

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

| | |
|-------------------------|----------------------|
| STIP Project No. | <u>U-5813</u> |
| WBS Element | <u>44385.1.3</u> |
| Federal Aid Project No. | <u>NHP-0064(206)</u> |

A. Project Description, Location, and Purpose:

The North Carolina Department of Transportation (NCDOT), in coordination with the Federal Highway Administration (FHWA), proposes to make improvements to US 64 from the Asheboro Bypass to east of I-73/I-74/US 220 in Asheboro, Randolph County (see attached vicinity map). US 64 is classified as a principal arterial in the North Carolina Functional Classification System, with this section of roadway being on the National Highway System. The proposed project will widen US 64 from the Asheboro Bypass to east of I-73/I-74/US 220, replace the Albemarle Road Bridge No. 171, convert I-73/I-74/U.S. 220 interchanges with Albemarle Road, reconfigure the US 64/NC 49 intersection to a split diamond interchange, and realign SR 1446 (Lewallen Road) to the west. The proposed project will widen US 64 from a three-lane section to a four-lane, median divided section east of the SR 1713 (Albemarle Road) bridge overpass. The improved roadway will include two 12-foot lanes in each direction with a variable width raised median. Ten-foot shoulders, of which 4 feet will be paved, are proposed between the Asheboro Bypass and SR 1323 (Oak Leaf Dr.). Curb and gutter is proposed, east of Oak Leaf Drive, to tie into the existing four-lane median divided section East of Albemarle Road. The proposed project will increase capacity and improve mobility and connectivity within the project study area. As a secondary benefit, the project will improve traffic safety by limiting conflict points along the US 64 corridor within the project limits.

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) 4/5/2019

Additional Notes: **Type III**

D. Changes in Proposed Action & Environmental Consequences:

The project has not had significant changes in the final design since completion of the Categorical Exclusion. A depressed island for emergency response vehicles is

incorporated into the final design plans at the intersection of US 64 and SR 3255 (Westside Circle).

Water Resources

The water resource classifications for the streams identified in the Categorical Exclusion were reviewed and remain accurate.

Protected Species

The list of protected species has changed since the previous Construction Consultation was completed. The green floater has been listed by US Fish and Wildlife Service (USFWS) as “Proposed Threatened” and is listed to potentially occur within the project area. On behalf of NCDOT, aquatic surveys were conducted in October 2020 with no specimens of the green floater being observed. Due to its assumed presence within the area, a biological conclusion of “May Affect, Likely to Adversely Affect” is appropriate. With this biological conclusion and a “May Affect, Likely to Adversely Affect” for Atlantic pigtoe, construction measures detailed in the Programmatic Biological Opinion (PBO) for freshwater mussels developed between NCDOT and USFWS will be utilized to satisfy Section 7 for the project. This requires a payment into the NC Nongame Aquatic Species Fund and adherence to construction requirements entailed in the PBO.

NCDOT staff updated field surveys for Schweinitz’s sunflower on October 4, 2023; no specimens were observed. The biological conclusion remains “No Effect”.

Northern long-eared bat (*Myotis septentrionalis*)

The USFWS has revised the previous programmatic biological opinion (PBO) in conjunction with 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 22 counties, but may potentially occur in 8 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. 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 Randolph County, where U-5813 is located.

Tricolored bat (*Perimyotis subflavus*)

The US Fish and Wildlife Service has issued a programmatic conference opinion (PCO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the tricolored bat (TCB) (*Perimyotis subflavus*) in eastern North Carolina. The PCO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. NCDOT, FHWA, and USACE have agreed to three conservation measures (listed in the PCO) which will avoid/minimize take to TCBs. These conservation measures apply to all counties in Divisions 1-8. The programmatic determination for TCB for the NCDOT program is May Affect, Likely to

Adversely Affect. Once the TCB is officially listed, the PCO will become the programmatic biological opinion (PBO) by formal request from FHWA and USACE. The PBO will ensure compliance with Section 7 of the Endangered Species Act for approximately five years (effective through December 31, 2028) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Randolph County, where U-5813 is located.

Cultural Resources

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 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, Sara Sherman, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

| | | |
|----------------------------------|------------------------------------|----------|
| Design Engineer: | Matthew Pickens, PE (HNTB) | 10/10/23 |
| Environmental Specialist: | Jason Dilday (NCDOT) | 9/26/23 |
| FHWA (if applicable): | Seth Wilcher (FHWA) | 10/27/23 |
| Roadside Environmental Engineer: | Mark Staley, CPESC, CPESWQ (NCDOT) | 10/10/23 |
| Traffic Noise and Air Quality: | Tracy Roberts, AICP (NCDOT) | 10/13/23 |
| Archaeology: | Brian Overton (NCDOT) | 10/13/23 |
| Historic Architecture: | Kate Husband (NCDOT) | 10/13/23 |
| GeoEnvironmental: | Ethan Caldwell, PE, LG (NCDOT) | 10/13/23 |

G. Consultation Approval for NCDOT Project U-5813

Prepared By:

12/05/2023

Date

DocuSigned by:

Sara Sherman

A6F3112EAEFD4DF...

Sara Sherman, PE, Project Manager
NCDOT, Project Management Unit

Prepared For:

Reviewed By:

12/05/2023

Date

DocuSigned by:

John Jamison

CA084B4A6412432

John Jamison, PWS, CPM
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.

12/07/2023

Date

DocuSigned by:

Marissa Cox

A47BC39EA6B347F...

Marissa Cox, Western Regional Lead
NCDOT, Environmental Policy Unit

FHWA Approved: FHWA signature required for Type I or II CE with Substantial Changes, **Type III CE**, FONSI or ROD.

12/07/2023

Date

DocuSigned by:

Seth Wilcher

0067A500F8714F0...

for Yolonda Jordan, Division Administrator
Federal Highway Administration

H. Project Commitments (as of 11/21/23)

PROJECT COMMITMENTS

Widen US 64 and replace bridge over NC 49
T.I.P Number:U-5813
Randolph
Federal Aid Number:
WBS:44385.1.R3.2

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Construction Office - Atlantic Pigtoe

Satisfy Section 7 of the Endangered Species Act, Conservation Measures (section 2.5) including an in-lieu fee program and compliance with Design Standards in Sensitive Watersheds. Comply with RPM 2 (Utility Relocations- sedimentation minimization to mussel habitat) of the Reasonable and Prudent Measures (Section 9.2). Additionally, Comply with T&C 2 (utilizing feasible directional boring) of the Terms and Conditions (Section 9.3) of the Revised Mussel Programmatic Biological Opinion (PBO) during construction.

Project Management (PMU/SMU/Division) - Design Standards in Sensitive Watersheds (DSSW)

Unnamed Tributary to Cedar Fork Creek SIN[12-2-3-3-2-2-(1)] and its tributaries are designated as High Quality Waters. NCDOT will implement Design Standards in Sensitive Watersheds.

Fulfilled on 2023-10-13

Construction Office - Emergency Vehicle Access

NCDOT will provide a depressed island at the western intersection of Westside Drive and U.S. 64 for emergency vehicle access originating from Westside Fire Department (225 Westside Drive). The depressed island will allow left turns for emergency vehicles only from the western intersection of Westside Drive with U.S. 64.

Project Management (PMU/SMU/Division) - Geoenvironmental

Soil and groundwater assessments will be conducted at each of the impacted geoenvironmental sites of concern prior to right of way acquisition.

Fulfilled on 2021-12-21

Construction Office - Northern Long-eared Bat

Measures to Avoid/Minimize Mortality

No tree clearing will occur within 150 feet of a known maternity roost tree May 1 – June 30 to protect non-volant young. Winter roost trees are not considered maternity roost trees.

Project Management (PMU/SMU/Division) - Sidewalks

NCDOT will develop a Municipal Agreement (MA) to cost-share with the local municipality.

Fulfilled on 2022-12-07

Project Management (PMU/SMU/Division) - Traffic Noise Analysis

A comprehensive traffic noise abatement design review, in the form of a Design Noise Report, will be conducted as part of the project's final design.

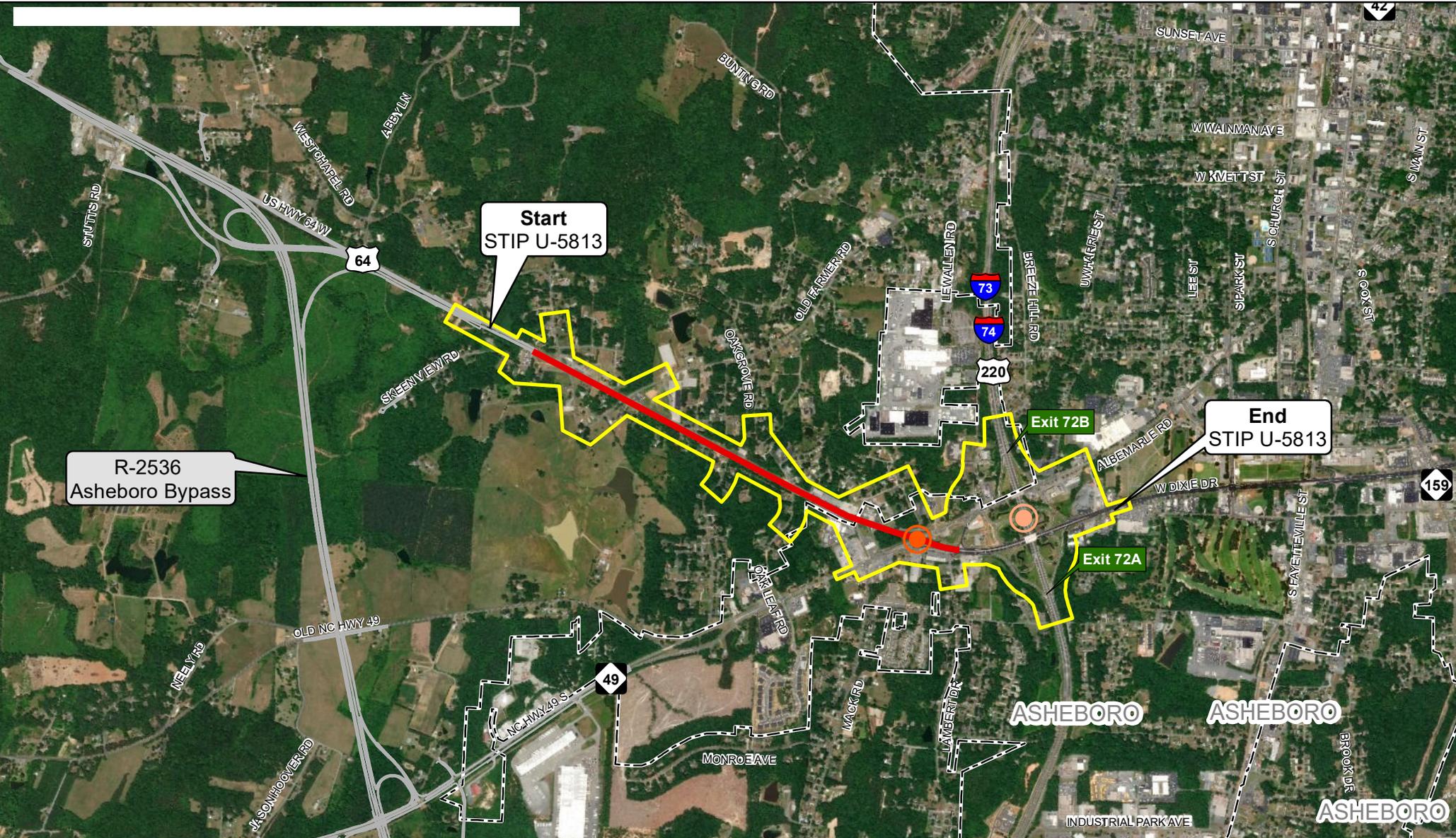
Fulfilled on 2021-03-31

COMMITMENTS FROM PERMITTING

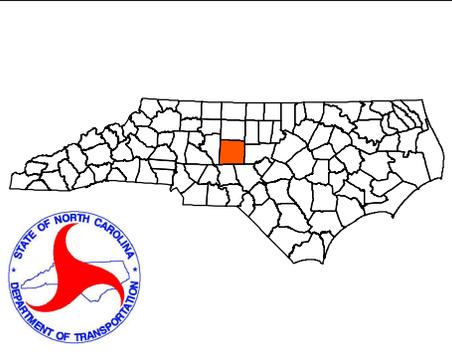
No commitments developed during project permitting.

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

Widen US 64 and replace bridge over NC 49
44385.1.R3.2



Source: NCDOT, Esri, NC OneMap, Randolph County GIS, HNTB. Credit: HNTB North Carolina, PC | 2018.



- U-5813 Study Area
- US 64 Widening
- US 64/NC 49 Interchange
- I-73/I-74/US 220 Interchange
- Future Asheboro Bypass (R-2536)
- Municipal Boundary

PROJECT LOCATION MAP
STIP U-5813
WIDEN US 64, ASHEBORO BYPASS
TO NC 49 & RECONSTRUCT THE
US 64/NC 49 INTERCHANGE
RANDOLPH COUNTY

0 1,000 2,000 Feet

NORTH