

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	B-5813
WBS Element	45767.1.1
Federal Aid Project No.	N/A

A. Project Description, Location, and Purpose:

The North Carolina Department of Transportation (NCDOT) plans to replace Cabarrus County Bridge No. 132 on NC 73 over Dutch Buffalo Creek. The existing bridge has two 12-foot lanes and is approximately 190 feet long, with a reinforced concrete deck girder superstructure. The bridge was built in 1920 and was rehabilitated in 1952.

The proposed project, B-5813, is state-funded. The proposed cross-section is two 12-foot lanes with a center 12-foot left turn lane and eight-foot shoulders. The project will require a realignment of NC 73, with a project length of approximately 1,800 feet. Traffic will be maintained on the existing roadway while the new alignment is constructed. Minor ROW acquisition will be required. The project is scheduled for let in June 2021.

An existing bicycle route, Cabarrus County Bicycle Route No. 2 - Northern Route, utilizes NC 73 at this bridge location. The NCDOT Integrated Mobility Division has requested four-foot minimum paved shoulder, as well as bicycle safe railing. These requested accommodations are included in the project's designs.

The adopted Carolina Thread Trail Master Plan for Cabarrus County (August 2009) indicates a planned greenway, the Dutch Buffalo Creek Greenway, traveling under the bridge. The Cabarrus County Active Living and Parks Department Director confirmed on June 18, 2018, that the proposed greenway is not funded. On July 6, 2018, Cabarrus County confirmed that none of the parcels surrounding Bridge No. 132 are owned by the County, Parks and Recreation Department, or have publicly owned easements on them. Proposed segments of the Carolina Thread Trail are part of the adopted Carolina Thread Trail Master Plan for Cabarrus County (August 2009) and traverse the Direct Bridge Impact Area (DBIA). These segments include Segment K – Mt. Pleasant Greenway Loop and Segment L – Rocky River Corridor. These two segments intersect at the subject bridge location. The proposed bridge will provide adequate vertical and horizontal clearances to accommodate future construction of the planned greenway on either side of Dutch Buffalo Creek. If the planned greenway is constructed along the west side of the creek, it will also need to cross the unnamed tributary to Dutch Buffalo Creek, northwest of the bridge.

B. Consultation Phase: (Check one)

- ☐ Right-of-Way
- ☒ Construction
- ☐ Other:

C. NEPA/SEPA Class of Action Initially Approved as: (Check one)



SEPA MCDC

November 26, 2018

Additional Notes:

D. Changes in Proposed Action & Environmental Consequences:

The unnamed tributary to Dutch Buffalo Creek in the northwest bridge quadrant will be realigned to accommodate the construction of the proposed bridge and the new alignment. Based on additional Hydraulic studies, NC 73 will be raised an additional amount due to FEMA regulations. Two driveways on the south side of NC 73 have been combined into one driveway opposite Dutch Road. A driveway to Parcel #4 has been added on Dutch Road.

No other changes have occurred since the MCDC was approved.

The 401/404 Permit Application is in the process of being revised based on NCDWR comments. A resubmission will occur once the revisions are completed.

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

STV Project Manager:	Jason Griscom	2/10/2021
NCDOT Hydraulics:	Brian Radakovic	2/17/2021
NCDOT PICS/IZ	Diane Wilson	2/18/2021
NCDOT Environtl. Specialist:	Jeffrey Hemphill	3/04/2021
NCDOT Division 10 ROW	Trent Culp	3/26.2021

G. Consultation Approval for NCDOT Project B-5813

Prepared By:

3/31/2021

Date

DocuSigned by:

Allison N. Woodall

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Allison Woodall, Transportation Engineering Associate
NCDOT

DocuSigned by:

J. W. Stroud

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3/31/2021

Date

Wilson Stroud, Project Management Unit
NCDOT

DocuSigned by:

A. Keith Paschal

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Prepared For:

Keith Paschal, Structures Management Unit
NCDOT

DocuSigned by:

John Jamison

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Reviewed By:

3/31/2021

Date

John Jamison, Western Regional 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.

DocuSigned by:

David Stutts

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4/1/2021

Date

David Stutts, PE – Project Engineer – PEF/Program Management
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.

N/A

Date

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

H. Project Commitments (as of 3/04/2021)

Cabarrus County
Bridge No. 132 over Dutch Buffalo Creek on NC 73 in Cabarrus County
WBS No. 45767.1.1
STIP B-5813

Hydraulics Unit – 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).

Status update: Coordination resulted in approval on February 24, 2020 of the FEMA NFIP (National Flood Insurance Program) under NCDOT's MOA with the FMP.

NCDOT Division 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.

Status update: This commitment is still valid.

Enhanced Voluntary Agricultural District (EVAD)

The project includes one parcel totaling 86 acres that is part of a Cabarrus County EVAD. The project would require approximately .88 acres of new right of way from the EVAD parcel. If the VAD property holder refuses settlement, prior to pursuing condemnation, the right of way Branch must contact Project Development to coordinate with the Cabarrus County VAD Board to schedule a public meeting. The Cabarrus County VAD ordinance provides that no state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a Cabarrus County VAD until such agency or unit has requested the advisory board to hold a public hearing on the proposed condemnation.








Status Update: Per coordination with the Division 10 Right of Way Office, NCDOT has reached a settlement with the owner of the EVAD parcel (Parcel # 1) for the needed right of way and easements, and the agreement has been recorded. A VAD public hearing is not required.



**FIGURE 1-
LOCATION MAP**



LEGEND

-  Bridge Location
-  Project Study Area
-  Floodplain
-  Parcel
-  EVAD Parcel
-  Stream
-  Church
-  Historic Site



Source: USDA Geospatial Gateway; NOneMap; USFWS

TIP Project B-5813

**Bridge Replacement
Bridge No.132
over Dutch Buffalo Creek
on NC 73
Cabarrus County**

October 2018