

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	<u>I-5711</u>
WBS Element	<u>50401.1.FS1</u>
Federal Aid Project No.	<u>NHPP-040-4(161)220</u>

A. Project Description, Location, and Purpose:

The I-40/I-85 Interchange Improvements at SR 1007 (Mebane Oaks Road) project is included in the NCDOT 2020-2029 *State Transportation Improvement Program* (STIP) as STIP Project I-5711. The project is located partially within the city limits of Mebane, in Alamance County, North Carolina. The proposed improvements to the interchange at I-40/I-85 and Mebane Oaks Road are intended to improve traffic operations and safety of Mebane Oaks Road in the project area.

The project widens Mebane Oaks Road from south of the entrance to the Garrett Crossing shopping center to Arrowhead Boulevard. The improvements would include widening the existing bridge over I-40/I-85, constructing pedestrian and bicycle accommodations, and constructing a median island in some locations.

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) 12/4/2017

Additional Notes: **Type III CE**

D. Changes in Proposed Action & Environmental Consequences:

Design Changes - The project design has changed since the previous Construction Consultation was completed for the project on December 18, 2019. The main modification that has been incorporated into the current proposed design is: the addition of a new connector road (-Y4A-) approximately 369 feet long on Parcel 20 between existing Mebane Oaks Road and the future Wilson Road Extension (to be built by others).

The connector road will have new control of access right of way, which is entirely within the study area previously addressed in the 2017 CE. However, some drainage and permanent drainage easements (PDE) associated the new connector road are outside the study area.

In addition, there are three other areas where minor design revisions (mainly drainage and Permanent Drainage Easements) have also extended slightly outside the study area.

An updated study area was developed to capture all these areas outside the previous study area. This updated study area was evaluated by Community Studies, Historic Architecture, Historic Archaeology, ECAP, and GeoEnvironmental staff for additional impacts. No additional impacts were identified to human or environmental resources for the updated study area (see attachments).

Water Resources - Water resources and classifications within the project area have not changed since the completion of the 2019 Construction Consultation.

Protected Species - Information provided in the 2019 Construction Consultation for the Cape Fear Shiner fish and Atlantic pigtoe freshwater mussel are still valid.

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 Alamance County where I-5711 is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2030.

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, Eugene Tarascio, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	Brian Eason, PE, Lochner	11/19/2020
Environmental Specialist:	Michael Turchy	12/21/2020
FHWA:	Joe Geigle	12/17/2020
Community Studies:	Harrison Marshall	11/30/2020
GeoEnvironmental:	Gordon Box	12/14/2020
Historic Architecture:	Shelby Reap	12/21/2020
Historic Archaeology:	Shane Peterson	1/8/2021

G. Consultation Approval for NCDOT Project I-5711

**Prepared By:**

12/11/20

Date

DocuSigned by:  


Eugene Tarascio, Project Manager  
NCDOT, PMU Team C, Divisions – 7,9, & 10

**Prepared For:**


Laura E. Sutton, PE

NCDOT, PMU Team C, Divisions – 7,9, & 10

**Reviewed By:**

1/7/21

Date

DocuSigned by:  


John Jamison, Western Region 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.

1/8/2021

Date

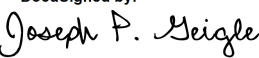
DocuSigned by:  


Laura E. Sutton, PE, PMU Team C Lead, Divisions - 7, 9 & 10  
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.

1/8/2021

Date

For DocuSigned by:  


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

H. Project Commitments (as of 11/4/2020)

**Alamance County**  
**I-85/I-40 Interchange Improvements at SR 1007 (Mebane Oaks Road)**  
**Federal Project No. NHPP-040-4(161)220**  
**WBS No. 50401.1.FS1**  
**TIP No. I-5711**

*This "Green Sheet" identifies the project commitments made to avoid, minimize, or mitigate project impacts beyond those required to comply with applicable federal and state requirements and regulations.*

Item	Responsible NCDOT Division/ Unit	Project Commitment	Status
4	Hydraulics Unit	The project shall adhere to Jordan Lake Buffer Rules.	<i>There are no buffered resources within the limits of the current proposed design.</i>
2	Division 7 Construction	<del>Hurdle Field 4W7, a grass air strip, is located to the northwest of the project. Coordination with the air strip will take place during construction to insure that construction equipment does not violate any FAA air surfaces.</del>	<i>This commitment no longer applies, since this air strip has been permanently closed.</i>
3	Division 7 Traffic	A Municipal Agreement with the City of Mebane will be necessary if the City of Mebane Fire Department formally requests a GPS Preemption System within the project limits.	<i>The GPS Preemption System was installed 1/15/2019 per the provisions set forth in a Right of Way Encroachment Agreement between NCDOT and the City of Mebane that was executed on 11/19/2018.</i>