

## North Carolina Department of Transportation

## NEPA/SEPA Consultation Form

STIP Project No.	<u>B-5644</u>
WBS Element	<u>45599.1.1</u>
Federal Aid Project No.	<u>N/A</u>

A. Project Description, Location, and Purpose:

The proposed project will replace Bridge No. 15 on NC 11 over Crooked Creek in Pender County. The replacement structure will be a bridge approximately 70 feet long and provide a minimum 42'-6" clear roadway width. The bridge will include two 12-foot lanes and minimum 8-foot shoulders. The existing structure was built in 1962 and is 41 feet long with an approximately 23-foot clear roadway width.

The proposed bridge will be replaced at existing crossing, and traffic will be maintained by an offsite detour during construction phase. The offsite detour is 1.61 miles in length and follows Garden Rd (SR 1328) to Pelham Rd (SR 1319) to Crooked Run Road (SR 1324).

NCDOT Bridge Management Unit indicates Bridge No. 15 is considered functionally obsolete due to a deck geometry rating of 4 out of 9. There are full height checks in the timber piles and the structural evaluation of the bridge is a 3 out of 9. Due to the previously discussed and the structure needing continued maintenance, the bridge needs to be replaced.

B. Consultation Phase:

Construction

C. NEPA/SEPA Class of Action Initially Approved as

FHWA Class II (CE)  7/20/2020

Additional Notes: **Type 1(A)**

D. Changes in Proposed Action & Environmental Consequences:Design Changes

No major design changes have occurred in the construction limits of the bridge since the signing of the CE. Design changes have occurred on the detour route which includes intersection improvements to NC 11 and Garden Rd (SR 1328), Garden Rd (SR 1328) and Pelham Rd (SR 1319), and Pelham Rd (SR 1319) and Crooked Run Rd (SR 1324). Crooked Run Rd (SR 1324), from NC 11 to Pelham Rd (SR 1319), will be improved with

1-foot wider shoulders and pavement overlay. These improvements will be completed within the existing right of way and no additional impacts to any resources have occurred due to these design changes. Additionally, the anticipated construction costs for the project have changed to be \$1,550,000.

### Protected Species

Federal Protected species were addressed in the CE, and the Natural Resources Technical Report completed in August 2016.

The US Fish and Wildlife Service has revised the previous programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the northern long-eared bat (NLEB) (*Myotis septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. Although this programmatic covers Divisions 1-8, NLEBs are currently only known in 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 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 Pender County, where B-5644 is located.

### Water Resources

Water resource classifications in the project study area have not changed since the referenced CE was completed.

### 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. Bridge No. 15 and the detour route are located within the Penderlea Homesteads Historic District, which is listed on the National Register of Historic Places (PD0318-NR). The State Historic Preservation Office issued a determination of No Adverse Effect on May 21, 2019. The determination of effects states that replacement of the existing bridge (not NR-eligible) will not compromise the integrity of any contributing resource in the historic district. 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, Jacquelyn Bowles, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:


Design Engineer:	David Keiser, PE (CDM Smith)	11/1/2021
Hydraulics:	Brian Elam, PE (Sungate Design Group)	10/29/2021
Cultural Resource:	Vanessa Patrick (NCDOT)	11/5/2021
Environmental Specialist:	Jason Dilday (NCDOT)	11/22/2021

**G. Consultation Approval for NCDOT Project B-5644**


**Prepared By:**  
 2/16/2022  
 \_\_\_\_\_  
 Date

DocuSigned by:  
  
 EF4064AE889D446...  
 Michael Stafford, Transportation Planner  
 CDM Smith

**Prepared For:**

DocuSigned by:  
  
 DD20E87EDF8047E...  
 Jacquelyn Bowles, PE  
 NCDOT, Structures Management Unit

**Reviewed By:**  
 2/16/2022  
 \_\_\_\_\_  
 Date

DocuSigned by:  
  
 33883E5FDD0E44D3...  
 Colin Mellor  
 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.

2/16/2022  
 \_\_\_\_\_  
 Date

DocuSigned by:  
  
 A4A2989A8BC64E2...  
 David Stutts, PE, 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  
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 John F. Sullivan, III, PE, Division Administrator  
 Federal Highway Administration

## H. Project Commitments

**Pender County**  
**Bridge No. 15 over Crooked Creek on NC 11**  
**Federal Project No. N/A**  
**WBS No. 45599.1.1**  
**TIP No. B-5644**

### **NCDOT Hydraulic Unit – FEMA Coordination**

The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP) to determine status of the project with regard to the 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).

- *Coordination resulted in approval on April 2, 2020 for the FEMA NFIP (National Flood Insurance Program) under NCDOT's MOA with the FMP.*

### **NCDOT Division 3 Construction – FEMA Coordination**

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

- *This commitment is still valid*

### **NCDOT Division 3 – Historic Architecture**

The new bridge will have a two-bar railing consistent with other bridges within the historic district and in compliance with the Section 106 "No Adverse Effects" determination.

- *This commitment is still valid*

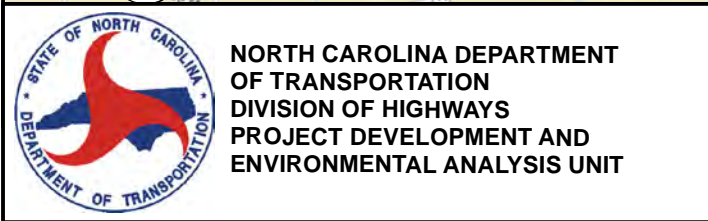
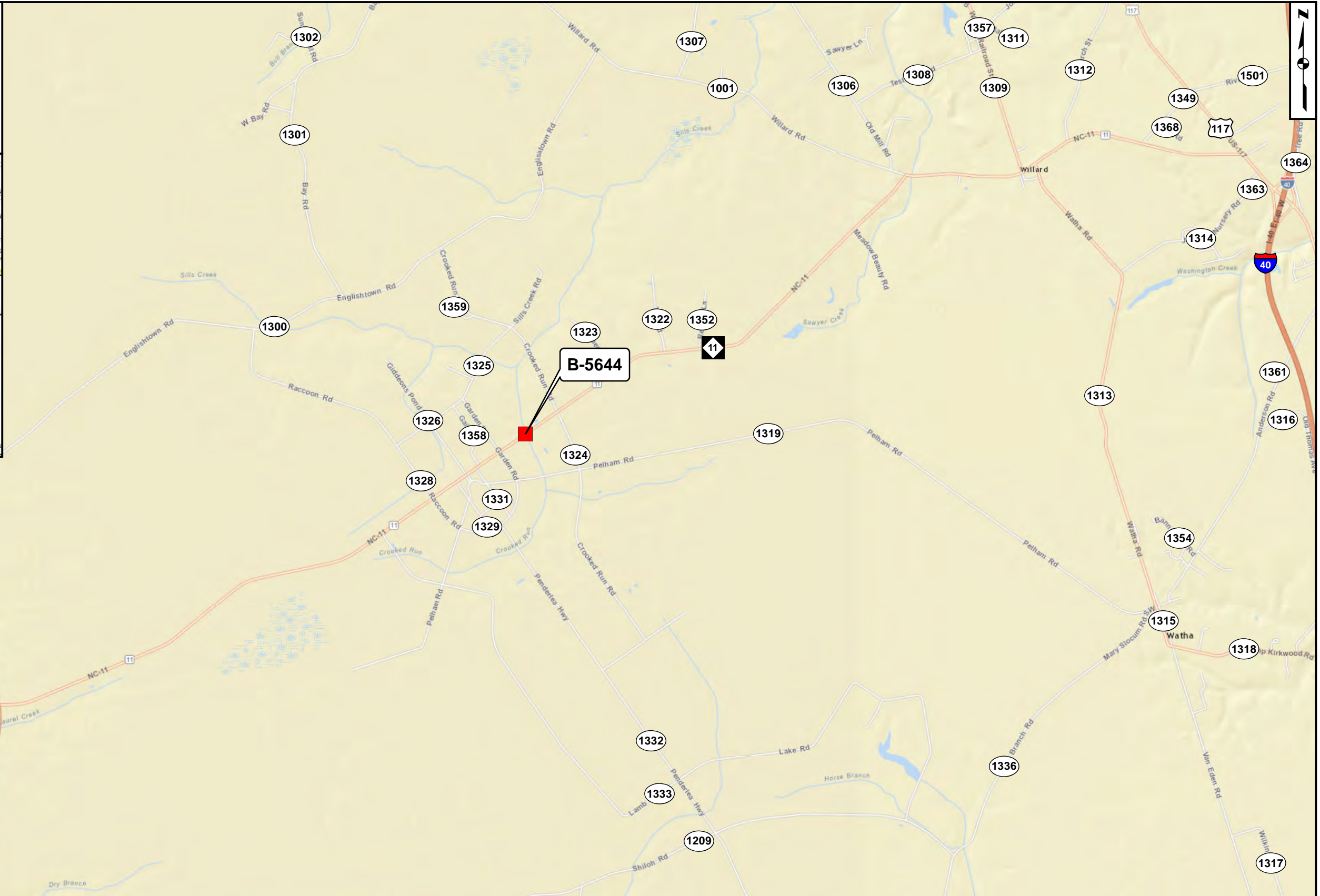
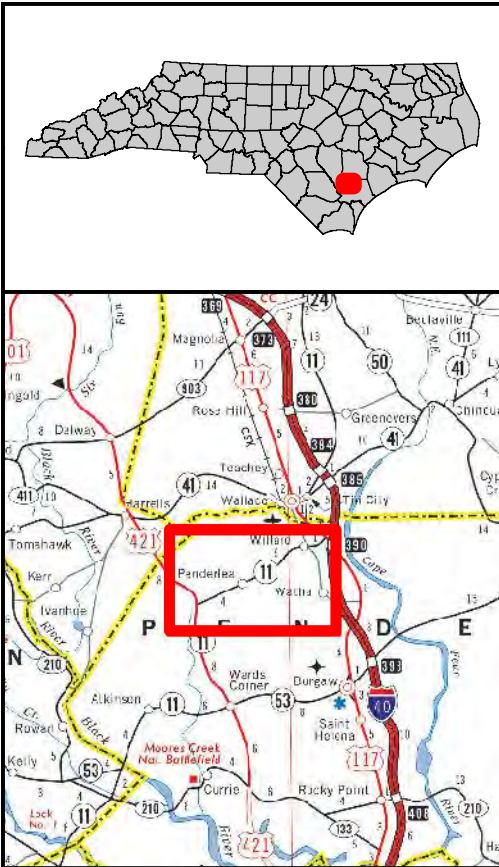
### **NCDOT Division 3 – Community Coordination**

NCDOT Division 3 will contact Pender County School District at (910) 259-2187 at least one month prior to construction to coordinate construction activities with school transportation schedules.

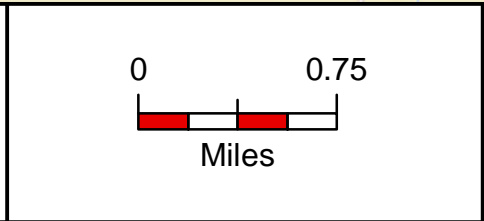
- *This commitment is still valid*

Pender County Emergency Services will be contacted at (910) 259-0891 at least one month prior to construction to make the necessary temporary reassignments to primary response units.

- *This commitment is still valid*

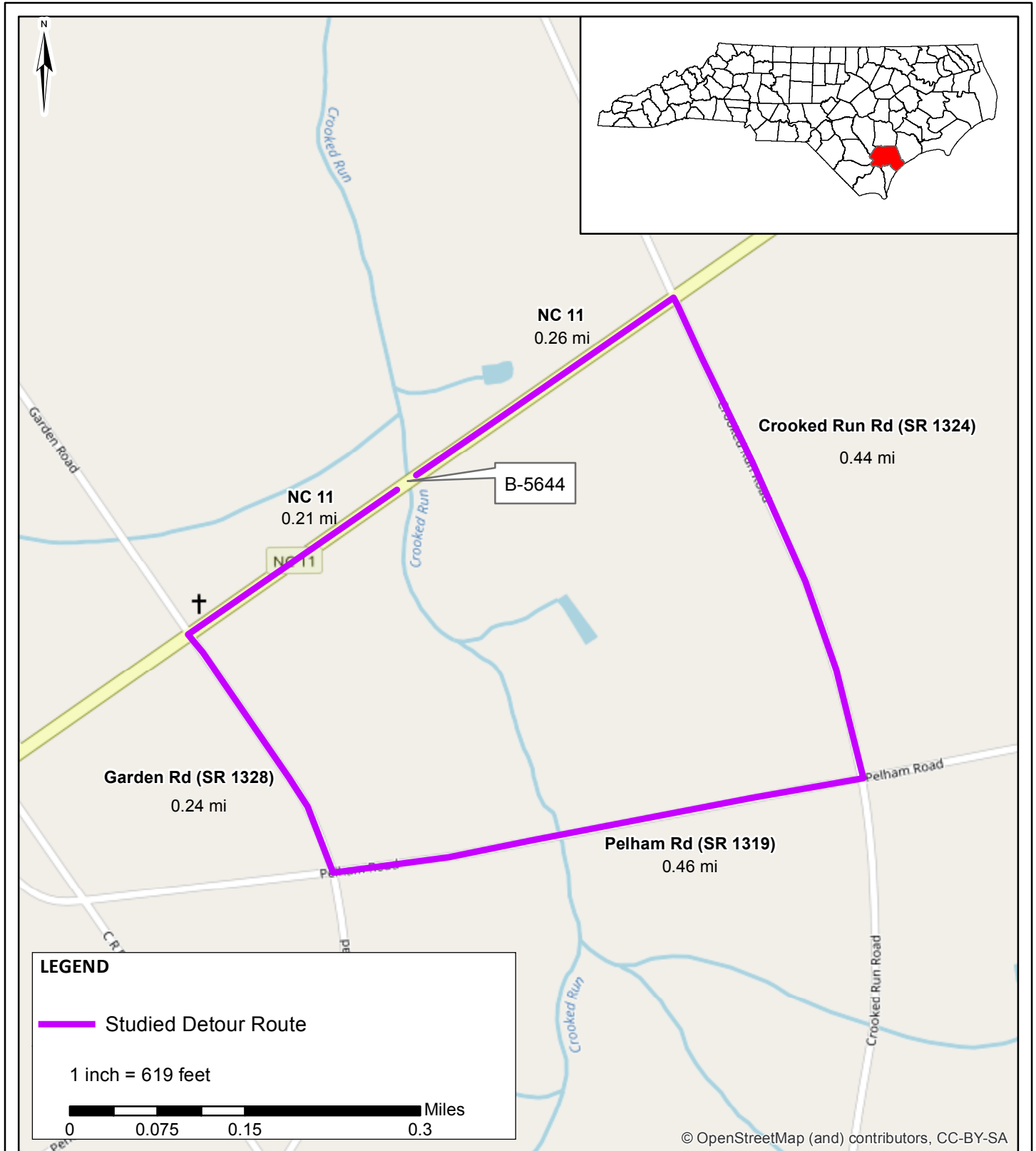


**VICINITY MAP**  
 Replace Bridge No. 15 on NC 11  
 over Crooked Run in Pender County  
 TIP Project B-5644



Div: 3	TIP# B-5644
Date: DECEMBER 2015	

**Figure**  
**1**



NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

**PROPOSED OFF-SITE  
DETOUR MAP**

STIP B-5644  
NC 11 Over Crooked Creek  
in Pender County

County: <b>PENDER</b>
Div: <b>3</b>
WBS: <b>45599.1.1</b>
<b>APRIL 2019</b>
<b>Figure 2</b>