

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	B-5326
WBS Element	46040.1.1
Federal Aid Project No.	BRZ-2555(1)

A. Project Description, Location, and Purpose:

The proposed project in Division 5 involves replacing Bridge No. 247 on SR 2555 (Raynor Road) over White Oak Creek in the Town of Garner in Wake County (see attached vicinity map Figure 1). The replacement structure will be a bridge approximately 153 feet long and 51 feet wide (out to out), with three 12-foot lanes. A five-foot six-inch sidewalk is proposed on the east side of the bridge, with a three-foot nine-inch offset to the travel lane. The roadway grade of the new structure was raised accommodate a greenway.

Project construction will extend approximately 663 feet northwest and 713 feet southeast from the bridge. SR 2555 will be widened to three 12-foot lanes with curb and gutter and a ten-foot berm on each side from the end of the existing curb and gutter northwest of the bridge to the proposed bridge. A five-foot sidewalk is proposed on the east side of SR 2555 from the end of the existing sidewalk to April Court. Southeast of the new bridge, SR 2555 will be widened to three 12-foot lanes from the proposed bridge to southeast of April Court. Southeast of April Court, SR 2555 will transition to two lanes. Curb and gutter and a ten-foot berm is proposed on the east side of the road from the proposed bridge to April Court. Shoulders are proposed on the west side of the road southeast of the proposed bridge.

The bridge will be replaced in place with traffic maintained on a temporary onsite detour. The temporary bridge will be 90 feet long with two ten-foot lanes and four-foot offset with a clear roadway width of 28 feet.

The purpose of this project is to replace a structurally deficient bridge. Bridge No. 247 was built in 1952. The bridge is 36 feet long with 24 feet clear roadway width. The superstructure of the bridge is reinforced concrete on timber joists. The substructure of the bridge consists of timber caps and piles and a crutch bent.

B. Consultation Phase: (Check one)

- Right-of-Way
- Construction
- Other

C. NEPA/SEPA Class of Action Initially Approved as:

FHWA Class II (CE): 10/27/2017

Additional Notes: Type I(A) Ground Disturbing CE

D. Changes in Proposed Action & Environmental Consequences:

There have been no significant changes in the final design since the completion of the CE.

Water Resources

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

Protected Species

The list of protected species has changed for this project. The Cape Fear shiner, Tar River spiny mussel and yellow lance have been added to Wake County. The biological conclusions for the Cape Fear shiner and Tar River spiny mussel are "No Effect". The biological conclusion for the yellow lance is "May Affect, Not Likely to Adversely Affect". This conclusion along with the existing biological conclusion of "May Affect, Not Likely to Adversely Affect" for the dwarf wedgemussel requires NCDOT to comply with the USFWS Freshwater Mussel Programmatic Biological Opinion Measures and Conditions to satisfy Section 7 of the Endangered Species Act (ESA) for this project. A survey for these species, as well as all other aquatic species, was updated on 9/28/2020.

The biological conclusion for Michaux's sumac remains "No Effect". A survey for the species was updated on June 4, 2019. The red-cockaded woodpecker received a biological conclusion of "No Effect". No further surveys are required for this species.

The USFWS has listed the Carolina madtom, Neuse River waterdog, Atlantic pigtoe and green floater as At-Risk Species (ARS) for Wake County. These species may receive federal protection during the construction of the project. Surveys for these species have been conducted. The biological conclusions for these species are "May Affect, Not Likely to Adversely Affect". If these species receive their federal protective status during construction of the project, coordination will be required with the USFWS to satisfy Section 7 of the ESA.

The US Fish and Wildlife Service has revised the previous 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 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 Wake County, where B-5326 is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2030.

Measures to Avoid/Minimize Mortality

- 1) No tree clearing will occur within 150 feet of a known maternity roost tree May 1 - June 30 in order to protect non-volant young. Winter roost trees are not considered maternity roost trees.
- 2) At individual project sites where a total of 1.0 acre or more of tree clearing will occur, no tree clearing will occur during the portion of the day that the air temperature is <40 degrees Fahrenheit in order to protect NLEBs that may be in torpor. This restriction is only subject to the known/potential range (30 coastal counties) that is shown in Figure 2 of the 2020 PBO, which includes Wake County.

Project Commitments (Greensheet)

A commitment to adhere to the measures and commitments entailed in the USFWS Freshwater Mussel Programmatic Biological Opinion has been added to the Greensheet (attached)

The Final/Permitting Project commitments Greensheet has been distributed to the Division and Contracts via the Environmental Permits package found on the NCDOT Permits website

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, Terry Farr, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	Holly Christenbury, PE- WSP	12/3/2020
Environmental Specialist:	Jason Dilday- NCDOT	12/8/2020
Cultural Resources:	Jamie Lancaster- NCDOT	11/16/2020
Environmental Program Consultant:	William Chilton- NCDOT	1/20/2021

G. Consultation Approval for NCDOT Project B-5326

Prepared By:

1/21/2021

Date

DocuSigned by:

Terry Farr

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Terry Farr, PE, Senior Project Manager
NCDOT, Project Management Unit

Prepared For:

1/22/2021

Date

DocuSigned by:

Jacquelyn Bowles

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Jacquelyn Bowles, PE
NCDOT, Structures Management Unit

Reviewed By:

1/22/2021

Date

DocuSigned by:

Colin Mellor

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Colin Mellor 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.

1/22/2021

Date

DocuSigned by:

David Stutts

A7A2099A8BC64E2

David Stutts, PE, Project Engineer, PEF/Program Management
NCDOT- Structures Management

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

N/A

N/A

Date

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

H. Project Commitments (as of December 8, 2020)

**Wake County
Bridge No. 247 on SR 2555 (Raynor Road)
Over White Oak Creek
Federal Aid Project No. BRZ-2555(1)
W.B.S. No. 46040.1.1
T.I.P. No. B-5326**

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

**Current status to the project commitments are printed in italics*

NES, Hydraulics Unit, Roadside Environmental, Division – Design Standards in Sensitive Watersheds

White Oak Creek and its tributaries are protected under provisions of the Neuse River Buffer Rules. Therefore, Design Standards in Sensitive Watersheds will be implemented during project construction.

This commitment remains valid

Roadway Design/Program Development- Greenway and Sidewalks

The Town of Garner requests greenway access under the bridge. A cost share agreement has been prepared between NCDOT and the Town of Garner. NCDOT will grade the greenway as part of the bridge replacement project. The greenway will be paved and maintained by the Town of Garner. The Town of Garner will pay for a portion of cost for the increase in bridge length due to accommodating the greenway. A sidewalk will be included in the design along the east side of the bridge north of the bridge and will extend south of the bridge to April Court. The Town of Garner will participate in the cost of an accept maintenance and liability responsibilities of the new sidewalk. A municipal agreement will be prepared prior to project construction regarding the Town of Garner's participation in the cost of sidewalks

A municipal agreement between the Town of Garner and NCDOT has been completed.

Hydraulics Unit, Division Five Construction- FEMA

The Hydraulics Unit will coordinate with NC Floodplain Mapping Program (FMP) to determine the status of the project with regard to applicability of NCDOT's Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

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

Coordination resulted in approval on July 11, 2018 for the FEMA NFIP (National Flood Insurance Program) under NCDOT's MOA with the FMP.

This commitment has been completed.

Commitments from Permitting- Environmental Analysis Unit

401 Condition #1: Compensatory mitigation for impacts to 775 square feet of protected riparian buffers in Zone 1 and 4372 square feet of protected riparian buffers in Zone 2 shall be required. Mitigation for unavoidable impacts to Neuse Riparian Buffers shall be provided via deduction of 8883 square feet of Buffer Credits at the Talecris Mitigation Site in accordance with 15ANCAC 28.0295, as stated in your application.

This commitment has been completed.

Division 5 Construction, Roadside Environmental Unit

USFWS Protected Species: Conservation Measures (Section 2.5), RPM 2 of the Reasonable and Prudent Measures (Section 9.2), as well as T&C 2 of the Terms and Conditions (Section 9.3) of the Revised Mussel Programmatic Biological Opinion will be adhered to during construction

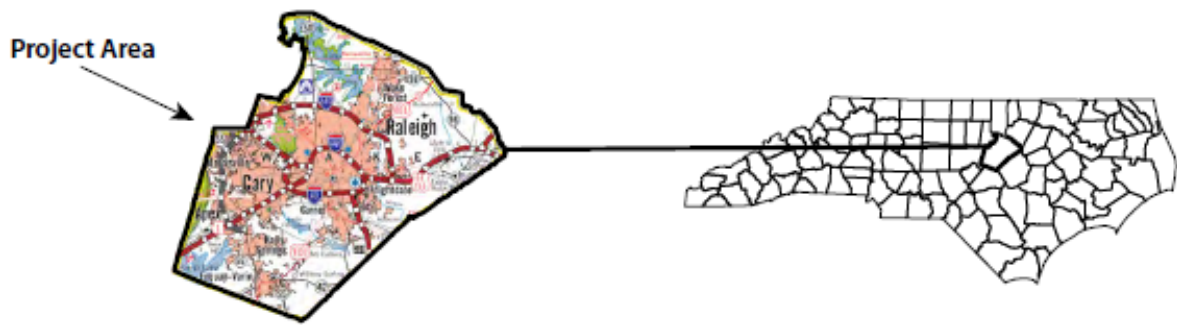
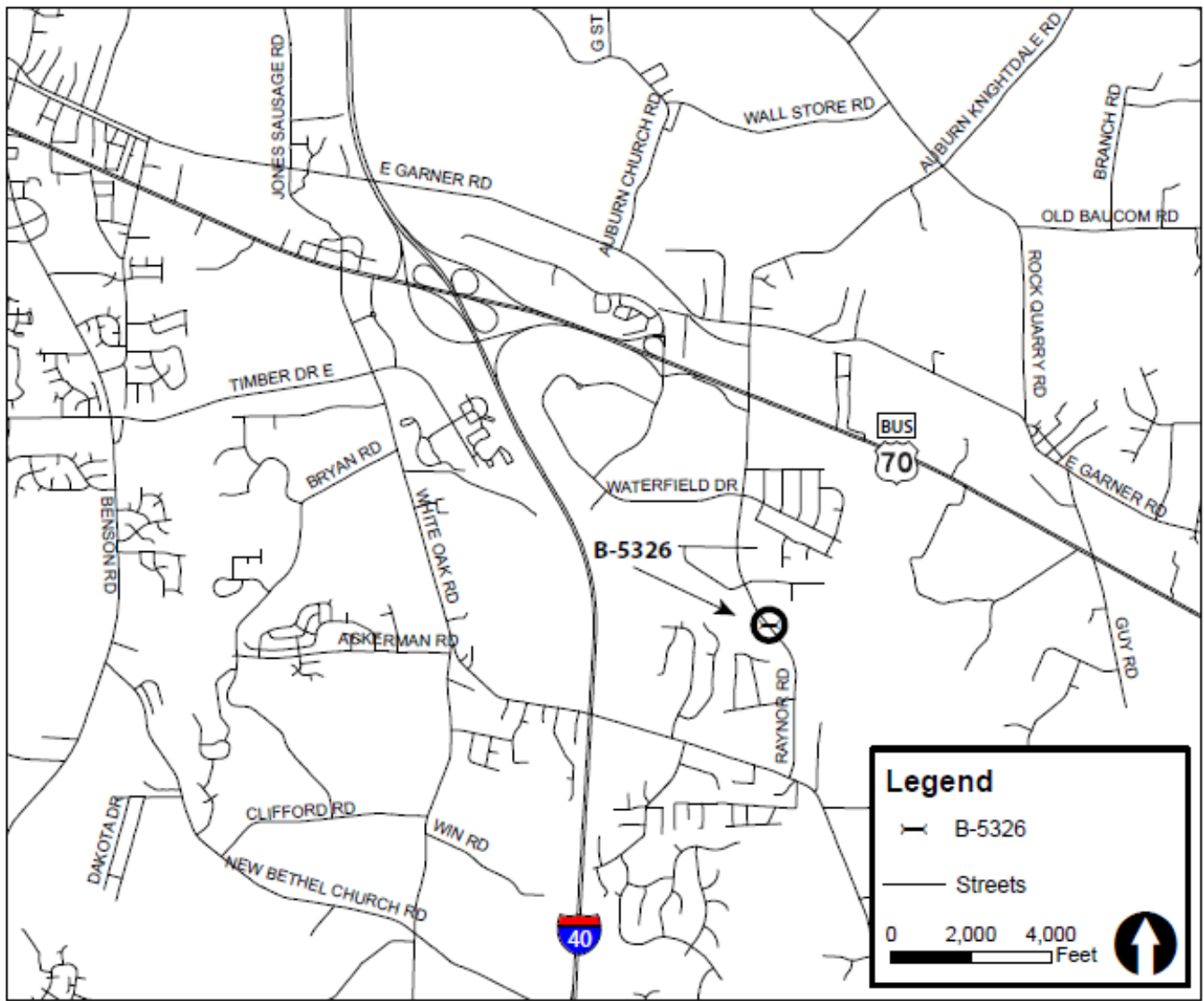


Figure 1

Vicinity Map

Replace Bridge No. 247 on S.R. 2555 (Raynor Road)
 over White Oak Creek
 TIP Project B-5326
 Wake County

