

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	<u>B-5624</u>
WBS Element	<u>45579.1.1</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. 57 on NC 211 (Green Swamp Road) over Driving Creek in Brunswick County. The replacement structure will be a bridge approximately 85 feet long and provide a minimum 40-foot clear roadway width. The bridge will include two 12-foot lanes and 8-foot shoulders. The bridge length is based on preliminary design information and is set by hydraulic requirements. Right of way acquisition and construction are scheduled for state fiscal years 2021 and 2022, respectively.

Project construction will extend approximately 660 feet from either end of the new bridge. The approaches will provide two 12-foot lanes and 8-foot shoulders (4-foot paved). The bridge will be replaced in-place with an onsite detour to the south. The roadway will be designed as a Major Collector with a 60-mile per hour design speed.

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 Type I(A) CE

5/28/2020

D. Changes in Proposed Action & Environmental Consequences:

Water Resources

The water resource classifications have not changed since the Categorical Exclusion (CE) was completed.

Protected Species

The United States Fish and Wildlife Service (USFWS) list of federally protected species for Brunswick County was updated on April 12, 2021.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Alligator mississippiensis</i>	American alligator	T(S/A)	Yes	Not Required
<i>Acipenser oxyrhynchus oxyrhynchus</i>	Atlantic sturgeon	E	No	No Effect
<i>Acipenser brevirostrum</i>	Shortnose sturgeon	E	No	No Effect
<i>Picoides borealis</i>	Red-cockaded woodpecker	E	No	No Effect
<i>Chelonia mydas</i>	Green sea turtle	T	No	No Effect
<i>Eretmochelys imbricata</i>	Hawksbill (=carey) sea turtle	E	No	No Effect
<i>Trichechus manatus</i>	West Indian manatee	T	No	No Effect
<i>Lepidochelys kempii</i>	Kemp's (=Atlantic) ridley sea turtle	E	No	No Effect
<i>Dermochelys coriacea</i>	Leatherback sea turtle	E	No	No Effect
<i>Caretta caretta</i>	Loggerhead sea turtle	T	No	No Effect
<i>Myotis septentrionalis</i>	Northern long-eared bat	T	Yes	MALAA
<i>Charadrius melodus</i>	Piping plover	T	No	No Effect
<i>Calidris canutus rufa</i>	Red knot	T	No	No Effect
<i>Amaranthus pumilus</i>	Seabeach amaranth	T	No	No Effect
<i>Lysimachia asperulaefolia</i>	Rough-leaved loosestrife	E	Yes	No Effect
<i>Menidia extensa</i>	Waccamaw silverside	T	No	No Effect

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Mycteria americana</i>	Wood stork	T	Yes	MANLAA
<i>Thalicttrum cooleyi</i>	Cooley's meadowrue	E	Yes	No Effect

E – Endangered; T – Threatened; T(S/A) – Threatened due to similar appearance; MANLAA – May Affect, Not Likely to Adversely Affect, MALAA – May Affect, Likely to Adversely Affect

Since the Natural Resources Technical Report (NRTR) was completed (2016), Waccamaw silverside has been added for Brunswick County. The NRTR reached a Biological Conclusion of No Effect for shortnose sturgeon, Atlantic sturgeon, seabeach amaranth, red knot, loggerhead sea turtle, piping plover, green sea turtle, leatherback sea turtle, hawksbill sea turtle, Kemp's ridley, rough-leaved loosestrife, Cooley's meadowrue and West Indian manatee.

A Biological Conclusion of No Effect was reached for red-cockaded woodpecker (RCW) after detailed surveys were conducted in 2016. The availability of potential habitat for wood stork resulted in a conclusion of Biological Conclusion of May Affect, Not Likely to Adversely Affect after no storks were observed in March 2016.

Due to the length of time since the NRTR was completed, conclusions need to be updated for rough-leaved loosestrife, Cooley's meadowrue, red-cockaded woodpecker and wood stork. Potential habitat, although not ideal habitat, was observed in the project study area for these four species. Surveys will be conducted for rough-leaved loosestrife, Cooley's meadowrue, red-cockaded woodpecker, and wood stork prior to project letting.

**Waccamaw silverside**

Habitat Description: This fish species is primarily found in Lake Waccamaw in Columbus County. The silverside is also found in the upper Waccamaw River, but only during periods of high water and is not a permanent resident. This range is primarily in Columbus County, but extends into Brunswick County.

Biological Conclusion: No Effect

The project study area is outside of the known range of Waccamaw silverside.

**Bald Eagle**

The NRTR found 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.

**Northern long-eared bat (*Myotis septentrionalis*)**

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) 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-current 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 will ensure compliance with Section 7 of the Endangered Species Act for ten years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Brunswick County, where B-5624 is located.

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:	Adam Conrad, PE	6/17/21
Environmental Specialist:	Cashin Gordon	5/12/21
FHWA (if applicable):	Name	Date
Other:	Brian Radakovic	5/6/21

G. Consultation Approval for NCDOT Project B-5624

**Prepared By:**

7/15/2021

Date

DocuSigned by:  
*Kim L. Gillespie, PE*  
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Kim L. Gillespie, PE, Project Manager  
NCDOT, Project Management Unit

**Prepared For:**

DocuSigned by:  
*Jacquelyn Bowles, PE*  
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Jacquelyn Bowles, PE  
NCDOT – Structures Management Unit

**Reviewed By:**

7/15/2021

Date

DocuSigned by:  
*Colin Mellor*  
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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.

7/19/2021

Date

DocuSigned by:  
*David Stutts*  
A4A2992A8BC04E2...

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 July 8, 2021)

**PROJECT COMMITMENTS**

TIP Project No. B-5624  
Replacement of Bridge No. 57 on NC 211 (Green Swamp Road) over Driving Creek  
Brunswick County  
WBS Element 45579.1.1

**COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN**

**NCDOT Division 3 Construction – Community Coordination**

NCDOT will contact Brunswick County Schools at (910) 253-2880 at least one month prior to construction to coordinate construction activities with school transportation schedules.

Brunswick County Emergency Services will be contacted at (910) 253-2569 at least one month prior to construction to make the necessary temporary reassignments to primary response units.

NCDOT Division 3 will coordinate with adjacent landowners regarding any permanent or temporary impacts to their land or property access during construction.

**NCDOT Environmental Analysis Unit – Environmental Coordination & Permitting**

Updated surveys for rough leaved loosestrife, Cooley's meadowrue, red-cockaded woodpecker and wood stork will be completed at the project site after the appropriate survey windows open in 2021. The results of the surveys will be submitted to the US Fish and Wildlife Service prior to work commencing at the site.

**NCDOT Structures Unit, ROW Unit, Environmental Analysis Unit**

Due to the surrounding land owned by the Nature Conservancy (TNC; dedicated land), to acquire the detour easement, the land will need to be de-dedicated. NCDOT will hold a public meeting and request review and approval from the Governor and Council of State prior to construction, based on Administrative Code 07 NCAC 13H .0306 Amendments. Because dedicated lands are in the public trust (per NC GS 143B-135.262), determinations will be made on how to keep the public trust whole (e.g., a property exchange) and fulfilled prior to construction.

**COMMITMENTS FROM PERMITTING**

No new special commitments were developed during permitting.

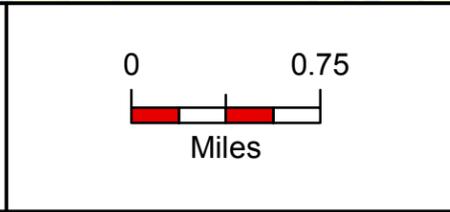


● Other Nearby STIP Project



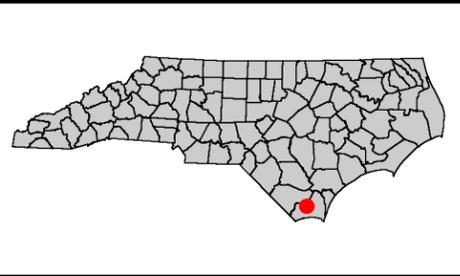
**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
 DIVISION OF HIGHWAYS  
 PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS UNIT

**VICINITY MAP**  
 Replace Bridge No. 57 on NC 211  
 over Juniper Creek in Brunswick County  
 TIP Project B-5624



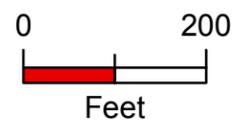
Div: 3	TIP# B-5624
Date: DECEMBER 2015	

**Figure**  
**1**



NORTH CAROLINA DEPARTMENT  
OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
PROJECT DEVELOPMENT AND  
ENVIRONMENTAL ANALYSIS UNIT

**STUDY AREA MAP**  
**Replace Bridge No. 57 on NC 211**  
**over Juniper Creek in Brunswick County**  
TIP Project B-5624



Div: 3	TIP# B-5624
Date: DECEMBER 2015	

**Figure**  
**2**