

North Carolina Department of Transportation  
NEPA Consultation Form

|                         |                |
|-------------------------|----------------|
| STIP Project No.        | <b>R-2566B</b> |
| WBS Element             | 37512.1.5      |
| Federal Aid Project No. | NHPP-0150(004) |

A. Project Description, Location, and Purpose:

NCDOT proposes to improve NC 105 from Clark's Creek Road (SR 1136) to NC 105 Bypass (SR 1107) in Boone, Watauga County. The project corridor is 5.5 miles long. No improvements are recommended on the 1-mile section between Clark's Creek Road and the southern intersection of NC 105 and Old Shull's Mill Road.

The following improvements are recommended: The section between Old Shull's Mill Road and Broadstone Road will consist of two 12-foot lanes (one in each direction) with 6-foot wide paved shoulders on both sides. The current design proposes to extend the existing climbing lane (located near Old Shull's Mill Road) to Broadstone Road. The section between Broadstone Road and NC 105 Bypass will consist of four 12-foot lanes, a 23-foot wide raised median and 6-foot wide paved shoulders. In addition to widening, the two intersections where Old Shull's Mill Road tees into NC 105 have safety concerns. These are referenced as "Old Shull's Mill Road (north)" and "Old Shull's Mill Road (south)." To address these issues, the southern intersection (NC 105/Old Shull's Mill Road (south)) will be realigned, and the northern intersection (NC 105/Old Shull's Mill Road (north)) will be closed. Replacement of the bridge that carries NC 105 over the Watauga River north of the Broadstone Road intersection is funded separately in the STIP as R-2566BA. Project R-2566BA is included in this consultation.

B. Consultation Phase: (Check one)

- Right-of-Way  
 Construction  
 Other

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

- FHWA Class III (EA/FONSI) 9-22-2016 / 6-29-2018

D. Changes in Proposed Action & Environmental Consequences:

**Design Changes**

The following design changes do not result in significant impacts:

The following design changes have occurred since the approval of the FONSI. These changes have been communicated to the Merger team as part of 4B coordination (the 4B meeting was held on 2/10/2021):

1. Realignment of Old Shulls Mill Road (South) tie into the driveway further west on NC 105. This shifted the Begin Construction further down station as a result.
2. Continuation of the climbing lane on NC 105 to the new Old Shulls Mill Road (South) turn lanes to provide a uniform 3-lane section throughout NC 105.
3. Reduced Conflict Intersections (RCIs) added throughout corridor between Broadstone Road and NC 105 Bypass.

The following design changes have been added since the 4B meeting. These changes will be part of 4C coordination with the Merger team and include:

4. Two culvert replacements added along Old Shulls Mill Road (North).
5. Proposed rock buttress will be added between Sta. 249+00 and Sta. 253+00. (Still needs to be incorporated into design as this is a recent change).
6. Retaining wall modifications throughout. (walls have been removed, added or lengths modified).
7. Driveway tie-in modifications throughout.

### Water Resources

The water resource classifications for the waters identified in the EA remain accurate.

### Protected Species

Using the USFWS Information for Planning and Consultation (IPaC) web tool to review project area, the number of potentially effected protected species has changed. Below are the species that are shown to have a potential within the R-2566B study area.

| Scientific Name                            | Common Name             | Federal Status | Habitat Present | Biological Conclusion |
|--|-------------------------|----------------|-----------------|-----------------------|
| <i>Myotis grisescens</i>                   | Gray bat                | E              | Yes             | MANLAA                |
| <i>Myotis septentrionalis</i>              | Northern long-eared bat | T              | Yes             | MALAA*                |
| <i>Corynorhinus townsendii virginianus</i> | Virginia big-eared bat  | E              | Yes             | MANLAA                |
| <i>Glyptemys muhlenbergii</i>              | Bog turtle              | T (S/A)        | No              | Not required          |
| <i>Liatrix helleri</i>                     | Heller's blazing star   | T              | No              | No Effect             |

MANLAA-May Affect, Not Likely to Adversely Affect

MALAA – May Affect, Likely to Adversely Affect

\*Species is compliant with 4(d) rule.

Informal concurrence for biological conclusions of May Affect, Not Likely to Adversely Affect was requested for gray bat and Virginia big-eared bat from the USFWS on June 22, 2018. Concurrence was received on June 28, 2018, agreeing with NCDOT's biological conclusion. The Northern long-eared bat is considered to be compliant with the 4(d) rule. All other species listed for Watauga County received biological conclusions of No Effect and did not require concurrence.

**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 and their representatives have discussed the current project parameters with qualified NCDOT representatives. The Project Manager (Nora McCann) hereby verifies the involvement of the following staff and the incorporation of their technical input:

|                           |                      |           |
|---------------------------|----------------------|-----------|
| Design Engineer:          | Tony Spacek, PE      | 1-28-2022 |
| Environmental Specialist: | Jason Dilday         | 2-21-2022 |
| FHWA (if applicable):     | Clarence Coleman, PE | 3-1-2022  |
| Hydraulics Engineer       | Jason Lawing, PE     | 3-7-2022  |

**G. Consultation Approval for R-2566B:****Prepared By:**


3/14/2022

Date

DocuSigned by:  
  
 5A1D71A56669450...  
 Kristina Solberg, PE Kimley Horn (NCDOT Consultant)

**Prepared For:**

3/15/2022

DocuSigned by:  
  
 D900392788722A3...  
 Nora McCann, EIT, Project Manager - NCDOT, Project Management Unit

**Reviewed By:**

3/15/2022

Date

DocuSigned by:  
  
 CA084B4A6412432...  
 John Jamison, 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.

3/15/2022

Date

DocuSigned by:

*Beverly Robinson*

Beverly Robinson, Team Lead - Project Management Unit I  
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.

DocuSigned by:

*Clarence W. Adams, III*

Date

DocuSigned by:

*Clarence W. Adams, III*

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

## PROJECT COMMITMENTS

T.I.P. Project No R-2566B  
NC 105 Improvements from Clark's Creek Road (SR 1136) to  
NC 105 Bypass (SR 1107) in Boone  
Watauga County  
Federal Aid Project NHPP-0150(004)  
W.B.S. No. 37512.1.5

### COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Due to the high quality waters and trout waters throughout the project corridor, Design Standards in Sensitive Watersheds will be implemented.

Based on a recommendation from the North Carolina Wildlife Resources Commission (NCWRC), a moratorium will be placed on in-stream work and land disturbance to the 25-foot trout buffer from October 15<sup>th</sup> to April 15<sup>th</sup> for the entire corridor, to protect reproducing trout.

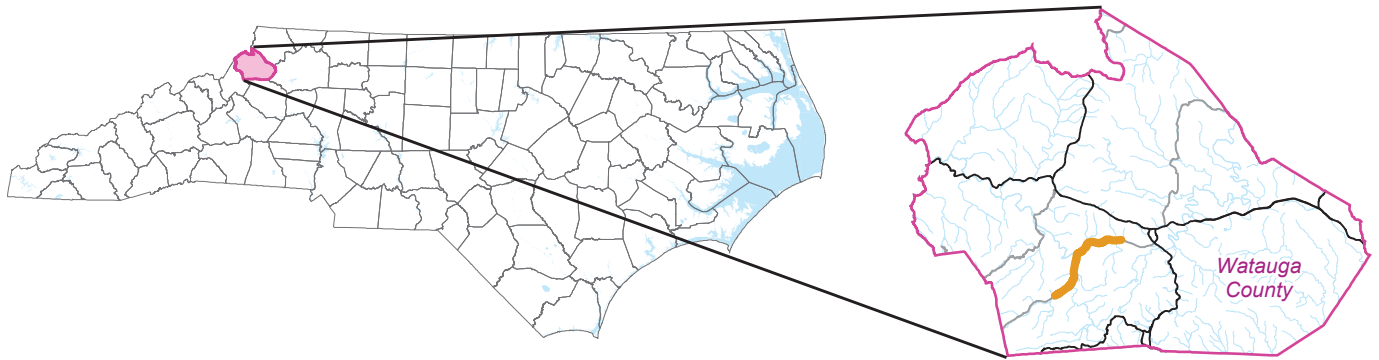
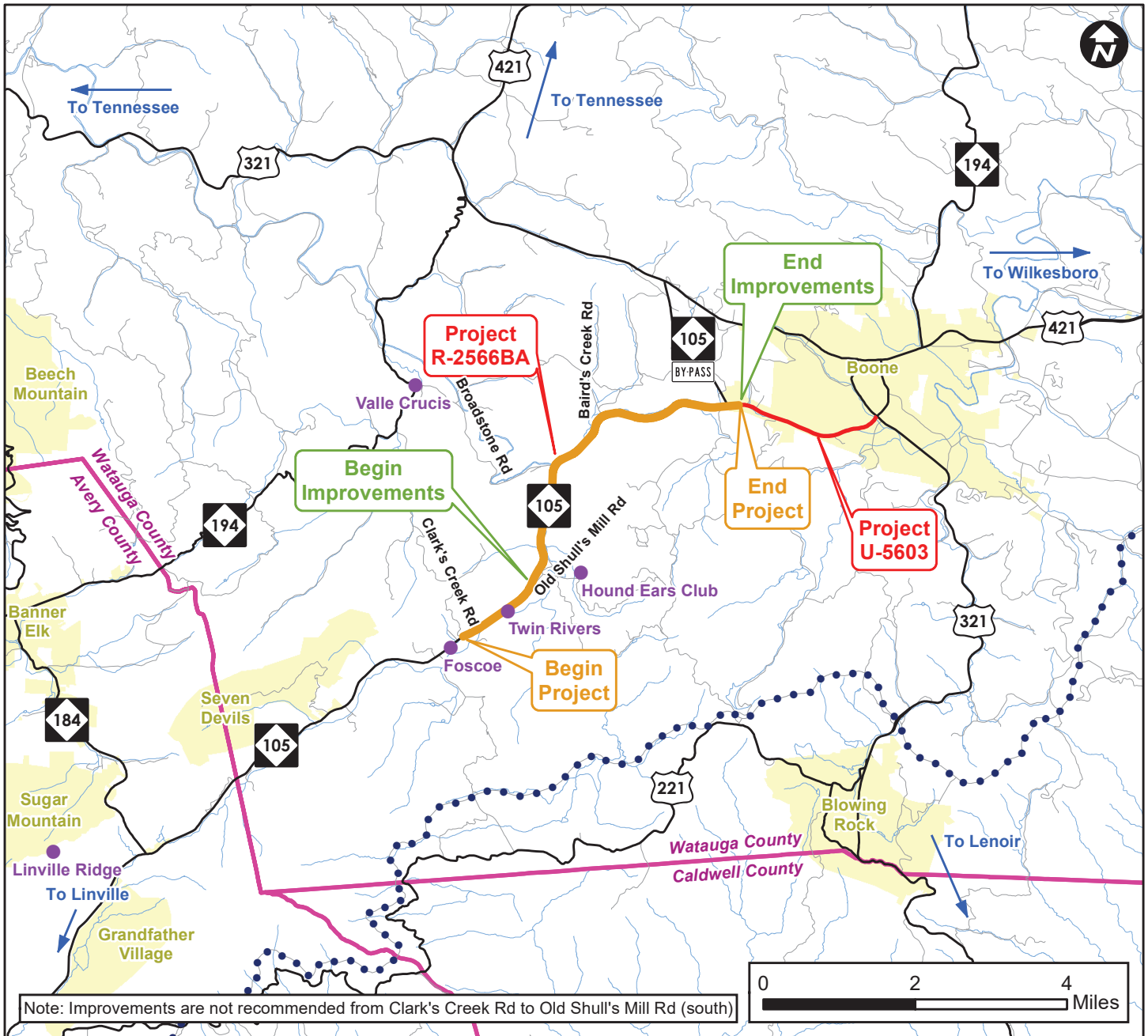
*Coordination between NCDOT and NCWRC established a moratorium from April 1 to November 1 for the Watauga River and Laurel Fork. A trout moratorium from October 15 to April 15 will be in effect for all other streams on the project. See Commitments From Permitting.*


The NCDOT Biological Surveys Group will be notified thirty days prior to demolition in order to perform a pre-demolition bridge check for listed bat species.

### COMMITMENTS FROM PERMITTING

#### **Division 11 Construction, Roadside Enviromental Unit**

**404 Special Condition #16: In-Water Work Moratoria:** To avoid adverse impacts to the Eastern Hellbender in the project area, no in-water work shall be conducted from April 1 to November 1, within the Watauga River and Laurel Fork, and adjacent wetlands that have an active connection to these tributaries during periods of inundation. To avoid adverse impacts to reproducing trout in the project area, no in-water work shall be conducted from October 15 to April 15, within perennial tributaries, other than the Watauga River and Laurel Fork, and their adjacent wetlands that have an active connection to these tributaries during periods of inundation.





- Project R-2566B
- Communities
- Blue Ridge Parkway
- Nearby STIP Project
- Municipal Boundary
- County Boundary

**Figure 1**  
**Vicinity Map**  
 TIP Project No. R-2566B  
 NC 105 Improvements  
 Watauga County