

ATTACHMENT B
Bridge Permit Application

APPENDIX B: BRIDGE PERMIT APPLICATION

A. THE APPLICATION PACKAGE

The application package consists of the following information. Submit information in the format outlined below. If any section is not applicable to the project, state why it is not applicable. This BPAG Applicant Template is also provided on the Bridge Program public website: <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Marine-Transportation-Systems-CG-5PW/Office-of-Bridge-Programs/Bridge-Permit-Application-Process/>.

1. Per 33 CFR § 115.50(j), submit application materials to the Coast Guard District Bridge Office that has jurisdiction over the area of the proposed bridge site.

Application Date:

June 26, 2026

a. Applicant information:

- 1) Name (company/agency and POC name):

Alan Shapiro, PE

- 2) Address:

North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

- 3) Telephone number; and

919-707-4944

- 4) Email address:

awshapiro@ncdot.gov

b. Consultant/Agent information (if employed):

Check here if not applicable and leave this section blank:

- 1) Name (company/agency and POC name):

N/A

- 2) Address:

N/A

- 3) Telephone number:

N/A

- 4) Email address; and

N/A

- 5) Document authorizing the consultant/agent to obtain permits on behalf of the applicant:

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

N/A

- c. Name of Proposed Bridge(s) (must be consistent with the plan sheet title block):

Mid-Currituck Bridge Project (R-2576) – Currituck Sound Bridge – Proposed Bridge on New Route between US 158 and NC 12 over Currituck Sound near Coinjock, NC

- 1) Name of the waterway that the bridge(s) is located in or over:

Currituck Sound (see Exhibit A of the Navigation Impact Report included with this permit application in Attachment E).

- 2) Number of miles above the mouth of the waterway where the bridge(s) would be located and provide latitude and longitude coordinates (to five decimal places) at centerline of navigation channel (Lat/Long must be determined using WGS-84 datum. Contact the local Coast Guard Bridge Office for guidance if needed):

Milepoint:

Approximately 19.1 miles north of where Currituck Sound joins Albemarle Sound. There is no prescribed navigational channel in Currituck Sound. The navigation span along the bridge has been placed in a location of deeper water that aligns with the likely route of any vessel traffic transiting through Currituck Sound.

Lat/Long:

The coordinates for the centerline of the planned navigation channel at the proposed bridge crossing are 36.33757 and -75.88890.

- 3) City or town, county/parish, and state where the bridge(s) would be located at, near, or between:

Near Coinjock and extending from Aydlett on the west to Corolla on the east across Currituck Sound in Currituck County, North Carolina.

- 4) Brief description of project to include action being taken, type of bridge(s) proposed [fixed or movable (drawbridge, bascule, vertical lift, swing span,

pontoon, etc.), highway, railway, pedestrian, pipeline] and existing bridge(s) at project site, if applicable:

The Currituck Sound Bridge is a new fixed-span highway bridge on new location. This bridge is part of the larger Mid-Currituck Bridge project, a new location highway and bridge facility connecting US 158 near Coinjock, NC with NC 12 in Corolla, NC.

- 5) Is this project a design-build or alternate design project:

Yes No

If yes, provide a brief description:

The Mid-Currituck Bridge project will be a toll bridge facility under the North Carolina Turnpike Authority (NCTA). The contracting mechanism for the implementation of the project final design and construction will be some form of alternative procurement method such as design-build or a public-private partnership. The exact nature of the alternative contracting method remains under evaluation currently.

- 6) Date of plans and number of plan sheets (i.e., 1 of 4, indicate if revised, include multiple dates when necessary, etc.):

June 24, 2026 (see bridge sketches in Attachment D with this permit application – 8 sheets)

- 7) Provide the estimated cost of the bridge(s) and approaches with proposed vertical and horizontal navigational clearances:

\$399 million (Currituck Sound bridge-only construction cost estimate) in 2025 dollars. This would provide a minimum of 20 feet of vertical clearance over mean high water at the navigation span and a minimum of 16 feet of vertical clearance for most of the remaining bridge length.
\$885 million (including costs for the right-of-way and utility relocations but does not include environmental mitigation, toll integration, and landscaping) in 2025 dollars. This cost estimate is for the Mid-Currituck Bridge project as currently planned at the time of the permit application.

- 8) Identify the type(s) and source(s) of project funding (federal, state, private, etc.):

Federal, state, and toll revenue bonds.

- 9) Describe the proposed project timeline (from permit to construction completion, e.g., NEPA scoping, NEPA document completion, request for bids, designs complete, build starts, construction complete, etc.):

Contract Procurement 2027 – Design, Right-of-Way Acquisition, and Utility Relocation 2028-2029 – Construction 2029-2034

- 10) Identify any other Federal actions (e.g., permits, permissions, approvals, or consultations, etc.) and the agency associated with the proposal:

US Army Corps of Engineers Section 404 Permit, applied for September 18, 2024. The 404 Permit was issued on October 28, 2025. This is a combined permit application that also covers Section 401 Water Quality Certification by the North Carolina Division of Water Resources. The 401 Certification was issued on September 18, 2025. The Coastal Area Management Act (CAMA) Permit through the North Carolina Division of Coastal Management was applied for September 18, 2024. The CAMA Permit was issued on September 19, 2025.

- 11) Identify any other non-Federal agency actions and the agency (e.g., permits, permissions, approvals, or consultations) associated with the proposal:

No other non-Federal agency permits, permissions, or approvals are required. However, continued coordination and consultation has been and will continue to be had with the NC Wildlife Resources Commission, the NC Division of Marine Fisheries, the NC Division of Water Quality, the NC Division of Coastal Management, and the NC Historic Preservation Office.

d. Legal authority for proposed action:

- 1) Is the applicant a state or municipal agency with eminent domain authority over private, state, and/or local property? (If yes, the primary authority will be presumed without proof)

Yes No N/A

If yes, please identify what agency has eminent domain authority:

North Carolina Department of Transportation (NCDOT) – NCTA is a Division of NCDOT

- 2) If there is an existing bridge(s) being replaced or modified, and the applicant does not own it, include a signed statement from the bridge owner authorizing the removal or modification work.

N/A, applicant owns the existing bridge

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

N/A – this is a new location project and there is no existing bridge.

- 3) For privately owned bridges, state whether the applicant has the right to build in accordance with 33 CFR § 115.05. If the applicant does not own the property needed to build the bridge(s) as proposed, include a signed statement (e.g., deed or easement) from the property owner or owners authorizing the proposed construction or modification work.

N/A, publicly owned, not a privately owned bridge

Privately owned, applicant has right to build

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

N/A – this will be a publicly owned and operated toll bridge.

- e. For international bridges (if applicable) check which authority the bridge(s) is being built or modified under:

N/A

The International Bridge Act of 1972

The Coast Guard requires Presidential approval, via the State Department, before issuing a bridge permit under the International Bridge Act of 1972. Include a copy with the bridge permit application as appropriate. Cite provided enclosure title and date of document:

N/A

Special Act of Congress

Cite the appropriate legislative authority:

N/A

NOTE: Please include a copy of State Department approval for international bridges in the application package for a Coast Guard bridge permit.

- f. Dimensions of the navigation opening (All navigational clearances should be stated in U.S. linear feet in decimal form (not feet and inches). For international bridges, provide clearances in both linear feet and meters):

- 1) Vertical clearance(s) as indicated on plan sheets (*Note, this is the minimum vertical distance between the lowest part (e.g., member, chord, or steel) of the superstructure spanning the navigation channel and the recognized high water elevation (e.g., MHW, OHW, 2% flow line, etc.) at the bridge site. Cite clearances above the appropriate high water elevation. In the case of movable bridges, cite clearances in the open and closed positions. In some situations, vertical clearances should be cited at the margins of the navigation channel, and for a bascule bridge clearances at the tip of the open leaves. Include multiple clearances when appropriate.*.)

20 feet (minimum) – the proposed bridge profile provides for 21.57 feet above

mean high water – see bridge sketches in Attachment D.

- 2) Horizontal clearance(s) as indicated on plan sheets (*Note, this is the horizontal distance, measured normal to the axis (centerline) of the channel, through which the stated vertical clearance is available. Clearance(s) may be between piers (full width of the span), between the bridge protective system, within the margins of the navigational channel, or bank-to-bank in the case of a bridge having no piers or bridge pier protective system within the waterway. Also, list both clearances if there is a difference in the distance between piers and the distance measured normal to the axis of the channel*):

40 feet (minimum) – the proposed bridge has a 100-foot channel span which results in about an 88-foot horizontal waterway opening.

- 3) Length of bridge(s) project (*Note this is the length of the bridge(s) project as indicated on the plan sheets from abutment-to-abutment or approach-to-approach*.):

24,665 feet for the new bridge.

If this is a modification or replacement project, is the length the same as the existing bridge?

N/A, not a modification or replacement

Yes No

If no, note the difference in length between the existing and proposed bridges.

N/A

N/A

- 4) Width of bridge(s) project (*Note this is the width of the bridge(s) at its widest point (out-to-out) as indicated on the plan sheets*.):

The bridge width varies from 42'-7" (42.58') to 66'-7" (66.58') (Out to Out). The bridge width is 42'-7" (42.58') at the navigation span.

If this is a modification or replacement project, is the width the same as the existing bridge?

N/A, not a modification or replacement project

Yes No

If no, note the difference in width between the existing and proposed bridges.

N/A

N/A

- g. Temporary structure(s) or bridge(s). *(Note a temporary work trestle/platform does not span the waterway and is solely used for construction purposes. A temporary bridge will span the waterway, including the navigational channel, and is used for transportation or construction purposes).* If a temporary structure or bridge will be required, provide the following as applicable:

N/A, no temporary structure or bridge, this section left blank

- 1) Description of the temporary structure(s):

N/A, no temporary structure

Temporary work platforms are anticipated to be used on the west and east sides of Currituck Sound in shallower water – no construction work platforms are anticipated in the deeper, more navigable water or at the presumed navigation channel location.

- 2) Description of the temporary bridge(s):

N/A, no temporary bridge

N/A

- 3) Vertical clearance(s), as indicated on plan sheets *(For a temporary structure, only required if it crosses a navigation channel):*

N/A, temporary structure does not cross the navigation channel

N/A

- 4) Horizontal clearance(s) as indicated on plan sheets *(List both clearances if there is a difference in the distance between piers and the distance measured normal to the axis of the channel. For a temporary structure, only required if it encroaches upon a navigation channel):*

N/A, temporary structure does not encroach on the navigation channel

N/A

- 5) Length of the proposed temporary structure(s)/bridge(s):

N/A

- 6) Width of the proposed temporary structure(s)/bridge(s):

N/A

- 7) Identify the schedule and extent of removal(s) for the temporary structure(s)/bridge(s):

N/A

- h. Existing bridge(s) at the project site, if applicable:

N/A, no existing bridge, this section left blank.

- 1) Name of existing bridge(s): (e.g., US 40 Highway Bridge; or Coleman Memorial Bridge; or State Route 7 Bridge also known as Preston Falls Bridge):

N/A

- 2) Waterway milepoint (in statute miles):

N/A

- 3) Type of bridge(s) and description (number of lanes, spans, fixed or moveable (drawbridge, bascule, vertical lift, swing span, pontoon, etc.); highway, railway, pedestrian, pipeline, etc.);

N/A

- 4) For movable spans identify the existing drawbridge operating regulation governing the structure (if applicable):

N/A, fixed bridge

- a) If the existing bridge(s) has a movable span, identify whether its operating schedule is regulated by 33 CFR § 117.5 or if it operates under a special operating regulation found in 33 CFR Part 117 Subpart B (if so, cite the regulation):

N/A

- b) Modification of an existing drawbridge may require revision or removal of the existing regulation (e.g., if the bridge project involves replacing the existing drawbridge with a fixed bridge). Contact the local Coast Guard District Bridge Office to determine if the existing regulation will transfer to the new bridge, if a new regulation will be proposed, if it will be removed, or if there will be no change required. Identify the anticipated status of the drawbridge regulation

(e.g., regulation transferred, new regulation, regulation removed, no regulation change,):

N/A

- 5) Latitude and longitude coordinates (degree/minute/second) at centerline of the existing bridge(s) based on WGS-84 horizontal datum:

N/A

- 6) Dimensions of the existing bridge(s): *(The proposed and existing vertical clearances must be compared using the same datums. This may require surveying the existing bridge. All navigational clearances should be stated in U.S. linear decimal feet. In addition, provide clearances in meters if an international bridge(s)):*

- a) Vertical clearance(s) as built (include both the open and closed-to-navigation clearances for movable spans). *(For modification and replacement projects, the applicant must cite the vertical clearance of the existing bridge and the proposed bridge from the same datum. If the vertical datum for the existing bridge differs from the proposed vertical datum (tidal referenced to geodetic), show all necessary converted vertical clearance values and note the original values in the notes section on the plan sheets to demonstrate any change in approved clearances. If conversions (i.e., Mean Low Tide to Mean Low Water) cannot be made, it is necessary for the applicant to survey the existing bridge to provide as-built clearances using the same verifiable vertical datum (tidal and geodetic) as the proposed project.):*

N/A

- b) Horizontal clearance as built:

N/A

- c) Length of existing bridge(s):

N/A

- d) Width of existing bridge(s): (This is the width of the bridge(s) at its widest point (out-to-out)):

N/A

- 7) Owner of the existing bridge(s):

N/A

- 8) Previous permit authority (or authorities), date(s) of permit and/or amendments, including issuing agency (cite enclosure(s) when available):

N/A

- 9) If available include copies of previous permit(s) and plans with application (cite enclosure when available):

N/A

- i. Construction methodology, if known, and removal plans for existing bridge(s), as applicable:

- 1) Discuss proposed construction methodology and restrictions if known:

N/A, construction methodology not known

The Mid-Currituck Bridge over Currituck Sound is anticipated to be constructed by use of a combination of construction methods depending on location, water depth, and setting. Temporary work platforms are anticipated along the west and east sides of Currituck Sound where water depths are generally shallower (less than 6 feet). Construction barges are anticipated for most of the bridge construction in deeper waters in the middle of Currituck Sound.

- 2) Discuss maintenance of land traffic during construction activities:

N/A, land traffic maintenance not required

Generally, this project is on new location and will not impact existing land traffic. However, construction materials will need to be delivered to Currituck Sound for bridge construction. These material deliveries will mostly be from the west side of Currituck Sound where there is relatively light land traffic along Narrow Shore Road and Aydlett Road. There will likely need to be some material deliveries from the east side of Currituck Sound along the more heavily traveled NC 12. These deliveries for bridge construction will be minimized to the extent practicable for the maintenance of land traffic. These deliveries may be scheduled for periods of lighter traffic along NC 12.

- 3) Discuss extent of removal of existing bridge(s) (e.g., in its entirety, down to or below the natural bottom of the waterway, to a specific elevation, etc.), including parts in the water and on land (if applicable) and time needed for removal. Cite all correspondence that influenced removal depths:

N/A, no existing bridge

There is no existing bridge to be removed at this location.

- 4) Discuss demolition methodology:

N/A, no existing bridge

N/A

NOTE: In the interest of navigational safety, the Coast Guard must make the final decision concerning the extent of bridge(s) removal.

B. WATERWAY DATA REQUIREMENTS:

Contact the local Coast Guard District Bridge Office to determine if a navigation impact report is required and what data should be included (see Appendix A) for the proposed project. The information will assist the Coast Guard in making a preliminary navigation clearance determination, when applicable, which will inform alternatives that will be analyzed in the environmental documentation.

C. ENVIRONMENTAL DOCUMENTATION:

NOTE: See Appendix E for a table of the Environmental Laws, Executive Orders, and Regulations Requiring Compliance, as applicable, impacting Bridge Program actions.

NOTE: All Bridge Program actions must conform with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. § 4321), as amended by the Fiscal Responsibility Act of 2023, and all applicable Executive Orders and Acts currently in force affecting the environmental review for the permitting of infrastructure. For all of the below environmental laws, Executive Orders, and regulations, the Coast Guard requests specific decision documents as part of the application.

1. **National Environmental Policy Act** - The National Environmental Policy Act (NEPA) (42 USC 4321, et seq.) requires federal agencies to analyze the impacts of their proposed major federal actions on the human environment before the action is taken by considering the natural and physical environment and the relationship of the people with that environment. Coast Guard bridge permits are major federal actions that require the preparation of an environmental evaluation document describing the potential environmental effects under NEPA.

- a. Lead Federal Agency:

US Department of Transportation, Federal Highway Administration

- b. List any Cooperating Agencies for the project:

None

US Army Corps of Engineers and US Coast Guard

- c. Type of environmental document prepared by the Lead Federal Agency (check applicable document):

Environmental Impact Statement/Record of Decision (EIS/ROD)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

The ROD, FEIS Reevaluation, FEIS, DEIS, and associated technical documents can be found on the Mid-Currituck Bridge project website at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>.

Environmental Assessment/Finding of No Significant Impact (EA/FONSI)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

N/A

Categorical Exclusion (CE)

Cite enclosure(s) in the application package, list title and date of document(s), as appropriate:

N/A

d. Has the environmental document been modified, reevaluated, supplemented or rescinded for the proposed action?

Yes No

If yes, summarize and cite enclosure title(s) in the application package and cite date(s) for all documents as appropriate:

N/A, document has not been modified, reevaluated, supplemented or rescinded

The ROD, FEIS Reevaluation, FEIS, DEIS, and associated technical documents can be found on the Mid-Currituck Bridge project website at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>.

2. **Environmental Effects Abroad** - Executive Order 12114 on the Environmental Effects Abroad of Major Federal Actions requires all federal agencies taking actions that may or will significantly harm the physical or natural environment of other nations or the global commons to take environmental considerations into account for that action.

a. Does the proposed project involve a bridge connection to Canada or Mexico?

Yes No

1) If yes, cite location(s) (including page number(s) or section as appropriate) in the environmental documentation where environmental effects abroad are described

(If a proposed project has environmental impacts outside of the geographical borders of the United States and its territories it shall be discussed in the environmental document. Summarize the impacts, proposed mitigation, and the Department of State and Council on Environmental Quality consultation findings here.):

N/A, no international connection

N/A

3. **Clean Water Act, Section 401: Water Quality Certification** - Section 401 of the Clean Water Act of 1977(CWA) (33 U.S.C. 1251), as amended, prohibits Federal permitting or licensing agencies from issuing authorizations for construction activities having discharges into navigable waters, until the appropriate water quality certifying agency has issued a water quality certification or waiver procedures have been satisfied.

- a. Has the certifying authority or authorities issued a Water Quality Certification (WQC), waiver or statement that the WQC is not required for the Coast Guard bridge permit?

Issued for a Coast Guard bridge permit

Issued for a U.S. Army Corps of Engineers (USACE) permit and the certifying authority confirmed WQC applies to the Coast Guard bridge permit

Waived

Denied

Other/not required/still valid

NOTE: The USCG will not accept an application package as complete if a WQC, waiver, or statement from the appropriate regulatory body has not been obtained.

- b. Name of Federal, State or Tribal certifying authority/authorities, date(s) of certification(s), and corresponding enclosure(s) title:

N/A, WQC not issued

North Carolina Division of Water Resources; NCDOT Coordinator (position currently open).
Transportation Permitting Branch Supervisor – Ms. Faith Hardin, 919-707-9225, faith.hardin@deq.nc.gov.

The Section 401 Water Quality Certification was applied for with NC Division of Water Resources (NCDWR) on September 18, 2024. The 401 Certification was issued on September 18, 2025 and is available at <https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=4052238&dbid=0&repo=WaterResources&searchid=f3643aab-5107-4f44-b992-267cdc1fe286>.

c. WQC expiration date (If not applicable, explain why):

N/A

December 31, 2030 – Same as the Section 404 Permit

d. When a WQC is included in a USACE Nationwide Permit (NWP) or other state resource, general or regional permit, that WQC only applies to the USACE permit. The certifying authority/authorities must confirm that the WQC already issued through the NWP/resource/general/regional permit is valid for the CG permit. Include any confirmation correspondence and the date of the confirmation:

N/A, WQC issued separately for the CG permit.

N/A

e. If waived, denied or not required, summarize why and cite enclosure(s) in the application package of supporting material:

N/A, WQC issued separately for the CG permit (not waived, denied or not required).

N/A

f. For permit modifications, include a new WQC for a Coast Guard bridge permit or a written confirmation from the certifying authority/authorities that the existing WQC has been reissued/renewed or is still valid for the proposed action.

N/A, not a permit modification (WQC date(s) and file name above).

New WQC attached (WQC date(s) and file name above):

Written confirmation of WQC validity attached (cite enclosure):

N/A

4. **Clean Water Act, Section 404 and Protection of Wetlands** - Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Section 404 requires a permit from the US Army Corps before dredged or fill material may be discharged into

waters of the United States. Also, per the Executive Order 11990 on the Protection of Wetlands, no federally approved project will occur in wetlands unless there is no practical alternative to constructing in the wetlands. As a result, the Coast Guard must analyze alternative locations which avoid taking wetlands. If no alternative locations or designs are practicable, then the Coast Guard must ensure that the project design includes all practicable measures to minimize wetland impacts.

a. Is the proposed project located in or adjacent to a wetland?

Yes No

If no, provide explanation:

N/A

b. If yes, what is the area (acreage) of wetlands that will be permanently and temporarily impacted by the proposed project?

N/A, minimal or no permanent or temporary impacts

The Mid-Currituck Bridge project is estimated to permanently impact 1.21 acres of wetlands and temporarily impact 17.29 acres of wetlands. Additionally, there will be 0.23 acres of permanent surface water impacts and 0.04 acres of temporary surface water impacts. There will be 572 linear feet of permanent channel impacts and 127 linear feet of temporary channel impacts. The Currituck Sound Bridge has no impacts to wetlands (permanent or temporary), 0.13 acres of permanent surface water impacts, and 229 linear feet of permanent channel impacts.

c. Describe any wetland mitigation and cite enclosure(s) (including page number(s) or section, as appropriate).

N/A, minimal or no permanent or temporary impacts

Compensatory mitigation for impacts to wetlands will be addressed through the NC Division of Mitigation Services (NCDMS). In a letter dated October 3, 2025, NCDMS agreed to implement the mitigation for the project. DMS has indicated that they will assume responsibility for satisfying the compensatory mitigation requirements for the project in accordance with DMS's In-Lieu Fee Instrument, signed July 28, 2010. This letter is included in Attachment J.

d. Does the proposed project include the discharge of dredged or fill material into waters of the United States, including wetlands (e.g., in-water work to construct or remove piers) that requires a USACE permit (nationwide authorization or individual)?

Yes No

- e. If yes, note the date the 404 permit was issued, the date it expires, and cite the enclosure title or provide a statement of no concern from the USACE:

The USACE individual Section 404 permit application was submitted on September 18, 2024. The draft 404 permit was issued on October 17, 2025 (SAW-1995-02242). The permit expires on December 31, 2030.

5. **Coastal Zone Management Act** - The Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. § 1451), as amended, and its implementing regulations (15 CFR Part 930), requires all projects located within the designated coastal zone of a state to be consistent with the State's federally approved Coastal Zone Management plan (CZMP).

- a. Is the project located within the boundaries of a State's approved CZMP?

Yes No, not located within the boundaries of an approved CZMP

- b. If yes, has the State specifically excluded this activity from its federally approved CZMP?

N/A, not located within the boundaries of an approved CZMP

Yes No, activity is not excluded

- c. List the certification and/or state concurrence or consistency, date(s), and corresponding file names. Cite page number or section in environmental document, if applicable:

N/A, certification/concurrence not required

The CAMA permit application was submitted to NCDCM on September 18, 2024. The CAMA permit was issued on September 19, 2025 and is available at <https://edocs.deq.nc.gov/WaterResources/DocView.aspx?id=4052751&dbid=0&repo=WaterResources&searchid=f3643aab-5107-4f44-b992-267cdc1fe286>.

6. **Floodplain Management** - Executive Order 11988 on Floodplain Management requires all federal agencies to avoid authorizing projects in the base (100-year) floodplain unless there is no practical alternative. By their very nature, most bridges are located within the base floodplain. Therefore, the Coast Guard must ensure that the project design includes all measures practicable to minimize floodplain impacts and to protect the natural and beneficial values of the floodplain.

- a. Is the proposed project located in the base (100-year) floodplain?

Yes No, not within the base (100-year) floodplain

- b. If yes, is there an encroachment into the base (100-year) floodplain? (An encroachment does not exist when only the piers, pilings, or pile bents are located in the floodplain.)

Yes No N/A, not in the base (100-year) floodplain

- 1) If yes, describe the encroachment, including any change to the floodplain elevation, quantities of fill removed (if any), fill placed, and net new fill (cite enclosure, page number, section, etc.):

N/A, no encroachment

N/A

- 2) If no, describe how the project avoids encroachment into the base floodplain. Provide evidence through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed project will not increase the base floodplain elevation at the project location, i.e., demonstrate no rise to the base floodplain elevation. Cite all enclosures (including page number(s) or section as appropriate):

N/A, not in the base (100-year) floodplain

The proposed Currituck Sound Bridge spans the 100-year floodplain without encroachment except for pile bents located in the floodplain.

- c. Is there a significant encroachment (constituting a considerable probability of loss of human life; likely future damage associated with the encroachment that could be substantial in cost or extent; or a notable adverse impact on natural and beneficial floodplain values) into the floodplain?

Yes No N/A, not in the base (100-year) floodplain

- 1) If yes, provide documentation/coordination and cite enclosure(s) in the application package:

N/A, no significant encroachment

N/A

- d. Provide the 100-year flood elevation:

The 100 Year water-surface elevation is 3.9' (Level III Wave Study) and 5.0' (FEMA). The Bridge Survey & Hydraulic Design Report for the Currituck Sound Bridge is included in Attachment G.

- e. Provide low steel/member elevation for the proposed bridge:

The low member elevation for the 40-foot-wide navigational opening is 22.07' as shown in the bridge sketches in Attachment D.

7. **Wild and Scenic Rivers** - Section 7 of the Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271), as amended, prohibits the issuance of any federal permit for construction of projects having adverse impacts on a river, or a proposed river, and adjacent lands with values qualifying it for protection under this Act.

- a. Is the river involved in the proposed bridge project a designated or proposed Wild and Scenic River segment or listed on the Nationwide Rivers Inventory?

Yes No, not a designated or proposed waterway

- b. If yes, list impacts and mitigation, summarize correspondence with the river-administering agency and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, not a designated river

N/A

8. **Coastal Barrier Resources Act** - The Coastal Barrier Resources Act (CBRA) established the Coastal Barrier Resources System and prohibits federal funding for building and development in undeveloped portions of designated coastal barriers, including the Great Lakes unless the project falls under an exception to the CBRA.

- a. Does the proposed project connect to a unit of the Coastal Barrier Resources System (CBRS)?

Yes No, there is no connection to any unit of the CBRS

- b. If yes, summarize the CBRA-related impacts, proposed mitigation, and any U.S. Fish and Wildlife Service (USFWS) regional office consultation findings. Cite corresponding enclosure(s). Cite page number or section in environmental document, if applicable:

N/A, no connection to CBRS

N/A

- c. If yes, and the project is federally funded, cite enclosure of Section 6 exception in the application package and any correspondence with the USFWS:

N/A, no connection to CBRS

N/A

9. **Land and Water Conservation Fund Act** - Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) assures that once an area has been funded with LWCFA assistance, it is continually maintained in public recreation use unless the National Park Service (NPS) approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value. The Secretary must approve all conversions of property acquired or developed with LWCFA assistance under this section to other than public outdoor recreation uses.

- a. Does the proposed project involve a conversion of land or facilities funded under Section 6(f) of the LWCFA?

Yes No, there are no impacts to any LWCFA properties

- b. If yes, summarize and include correspondence with the NPS and authorization from the Secretary of the Interior for that conversion and cite enclosure title(s) (including page number(s) or section as appropriate):

N/A, no LWCFA properties impacted

N/A

10. **National Marine Sanctuaries Act and Marine Protected Areas** - Section 304(d) of the National Marine Sanctuaries Act (16 U.S.C. § 1434(d)) requires interagency consultation between NOAA and federal agencies taking actions, including authorization of private activities, “likely to destroy, cause the loss of, or injure a sanctuary resource.”

- a. Is the proposed project in or adjacent to a National Marine Sanctuary?

Yes No, not located in or adjacent to a National Marine Sanctuary

- b. If yes, list National Marine Sanctuaries Act coordination, date(s), and enclosure(s) and NOAA comment, if applicable:

N/A, not in or adjacent to a National Marine Sanctuary

The nearest National Marine Sanctuary is the USS Monitor National Marine Sanctuary about 16 miles off Cape Hatteras and roughly 96 miles south of the proposed bridge location.

- c. Is the proposed bridge(s) likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary?

Yes No

- d. If yes, summarize and include evidence of consultation with NOAA's Office of National Marine Sanctuaries and the agency's findings/conditions and cite location(s) (including page number(s) or section as appropriate) in the application package. If no, provide explanation:

N/A, proposed bridge is not likely to destroy, cause loss of, or injure a resource of a National Marine Sanctuary

N/A

Executive Order 13158 on Marine Protected Areas requires all federal agencies whose actions affect the natural or cultural resources that are protected by a Marine Protected Area (MPA) to identify such actions and, to the extent permitted by law and to the maximum extent practicable, avoid harm to the natural and cultural resources that are protected by an MPA.

- a. Is the proposed project in or adjacent to an MPA?

Yes No, not located in or adjacent to an MPA

- b. If yes, will the proposed project affect the natural or cultural resources that are protected by the MPA?

N/A, project is not in or adjacent to an MPA

Yes No

If no, provide evidence:

N/A

- c. If yes, include evidence of correspondence with the MPA Center, if applicable, and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, proposed project does not affect natural or cultural resources that are protected by the MPA

N/A

11. **Endangered Species Act and Fish and Wildlife Coordination Act** - Section 7 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. § 1531), as amended, requires each Federal agency to ensure that any action authorized, funded, or carried out by the agency

is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat.

- a. Are there federally designated threatened or endangered species and/or critical habitat in the area that the proposed project is located?

Yes No there are no federally designated threatened or endangered species and/or critical habitat in the area of the proposed project

If no, provide explanation:

N/A

- b. May the proposed project affect federally designated threatened or endangered species and/or critical habitat?

Yes No, there are no potential impacts to protected species and/or critical habitat, nor is any consultation required

If no, provide explanation:

See Section 6.8 of the Record of Decision and Section 4.3.8 of the FEIS Reevaluation Study Report. These documents are located at <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>. A Natural Resources Technical Report Update was prepared for the project in June 2023 and is attached in Attachment H. The species with a biological conclusion of May Affect – Not Likely to Adversely Affect includes the west Indiana Manatee and the Atlantic Sturgeon. The only species shown as May Affect – Likely to Adversely Affect are the northern long-eared bat and the tricolored bat (see below for additional information). All other protected species have a biological conclusion of No Effect or are not applicable.

- c. If yes, was there formal or informal consultation with the United States Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS)?

N/A

Formal consultation

Informal consultation

- d. If formal, provide date(s) and attach biological assessment/evaluation, biological opinion, and any other relevant correspondence and cite location(s) (including page number(s) or section as appropriate) in application package:

N/A, formal consultation not required

N/A

- e. If informal, provide dates and include correspondence or documented phone conversations with and from USFWS/NMFS and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, informal consultation not required

A Biological Assessment (BA) was prepared by FHWA and NCDOT/NCTA in June 2011 for the Mid-Currituck Bridge Project Preferred Alternative in support of the 2012 Final Environmental Impact Statement. The BA was used in Section 7 consultation with both USFWS and NMFS concerning 13 federally protected species occurring in Currituck and Dare Counties. USFWS concurred with the Biological Conclusions for protected species under their jurisdiction in a letter dated July 8, 2011, and formal consultation was not needed. NMFS concurred with the Biological Conclusions for species under their jurisdiction in a letter dated October 18, 2011, and formal consultation was not needed. Consultation was considered completed unless a take occurred or new information revealed effects of the action not previously considered, or the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat in a manner or to an extent not previously considered, or if a new species is listed or critical habitat designated that may be affected by the proposed project.

Since the publication of the 2011 BA, the rufa red knot and northern long-eared bat were listed as threatened by the USFWS in 2014 and 2015, respectively. Therefore, a technical memorandum was developed in May 2015 to address these two species. USFWS has revised the previous programmatic biological opinion (PBO) in conjunction with FHWA, 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 the PBO 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 that will avoid/minimize the mortality of NLEBs. These conservation measures only apply to the 30 current known/potential counties shown in 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 Currituck County, where the Mid-Currituck Bridge project is located. USFWS concurred with the Biological Conclusions in the 2015 technical memorandum in a letter dated June 29, 2015.

Since 2015, the eastern black rail has been listed as threatened with a Section 4(d) rule by the USFWS in November 2020. The June 2023 Natural Resources Technical Report Update in Attachment H indicates that there is no suitable habitat within the study area to support the eastern black rail. On September 14, 2022, the USFWS announced a proposal to list the tricolored bat (*Perimyotis subflavus* -

PESU) as endangered under the Endangered Species Act. In November 2023, the USFWS issued a programmatic conference opinion (PCO) in conjunction with FHWA, USACE, and NCDOT for the tricolored bat, which determined that the NCDOT biological conclusion is “May Affect, Likely to Adversely Affect” for all counties in Divisions 1-8, which includes Currituck County, where the Mid-Currituck Bridge project is located. There are no known occurrences of this species in or near the project study area.

The 2011 Biological Assessment is located on the Mid-Currituck Bridge project website at:

<https://connect.ncdot.gov/projects/MidCurrituckBridgeDocuments/Biological%20Assessment%20June%202011.pdf> and the 2015 Technical Memorandum is located at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Documents/tech-memo-2015.pdf>. The 2023 Natural Resources Technical Report Update in Attachment H summarizes the biological conclusions for all federally protected species, including a No Effect conclusion for the eastern black rail.

The Fish and Wildlife Coordination Act (FWCA) (16 USC § 742, et seq.) provides the basic authority for the USFWS’ involvement in evaluating impacts to fish and wildlife from proposed water resource development projects. It requires that fish and wildlife resources receive equal consideration to other project features. It also requires Federal agencies that construct, license, or permit water resource development projects to first consult with the USFWS (and NMFS in some instances) and the State fish and wildlife agency regarding the impacts on fish and wildlife resources and measures to mitigate these impacts.

- a. Describe any correspondence with and recommendations from USFWS, NMFS, and the relevant state wildlife agency regarding FWCA coordination and cite location(s), date(s) and enclosure(s) (including page number(s) or section as appropriate) in the application package:

None

FHWA and NCDOT/NCTA have coordinated with USFWS and NMFS as well as NC Wildlife Resources Commission and NC Division of Marine Fisheries throughout the project development process to date for the Mid-Currituck Bridge project. This coordination has been accomplished through interagency meetings, review of fish and wildlife-related project documentation, consultation, and the NEPA process. Documentation of this coordination effort is reported in various project-related publications included at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>.

12. **Magnuson-Stevens Fishery Conservation and Management Act** - The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) (16 U.S.C. § 1855), as amended, requires Federal agencies which fund, permit, or carry out activities

that may adversely impact Essential Fish Habitats (EFH) to consult with the National Marine Fisheries Service (NMFS) regarding potential adverse effects of actions on EFH.

- a. Will the proposed project likely adversely affect designated EFH as defined in the Magnuson-Stevens Act?

Yes No, there are no potential adverse impacts to designated EFH

If no, provide explanation:

N/A

- b. If yes, identify location of EFH assessment and list relevant correspondence with NMFS in the application package.

N/A, no adverse effects on designated EFH

Documentation of the impact of the proposed project on EFH has been documented and is located on the project website at:
[https://connect.ncdot.gov/projects/MidCurrituckBridgeDocuments/Essential Fish Habitat Technical Report November 2011.pdf](https://connect.ncdot.gov/projects/MidCurrituckBridgeDocuments/Essential%20Fish%20Habitat%20Technical%20Report%20November%202011.pdf).

During the Section 404 permit application process an addendum to the Essential Fish Habitat assessment was prepared and is available at
<https://www.ncdot.gov/projects/mid-currituck-bridge/Documents/final-essential-fish-habitat-technical-report-addendum.pdf>.

Additionally, the impacts on EFH were further addressed in Section 4.3.7 of the FEIS Reevaluation Study Report which is located at
<https://www.ncdot.gov/projects/mid-currituck-bridge/Documents/reevaluation-feis.pdf>. NMFS did not submit comments on the FEIS. NMFS indicated in an e-mail to FHWA that their lack of comments demonstrates that the FEIS for the Mid-Currituck Bridge Study satisfied NMFS's issues on the project related to compliance with the engineering and environmental analyses required under the National Environmental Policy Act (NEPA). NMFS further indicated that their lack of comments should not be viewed as an endorsement of the project and that FHWA and NCTA should recognize that NMFS will expect additional effort related to delineation, minimization, and mitigation of SAV impacts during final design and the permitting process. NMFS did submit correspondence on the DEIS. Their letter and the responses to their comments are contained in Section 2.1.3 of the Stakeholder Involvement Report for the FEIS on pages 2-11 through 2-21. This document can be found at:
[https://connect.ncdot.gov/projects/MidCurrituckBridgeDocuments/Stakeholder Involvement for FEIS Technical Report Vol 1 December 2011.pdf](https://connect.ncdot.gov/projects/MidCurrituckBridgeDocuments/Stakeholder%20Involvement%20for%20FEIS%20Technical%20Report%20Vol%201%20December%202011.pdf). As part of the NMFS comments on the DEIS, NMFS concluded that the project would result in substantial adverse impacts to EFH.

13. **Marine Mammal Protection Act** - The Marine Mammal Protection Act (MMPA) (16 USC § 1361, et seq.) prohibits, with certain exceptions, the take of marine mammals in U.S. waters and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the U.S. If a take may occur, an Incidental Take Authorization may be necessary. The National Marine Fisheries Service (NMFS) covers seals, sea lions, whales, dolphins and porpoises. Meanwhile, the U.S. Fish and Wildlife Service (USFWS) manages polar bears, the Pacific Walrus, Northern Sea Otters and the West Indian Manatee.

- a. Describe any possibility of impacts to marine mammals. List MMPA coordination, date(s), enclosure(s), and NMFS or USFWS comment, if applicable. If coordination is not required, explain why:

The West Indian Manatee is the only marine mammal potentially associated with the Mid-Currituck Bridge project. The biological conclusion for this species, through coordination with the USFWS, is May Affect, Not Likely to Adversely Affect. A project permit (404 and 401) condition is that adherence to the “Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters” is required throughout construction.

- b. Does the proposed project involve a “take” of marine mammals as defined in the MMPA?

Yes No, there are no “takes” of mammals protected by the MMPA

- 1) If yes, include the incidental harassment authorization or letter of authorization from NMFS, any relevant correspondence and summarize the impacts, proposed mitigation and NMFS regional office consultation findings:

N/A, no “take” of marine mammals protected by the MMPA

N/A

- 2) If no, explain why the project does not involve a “take” of marine mammals, including description of any preventative mitigations:

N/A, project involves a take as described above

The project must adhere to the “Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters” as a condition of the Sections 401 and 404 permits.

14. **Migratory Bird Treaty Act** - Migratory Bird Treaty Act (MBTA) (16 U.S.C. § 703-712) made it illegal to take any migratory bird, nest, egg, or part or any bird protected under the Act except under the terms of a valid permit issued by the USFWS.

- a. Describe any possibility of impacts to migratory birds. List MBTA coordination, date(s), and enclosure(s):

N/A

- b. Does the proposed project involve a potential take of migratory birds as defined in the MBTA?

Yes No, there are no potential “takes” of birds protected by the MBTA

- 1) If no, provide explanation and describe any preventative mitigations:

N/A, project involves a take as described above

The ROD, FEIS Reevaluation, FEIS, DEIS, and associated technical documents can be found on the Mid-Currituck Bridge project website at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>. The Migratory Bird Treaty Act is covered in this documentation.

- 2) If yes, is a permit required?

Yes No N/A, no potential take

- 3) If a permit is required, include it and any correspondence with USFWS and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no permit required

N/A

- c. Have the project’s effects on migratory birds been evaluated in accordance with the executive order for the Responsibility of Federal Agencies to Protect Migratory Birds?

Yes No N/A, no effects on migratory birds

- d. If yes, describe coordination with USFWS conducted in accordance with the executive order. Provide date(s), enclosure(s), and USFWS comment, if applicable. If no, explain why:

N/A, no coordination required

N/A

15. **Bald and Golden Eagle Protection Act** - The two species of eagles that are native to the United States have additional protection under the Bald and Golden Eagle Protection Act (BGEPA)(16 USC § 668-668c). USFWS may issue permits for the take, possession, or transport of bald or golden eagles, as well as their parts, nests, and eggs.

- a. Describe any impacts to eagles, nests, parts, or eggs. List BGEPA coordination, date(s), and enclosure(s):

N/A, there are no impacts to Bald or Golden Eagles including nests, parts, or eggs protected by the BGEPA

The ROD, FEIS Reevaluation, FEIS, DEIS, and associated technical documents can be found on the Mid-Currituck Bridge project website at: <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>. The Bald and Golden Eagle Protection Act is covered in this documentation. NCDOT has committed for this project to develop construction contracts that will require compliance with USFWS guidelines for the protection of eagles contained in their 2007 National Bald Eagle Management Guidelines. Eagles and eagle nests will be surveyed prior to project construction to avoid and minimize potential disturbance and impacts to construction timing. Based on surveys conducted as part of the NEPA evaluation of the project, there were no identified eagle nests in or near the project area. Additional ground and aerial surveys were conducted in November 2022 and no bald eagles or nests were detected in or near the project area.

- b. May the proposed project take or disturb bald or golden eagles (including active and inactive nests) as defined in the BGEPA?

Yes No

- 1) If no, provide explanation and describe any preventative mitigations:

N/A

- 2) If yes, is a permit required?

N/A, no potential take or disruption

Yes No

- 3) If a permit is required, summarize the proposed mitigation and USFWS Regional Office consultation findings and cite location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no permit required

N/A

16. **Invasive Species** - Executive Order 13112 on Invasive Species requires all federal agencies whose actions may affect the status of invasive species to prevent the introduction of invasive species and not authorize, fund, or carry out actions that it believes are likely to cause or promote the introduction or spread of invasive species.

- a. Does the proposed project have potential to introduce or foster the spread of invasive species?

Yes No, there is no potential introduction or spread of invasive species

- b. If yes, cite the document that describes measures that will be taken to minimize this risk and location(s) (including page number(s) or section as appropriate) in the application package:

N/A, no potential impacts from invasive species

NCDOT has developed an invasive species control plan for this project. This plan is included in Attachment I of the permit application.

17. **Historical and Cultural Resources** - Federal agencies are required to take into account the effects of their undertaking on sites, structures, etc., protected by the historic and cultural resource laws and regulations identified in this section.

- a. In accordance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. § 306108 et seq.), as amended, does the proposed project have potential to impact properties (including submerged abandoned shipwrecks) listed in or eligible for inclusion in the National Register of Historic Places (NRHP)?

Yes No

Identify any State Historic Preservation Officer(s) (SHPO) and/or Tribal Historic Preservation Officer(s) (THPO) with oversight of the project

Renee Gledhill-Early, Environmental Review Coordinator, NC Historic Preservation Office, renee.gledhill-earley@dncr.nc.gov, 919-814-6579.

- b. If yes, identify the documents that describe the effects and appropriate mitigation and provide evidence of consultation with the SHPO and/or THPO, and the Advisory Council on Historic Preservation, if applicable, and cite location (s) (including enclosure names, and page number(s) or section as appropriate) in the application

package. Please check all documents that are included and cite any corresponding enclosures:

N/A, no potential impacts to properties listed in or eligible for inclusion in the NRHP

Historic properties affected but no adverse effect determination, cite enclosure(s)

N/A

Historic properties adversely effected and Memorandum of Agreement or Programmatic Agreement completed, cite enclosure(s)

N/A

No historic properties effected determination, cite enclosure(s)

N/A

c. For projects involving federal lands also provide:

Archeological clearances, cite enclosure(s)

N/A

Archeological reports, cite enclosure(s)

N/A

d. Provide any other information regarding Section 106 process, such as public meetings or unique information, and corresponding enclosure(s) (including page number(s) or section as appropriate):

None

Cultural resources surveys have been conducted for the Mid-Currituck Bridge and are included in the project documentation on the project website at <https://www.ncdot.gov/projects/mid-currituck-bridge/Pages/project-documents.aspx>.

e. Does the proposed project have potential to involve Native American cultural items as identified by the Native American Graves Protection and Repatriation Act?

Yes No

- 1) If yes, please identify Tribal Nations that might be impacted, summarize impacts, identify any proposed mitigation, and summarize any consultation findings. Cite any corresponding enclosure(s) and National Park Service (NPS) comment, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Native American Graves Protection and Repatriation Act

N/A

- f. Does the proposed project involve or have the potential to involve any Native American historic resources identified by the American Indian Religious Freedom Act of 1978?

Yes No

- 1) If yes, please identify Tribal Nations that might be impacted, summarize impacts, identify any proposed mitigation, and summarize consultation findings. Cite any corresponding enclosure(s) and appropriate tribal consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the American Indian Religious Freedom Act

N/A

- g. Does the proposed project involve or have the potential to involve a historic or prehistoric ruin or monument as identified by the Antiquities Act of 1906?

Yes No

- 1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite any corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential impacts of resources as identified by the Antiquities Act

N/A

- h. Does the proposed project involve or have the potential to involve an archaeological resource or site identified by the Archeological Resources Protection Act of 1979?

Yes No

- 1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Archeological Resources Protection Act

N/A

- i. Does the proposed project involve or have the potential to involve a shipwreck as identified by the Abandoned Shipwreck Act?

Yes No

- 1) If yes, please summarize impacts, any proposed mitigation, and consultation findings. Cite any corresponding enclosure(s) and appropriate SHPO, NPS or other appropriate agency consultation findings, if applicable. Cite page number or section in environmental document, if applicable:

N/A, no potential involvement of resources as identified by the Abandoned Shipwreck Act

N/A

18. **Clean Air Act** - Section 176(c) of the Clean Air Act (CAA)(42 U.S.C. § 7401, as amended), prevents the Coast Guard from approving any project or from issuing any permit for actions not conforming to the provisions of an approved Federal Implementation Plan (FIP) or to a State Implementation Plan (SIP).

- a. Is the project in an area of maintenance or nonattainment for each of the criteria pollutants in the National Ambient Air Quality Standards (NAAQS)?

Yes No

- b. If project occurs in a nonattainment or maintenance area, do the transportation or general conformity regulations, or both, apply?

N/A, project does not occur in a nonattainment or maintenance area

General Transportation

- c. Is the project exempt from a transportation conformity analysis for any of the reasons listed in 40 CFR § 93.126?

Yes No

1) If yes, identify the reason(s):

N/A, project is not exempt from a transportation conformity analysis

N/A

d. Is the project exempt from a general conformity analysis for any of the reasons listed in 40 CFR § 93.153(c)?

Yes No

1) If yes, identify the reason(s):

N/A, project is not exempt from a general conformity analysis

N/A

e. If general conformity applies, is the project listed in a conforming State Implementation Plan?

Yes No N/A, general conformity does not apply

f. If a general conformity determination was prepared, include the draft and final determinations and any relevant correspondence and cite their title (including page number(s) or section as appropriate) in the application package:

N/A, a general conformity determination was not prepared

N/A

g. If transportation conformity applies, is the project listed in a conforming State Implementation Plan (SIP), Transportation Improvement Program (TIP), Regional Transportation Plan (RTP), or Federal Implementation Plan (FIP)?

N/A, transportation conformity does not apply

Yes No

1) If yes, identify the plan and cite location of information regarding listing in the application package (including page number(s) or section as appropriate):

N/A, transportation conformity does not apply so project is not listed in any SIP, TIP, RTP or FIP

N/A

- h. If transportation conformity applies, does the project contribute to any new localized CO, PM10, or PM2.5 violations or increase the frequency or severity or any existing violations of the same?

N/A, transportation conformity does not apply

Yes No

- 1) If yes, cite enclosure title and (including page number(s) or section as appropriate):

N/A, transportation conformity does not apply and project does not contribute to any violations

N/A

19. **Hazardous Materials, Substances and Wastes**

- a. Does the proposed project involve or is it located near a Superfund site or impact, or have the potential to impact any site regulated under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA) or State law regulating hazardous materials, substances or wastes?

Yes No

- b. If yes, describe the involvement and cite the location(s) (including page number(s) or section as appropriate) in the NEPA or other document where hazardous materials, substances or wastes are discussed:

N/A

- c. If no, provide any additional pertinent information and cite any analysis conducted:

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20. **[RESERVED]**

On 21 January 2025, President Trump signed Executive Order 14173 (Ending Illegal Discrimination and Restoring Merit-Based Opportunity). EO 14173 revoked EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations). As a result of the revocation and in alignment with DHS, environmental justice will not be considered as part of any USCG permit action.

Additionally, President Trump signed Executive Order (E.O.) 14148, Initial Rescissions of Harmful Executive Orders and Actions. E.O. 14148 rescinded the following Executive

Orders E.O. 14008, Tackling the Climate Crisis at Home and Abroad; E.O. 14013, Rebuilding and Enhancing Programs to Resettle Refugees and Planning for the Impact of Climate Change on Migration; E.O. 14027, Establishment of the Climate Change Support Office; E.O. 14030, Climate-Related Financial Risk; and E.O. 13990, Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. In alignment with the rescission of the Executive Orders listed, the USCG has eliminated the use of climate change terminology in its application.