

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	<u>B-5534</u>
WBS Element	<u>55034.1.1</u>
Federal Aid Project No.	<u>N/A</u>

A. Project Description, Location, and Purpose:

The purpose of this project is to replace Bridge No. 300082 on NC 11/111 over Burnt Coat Creek in Duplin County. The project proposes to construct a new bridge with two 12-foot travel lanes and 8-foot paved shoulders immediately to the north of the existing structure. Traffic will be maintained on the existing bridge during construction. Following construction, the existing bridge would be removed. The area surrounding the bridge is rural, and undeveloped forestland is in the immediate vicinity of the bridge with farms located around the area. NC 11/111 is an important connection in eastern Duplin County carrying buses, farm equipment, and other industrial traffic. If this crossing were to be closed during construction, the detour route would be approximately 6 miles. The total length of the project is approximately 1600 feet in length.

B. Consultation Phase: (Check one)

- Right-of-Way
- Construction
- Other: Identify the trigger – (e.g., design change, change in impacts)

C. NEPA/SEPA Class of Action Initially Approved as: (Check one)

- FHWA Class II (CE) (Type I A) 7/30/2019

D. Changes in Proposed Action & Environmental Consequences:

Water Resources

Water resources and classifications in the project area have not changed since the above referenced documents.

Protected Species

As of July 17, 2020, the US Fish & Wildlife Service (USFWS) lists six protected species for Duplin County.

The Natural Resources Technical Report (2015) reached a Biological Conclusion of No Effect for red cockaded woodpecker due to the absence of habitat. Since the completion of the NRTR, Atlantic pigtoe, Carolina madtom, Neuse River waterdog, and wood stork have been added to the list for Duplin County. The project site is out of the known range for Atlantic pigtoe, Carolina madtom and Neuse River waterdog resulting in No Effect Biological Conclusions. Coordination with the U.S. Fish and Wildlife Service in 2020 prior to permitting regarding the wood stork resulted in a Biological Conclusion of May Affect, Not Likely to Adversely Affect.

Habitat for the bald eagle (*Haliaeetus leucocephalus*) primarily consists of mature forest in proximity to large bodies of open water for foraging. Large dominant trees are utilized for nesting sites, typically within 1.0 mile of open water. A desktop-GIS assessment of the study area, as well as the area within a 1.13-mile radius (1 mile plus 660 feet) of the project limits, was performed on July 6, 2015 using 2015 color aerials during preparation of the NRTR. No water bodies large enough or sufficiently open to be considered potential feeding sources were identified. Since there was no foraging habitat within the review area, a survey of the study area and the area within 660 feet of the project limits was not conducted. Additionally, a review of NCNHP records, updated January 2021, revealed no known occurrences of this species within 1.0 mile of the project study area. Due to the lack of habitat, known occurrences, and minimal impact anticipated for this project, it has been determined that this project will not affect this species.

The US Fish and Wildlife Service has revised the previous programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the northern long-eared bat (NLEB) (*Myotis septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. Although this programmatic covers Divisions 1-8, NLEBs are currently only known in 19 counties, but may potentially occur in 11 additional counties within Divisions 1-8. NCDOT, FHWA, and USACE have agreed to two conservation measures which will avoid/minimize mortality of NLEBs. These conservation measures only apply to the 30 currently known/potential counties shown on Figure 2 of the PBO at this time. The programmatic determination for NLEB for the NCDOT program is **May Affect, Likely to Adversely Affect**. The PBO provides incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for ten years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Duplin County where B-5534 is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2030.

Historic Architecture and Archaeology

NCDOT has reviewed the Section 106 effects findings for historic properties within the project's area of potential effects (APE), that were made as part of the NEPA analysis. NCDOT has confirmed that there is no new information that would alter the original Section 106 findings and, therefore, they remain valid.

E. Conclusion:

The above NEPA/SEPA documentation has been reevaluated (as required by either 23 CFR 771 or by NC General Statute Chapter 113A Article 1). It has been determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted in Section D. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administration Action remains valid.

F. Coordination

NCDOT personnel have discussed the current project parameters with qualified NCDOT representatives and FHWA (where applicable). The NCDOT Project Manager, Jacquelyn Bowles, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	Jeff Moore, PE	12/17/2020
Environmental Specialist:	Gordon Cashin	1/5/2021
FHWA (if applicable):	Name	Date
Other:	Brian Radakovic, PE	11/30/2020

G. Consultation Approval for NCDOT Project B-5534

Prepared By:

1/8/2021

Date

DocuSigned by:


Kim L. Gillespie, PE, Project Manager
NCDOT, Project Management Unit

Prepared For:

DocuSigned by:


Jacquelyn Bowles, PE
NCDOT – Structures Management Unit

Reviewed By:

1/8/2021

Date

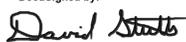
DocuSigned by:


Colin Mellor, Eastern Region Team Lead
NCDOT – Environmental Policy Unit

- Approved** In adherence with 23 CFR 771 (NEPA) or NC General Statute Chapter 113A Article 1 (SEPA), NCDOT approves this Consultation.
- or
- Certified** NCDOT staff certifies if FHWA signature was previously required or where changes have resulted in FHWA signature being required.

1/8/2021

Date

DocuSigned by:


David Stutts, PE, PEF Project Engineer, Structures Management Unit
North Carolina Department of Transportation

FHWA Approved: FHWA signature required for Type I(B) CE, Type II(B) CE, Type III CE, FONSI or ROD.

Date

N/A
John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

H. Project Commitments (as of January 8, 2021)

PROJECT COMMITMENTS

T.I.P Project No. B-5534
Replacement of Bridge No. 300082 on NC 11/111 over Burnt Coat Creek
Duplin County
WBS Element 55034.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Current status to the project commitments are printed in italics.

NCDOT Hydraulics Unit – FEMA Coordination

The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), the delegated state agency for administering FEMA’s National Flood Insurance Program, to determine the status of the project with regard to the applicability of NCDOT’S Memorandum of Agreement (MOA) with the FMP or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

Coordination resulted in approval on May 4, 2020 for the FEMA NFIP (National Flood Insurance Program) under NCDOT’s MOA with the FMP. This commitment has been completed.

NCDOT Division 3 Construction – FEMA Floodplains and Floodways

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

NCDOT Structures Management Unit – Public Involvement Newsletter

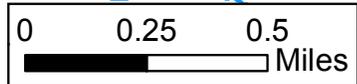
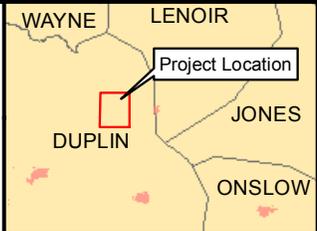
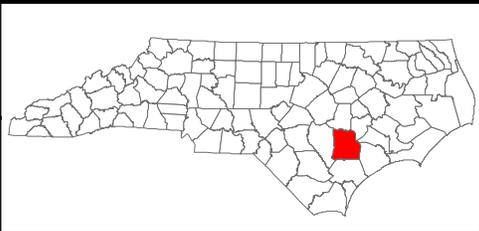
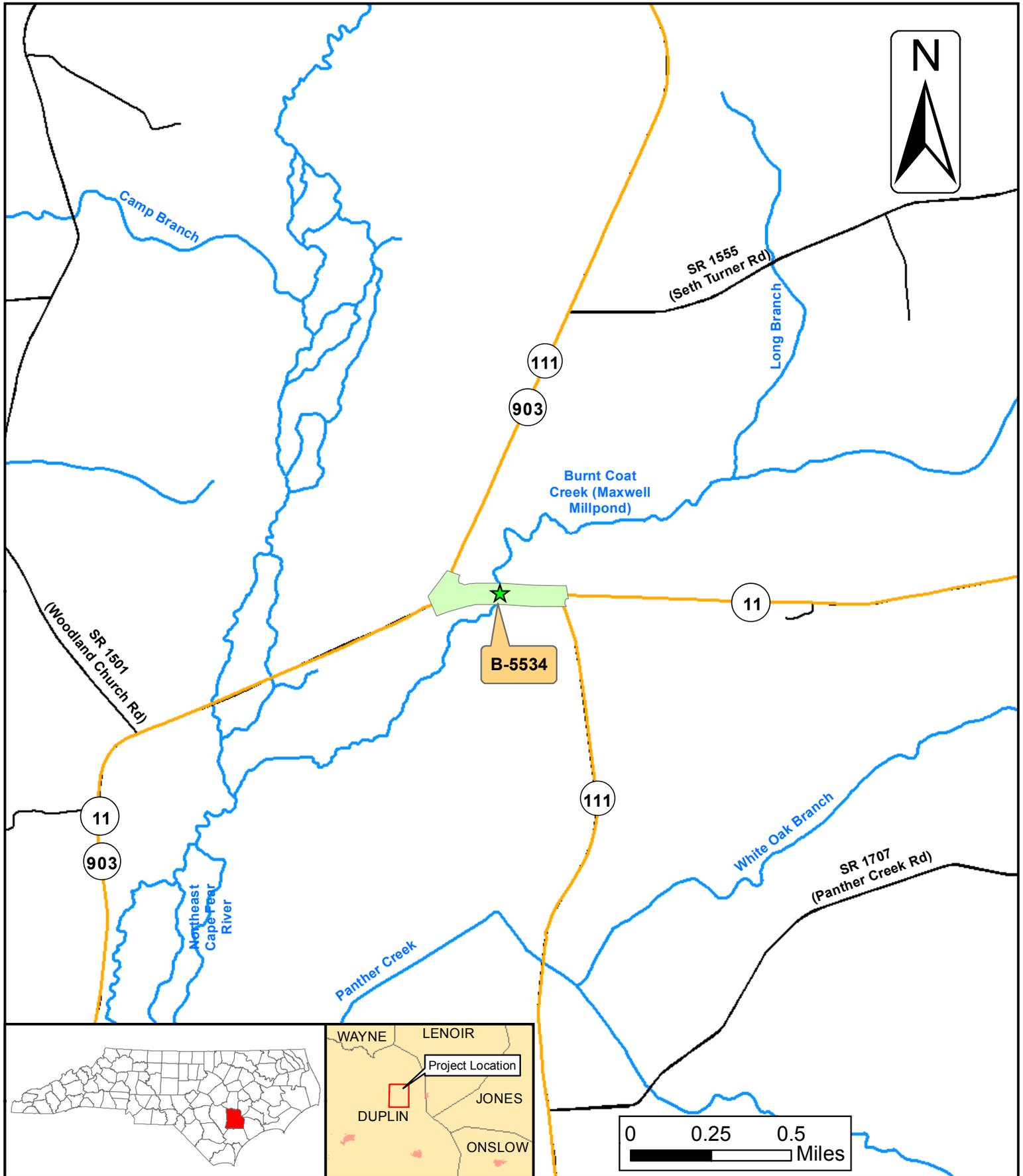
Land Owner Notification Letters were addressed to property owners on February 25, 2015 and October 9, 2017 to inform them of the project.

COMMITMENTS FROM PERMITTING

NCDOT Environmental Analysis Unit

The wood stork has been added to the species list for Duplin County. As required in the U.S. Fish and Wildlife Service Section 7 Concurrence letter, a survey will be conducted for wood stork once the survey window opens (4/15/2020) prior to the commencement of project construction.

A survey was conducted for wood stork in June 2020 and no birds were found. The U.S. Fish and Wildlife Service has concurred that the appropriate Biological Conclusion for this project is May Affect Not Likely to Adversely Affect.



North Carolina Department of Transportation
 Project Development & Environmental Analysis Unit

B-5534
 Replace Bridge No.82 on NC 11 / 111
 over Burnt Coat Creek
 Duplin County

Vicinity Map
 Figure 1