

PROJECT COMMITMENTS

NC209 IMPROVEMENTS

From west of SR 1801 (Liner Cove Rd.) to just north of SR 1523 (Old Clyde Rd.)
Lake Junaluska, Haywood County

WBS Element 34599.1.1
Federal Project No. STP-209 (2)
State Project No. 8.1944301

TIP PROJECT R-4047

PDEA (Natural Environmental Unit)

In addition to the Individual Nationwide Permit Conditions, Section 404 Nationwide Permit, State Stormwater Permit, Section 401 Water Quality Certification (WQC) Conditions, Regional Conditions, State Consistency Conditions, NCDOT's *Best Management Practices for Protection of Surface Waters* (March 1997), NCDOT's *Best Management Practices for Construction and Maintenance Activities* (August 2003), and General Certification Conditions, the following special commitments were agreed to by NCDOT:

GeoEnvironmental Section

Based on field reconnaissance and a database search, five (5) sites were identified that could pose environmental concerns for the proposed project. Four out of the five sites are within the proposed right of way. One site is an active gas station and the remaining sites are former gas stations. Further investigations will be conducted before right of way acquisition to determine if USTs and contaminated soil remain on these sites.

The Geographical Information Service (GIS) was consulted for the project corridor. The research showed no regulated or unregulated landfills or dumpsites occurred within the project limits. If further design studies indicate right of way from subject properties is to be acquired, preliminary site assessments for soil and groundwater contamination will be performed prior to right of way purchase.

Hydraulics Unit

Stormwater drainage will be controlled and not shunted directly into the existing stream channels.

Division 14

Bridge No. 32 is a railroad trestle that is 197 ft long and 9.0 ft wide, Bridge demolition will occur by removing the steel beams and steel pile piers. The bridge components will be removed without dropping them into UT 3. Consequently, there will be no temporary fill resulting from bridge demolition.

All concrete used for the construction of bridges and culverts will be allowed to cure before making contact with streams or river.

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
I.D. NO R-4047

I. GENERAL INFORMATION

- a. Consultation Phase: Construction
- b. Project Description NC 209 Improvements from west of SR 1801(Liner Cove Rd.) to north of SR 1523 (Old Clyde Rd.), Lake Junaluska, Haywood County
- c. State Project: 8.1944301
Federal Project: STP-209 (2)
- d. Document Type: Environmental Assessment 03/26/2008
Date
FONSI 6/10/2009
Date
ROW Consultation 11/22/2010
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

Water resource classifications for R-4047 have not changed since the FONSI was completed. The following resources are located within the project area: three UTs to Richland Creek. The project is located in the French Broad River Basin, Hydrological Cataloguing Unit 06010106. Neither High Quality Waters (HQW), Water Supplies (WS-I or WS-II), nor Outstanding Resource Waters (ORW) occur within 1.0 mile of the project area. No surface waters in the project are designated as a North Carolina Natural or Scenic River, or as a national Wild and Scenic River. Richland Creek is listed on DWRs 2012 303(d) list of impaired waters in North Carolina; however, it is not listed for turbidity or sedimentation near the project site nor within a mile downstream of the project. Email correspondence from the North Carolina Wildlife Resources Commission (NCWRC) dated May 8, 2013 lists no moratoria for this project. Two jurisdictional wetlands were identified within the project study area.

PROTECTED SPECIES

Plants and animals with federal classifications of Endangered (E), Threatened (T), Proposed Endangered (PE), Proposed Threatened (PT), are protected under provisions of Section 7 and Section 9 of the Endangered Species Act of 1973, as amended. As of December 26, 2012 the United States Fish and Wildlife Service (USFWS) list ten federally protected species for Haywood County (Table 1). Surveys for small whorled pogonia were conducted in August 2005 and June 2012 by NCDOT personnel with no specimens found.

Habitat for the bald eagle (*Haliaeetus leucocephalus*) primarily consists of mature forest in proximity to large bodies of open water for foraging. Large, dominant trees are utilized for nesting sites, typically within 1.0 mile of open water. Lake Junaluska provides suitable habitat for the bald eagle approximately within a half mile the study area. A survey was conducted in August 2005 with no nests or eagles observed. A check of the Natural Heritage Database in December 2013 found no element occurrences for bald eagle within one mile of the project area.

Table 1. Federally protected species listed for Haywood County.

Common Name	Scientific Name	Federal Status*	Habitat	Biological Conclusion
Bog turtle	<i>Clemmys muhlenbergii</i>	T(S/A)	No	Not Required
Bald eagle	<i>Haliaeetus leucocephalus</i>	BGPA	Yes	No Effect
Appalachian elktoe	<i>Alasmidonta raveneliana</i>	E	No	No Effect
Carolina northern flying squirrel	<i>Gloucomys sabrinus coloratus</i>	E	No	No Effect
Eastern cougar	<i>Puma concolor cougar</i>	E	No	No Effect
Gray bat	<i>Myotis grisescens</i>	E	No	No Effect
Indiana bat	<i>Myotis sodalis</i>	E	No	No Effect
Rock gnome lichen	<i>Gymnoderma lineare</i>	E	No	No Effect
Small whorled pogonia	<i>Isotria medeoloides</i>	T	Yes	No Effect
Spruce-fir moss spider	<i>Microhexura montivaga</i>	E	No	No Effect

No major changes to the design have been proposed since the completion of the Finding of No Significance Impact (FONSI) on June 10, 2010.

IV. LIST OF ENVIRONMENTAL COMMITMENTS

No changes to the Green Sheet are necessary at this time.

V. COORDINATION

Project Development and Environmental Analysis Branch personnel have discussed current project proposals with others as follows:

Design Engineer:	<u>Mike W. Little</u>	<u>11/22/2013</u> Date
FHWA Engineer:	<u>Michael Batuzich</u>	<u>12/17/2013</u> Date
Permits Section:	<u>Jeffery L. Hemphill</u>	<u>12/8/2013</u> Date

VI. NCDOT CONCURRENCE

Zaniel Meyer
Western Region Project Planning Engineer
Project Development and Environmental Analysis Unit

12-19-2013
Date

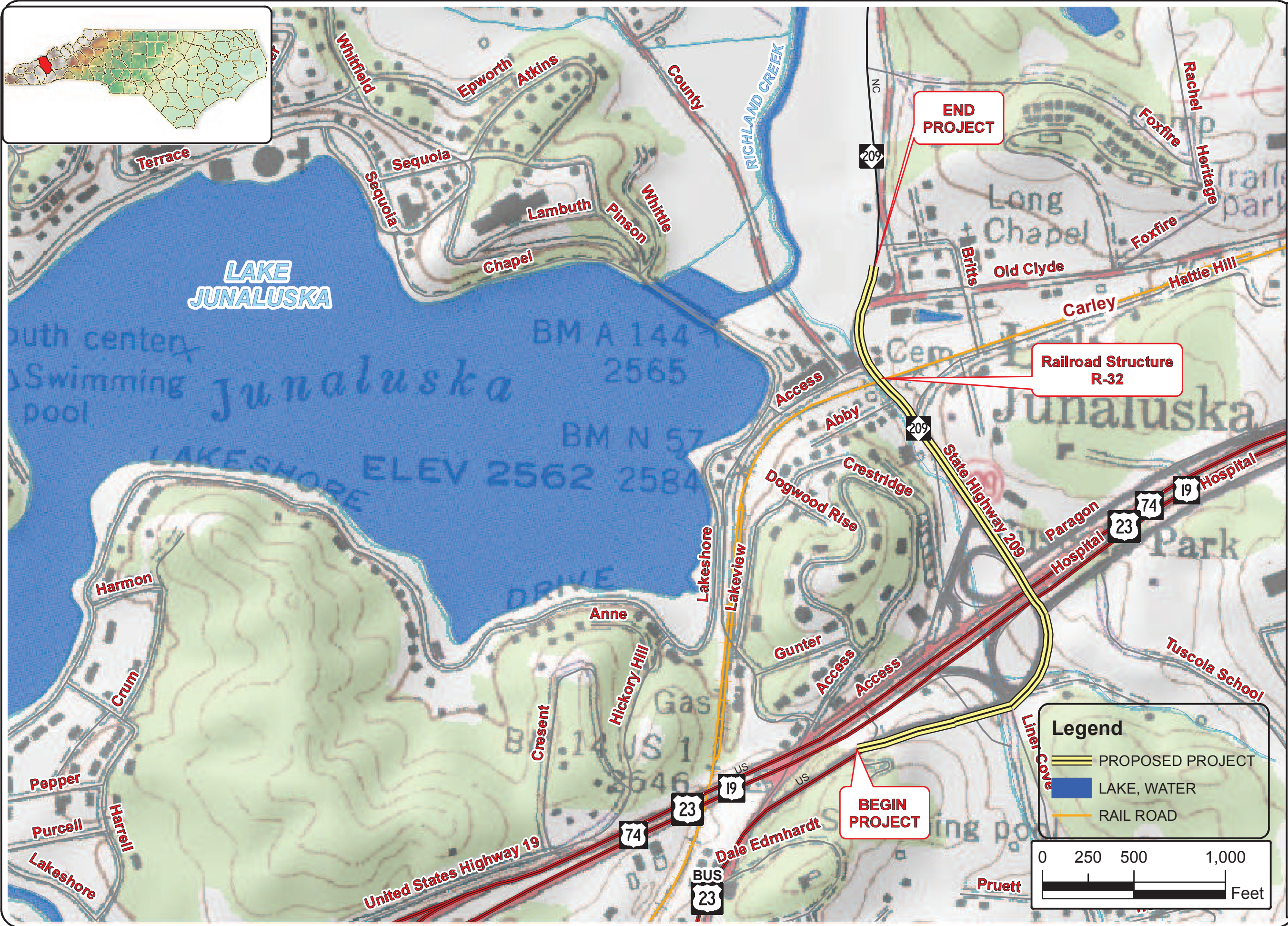
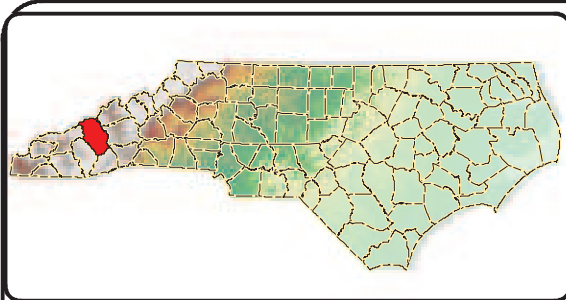
[Signature]
Western Region Section Head
Project Development and Environmental Analysis Unit

12-19-13
Date

VII. FHWA CONCURRENCE

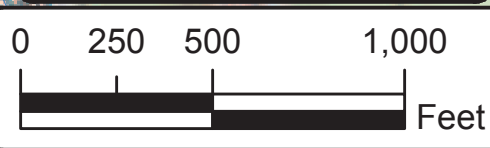
Michael Batuzich
Federal Highway Administration
Division Administrator

12-19-13
Date



Legend

- PROPOSED PROJECT
- LAKE, WATER
- RAIL ROAD



NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS BRANCH

VICINITY MAP
PROPOSED WIDENING OF NC 209
& REPLACEMENT OF RAILROAD
STRUCTURE R-32
HAYWOOD COUNTY
TIP PROJECT R-4047



County:
HAYWOOD

Div: 14 TIP#
R-4047

WBS:
34599.1.1

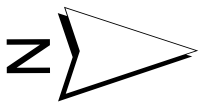
Date:
NOV 2007

Figure
1



NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS BRANCH

EXISTING CONDITIONS
PROPOSED WIDENING OF NC 209
& REPLACEMENT OF RAILROAD
STRUCTURE R-32
HAYWOOD COUNTY
TIP PROJECT R-4047



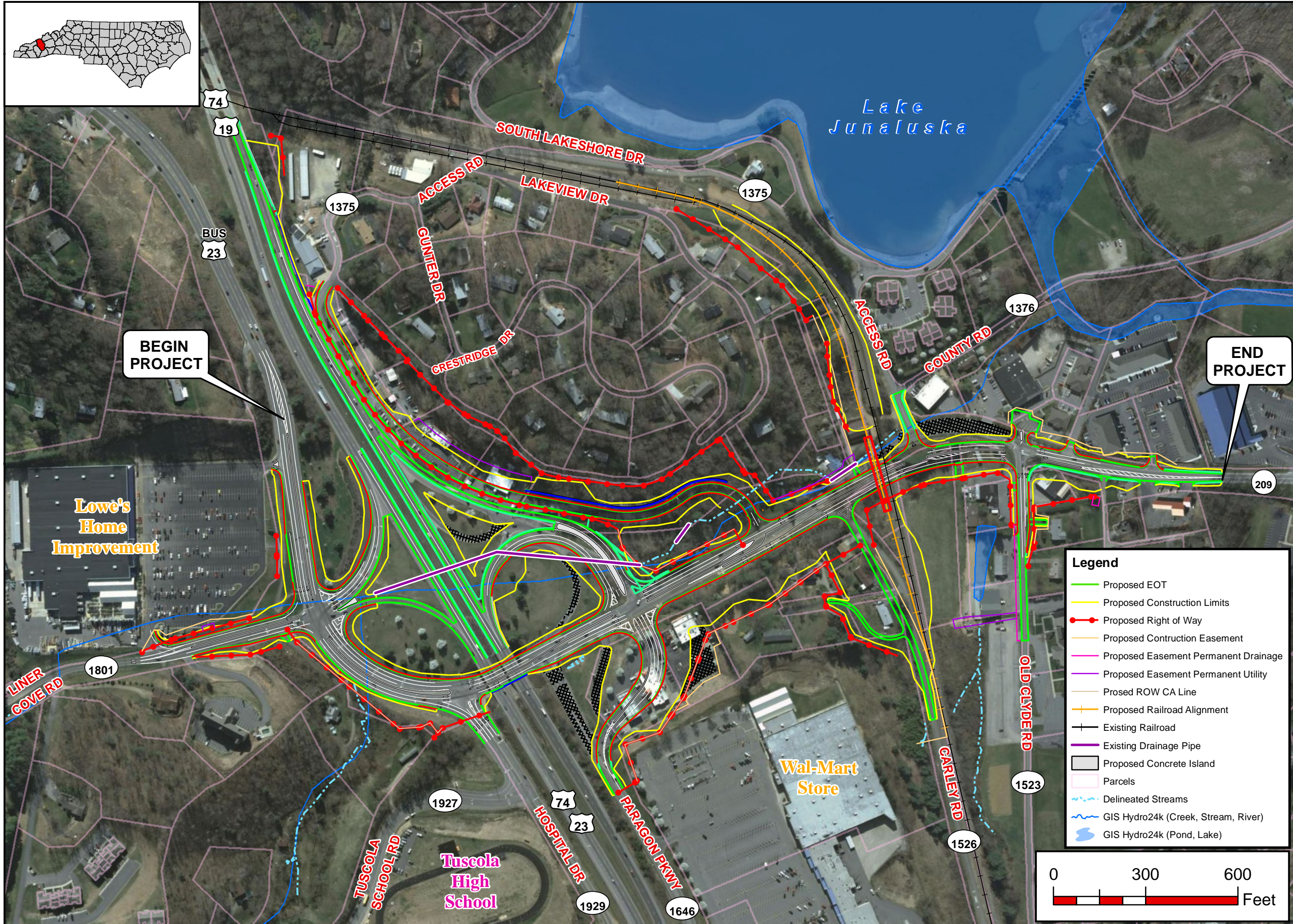
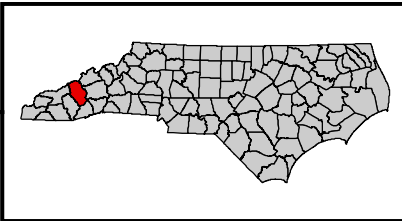
County:
HAYWOOD

Div: 14 TIP# R-4047

WBS:
34599.1.1

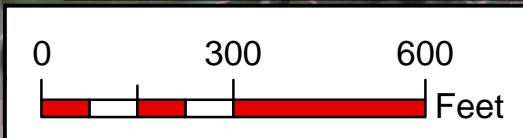
Date:
NOV 2007

Figure
2



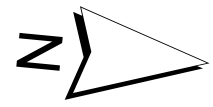
Legend

- Proposed EOT
- Proposed Construction Limits
- Proposed Right of Way
- Proposed Construction Easement
- Proposed Easement Permanent Drainage
- Proposed Easement Permanent Utility
- Proposed ROW CA Line
- + Proposed Railroad Alignment
- Existing Railroad
- Existing Drainage Pipe
- Proposed Concrete Island
- Parcels
- ~ Delineated Streams
- ~ GIS Hydro24k (Creek, Stream, River)
- GIS Hydro24k (Pond, Lake)



NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS UNIT

**PROPOSED IMPROVEMENTS
PROPOSED WIDENING OF NC 209
& REPLACEMENT OF RAILROAD
STRUCTURE R-32**
HAYWOOD COUNTY
TIP PROJECT R-4047



County:
HAYWOOD

Div: 14 TIP# R-4047

WBS:
34599.1.1

Date:
December 2013

**Figure
3**



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

November 20, 2013

Memorandum To: Zahid M. Baloch, P.E.
Project Planning Engineer

From: Jeff Hemphill, Senior Environmental Specialist
Natural Environment Project Management Unit

Subject: Water resources and protected species review for the preparation of a Federal Highway Administration (FHWA) Construction Consultation for the proposed Interchange Improvement at US 19/23/74 and NC 209 in Lake Junaluska, Haywood County, Federal Aid Project No. STP-21(11); Division 14; TIP No. R-4047.

References: Environmental Assessment signed March 10, 2008.
FONSI submitted June 4, 2009.
Right of Way Consultation signed November 30, 2010.

The following memorandum provides information to assist in the preparation of a FHWA Construction Consultation for the proposed project. It addresses water resources and federally protected species potentially impacted by the project and serves to update the FONSI.

WATER RESOURCES

Water resource classifications for R-4047 have not changed since the FONSI was completed. The following resources are located within the project area: three UTs to Richland Creek. The project is located in the French Broad River Basin, Hydrological Cataloguing Unit 06010106. Neither High Quality Waters (HQW), Water Supplies (WS-I or WS-II), nor Outstanding Resource Waters (ORW) occur within 1.0 mile of the project area. No surface waters in the project are designated as a North Carolina Natural or Scenic River, or as a national Wild and Scenic River. Richland Creek is listed on DWRs 2012 303(d) list of impaired waters in North Carolina; however, it is not listed for turbidity or sedimentation near the project site nor within a mile downstream of the project. Email correspondence from the North Carolina Wildlife Resources Commission (NCWRC) dated May 8, 2013 lists no moratoria for this project. Two jurisdictional wetlands were identified within the project study area.

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GREENSHEET COMMITMENTS

No new commitments

Baloch, Zahid M

From: Little, Michael W
Sent: Thursday, October 31, 2013 9:11 AM
To: Baloch, Zahid M
Subject: RE: R-4047 (NC 209 Improvements from west of SR 1801(Liner Cove Rd.) to north of SR 1523 (Old Clyde Rd.), Lake Junaluska, Haywood County)

The only change since the R/W consultation is the changing of the grade along –Y4- (Access Road) to closely match – RPB- for traffic control and constructability issues. The wall separating the ramp and Access road was relocated to the right side of Access Road. There were no additional impacts associated with the wall redesign.

Mike

From: Baloch, Zahid M
Sent: Thursday, October 31, 2013 8:22 AM
To: Little, Michael W
Cc: Baloch, Zahid M
Subject: FW: R-4047 (NC 209 Improvements from west of SR 1801(Liner Cove Rd.) to north of SR 1523 (Old Clyde Rd.), Lake Junaluska, Haywood County)

Good Morning Mike, Just wondering if any changes that needs to mentioned in Construction Consultation. Thanks for your help.

From: Baloch, Zahid M
Sent: Tuesday, October 22, 2013 3:14 PM
To: Little, Michael W
Cc: Baloch, Zahid M; Conforti, John G
Subject: R-4047 (NC 209 Improvements from west of SR 1801(Liner Cove Rd.) to north of SR 1523 (Old Clyde Rd.), Lake Junaluska, Haywood County)

Mike, Hope you be doing great, I am working on Construction Consultation for R-4047 (NC 209 Improvement) Project. Do you have any changes to the designs since we completed the FONSI/ROW Consultation, that I need to mention in the construction Consultation? If so please let me know. As always thanks for your help.

Please see the attached link for EA/FONSI and ROW Consultation.

Y:\TIPProjects-R\R4047\PDEA\Project_Development\Documents

If you have any question please let me know. Thanks

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