

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	BR-0044
WBS Element	67044.1.1
Federal Aid Project No.	N/A

A. Project Description, Location, and Purpose:

The North Carolina Department of Transportation (NCDOT) is proposing to replace Bridge No. 780168 carrying NC 14/87 over the Smith River in Rockingham County (Figure 1). A new bridge will be constructed to the north of the existing bridge and traffic will be maintained on the existing bridge during construction. Following construction of the new bridge, the existing bridge would be removed. The proposed action is listed in the Bridge Program as Project Number BR-0044.

Bridge No. 780168 is located in a rural area just north of the town limits of Eden. The area surrounding the bridge is primarily undeveloped forestland; however, one home is located approximately 550 feet west of the bridge on the north side of NC 14/87. One commercial property is located approximately 700 feet east of the bridge, also on the north side of the road. The existing bridge includes two 12-foot travel lanes with four-foot paved shoulders. The bridge is 525 feet long with seven spans. It is at a 45-degree skew to the river.

The proposed replacement bridge would be constructed approximately 10 feet north of the existing bridge and will be approximately 522 feet in length with two 12-foot lanes and four-foot paved shoulders (Figure 2). Project construction will extend approximately 940 feet to the west and 870 feet to the east from the replacement bridge along NC 14/87. The roadway will be designed as a Principal Arterial using American Association of State Highway and Transportation Officials (AASHTO) and Regional Tier Guidelines with a 60 mile per hour design speed.

The purpose of the proposed project is to replace a deficient bridge. Bridge No. 780168 is considered structurally deficient, with National Bridge Inventory (NBI) Condition Grades of 4 for the Superstructure and Substructure (NBI Guide Items 59 and 60, respectively, per the Federal Coding Guide), per the most recent National Bridge Inspection Standards (NBIS) inspection data available. The current bridge was constructed in 1966 and is reaching the end of its useful life.

B. Consultation Phase: (Check one)

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

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

SEPA MCDC

02/27/2019

Additional Notes: **N/A**D. Changes in Proposed Action & Environmental Consequences:

There have been no changes to the proposed project since the environmental document was completed in February 2019. There have been no changes to the status of the water resources in the Project footprint since the environmental document was completed. It is anticipated there will be approximately 280 feet of temporary impacts to Smith River due to bent removal/construction. Permanent impacts will result from stream relocation and from bent placement in the river. Updates to the programmatic biological opinion for the Northern Long-eared bat are documented on the Project Commitments sheet.

This consultation is being completed due to the length of time that has passed since the MCDC was completed.

The US Fish and Wildlife Service (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-, NLEBs are currently only known in 19 counties, but may potentially occur in 11 additional counties within Divisions 108. 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 10 years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Rockingham County, where Project BR-0044 is located.

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. The NCDOT Project Manager, David Stutts, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	AECOM - Gregory Cols, PE	04/06/22
Environmental Specialist:	Jeff Hemphill	03/21/22
FHWA (if applicable):	N/A	N/A
Other:	N/A	N/A

G. Consultation Approval for NCDOT Project BR-0044**Prepared By:**

4/14/2022

Date

DocuSigned by:



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Celia Miars, AICP, Environmental Planner
AECOM**Prepared For:**

4/14/2022

Date

DocuSigned by:



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

4/14/2022

Date

DocuSigned by:



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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.

4/14/2022

Date

DocuSigned by:



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

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

Date

N/A

Federal Highway Administration

H. Project Commitments (as of April 11, 2022)

Rockingham County
Bridge No. 780168 carrying NC 14/87 over Smith River
Federal Project No. N/A
WBS No. 67044.1.1
Project No. BR-0044

Division 7 Construction

Northern Long-eared Bat

The US Fish and Wildlife Service has developed a programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the NLEB in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for NLEB for the NCDOT program in Divisions 1-8 is "May Affect, Likely to Adversely Affect." The PBO will provide incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Rockingham County, where the project is located. This level of incidental take is authorized from the effective date of final listing through April 30, 2020.

Project requirement for PBO compliance: After project completion, the contract administrator for construction must submit the actual amount of tree clearing reported in tenths of acres. This information should be submitted to the NCDOT-Environmental Analysis Unit-Biological Surveys Group.

*The US Fish and Wildlife Service (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-, NLEBs are currently only known in 19 counties, but may potentially occur in 11 additional counties within Divisions 108. 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 10 years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Rockingham County, where Project BR-0044 is located.*

Project requirement for PBO compliance: After project completion, the contract administrator for construction must submit the actual amount of tree clearing reported in tenths of acres. This information should be submitted to the NCDOT-Environmental Analysis Unit-Biological Surveys Group.

NCDOT Environmental Analysis Unit**Roanoke logperch and James River spiny mussel**

Aquatic surveys for the Roanoke logperch and James River spiny mussel have been completed. In a letter from the US Fish and Wildlife Service dated October 31, 2019, based on the information contained in the Biological Assessment and other available information, the Service concurred with NCDOT's conclusion that the proposed action **may affect but is not likely to adversely affect** the Roanoke Logperch and James River Spiny mussel. The US Fish and Wildlife Service believes that the requirements of Section 7(a)(2) of the ESA have been satisfied.

From USFWS Concurrence Letter dated October 31, 2019: Based on the information contained in the Biological Assessment and other available information, the Service concurs with your conclusion that the proposed action may affect but is not likely to adversely affect the Roanoke Logperch and James River Spiny mussel. We believe that the requirements of Section 7(a)(2) of the ESA have been satisfied.

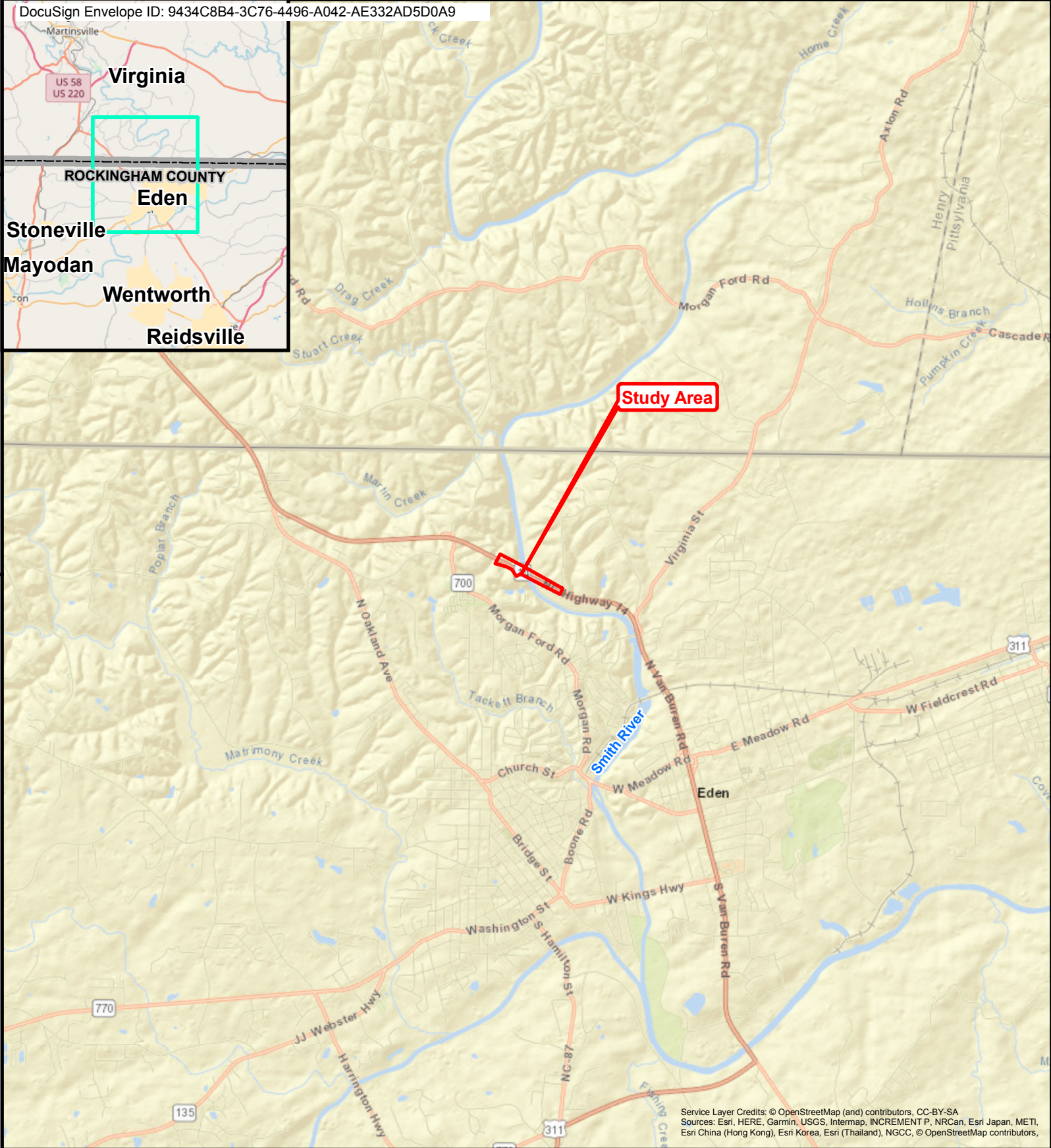
Commercial Property east of bridge

Driveway to property will remain open during construction. Division will coordinate with property owner east of bridge about access to their driveway during construction.

Division 7 /Hydraulics Unit

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.

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).



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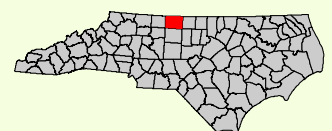


NORTH CAROLINA DEPARTMENT
 OF TRANSPORTATION
 DIVISION OF HIGHWAYS

VICINITY MAP - Figure 1 **Replace Bridge 780168 on NC 14/87 over the Smith River** **Rockingham County, North Carolina**

TIP Project BR-0044

0 1 Miles



November 2018
 NAD83 NC StatePlane
 This map is for reference only.





**NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS**

-  Culvert
-  Project Study Area
-  Proposed Roadway Bridge
-  Proposed Edge of Travel
-  Proposed Slope Stakes
-  Slopestakes Plus 40 feet
-  Intermittent Stream
-  Perennial Stream
-  Delineated Wetland
-  Waterbody
-  Municipal Boundary

ALTERNATIVE 1

Replace Bridge 780168 on NC 14/87 over the Smith River

Rockingham County, North Carolina

TIP BR-0044



Div: 7	TIP# BR-0044
Date: February 2019	

**Figure
2**