

## North Carolina Department of Transportation

## NEPA/SEPA Consultation Form

STIP Project No.	<b>B-5717</b>
WBS Element	45673.1.2
Federal Aid Project No.	4240002

A. Project Description, Location, and Purpose:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridges 400109 and 400121 on East Gate City Boulevard/ E. Lee Street (SR 4240) over South Buffalo Creek in Greensboro, Guilford County, Division 7. Bridge Number 400109 is 200 feet long with a deck width of 32.25 feet. The structure is reinforced concrete deck girders with cast-in-place concrete substructure and steel piles. Bridge Number 400121 is 200 feet long with a deck width of 33.3 feet. The structure is steel beams with precast concrete piles and cast-in-place concrete substructure.

The NCDOT proposes to construct two 215-foot-long three span structures, each with a minimum roadway width of 33 feet. The new structures will include two lanes at 12 feet wide, as well as bike lanes at 5 feet wide and sidewalks at 5.5 feet wide. The bridges will be replaced-in-place sequentially while maintaining two-way traffic on one bridge during construction.

The purpose of the project is to replace Bridge 400109 (SR 4240 EB) and Bridge 400121 (SR 4240 WB). Bridge 400109 was built in 1957 and was previously structurally deficient. It has had maintenance performed and is now considered functionally obsolete. Bridge 400121 (SR 4240 WB) was built in 1964 and is structurally deficient due to a superstructure and substructure rating of 4 out of 9. The bridge replacements will improve active transportation system linkages.

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) 05/18/21

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

D. Changes in Proposed Action & Environmental Consequences:

There are no changes to the resulting impacts from the proposed project.

The federally protected species for Guilford County have not changed since the completion of the Categorical Exclusion in May of 2021. At that time, it was determined that habitat assessment and/or surveys for Schweinitz's sunflower would be performed by the NCDOT-

EAU Biological Surveys Group prior to construction and appropriate coordination with US Fish and Wildlife Service (USFWS) would be conducted at that time. This was included as an Environmental Commitment in the CE. On October 21, 2021 foot surveys for the Schweinitz's sunflower were conducted within the project study area. Habitat was not present in the project study area. The maintained areas along the highway right-of-ways, was too maintained and developed. The powerline in the study area has been treated with herbicide. No Schweinitz's sunflowers were found within the survey limits. A review of the NC Natural Heritage Program records on October 20, 2021 indicates there are no known records within 1.0 mile of the study area. It can be concluded that the project will have No Effect on the Schweinitz's sunflower.

The USFWS 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 agreement covers Divisions 1-8, NLEBs are currently only known in 19 counties, but may potentially occur in 11 additional counties within Divisions 1-8. NCDOT, FHWA, and USACE have agreed to two conservation measures which will avoid/minimize mortality of NLEBs. These conservation measures only apply to the 30-current known/potential counties shown on Figure 2 of the PBO at this time. The programmatic determination for NLEB for the NCDOT program is **May Affect, Likely to Adversely Affect**. The PBO will ensure compliance with Section 7 of the Endangered Species Act for ten years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Guilford County, where Project B-5717 is located.

A tribal coordination letter was sent to the Catawba Indian Nation on 12/20/2019.

Two changes have been made to the Transportation Management Plan (TMP): Access to/from Cedar Park Rd has been restricted to "right-in, right-out" during the construction project's duration. Left turns from Cedar Park Rd onto E. Gate City Blvd Eastbound are prohibited. Drivers must make a right-turn, and a subsequent U-turn at E. Florida St, to travel eastbound on E. Gate City Blvd. Detour signage, including specific direction to the I-40 interchange, is included. Left turns from E. Gate City Blvd Eastbound onto Cedar Park Rd are prohibited. Drivers must continue straight, and make a U-turn at the I-40 eastbound ramp intersection, and then make a right turn onto Cedar Park Rd. Detour signage is included.

Access to/from the Penske Truck Rental Property has been restricted to "right-in, right out" during the construction project's duration. Left turns from the Property onto E. Gate City Blvd westbound are prohibited. Drivers must make a right-turn, and a subsequent U-turn at the I-40 Eastbound ramp intersection, to travel westbound on E. Gate City Blvd. Detour signage is included. Left turns from E. Gate City Blvd Westbound into the Property are prohibited. Drivers must continue straight, make a U-turn at E. Florida St., and then make a right turn into the Property. Detour signage is included. Both of these changes were to made to mitigate safety and congestion concerns during construction.

No changes to the post-construction geometry have been made.

**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, hereby verifies the involvement of the following staff and the incorporation of their technical input:

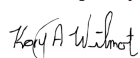
Design Engineer:	Greg Cols, PE (AECOM)	4-25-22
Environmental Specialist:	William A. Barrett (NCDOT)	3-30-22
FHWA (if applicable):	N/A	N/A
Other:	N/A	N/A

**G. Consultation Approval for NCDOT Project B-5717****Prepared By:**

4/25/2022

Date


DocuSigned by:

Kory Wilmot, AICP  
AECOM**Prepared For:**

4/26/2022

Date

DocuSigned by:

Jacquelyn Bowles, PE  
NCDOT, Structures Management Unit**Reviewed By:**

4/26/2022

Date

DocuSigned by:

John Jamison, Western 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.

4/26/2022

Date

DocuSigned by:



Kristy Alford, PE - Project Engineer – Field Operations  
NCDOT, Structures Management Unit

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

N/A

Date

Federal Highway Administration

## H. Project Commitments (as of March 8, 2022)

**Guilford County  
Federal Project No. 4240002  
WBS No. 45673.1.2  
TIP No. B-5717**

**Replace Bridges 400109 and 400121 on East Gate City Boulevard/ E. Lee Street (SR 4240) over South Buffalo Creek**

### **NCDOT Environmental Analysis Unit (EAU) / Biological Surveys Group – Schweinitz's Sunflower**

According to the NRTR, Schweinitz's sunflower (federally endangered) has a Biological Conclusion of Unresolved. Habitat for Schweinitz's sunflower is present within the study area along the maintained road shoulders and utility corridors. No occurrences of Schweinitz's sunflower were found during surveys conducted outside of the recommended survey window. A review of NHP records on December 27, 2019, indicates no known occurrences within 1.0 mile of the study area. The Schweinitz's sunflower was added to the list of protected species after the completion of the original NRTR, and outside the survey window for the NRTR Addendum. Surveys for Schweinitz's sunflower will be conducted during the flowering season of 2021.

*On October 21, 2021 foot surveys for the Schweinitz's sunflower were conducted within the project study area. Habitat was not present in the project study area. The maintained areas along the highway right-of-ways, was too maintained and developed. The powerline in the study area has been treated with herbicide. No Schweinitz's sunflowers were found within the survey limits. A review of the NC Natural Heritage Program records on October 20, 2021 indicates there are no known records within 1.0 mile of the study area. It can be concluded that the project will have No Effect on the Schweinitz's sunflower.*

### **NCDOT Division 7 – Continued Coordination with Local Officials**

NCDOT should coordinate with City of Greensboro Emergency Services (Katie Buckner, GIS Analyst | 336-574-4089) at least one month prior to construction.

NCDOT should coordinate with City of Greensboro Public Schools (Beatrice Cheely, TMIS Coordinator, Guilford County Schools | 336-370-8920) at least one month prior to construction.

### **NCDOT Hydraulics – Buffer Rules**

The Jordan Lake Water Supply Watershed Buffer Rule applies to this project.

### **NCDOT Hydraulics & Division 7 – FEMA Coordination**

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

### **NCDOT Division 7 – Geodetic Markers**

There is a Geodetic survey marker on the northeast corner of the existing bridge that will be

impacted by this project. The NC Geodetic Survey will be contacted one month prior to the start of construction.

**NCDOT Division 7 – Mitigation Site**

On April 3, 2019, the North Carolina Wildlife Resources Commission provided a comment related to the absence of a mitigation site in the environmental features map. Impacts to the mitigation site will be avoided.