

DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA

INTERDEPARTMENT CORRESPONDENCE

FILE P.I. No. 620590

OFFICE Environment/Location

DATE January 11, 2002

FROM Harvey D. Keepler, State Environmental/Location Engineer

TO Jim Kennerly, State Road and Airport Design Engineer
ATTN: Brent Story, Project Manager

SUBJECT Special Provisions for Construction Contract: Project STP-017-3(45), P.I. No. 620590, Floyd County, Georgia

The following Special Provisions are requested for the construction contract on the above referenced project and shall appear as notations on the applicable plan sheet. These provisions are necessary to ensure our compliance with Section 106 of the National Historic Preservation Act, as amended, and to minimize project delays.

1. The areas designated on the enclosed project construction sheet are "Environmentally Sensitive Areas". The contractor shall ensure that no additional construction activities including the use of easements, staging, construction, vehicular use, and borrow or waste activities take place inside these areas between stations 1+550 and 1+660 or between stations 10+168 and 10+186 along the northern easement limits for the driveway reconstruction.
2. The contractor shall install orange fabric safety fencing along the project right-of-way and easement limits as shown on the attached construction plan sheets between railroad relocation stations 1+550 and 1+660 and along the northern driveway reconstruction easement limit between stations 10+168 and 10+186 to ensure that the "Environmentally Sensitive Areas" are not adversely impacted during project construction.
3. In accordance with 36 CFR 800.13(a) Planning for Discovery, the Georgia Department of Transportation will ensure that an archaeologist who meets the Secretary of Interior's Guidelines for Professional Qualifications Standards supervises the monitoring of all land disturbing activities between stations 1+550 and 1+ 660 of the railroad relocation and between stations 10+100 and 10 +200 on the US 27 widening portion of the project's area of potential environmental effect. The monitoring will include the recovery, recording, and reporting of all subsurface archaeological features or artifact concentrations located during construction. If any such features or concentrations are located during monitoring, land disturbing activity shall be halted in the immediate vicinity of the resource(s) to provide no more than five days time for the project archaeologist, in consultation with the State Historic Preservation Officer, to evaluate their significance by applying National Register criteria, and allowing for their proper excavation and recovery. The work stoppage will not exceed the minimum time necessary for completion of this work for each occurrence of significant archaeological resources (see Standard Specifications of Road and Bridges, 1993, Section 107.13(A), paragraphs 4 and 5). The project archaeologist shall be notified within 48 hours prior to ground disturbing on the above project at (404) 699-4437.



Please provide this office a copy of the special provision section of the contract and the applicable revised construction plan sheets when available. Thank you for your cooperation in this matter. If you have any questions please contact Erica Jeter, (404) 699-4423, or Eric Duff, (404) 699-4437, of our office.

HDK/ELJ

Attachments

cc: Larry R. Dreihaupt, P.E., FHWA (Attn: Jennifer Giersch)
Dr. W. Ray Luce, HPD Director and Deputy SHPO
Thomas L. Turner, P.E., Director of Preconstruction
Harvey Booker, State Right-of-Way Engineer
Lem Dobbs, State Trans. Office Eng.-Cont. Administration
Kent L. Sager, P.E., District 6 Engineer
Bill Phillips, Bureau of Environmental Compliance
Darby Beach, NEPA Specialist

December 6, 2000

**DEPARTMENT OF TRANSPORTATION
STATE OF GEORGIA**

SPECIAL PROVISION

SECTION 643 - FENCE

Add the following to Section 643:

SECTION 643 - TEMPORARY BARRIER FENCE

643.01 DESCRIPTION: This work shall consist of furnishing and installing temporary barrier fences at the locations shown on the Plans or as directed by the Engineer. Barrier Fences shall be used to restrict access to environmentally sensitive areas.

643.02 MATERIALS:

A. General: The barrier fence shall be fabricated from high-density polyethylene or polypropylene and shall contain U.V. stabilizers.

B. Physical Properties: The barrier fence shall be free of manufacturing flaws and damage from shipping. The barrier fence shall meet the following physical properties:

Maximum Mesh Opening Size	45 mm x 54 mm
Roll Width	1.20 m
Color	International Orange
Maximum Porosity	80 %
Minimum Yield Strength (MD)	11 kN/m

B. Test Methods: The contractor shall furnish the Engineer in duplicate, materials certification in accordance with Subsection 106.05.

643.03 CONSTRUCTION: The barrier fence shall be installed in accordance with the manufacturer's instruction. Suitable strength metal, wood, or composite posts shall be used. The posts shall have sufficient length to be embedded to a depth that will provide stability to the fence and shall have sufficient rigidity to hold the fence in a vertical position. Maximum posts spacing shall be 3 m. The fence shall be attached to the posts with nails, staples, or wire ties spaced every 150 mm along the posts. The method of attachment shall not create a safety hazard.

At the completion of the project, or as directed by the Engineer, the Contractor shall

643.04 MEASUREMENT: Barrier fence will be measured by the linear meter along the bottom of the fence outside of end posts for each continuous run of fence.

643.05 PAYMENT: The accepted quantities of fence measured as indicated above will be paid for at the Contract unit price per linear meter of fence. Payment to complete the item shall include all necessary clearing, installation of fence including hardware and other incidentals, and removal of the fence. The barrier fence, posts, and all incidentals shall become the property of the Contractor.

Payment will be made under:

Item No. 643. Barrier fence, 1.2 m high.....per Linear Meter.

MEMORANDUM OF AGREEMENT

WHEREAS, the Federal Highway Administration (FHWA) has determined that Georgia Department of Transportation (GDOT) Project STP-017-3 (45), Floyd County, Georgia, will have an effect upon two properties eligible for inclusion in the National Register of Historic Places, and has consulted with the Georgia State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470F); [and Section 110(f) of the same Act (16 U.S.C. 470h-2(f)]; and,

WHEREAS, the proposed project would consist of the relocation of approximately 2,130-ft. of railroad track of the Former Selma, Rome & Dalton Railroad and the removal of the associated railroad bridge spanning State Route 1/US 27 through the city of Rome, Georgia, for the widening of State Route 1/US 27 at this location; and,

WHEREAS, two National Register eligible properties were identified in the project's area of potential effects; and,

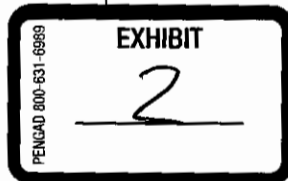
WHEREAS, an Assessment of Effects for the Former Selma, Rome & Dalton Railroad and associated railroad bridge was completed on July 31, 2001, with a finding of Adverse Effect for this resource, and an Assessment of Effects Addendum for Fort Attaway was completed on December 17, 2002, with a finding of Adverse Effect for this resource; and,

WHEREAS, this Memorandum of Agreement renders the previous agreement of September 6, 2001, for this project null and void; and,

WHEREAS, if GDOT Project STP-017-3 (45), Floyd County is not implemented by January 2, 2010, this agreement shall be considered null and void, and the FHWA, if it chooses to continue with the undertaking, shall reconsider the terms of this agreement; and,

WHEREAS, if the Georgia SHPO should object within thirty (30) days to any plans provided for review pursuant to this Memorandum of Agreement, the FHWA shall consult with the Georgia SHPO to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall request further comments or recommendations of the Advisory Council concerning the dispute pursuant to 36 CFR Part 800. Any Advisory Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR Part 800 with reference only to the subject of the dispute. The FHWA's responsibility to carry out all actions under this Memorandum of Agreement that are not the subject of the dispute will remain unchanged; and,

NOW, THEREFORE, the FHWA and the Georgia SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on the Former Selma, Rome & Dalton Railroad and associated railroad bridge and Fort Attaway.



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STIPULATIONS

The FHWA will ensure the following measures are carried out:

- 1) Prior to project implementation, the portion of the Former Selma, Rome & Dalton Railroad within the project area, and the associated railroad bridge spanning State Route 1/US 27 through the city of Rome, Georgia, will be recorded with medium format (2 ¼ X 2 ¼ inch negatives) photography. The photography will be submitted to the Georgia SHPO for acceptance and retention.
- 2) Prior to project implementation, the immediate setting of Fort Attaway's northern slope will be recorded with medium format (2 ¼ X 2 ¼ inch negatives) photography. The area to be photographed will include the portion of land between the Former Selma, Rome & Dalton Railroad and the eligible historic boundary of Fort Attaway. The photography will be submitted to the Georgia SHPO for acceptance and retention.
- 3) Before and after construction, the Georgia Department of Transportation will document Fort Attaway and its immediate setting with oblique aerial photography. The photography will be submitted to the Georgia SHPO for acceptance and retention.
- 4) Prior to project implementation, a written narrative documenting Fort Attaway's significance in Rome's Civil War history will be prepared and submitted to the Georgia SHPO for acceptance and retention. The Georgia SHPO will be contacted to determine the level of documentation required.
- 5) During construction of the proposed project, the provisions previously documented in a letter prepared by GDOT dated January 11, 2002, will be undertaken to ensure the preservation of Fort Attaway's significant physical features. These provisions were requested by GDOT to be included in the construction contract for the proposed project and include the following:
 - A) The contractor shall ensure that no additional construction activities including the use of easements, staging, construction, vehicular use, and borrow or waste activities take place inside the environmentally sensitive areas between stations 1+550 and 1+660 or between stations 10+168 and 10+186 along the northern easement limits for driveway reconstruction.

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- B) The contractor shall install orange fabric safety fencing along the project right-of-way and easement limits between railroad relocation stations 1+550 and 1+660 and along the northern driveway reconstruction easement limit between stations 10+168 and 10+186 to ensure that the environmentally sensitive areas are not adversely impacted during project construction.

- C) In accordance with 36 CFR 800.13(a) Planning for Discovery, the Georgia Department of Transportation will ensure that an archaeologist who meets the Secretary of Interior's Guidelines for Professional Qualifications Standards supervises the monitoring of all land disturbing activities between stations 1+550 and 1+660 of the railroad relocation and between stations 10+100 and 10+200 on the US 27 widening portion of the project's area of potential environmental effect. The monitoring will include the recovery, recording, and reporting of all subsurface archaeological features or artifact concentrations located during construction. If any such features or concentrations are located during monitoring, land disturbing activity shall be halted in the immediate vicinity of the resource to provide no more than five days time for the project archaeologist, in consultation with the State Historic Preservation Officer, to evaluate their significance by applying National Register criteria, and allowing for their proper excavation and recovery. The work stoppage will not exceed the minimum time necessary for completion of this work for each occurrence of significant archaeological resources (see Standard Specifications of Roads and Bridges, 1993, Section 107.13a, paragraphs 4 and 5). The project archaeologist shall be notified within 48 hours prior to ground disturbing on the above project at (404) 699-4437.

Execution of this Memorandum of Agreement by the FHWA and the Georgia SHPO, its subsequent filing with the Advisory Council on Historic Preservation (Council), and implementation of its terms, evidence that the FHWA has afforded the Council an opportunity to comment on Project STP-017-3 (45), Floyd County, Georgia, and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on historic properties.

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FEDERAL HIGHWAY ADMINISTRATION

BY: *Robert M. Callan* DATE: 6/11/03
u Robert M. Callan, Division Administrator

GEORGIA STATE HISTORIC PRESERVATION OFFICER

BY: *W. Ray Luce* DATE: 3-25-03
for W. Ray Luce, Division Director

GEORGIA DEPARTMENT OF TRANSPORTATION

BY: *Harvey D. Keepler* DATE: 4-03-03
Harvey D. Keepler, State Environmental/Location Engineer

PROGRAMMATIC SECTION 4(F) EVALUATION

Project # STP-017-3(45)

P.I. Number 620590

A. Applicability

Project Description

This project would widen and reconstruct a portion of SR 1/US 27 into a five-lane urban facility consisting of two 12-foot lanes in each direction and a 14-foot continuous center left turn lane. The project would begin approximately 250 feet south of North Fifth Avenue and continue north to John Davenport Drive. The railroad overpass would be replaced with a longer span bridge with a minimum clearance of 16.5 feet. The new bridge would be relocated south of and parallel to the existing bridge. Approximately 2,130 feet of rail line would be relocated southward to the new bridge. Approximately seven feet of additional right-of-way would be required on each side of SR 1/US 27 in addition to smaller amounts on North Fifth Avenue and John Davenport Drive.

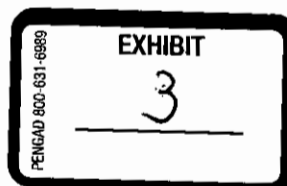
Need and Purpose

The proposed project would provide a safer and more efficient multi-lane facility along SR 1/US 27 through the city of Rome. The constricted geometric layout along this section of SR 1/US 27 results in serious operational deficiencies. The roadway from the railroad overpass just south of John Davenport Drive to North Fifth Avenue consists of four, 10-foot substandard lanes. North of the overpass, the roadway widens to provide an exclusive left turn lane at John Davenport Drive; however, because of the lateral constriction between the existing railroad abutments where there is currently only room for four, 9-foot substandard lanes, storage is limited to one or two vehicles, resulting in inefficient operation of the lane.

To the south, an exclusive left-turn lane onto North Fifth Avenue results in another constriction. Because of this lane designation, through traffic flowing south on SR 1/US 27 is limited to only one lane. Traffic is also impacted by the low vertical clearance of the railroad overpass. Large trailers or mobile homes that can initially clear the overpass become lodged under the bridge as they travel up the steep hill just south of the overpass.

Insufficient vertical clearance, inefficient lane usage, and poor sight distance coupled with traffic flow problems result in poor operating conditions for existing traffic along this section of SR 1/US 27. These conditions are expected to worsen as traffic volumes increase. Any increase in truck traffic along this section of roadway would cause more damage to the bridge and pose greater potential for trucks and other large vehicles to become lodged underneath the bridge.

The proposed project is necessary to provide a safer and more efficient multi-lane facility along this section of SR 1/US 27. This project would increase roadway carrying capacity by correcting levels of service deficiencies. The project would enhance safety by reducing accident and injury rates as well as improving sight distance.



A Programmatic Section 4(f) evaluation is applicable to this project because:

1. The bridge is to be replaced or rehabilitated with federal funds.
2. The project would require the use of a historic bridge structure which is in or is eligible for listing in the National Register of Historic Places.
3. The bridge is not a National Historic Landmark.
4. The FHWA Division Administrator has determined that the facts of the project match those set forth in the sections of this document labeled Alternatives, Findings, and Measures to Minimize Harm.
5. Agreement among the FHWA, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) has been reached through procedures pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

A. Alternatives to Avoid

The following alternatives were considered to avoid any use of the historic bridge:

1. No-Build (Do Nothing).
2. Build a new structure at a different location without affecting the historic integrity of the old bridge, as determined by procedures implementing the National Historic Preservation Act of 1966 (NHPA).
3. Rehabilitate the historic bridge without affecting the historic integrity of the structure as determined by procedures implementing the National Historic Preservation Act of 1966, as amended by (NHPA).

A. Findings

The following findings were made as a result of the evaluation of avoidance alternatives:

1. **No-Build Alternative:** The no-build or do nothing alternative has been studied. This alternative ignores the basic transportation need and does not fulfill the need and purpose of the project. This alternative is not feasible and prudent for the following reasons:
 - A. **Operational Adequacy:** The No-Build Alternative does not correct the situation that causes traffic congestion along the section of SR 1/US 27 within the project area. Insufficient vertical clearance, inefficient lane usage, and poor sight distance coupled with traffic flow problems result in poor operating conditions for existing traffic along this segment of SR 1/US 27. These conditions are expected to worsen as traffic volumes increase.
 - B. **Safety:** The No-Build Alternative does not correct the situation that causes the existing typical section along this portion of SR 1/US 27 to be considered unsafe. The roadway from the railroad overpass just south of John Davenport Drive to North Fifth Avenue consists of four, 10-foot substandard

lanes. North of the overpass, the roadway widens to provide an exclusive left turn lane at John Davenport Drive. Because of lateral construction between the existing railroad abutments, there is only room for four 9-foot substandard lanes. Leaving the existing railroad bridge in place would not provide a safer, more efficient multi-lane facility or correct the problem of substandard vertical clearance encountered by the high volume of daily truck traffic that passes under the bridge. Upon site visits, the existing bridge has been struck by vehicles in the past.

2. **Build on New Location Without Using the Old Bridge:** Investigations have been conducted to determine the feasibility of constructing a bridge parallel to the old bridge while retaining the existing bridge. This alternative is feasible and prudent for the following reasons:

- (a) **Adverse Social, Economic, or Environmental Effects:** Constructing the bridge on new location south of and parallel to the new bridge, as currently proposed, would significantly decrease adverse social, economic, and environmental effects. Several businesses are located in the project vicinity along SR 1/US 27. Shifting the bridge to the north would displace several businesses between the existing rail line and John Davenport Drive. The current distance between these businesses and the existing railroad alignment is approximately 50 to 70 feet. As a result, there is insufficient space for either the temporary or permanent relocation of the rail line northward without displacing these businesses.

Little Dry Creek runs along the northern border of the project corridor. Relocating the bridge to the north would also result in adverse impacts to Little Dry Creek due to longitudinal encroachment. Existing SR 1/US 27 and a portion of the existing railroad line are located within the 100-year flood zone of the Little Dry Creek drainage area. Shifting the bridge to the north would result in increased floodplain involvement along the north side of the railroad line and the associated bridge.

- (b) **Engineering and Economy:** Where difficulty associated with the new location is less extreme than those encountered above, constructing a new bridge south of and parallel to the existing bridge is most efficient in terms of cost. Factors supporting this conclusion include reduced roadway and structure costs as well as ease in reaching the new site with construction equipment. Near the boundary of Fort Attaway, orange protective fencing would be installed to designate an environmentally sensitive area in which no construction activities can take place. As proposed, the project is stage driven and a 25-foot clear zone must be maintained from the center of the rail with no activity taking place within the clear zone boundaries. Manoeuvrability in the area along the project corridor is critical to ensure that construction equipment and activities do not encroach on Fort

Attaway's boundary. Constructing a new bridge south of and parallel to the existing bridge provides adequate space for the project to be built.

(c) **Preservation of Old Bridge:** Due to the safety hazard resulting from insufficient vertical clearance of the existing bridge and the need for widening the existing roadway to alleviate traffic congestion along this section of SR 1/US 27, retaining the existing railroad bridge for a transportation use in its original location is not a feasible alternative. The existing bridge is beyond rehabilitation for transportation use.

3. Rehabilitation Without Affecting the Historic Integrity of the Bridge:

Studies of rehabilitation measures have been conducted, but, for the following reasons, this alternative is not feasible and prudent:

- (a) The bridge is so structurally deficient that it cannot be rehabilitated to meet minimum acceptable load requirements without affecting the historic integrity of the bridge.
- (b) The bridge is seriously deficient geometrically and cannot be widened to meet the minimum required capacity of the highway system on which it is located without affecting the historic integrity of the bridge.

B. Measures to Minimize Harm

The FHWA Division Administrator, in accordance with this evaluation, ensures that the proposed action includes all possible planning to minimize harm. The following measures are proposed:

- 1. For bridges that are adversely affected, agreement among the SHPO, ACHP, and FHWA is reached through the Section 106 process of the NHPA on measures to minimize harm and those measures are incorporated into the project. This programmatic Section 4(f) evaluation does not apply to projects where such an agreement cannot be reached.
- 2. The contractor shall ensure that no additional construction activities including the use of easements, staging, construction, vehicular use, and borrow or waste activities take place inside the environmentally sensitive areas between stations 1+550 and 1+660 or between stations 10+168 and 10+186 along the northern easement limits driveway reconstruction. The SHPO signed the Memorandum of Agreement on March 25, 2003.
- 3. The contractor shall install orange fabric safety fencing along the project right-of-way and easement limits between railroad relocation stations 1+550 and 1+660 and along the northern driveway reconstruction easement limit between stations 10+168 and 10+186 to ensure that environmentally sensitive areas are not adversely impacted during project construction.
- 4. In accordance with 36 CFR 800.13(a) Planning for Discovery, the Georgia Department of Transportation will ensure that an archaeologist who meets the Secretary of Interior's Guidelines for Professional Qualifications Standards

supervises the monitoring of all land disturbing activities between stations 1+550 and 1+660 of the railroad relocation and between stations 10+100 and 10+200 on the US 27 widening portion of the project's area of potential environmental effect. The monitoring will include the recovery, recording, and reporting of all subsurface archaeological features or artifact concentrations located during construction. If any such features or concentrations are located during monitoring, land disturbing activity shall be halted in the immediate vicinity of the resource to provide no more than five days time for the project archaeologist, in consultation with the State Historic Preservation Officer, to evaluate their significance by applying National Register criteria, and allowing for their proper excavation and recovery. The work stoppage will not exceed the minimum time necessary for completion of this work for each occurrence of significant archaeological resources (see Standard Specifications of Roads and Bridges, 1993, Section 107.13a, paragraphs 4 and 5). The project archaeologist shall be notified within 48 hours prior to ground disturbing on the above project at (404) 699-4437.

5. Prior to project implementation, the immediate setting of Fort Attaway's northern slope will be recorded with medium format (2 ¼ x 2 ¼ inch negative) photography. This area will include the portion of land between the former Selma, Rome & Dalton Railroad and the eligible historic boundary of Fort Attaway. The photography will be submitted to the Georgia SHPO for acceptance and retention.
6. Prior to project implementation, the portion of the former Selma, Rome & Dalton Railroad within the project area and the associated railroad bridge spanning SR 1/US 27 through the city of Rome will be recorded with medium format (2 ¼ x 2 ¼ inch negative) photography. The photography will be submitted to the Georgia SHPO for acceptance and retention.
7. Before and after construction, the Department shall commit to oblique aerial photography of Fort Attaway and its immediate setting. The photography will be submitted to the Georgia SHPO for acceptance and retention.
8. Prior to project implementation, a written narrative documenting Fort Attaway's significance in Rome's Civil War history will be prepared and submitted to the Georgia SHPO for acceptance and retention.

C. Coordination

In accordance with 36 CFR Part 800, the assessment of effects and memorandum of agreement have been provided to the Georgia SHPO and the ACHP. This project conforms with the requirements of the "Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges," which has been coordinated with the Departments of the Interior, Agriculture, and Housing and Urban Development.

There are no existing Federal encumbrances regarding the Section 4(f) resource.

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the former Selma, Rome & Dalton Railroad and Associated Railroad Bridge and the proposed action includes all possible planning to minimize harm to the former Selma, Rome & Dalton Railroad and Associated Railroad Bridge resulting from such use.