

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	<u>BR-0118</u>
WBS Element	<u>48827.3.1</u>
Federal Aid Project No.	<u>2020001</u>

A. Project Description, Location, and Purpose:

The purpose of this project is the replacement of Bridge No. 650093 over Jacks Swamp on SR 1203 (Jack Swamp Road) in Northampton County, North Carolina. The bridge will be replaced on the existing alignment while detouring traffic onsite. The proposed bridge will be 72.25 feet long with a minimum clear roadway width of 27.8 feet. The approach roadway will extend 321.24 feet and 537.12 feet on the west and east sides, respectively. The proposed design will provide ten-foot paved lanes and no paved shoulders except in the vicinity of the proposed bridge.

The replacement of Bridge No. 093 is part of the *Growing Rural Economy and Agriculture through Transportation and Technology Enhancement or Replacement in North Carolina (GREATER-NC) Project* under the *United States Department of Transportation's 2018 Better Utilizing Investments to Leverage Development (BUILD) Grant* program.

The purpose of the grant and this bridge replacement project is to provide transportation infrastructure to support economic development and improve physical and digital connectivity in rural communities in North Carolina. The posted weight restriction on Bridge No. 650093 prohibits large or heavy vehicles, typically used in transporting agricultural and manufactured products, from using the bridge. Replacing the existing bridge will eliminate posted weight limits by providing a safe crossing for all legal loads and will make accommodations for broadband installation in order to support economic competitiveness.

B. Consultation Phase: (Check one)

- Right-of-Way
- Construction
- Other:

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

- FHWA Class II (CE) 10/15/2019

Additional Notes: **Type I-A**

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

The biological conclusion is still “No Effect” for the two federally protected species listed at the time the CE was signed for this project (the Atlantic sturgeon and red-cockaded woodpecker, both having a federal status of “Endangered”). This is due to the absence of habitat for these species within the project study area.

When the list of federally protected species for Northampton County was updated on July 17, 2020, two additional species: the Atlantic pigtoe and shortnose sturgeon were added to the list.

The Atlantic pigtoe is not currently protected (it is an “A Risk Species”) and a biological conclusion is not necessary at this time. If this species were to receive federal protection, the appropriate biological conclusion would be “No Effect”. This is due to the project study area being outside the known range of the species as documented by the United States Fish and Wildlife Service (USFWS).

For the shortnose sturgeon (federal status of “Endangered”), the biological conclusion for this species is “No Effect”, since it is not currently known to be in the Chowan Basin and due to the absence of suitable habitat.

The USFWS 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 northern long-eared bat (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 is "May Affect, Likely to Adversely Affect." The PBO provides 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 Northampton County where BR-0118 is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2020 (the USFWS, FHWA, USACE, and NCDOT are coordinating to reinstate Section 7 to extend the PBO beyond this date).

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.

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:

KCA Design Engineer:	Sam Cullum	10/07/2020
KCA Structures Engineer	Jacob Duke	10/07/2020
NCDOT Environ. Specialist:	Gordon Cashin	10/07/2020
NCDOT Hydraulics:	Brian Radakovic	10/12/2020
NCDOT Cultural Resources:	Jamie Lancaster	10/12/2020

G. Consultation Approval for NCDOT Project BR-0118

Prepared By:

10/23/2020

Date

DocuSigned by:



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Eugene Tarascio
NCDOT, Project Management Unit

Prepared For:

DocuSigned by:



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Jacquelyn Bowles, PE
NCDOT, Structures Management Unit

Reviewed By:

10/23/2020

Date

DocuSigned by:



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Colin Mellor, 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.

10/23/2020

Date

DocuSigned by:



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David Stuts, 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

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

H. Project Commitments (as of October 20, 2020)

**Northampton County
Bridge No. 650093 over Jacks Swamp on SR 1203 (Jack Swamp Road)
WBS No. 48827.1.1
TIP No. BR-0118**

Changes to the project commitments as shown in the CE for project are printed in italics.

NCDOT Division 1 – Emergency Services:

Northampton County emergency services shall be contacted at (252) 574-0205 at least one month prior to construction to make necessary temporary reassignments to primary response units.

NCDOT Division 1 – Access:

Access will be maintained throughout construction for local traffic and active farms located near both ends of the bridge. Early coordination efforts will be implemented with farmers and property owners to minimize impact on operations and avoid project delays.

NCDOT Division 1 – Minimizing Temporary Detour Impacts:

The proposed temporary design will steepen roadway slopes to as much as possible to reduce the project's footprint. The design will also utilize crane matting with geotextile in all wetland fill areas to minimize wetland impacts.

The design for the project has been completed and incorporates steepened roadway slopes and the geotextile matting mentioned above.

NCDOT Division 1 - Prime or Important Farmland:

The bridge will be replaced using an on-site detour to maintain access to residential and commercial properties, as well as for active farms located near both ends of the bridge. Early coordination efforts will be implemented with farmers and property owners to minimize impact on operations and avoid project delays.

NCDOT 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).

Coordination resulted in approval on March 19, 2020 for the FEMA NFIP (National Flood Insurance Program) under NCDOT's MOA with the FMP. This commitment has been completed.

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.

COMMITMENTS FROM PERMITTING

No additional special commitments were added during permitting.