

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
TIP No. R-2915C

I. GENERAL INFORMATION

- a. Consultation Phase: Right of Way Consultation
- b. Project Description: US 221 Widening
Watauga/Ashe Counties
- c. WBS Number: 34518.1.1
Federal Project: STP-0221 (13)
- d. Document Type: FONSI (addendum) 12/18/2013
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

The North Carolina Department of Transportation (NCDOT) proposes to widen US 221 to a four-lane, median-divided facility from US 421 in the Deep Gap Community of Watauga County to the US 221 Business/NC 88 intersection in the town of Jefferson in Ashe County.

There are no substantial changes to the environmental commitments prior to right-of-way acquisition for the addendum to the FONSI, which was signed on December 18, 2013. Water resource classifications have not changed since the EA and FONSI have been completed. Several water resources have been identified or changed since FONSI approval; those resources are shown on the attached figure. The U.S. Fish and Wildlife Service lists nine federally protected species for Ashe County. The last Biological Conclusions of "No Effect" for all nine species remain valid.

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an Endangered species was published in the Federal Register in October 2013. The listing will become effective on or before April, 2015. Furthermore, this species is included in USFWS's current list of protected species for Ashe and Watauga County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

The following design updates have been added since the FONSI addendum was signed:

- Added alignments to relocate and tie back to Hemlock Lane (-Y2- and -Y2A-) - plan sheet 4
- Added alignment to tie back to Rings Rd (-DRW2-); 2 additional houses affected - plan sheets 5 & 6
- -DRW3- and -DRW4- impact 2 additional homes - plan sheet 7
- The northbound and southbound leftovers were shifted towards -L- station 317+15 - plan sheets 8 & 9
- Added a retaining wall from -L- station 362+60 to 368+64 left to avoid Old Field Creek - plan sheet 12
- Added a retaining wall from -L- station 372+50 to 375+40 left - plan sheet 13
- Extended alignment on Ira Jordan Road by ~350ft - plan sheet 13
- Realigned SR 1178 (Paul Goodman Road, -Y9-) due to culvert extension; existing structure along this road to be removed - plan sheet 13
- Realigned Laurel Ridge Road and added a retaining wall from -Y11- 14+18 to 16+40 - plan sheet 14 & 23
- Added retaining wall from -L- station 455+60 to 460+06 left to avoid Bethany Cemetery - plan sheets 20 & 21

IV. LIST OF ENVIRONMENTAL COMMITMENTS

See the attached Green Sheet of environmental commitments developed during the planning and design process.

V. COORDINATION

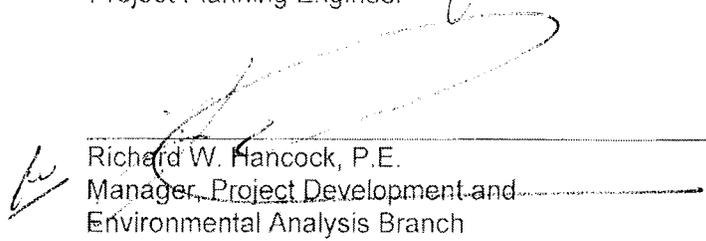
Project Development and Environmental Analysis Branch personnel have discussed current project proposals with others as follows:

Design Engineer:	<u>Brenda Moore</u>	<u>10-30-2014</u> Date
FHWA Engineer:	<u>Mitch Batuzich</u>	<u>11-12-2014</u> Date
Permits Section:	<u>Erin Cheely</u>	<u>8-14-2014</u> Date

VI. NCDOT CONCURRENCE

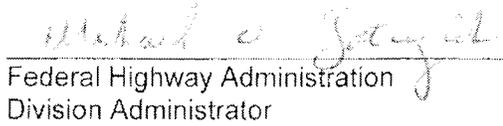

Michael Wray, P.E.
Project Planning Engineer

11-12-14
Date


Richard W. Hancock, P.E.
Manager, Project Development and
Environmental Analysis Branch

11-14-14
Date

VII. FHWA CONCURRENCE


Federal Highway Administration
Division Administrator

11-12-14
Date

PROJECT COMMITMENTS

US 221 WIDENING

US 421 to US 221 Business/NC 88 in Jefferson
Ashe County

WBS Element 34518.1.1
Federal Project No. STP-0221(13)

TIP PROJECT R-2915C

The following special commitments have been agreed to by NCDOT:

- NCDOT will comply with the NC Wildlife Resources Commission's moratorium prohibiting in-stream work and land disturbance within the 25-foot trout buffer from October 15 to April 15 for all streams supporting wild trout, including but not limited to, Beaver Creek, Call Creek, Cole Branch, Gap Creek, Little Gap Creek, and Old Field Creek.
- *Design Standards in Sensitive Watersheds* will be adhered to during project construction (15A NCAC 4B.0124).
- NCDOT will provide an individual Section 404 permit for the U.S. Army Corps of Engineers and a Section 401 Water Quality Certification for the NC Division of Water Resources.
- NCDOT will design the roadway alignment and profile in front of Fleetwood Community Center to not impact the underground storage tanks. No permanent right of way will be purchased from the Fleetwood Community Center. Temporary construction easement may be necessary to tie the proposed alignment to existing.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

August 14, 2014

MEMORANDUM TO: Michael Wray, P.E., Project Planning Engineer
Project Development Section

FROM: Erin Cheely, Environmental Specialist
Natural Environment Section

SUBJECT: Water resources and protected species review for a Federal Highway Administration (FHWA) Right of Way Consultation for the US 221 Widening from north of the South Fork New River to south of NC 194 in Ashe County. Federal Project No. STP-0221(13), WBS Element 34518.1.4, Division 11, TIP No. R-2915C.

REFERENCE: Environmental Assessment (EA), Approved October 2012
Finding of No Significant Impact (FONSI), Approved May 2013
FONSI Addendum, Approved December 2013

Application for an Individual Section 404 Permit and Section 401 Water Quality Certification, Dated July 2014

WATER RESOURCES

Water classifications within the project area have not changed since the EA and FONSI have been completed.

However, since the approval of the NEPA documents, a few additional water resources were identified or changed within the R-2915C section during the agency field verification in 2013. Two new wetlands (WY and WZ) and one new stream (SZ) were identified, wetland W33 was enlarged, stream S73 was extended further to the south and stream S84 has since been piped and was no longer found. See attached Figure 1 for the location of these resources.

MAILING ADDRESS:
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PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS
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RALEIGH NC 27699-1598

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FAX: 919-212-5785

WEBSITE: WWW.DOH.DOT.STATE.NC.US

LOCATION:
CENTURY CENTER, BUILDING B
1020 BIRCH RIDGE DRIVE
RALEIGH NC, 27610

PROTECTED SPECIES

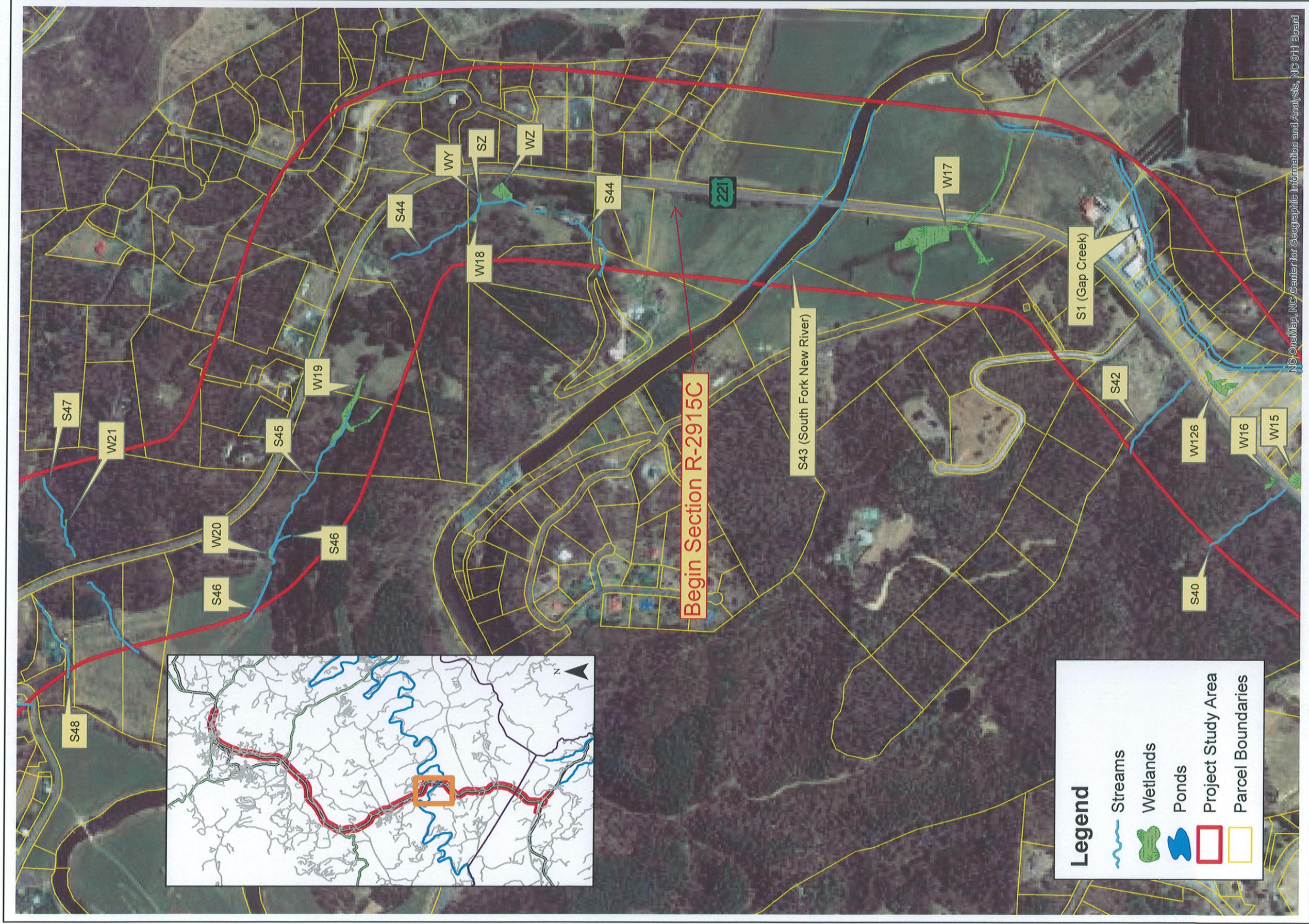
As of January 14, 2014, the USFWS lists nine federally protected species for Ashe County. The biological conclusion for all nine of these species is “No Effect” for this project. The July 2014 permit application contains more detailed information regarding surveys conducted for listed species. Swamp pink was most recently surveyed for in May 2013, and Virginia spiraea was most recently surveyed for in July 2014.

A US Fish and Wildlife Service proposal for listing the Northern Long-eared Bat (*Myotis septentrionalis*) as an Endangered species was published in the Federal Register in October 2013. The listing will become effective on or before April, 2015. Furthermore, this species is included in USFWS’s current list of protected species for Ashe and Watauga County. NCDOT is working closely with the USFWS to understand how this proposed listing may impact NCDOT projects. NCDOT will continue to coordinate appropriately with USFWS to determine if this project will incur potential effects to the Northern long-eared bat, and how to address these potential effects, if necessary.

GREENSHEET COMMITMENTS

The phased permit application for the entire length of R-2915 (including all five sections A-E from US 421 to US 221 Business/NC 88) was distributed in July 2014. The US Army Corps of Engineers (USACE) and NC Division of Water Resources (NCDWR) will require additional special conditions when they issue the 404 Permit and 401 Certification. These conditions will be incorporated in the Permit Greensheet by the Natural Environment Section.

cc: R-2915C file



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board



Figure 1-A

R-2915C Jurisdictional Resources

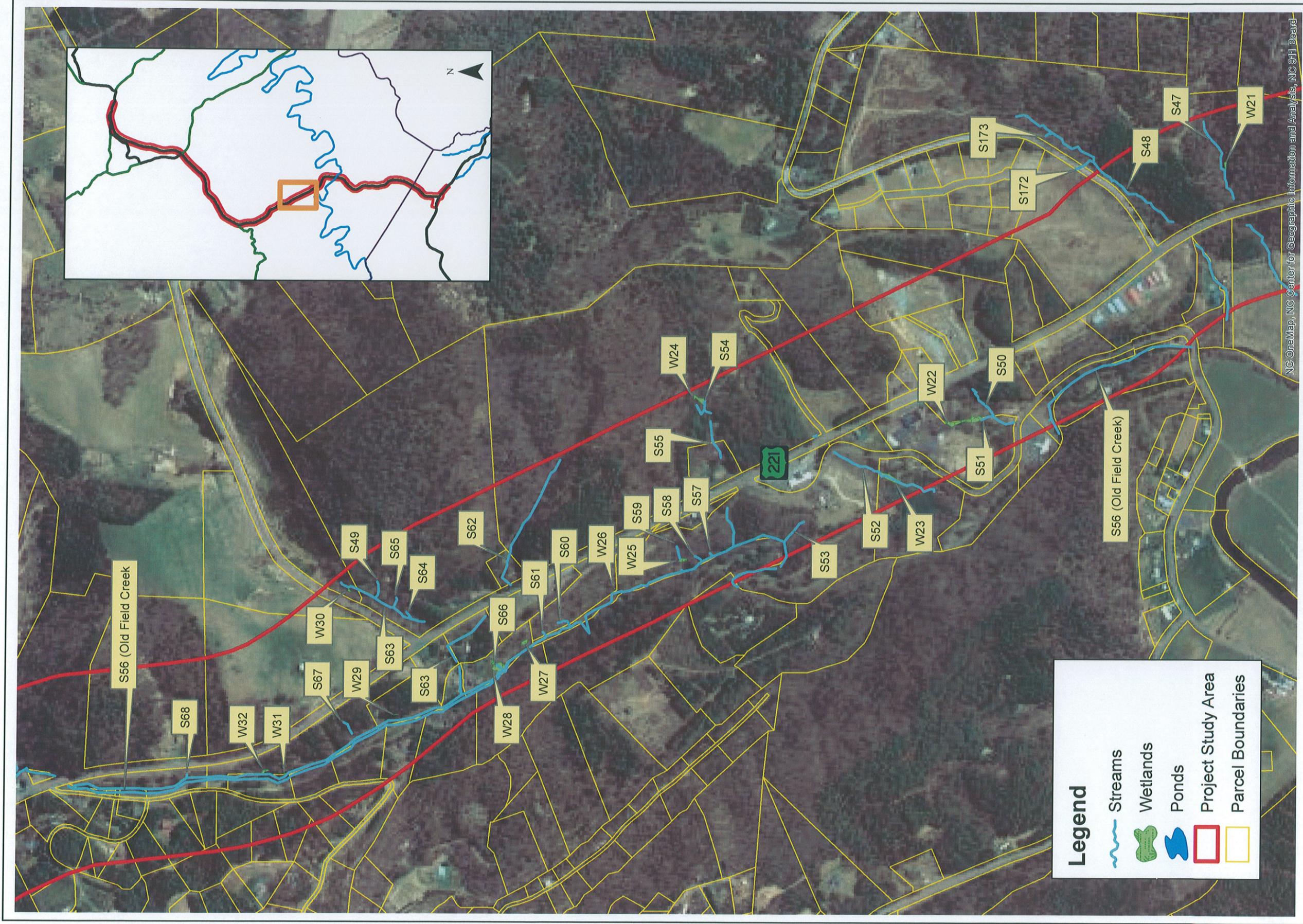


Figure 1-B

R-2915C Jurisdictional Resources

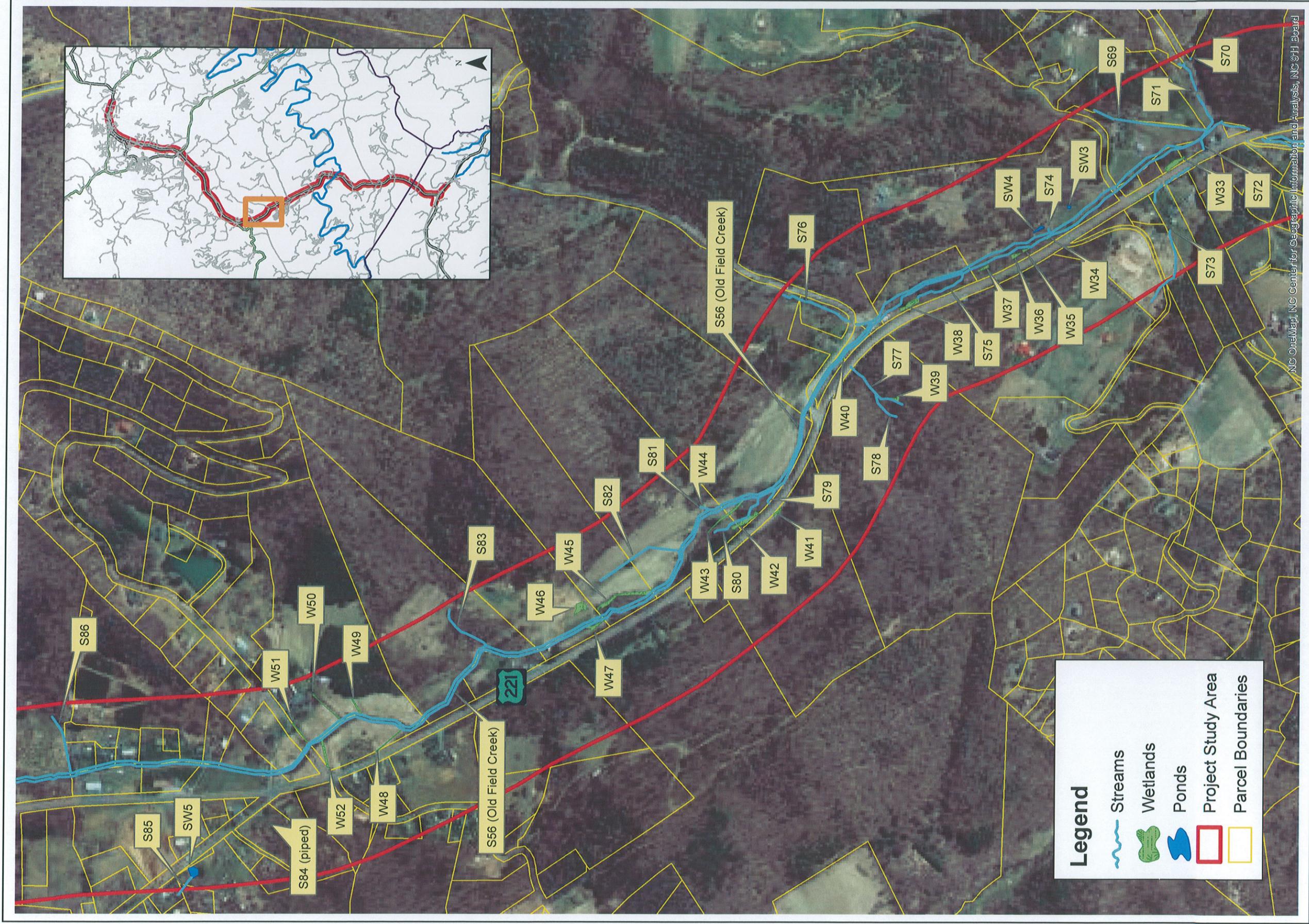


Figure 1-C

R-2915C Jurisdictional Resources

