

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	B-5869
WBS Element	48063.1.FR1
Federal Aid Project No.	NHPP-0064(180)

A. Project Description, Location, and Purpose:

This project will replace Bridge 110099 over Norfolk Southern Railroad on US 64/70 (Fleming Street), Morganton, Burke Co., NC.

The project will shift the alignment for the new Bridge No. 99 approximately 30 feet south of the existing structure's centerline. The permanent replacement structure will be approximately 265 feet long with four 12-foot travel lanes, two in each direction, and one additional 12-foot center turn lane. The structure will also have 2-foot gutters, a 5.5-foot sidewalk on the north side and a 10-foot multi-use path on the south side. The bridge length was increased to allow for a minimum of 23 feet of vertical clearance over the NSR and to allow for the potential future construction of a second track underneath the bridge. The roadway grade of the new structure will be raised approximately 2 feet to accommodate the additional track clearance. The removal of the existing bridge will be performed in a manner that prevents debris from falling onto existing tracks.

Removal of the existing bridge and construction of the new bridge will be phased to accommodate vehicle movements through the area. A temporary two-lane onsite detour alignment to the north side of the existing bridge will also be utilized to maintain traffic.

NCDOT Bridge Management Unit records indicate Bridge No. 99 is in poor condition with a sufficiency rating of 44.34 out of a possible 100 for a new structure. The 5-span bridge was built in 1955 and is considered structurally deficient due to a superstructure condition appraisal of 4 out of 9 according to Federal Highway Administration (FHWA) standards. The superstructure consists of steel beams carrying a reinforced concrete deck. The substructure is comprised of steel piles with reinforced concrete caps. Components of both concrete and steel superstructure and substructure have experienced an increase in deterioration that can no longer be addressed by maintenance activities. The purpose of this project is to eliminate the deficient status of the bridge.

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)

March 16, 2018

Additional Notes: **Type II B**

D. Changes in Proposed Action & Environmental Consequences:

Design Changes

No major design changes have occurred since the signing of the CE and no additional impacts to any resources have occurred due to these design changes.

Water Resources

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

Protected Species

As of 12/14/2020, the USFWS lists nine species for Burke County. Spreading avens has been removed from the list and Gray bat (*Myotis grisescens*) has been added to the list since the completion of the CE.

Plants with Habitat: Habitat remains present for dwarf-flowered heartleaf, small whorled pogonia and white irisette. Pursuant to NCDOT protocol, surveys will be updated for these species in the appropriate survey season prior to project permitting.

Northern long-eared bat: NCDOT has determined that the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016. NCDOT may presume its determination is informed by best available information and consider Section 7 responsibilities fulfilled for NLEB.

Gray bat: Gray bat was added to the list of protected species for Burke County on 12/14/2020. Surveys will be conducted for this species during the appropriate survey season, and prior to project permitting.

Archaeology & Historic Architecture

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.

Threshold Questions

There is no new information that would change a 'No' on a CE Threshold Question to a 'Yes'.

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:	Michael Pekarek, PE – Mott MacDonald	Feb. 3, 2021
Environmental Specialist:	Michael Turchy	Jan. 21, 2021
FHWA (if applicable):		
Historic Architecture:	Shelby Reap	Jan. 5, 2021
Archaeology	Matt Wilkerson	Feb. 4, 2021

G. Consultation Approval for NCDOT Project B-5869

Prepared By:


4/22/2021

Date

DocuSigned by:

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 Martha M. Register, Simpson Engineers & Associates

Prepared For:

DocuSigned by:

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 Jacquelyn Bowles, PE; NCDOT, Structures Management Unit

Reviewed By:

4/23/2021

Date

DocuSigned by:


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 John Jamison, 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.

4/23/2021

Date

DocuSigned by:


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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

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

H. Project Commitments (as of February 19, 2021)

Burke County
Replace Bridge No. 99 over Norfolk Southern Railroad on US 64/70 (Fleming Street),
Morganton
Federal Project No. NHPP-0064(180)
WBS No. 48063.1.FR1
STIP No. B-5869

Environmental Analysis Unit

Gray bat

NCDOT will conduct surveys for the Gray bat within the study area, and additional coordination with the USFWS if needed, prior to Clean Water Act permitting.

Small whorled pogonia and white irisette

The previous surveys for small whorled pogonia and white irisette have expired. To ensure compliance with Section 7 of the Endangered Species Act, NCDOT will survey for these species at the next available survey window prior to Clean Water Act permitting.

Work Zone Traffic Control Unit

Shopping Center Access

NCDOT will coordinate with the Morganton Heights Shopping Center property owner to ensure maintenance of access to the shopping center during project construction.

Structures Management Unit, Utilities Coordination Unit and Division 13

Pedestrian and Bicycle Facilities and Other Enhancements

NCDOT and the City of Morganton are continuing discussions to determine responsibilities and cost-sharing burdens for a range of requested project enhancements, including architectural elements on the bridge, the width and location of pedestrian facilities, median design, bike lanes, decorative lighting and replacement of a water line. The inclusion of, design, and location for these items will be determined during the final roadway and bridge design phase in coordination with the City and the decisions will be formalized under a subsequent Municipal Agreement.

Discussions between NCDOT and the City of Morganton regarding cost-sharing and requested betterments are on-going.