

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
I. D. No. I-3802B

I. GENERAL INFORMATION

- a. Consultation Phase: Construction
- b. Project Description: Widen I-85 from Lane Street (Exit 63) in Cabarrus County to US 29-601 Connector (Exist 68 in Rowan County).
- c. State Project: WBS # 36780.1.3
Federal Project: NHIMF-085-2(78)63
- d. Document Type: Categorical Exclusion 12/30/13
Date

II. CONCLUSIONS

The above environmental document has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted below in Section III. 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.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

In the final preparations for Let, NCDOT Division 9 has made several modifications to the scope as illustrated in the attached figure and listed below:

1. Install one Dynamic Message Sign (DMS) on US 29 northbound south of Centerview Street
2. Mill and Resurface US 29
3. Add a Roundabout at Power Street
4. Replace slabs and repair spalls on I-85 from Bridge 94 to north end of Project.
5. Replace Bridge No. 68 – traffic maintained onsite during construction
6. Replace Bridge No. 84 – detour traffic offsite during construction
7. Replace Bridge No. 94 – detour traffic offsite during construction
8. Mill and resurface deck and approaches of Bridge No. 102. Traffic would be maintained onsite during construction.

These activities have been vetted with Rowan County Emergency Services and with Rowan County Schools and they have verified that the proposed activities will be

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acceptable. Activities 2 – 8 are in the original study area. Natural environment concerns are addressed for Activities 2 – 8 along with the original project scope as follows:

WATER RESOURCES – Original Study Area

Jurisdictional features within the project limits include Cold Water Creek and 32 Unnamed Tributaries (UT) of Cold Water Creek; eight UTs of Cold Water Creek (Lake Fisher); Town Creek and one UT of Town Creek; and 28 wetlands (23 riparian, five non-riparian). The water resource classifications for the above-named creeks and their tributaries have not changed since the above-referenced document was completed. One surface water within 1.0 mile of the project is listed on the 2014 Final 303(d) List of Impaired Waters. Town Creek (Assessment Unit No. 12-115-3) is listed as impaired due to Fair fish community and Fair macrobenthos ratings.

FEDERALLY PROTECTED SPECIES – Original Study Area

As of April 2, 2015, the U.S. Fish and Wildlife Service (USFWS) lists Schweinitz's sunflower (*Helianthus schweinitzii*) as Endangered and northern long-eared bat (*Myotis septentrionalis*) as Threatened in both Cabarrus and Rowan Counties; it also lists Carolina heelsplitter (*Lasmigona decorata*) as Endangered in only Cabarrus County. Biological conclusions of "No Effect" were rendered for both Schweinitz's sunflower and Carolina heelsplitter at the time of the above referenced document and remain valid. Habitat was present for Schweinitz's sunflower and the project was surveyed most recently on October 16, 2014. No habitat was present for Carolina heelsplitter.

Northern long-eared bat was added to these counties after the CE was completed. Currently, this species has a Biological Conclusion of "Unresolved" because surveys have not yet been completed. However, a request has been submitted to the Biological Surveys Group (BSG) and surveys will commence once a more refined project footprint is developed, likely after Concurrence Point 4B, which is tentatively scheduled for April 2016 per the Design-Build Industry Draft Request for Proposals. A Biological Conclusion will be rendered once the surveys are completed.

NEW STUDY AREA

This new study area has been reviewed and cleared for historic structures, archaeological concerns.

Regarding the Natural Environment of the new study area there are no High Quality Waters (HQW), Outstanding Resource Waters (ORW), or Water Supply I or II (WS-I or WS-II) watersheds within 1.0 mile of the added project study area sections. There are also no designated anadromous fish waters, Primary Nursery Areas (PNA), or trout waters present within 1.0 mile of these sections. Additionally, the North

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Carolina 2014 Final 303(d) list of impaired waters does not identify any streams within 1.0 mile as impaired.

The UT of Cold Water Creek is classified WS-IV.

One benthic sampling site is located within 1.0 mile of the added study area sections (Sample No. 2970, sampled July 1, 1983). However, this site is located within a different HUC (03040103) than the study area sections (HUC 03040105). No fish monitoring stations are located within 1.0 mile of these study area sections. There is one jurisdictional stream in the area and no wetlands within the study area. The DMS will be placed in such a way as not to impact the stream.

Regarding endangered species there will be No Effect on Schweinitz's sunflower. The Northern long-eared bat is unresolved. There are commitments regarding the bat in the attached Project Commitments Sheet.

Due to the lack of habitat, known occurrences of the bald eagle and minimal impact anticipated for this project, it has been determined that construction activities within these study area sections will not affect this species

There is habitat present for the candidate species Georgia aster.

The original study area of I-3802 has also been reviewed for Natural Environment concerns which are as follows:

IV. LIST OF ENVIRONMENTAL COMMITMENTS

See Attached Project Commitments Sheet

V. COORDINATION

PDEA personnel have discussed current project proposals with others. Please note who was coordinated with and the date. This section is to be filled out by the project manager and does not require signatures.

Design Engineer: Ron McCollum Fall 2015
Date

FHWA Engineer: Michael Batuzich Fall 2015
Date

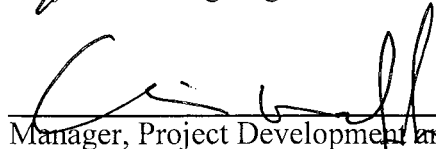
NEU-PM: Jim Mason Fall 2015
(Construction Consultations only) Date

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VI. NCDOT CONCURRENCE

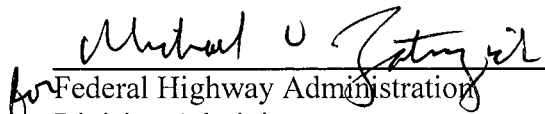

Project Planning Engineer

11-05-15
Date


Manager, Project Development and Environmental
Analysis Branch

11-5-15
Date

VII. FHWA CONCURRENCE


for Federal Highway Administration
Division Administrator

11-5-15
Date

PROJECT COMMITMENTS:

Construction Consultation to CE TIP No. I-3802B

Widen I-85 from Lane Street (Exit 63) in Cabarrus County to US 29-601 Connector (Exist 68) in Rowan County

The following commitment is new and specific to I-3802B

Design Build Team – Northern Long Eared Bat

Construction authorization will not be requested until Endangered Species Act compliance is satisfied for the northern long-eared bat.

The following are commitments from the 2013 CE and apply to either I-3802 A or B or both as indicated. The status of each commitment is indicated in italics after the commitment.

Roadway Design Unit, Hydraulics Unit, Structure Design Unit, Division 10 – Provisions for Greenway

The proposed new I-85 bridges over Irish Buffalo Creek will be designed with adequate vertical and horizontal clearance to accommodate the future Irish Buffalo Creek greenway crossing under I-85. Coordination with the local municipality will be performed during design of those bridges to ensure they are compatible with the future greenway crossing. *(I-3802A) The bridge crossing Irish Buffalo Creek was designed to have sufficient length to accommodate a ten-foot wide future greenway on the north side of Irish Buffalo Creek.*

Project Development and Environmental Analysis Unit – NEPA/Section 404 Merger Process

NEPA/Section 404 Merger Concurrence Points 3 (Least Environmentally Damaging Practicable Alternative) and 4 (Avoidance and Minimization) will be completed for the project. *(I-3802A & B) A meeting to discuss Concurrence Points 3 and 4 was held on March 13, 2014. Concurrence was reached at the meeting.*

Project Development and Environmental Analysis Unit, Division 10, Roadway Design - Blake House, Goodman Farm, Caldwell House and Barrier House

Blake House, Goodman Farm, Caldwell House, and Barrier House are National Register of Historic Places (NRHP) eligible properties. These properties are located within the project's Area of Potential Effects. Currently, the proposed project will have No Effect on the Blake House and Goodman Farm and No Adverse Effect on Caldwell House and Barrier House. If design plans change near any of the properties, impacts will be re-evaluated and appropriate coordination with the Department of Cultural Resources will be undertaken. **(I-3802 A)** *Additional analysis and coordination were done for the proposed design modifications. There will be no effect on any historic resources.*

North Cabarrus Park

North Cabarrus Park, owned and managed by Cabarrus County, is located on the west side of I-85 near Irish Buffalo Creek. No additional right-of-way or easements are proposed along I-85 on park property; thus, the project will not impact North Cabarrus Park. If design plans change and result in impacts to North Cabarrus Park, a Section 4(f) evaluation will be prepared. **(I-3802A)** *The proposed design modifications will not affect the park.*

Hydraulics Unit – Floodplain Mapping Program Coordination

The NCDOT Hydraulics Unit will coordinate with the North Carolina Floodplain Mapping Program (FMP), the delegated state agency for administering FEMA's National Flood Insurance Program, to determine the status of the project with regard to the applicability of NCDOT's Memorandum of Agreement with the FMP or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent Final Letter of Map Revision (LOMR). **(I-3802 A & B)** *Two FEMA crossings, Irish Buffalo and Cold Water Creek were impacted. An MOA Type 2 approval was obtained.*

Divisions 9 and 10 – As-Built Construction Plans

The Divisions 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. **(I-3802 A & B)** *The Team will work with the Division to obtain as-builts of the constructed bridges and will review for compliance with the construction plans.*

Division 10 and Roadside Environmental Unit- Landscaping

NCDOT will provide vegetative screening along the Dale Earnhardt Boulevard southbound off-ramp, which utilizes Jaycee Road. **(I-3802A)** *This commitment is no longer applicable with the design modifications.*

Congestion Management Unit/ Design Build Team– Interchange Modification Report

Due to the proposed improvements at the I-85 interchanges in the study area, an interchange modification report is being prepared and will be submitted to the Federal Highway Administration for approval following completion of the final environmental document. **(I-3802A & B)** *The most recent modification was approved 10/12/14 and an addendum approved by FHWA 3-24-15. Any changes resulting from the Design Build process will be the responsibility of the Design Build Team*

Design-Build Unit

During Final Design, NCDOT will investigate the feasibility of a roundabout at Vinehaven Drive and Copperfield Boulevard. **(I-3802A)** *NCDOT determined that a roundabout at this location is not feasible.*

NCDOT will provide a leftover from northbound US 29-601 (Cannon Boulevard) to S. Ridge Avenue, and will provide access from Ridge Avenue to the Rider Transit Center. The proposed roundabout on S. Main Street will be removed from the design. **(I-3802A)** *This commitment is no longer applicable with the design modifications.*

NCDOT will connect S. Ridge Avenue to US 29-601 with right-in/right-out access. **(I-3802A)** *This commitment is no longer applicable with the design modifications.*

NCDOT will provide full access at the intersection of Old Earnhardt Road and Dale Earnhardt Boulevard. **(I-3802A)** *This commitment is no longer applicable with the design modifications.*

NCDOT will coordinate with representatives of F&M Bank to minimize impacts. **(I-3802A)**

NCDOT will modify the proposed service road at the Dale Earnhardt Boulevard interchange to provide improved access to F&M Bank, the Chamber of Commerce Building, and Lowe's Home Improvement store. **(I-3802A)** *This commitment is no longer applicable with the design modifications.*

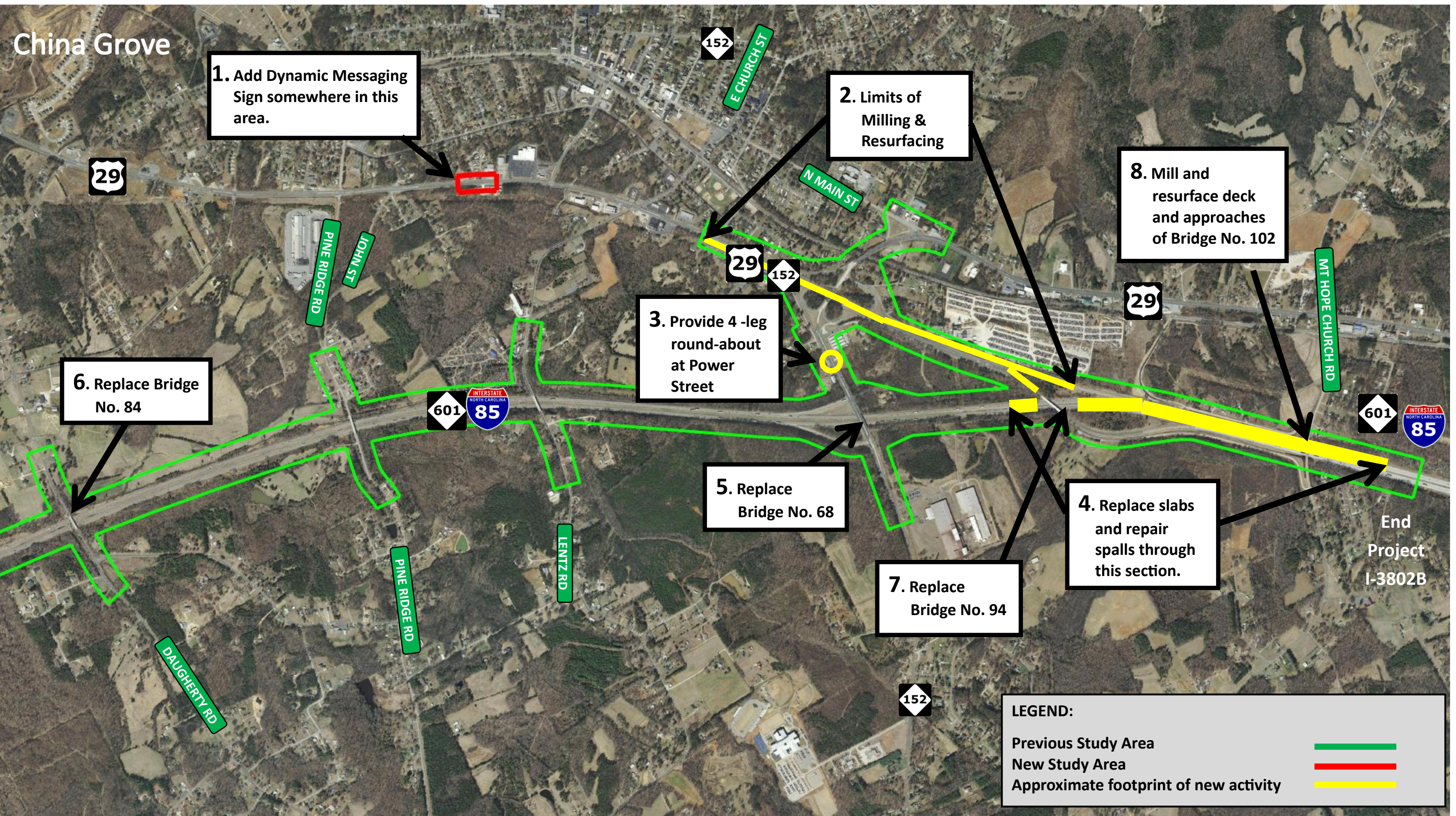
NCDOT will provide a leftover into the Pilot Truck Stop on Lane Street. **(I-3802B)** *A leftover is provided in the design plans.*

NCDOT will provide right-in/right-out access to Motel 6, Waffle House, and Brantley property on Lane Street. **(I-3802B)** *The proposed service road will be removed. A right-in/right-out is provided in the plans and the proposed service road has been eliminated.*

NCDOT will coordinate, on a case-by-case basis, the location of bus stops, sidewalks, and pedestrian controls with the City of Concord, City of Kannapolis, and Rider Transit. **(I-3802 A & B)** *The Team will coordinate with the local municipalities to locate bus stops, sidewalks, and pedestrian controls.*

NCDOT will coordinate with local officials regarding emergency access in the NC 152/US 29 interchange area. **(I-3802B)** *This has been accomplished.*

China Grove



1. Add Dynamic Messaging Sign somewhere in this area.

2. Limits of Milling & Resurfacing

3. Provide 4-leg round-about at Power Street

8. Mill and resurface deck and approaches of Bridge No. 102

6. Replace Bridge No. 84

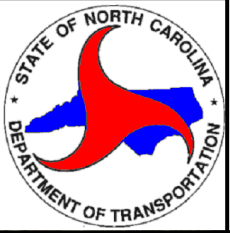
5. Replace Bridge No. 68

4. Replace slabs and repair spalls through this section.

7. Replace Bridge No. 94

LEGEND:

- Previous Study Area —
- New Study Area —
- Approximate footprint of new activity —



I-3802B – Widen I-85 from Lane Street (Exit 63) in Cabarrus Co. to US 29-601 Connector (Exit 68) in Rowan Co.

0 1000'
Scale 1"=2000'



Figure 2
Added Activities & Study Areas