth Hardie

March 24, 2009

Comment: As the owner of 2 homes in Skier's Cove, I and my tenants depend on FDR 597 to access the Skier's Cove Rd. I would like to recommend the "Preferred Alternative," identified as Alternative 3 with Modifications. The "Preferred Alternative" intent is to upgrade the existing roadway to NCDOT standards and improve safety and visitor access to potential recreation opportunities for the long term.

If the "No Action" takes place, the road will continue to deteriorate. We have had numerous tires punctured by the poor quality gravel used to minimally maintain the road. The dust is severe in the summer. The erosion is getting worse.

Response: Thank you for your comment.

Tim Bolton, President, Skier's Cove Association

March 25, 2009

Comment: I have attached our Skier's Cove Association response, supporting the "Preferred Alternative," on the Environmental Assessment for Rehabilitation of FDR 597 (within the Uwharrie National Forest), from SR 1179 to FDR 544, Montgomery County, North Carolina.

Attached letter: "On behalf of the members of the Skier's Cove Association, we agree with the "Preferred Alternative," identified as Alternative 3 with Modification. The "Preferred Alternative" intent is to upgrade the existing roadway to NCDOT standards and improve safety and visitor access to potential recreation opportunities for the long term. If the "No Action" takes place, what is left of the ever-deteriorating road will continue its erosion; silt the adjacent waters, stir massive amounts of dust particles polluting the air, which has long term destroying effects on the environment. For many years, our Skier's Cove families and friends have participated in the "Clean Sweep," which is an example of our "Caring for the Land." Having reviewed the Environmental Assessment, I commend those who participated in development of this enormous project."

Response: Thank you for your comment.

Robin "Zeb" Stevenson

March 3, 2009

Comment: My love for Uwharrie National Forest began as a youth when my Granddaddy Herbert Holt purchased the 25-30 acre tract of land that is identified in Figure 2.3 of the recently produced Environmental Assessment tabloid. What made it so special was the fact that gates protected the National Forest from the general public; therefore, unless hunting season was in and/or one had property within the reservation one couldn't enter. This provided a sense of safety, prevented littering from existing, and

minimized the forest from being adversely affected by undesirables. Once the gates were removed, the public represented by both good and bad came rolling in on ATV's, campers, horses, etc. and the rest is history.

I would entertain a reply to this memo as I have a question regarding the proposed measure at hand. Thanks for your indulgence and may God bless America and all the ships at sea.

Response: Mr. Stevenson was contacted via phone on March 5, 2009 to discuss his concerns and answer his questions.

Clif Baker
February 21, 2009

Comment: I have some questions about the plan, and am not sure to whom they should be addressed. I own a small home that is just beside the road, and the road crosses my private property. A right of way has never been granted. The house sits very close to the road, and the road cannot be widened without adversely affecting my property, perhaps destroying the home. I had met with the local ranger and DOT a couple of years ago, and we talked about moving the road in a manner that would not disturb my home, would eliminate a curve, and better protect the lake. This is apparently one of the alternative routes that was not chosen, although the reason for not choosing it was never explained. No one has told to me how the current plan will impact my property. Can you help me?

Response: The proposed roadway improvements to FDR 597 are still in the environmental phase of the project development process. This means that we have assessed the existing environment, identified and screened alternatives, and analyzed the potential impacts of the alternatives. The design of the roadway is still in a conceptual phase to support the environmental analysis, and will not be finalized until after a decision document has been signed. The decision document will not be signed until after the public comment period, and until after public comments have been analyzed and addressed. Without final design we cannot provide you with any additional details regarding the impacts to your property and cabin, because this information is not available yet. Once the design has been finalized, right-of-way acquisition would occur. It is at this point that someone will meet with you to discuss options regarding the property, which would include moving the cabin, if possible.

Additional information and rationale behind the decision to keep the project on the existing alignment was provided in a letter dated April 15, 2008. As stated in the letter, "The existing roadway would be upgraded to consist of two 10-foot lanes with a 4-foot shoulder on each side. The proposed right of way (ROW) boundaries are 30' from the centerline. Construction limits extend beyond the ROW boundaries in some locations. The existing roadway is approximately 16 ½ feet wide in front of the cabin. The construction limits would be considerably wider than the limited grading of the existing road. An avoidance alternative was developed and considered. A hard copy of the alignment is enclosed. Constructing a new roadway on a new alignment would impact previously undisturbed area, require considerably more cut and fill, and would be more costly. Since it was determined that the cabin was not "historic," the project team

determined that it would be preferable to avoid cutting a new road behind the house. It was preferable to keep the roadway on the existing alignment to reduce impacts to a previously undisturbed area and to minimize cost. The new roadway (referred to as the Preferred Alternative in the Environmental Assessment) would affect approximately 0.4 acres of your 42-acre parcel, and would affect the cabin. The use of retaining walls was evaluated; however, even with retaining walls the cabin would still be impacted based on the roadway alignment. The cabin would need to be moved or taken down. We would like to work with you closer to the final design of the project to determine your preferences regarding the property.”

I hope this information helps. I will include your email as a comment on the Environmental Assessment. If you have any additional comments regarding the Environmental Assessment; I would appreciate if you could provide them to me by March 25, 2009. Please give me a call if you would like another copy of the letter, or if you have any additional questions.

Clif Baker
February 28, 2009

Comment: Thank you for your reply. I would like another copy of the letter dated 4/15/08 please. Also, can you give me the contact information for the person that decided the house was not “historic.” I know this was considered on the basis of being a CCC structure, but I want to ask them about other considerations. Also, I am not aware of a ROW ever being granted for the road to cross the property. Do you have any documentation of a granted ROW? Lastly, the note you sent says the proposed ROW limits are 30 ft from the centerline. Is this 30 feet from the existing center line. It would seem that that would take it very close to the high water mark on the lake side at my property, although I have not gone out to measure it yet. Thanks for your assistance.

Response: Attached you will find a copy of the 4/15/08 letter. The evaluation of the cabin was done by a firm specializing in historic and cultural resource evaluations. Since the firm was acting on behalf of the federal government, I would prefer if you provided me with a list the other consideration regarding the cabin via phone or email. I can then provide you with information regarding whether your additional considerations would change the decision that the cabin is not historic. ROW has not been requested or granted for the proposed roadway at this point in time. The project is still in the planning phase, and the ROW phase will come at a later date. The proposed ROW limits would be 30 ft from the centerline of the new proposed centerline of the roadway. The new proposed centerline would follow the existing road’s centerline to the extent possible; however the alignment would be shifted slightly where necessary.

Please let me know if you have any additional questions.

Randy Jester
February 20, 2009

Comment: I just received a copy of the Environmental Assessment (rehabilitation of FDR 597). My question relates to other potential improvements.

I own a home in Green Gap Trail subdivision, a community of permanent residents and vacation homes. One of the heaviest traveled and worst roads is the section of 576 from the "Hunt Camp" off HW 109 to the 597 intersection. This segment carries the regular subdivision traffic, Haliwanger Center traffic, traffic to the OHV staging area on 553, and cove boat ramp traffic coming from these areas. One particularly bad curve of about 100 feet is all that has been paved in the last 40-years. Traffic is 100 fold what it was 40-years ago and growing. You should measure traffic here vs. some of the areas that you are paving. Any plans to pick up some of the new Federal money and address this area?

Response: Thank you for your comment. I am not aware of any plans to improve 576 from Hunt Camp to the 597 intersection; however, I am not the best resource for this information. I will forward this email to the Uwharrie National Forest and our Forest Highway Program Manager to see if this project is planned, and if it isn't, they will now be aware of the current issues with the roadway. Please let me know if you have any additional questions or comments on the Environmental Assessment.

Randy Jester
February 27, 2009

Comment: Thanks for your reply. I have no issues on the environmental study and planned paving. I think that the paving has a significant positive influence on the environment and area usage by reducing muddy water runoff from the roads and eliminating the dust coating the trees. The annual application of gravel and grading to keep the unpaved roads useable probably has a much larger environmental impact than a one-time paving operation.

Response: Thank you for your comment.

The following comments were received from agencies during the comment period following distribution of the Environmental Assessment.

Catawba Indian Nation
Wenonah G. Haire
March 20, 2009

Comment: 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 human remains are located during the ground disturbance phase of this project.

Response: The Catawba will be notified if Native American human remains are discovered during construction of this project.

State Historic Preservation Office
Renee Gledhill-Early
March 9, 2009

Comment: No comment.

Response: No response required.

North Carolina Department of Environment and Natural Resources (NCDENR)
Melba McGee
March 17, 2009

Comment: The applicant is encouraged to continue to work with our agencies as this project moves forward.

Response: Thank you for your comment.

NCDENR Wildlife Resources Commission
Travis Wilson
March 16, 2009

Comment: At this time, we concur with the EA for this project.

Response: Thank you for your comment.

NCDENR Division of Water Quality
Polly Lespinasse
March 11, 2009

Project specific comments:

Comment: Review of the project reveals the presence of surface water classified as Water Supply (WS-IV) (Reeves Spring Branch and Moccasin Creek), Water Supply Critical Area (WS-IV, CA) (Reeves Spring Branch) and WS-IV, CA, B (Badin Lake) in the project study area. Given the potential for impacts to these resources during the project implementation, the DWQ requests that the applicant strictly adhere to North Carolina regulations entitled "Design Standards in Sensitive Watersheds" (15 NCAC 04B.0124) throughout the design and construction of the project. This would apply to any area that drains to streams having WS CA (Water Supply Critical Area) classifications.

Response: The project will adhere to NCDWQ regulations as required.

Comment: Should a bridge project be located within the Critical Area of a Water Supply, the applicant will be required to design, construct, and maintain hazardous spill catch basins in the project area. The number of catch basins installed should be determined by the design of the bridge, so that runoff would enter said basin(s) rather than flowing directly into the stream, and in consultation with the DWQ.

Response: The vented ford will be replaced with a bridge across Reeves Spring Branch, which is within the Critical Area of a Water Supply. Catch basins will be designed, constructed, and maintained as required and in consultation with the DWQ.

General Comments: (Listed in original transmittal.)

Response: The project will comply with NCDWQ regulations as required.

NCDENR Division of Water Quality, Fayetteville Office

Ken Averitte

March 6, 2009

Comment: We have reviewed the Environmental Assessment document for Badin Lake Road (FDR 597) as submitted by Kimley-Horn and Associates on February 16, 2009. Comments on a proposed Environmental Assessment for this project were provided by Ms. Polly Lespinasse on May 24, 2006 and continue to reflect our general position on this project. According to the current EA, road work within the preferred alternative will have no wetland impacts. However, approximately 651 feet of stream impacts are indicated. Specific details of the stream impacts were not included in the assessment document. Although it appears that this project has reasonably avoided or minimized the stream and wetland impacts, the Division of Water Quality will require more site specific details in order to make a permit decision when the 404/401 application is submitted. If you have questions, or if I can be of assistance, please advise.

Response: Additional details on stream impacts based on more detailed design will be included as part of the Section 404/401 application.