

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
TIP No. R-3612

I. GENERAL INFORMATION

- a. Consultation Phase: Right of Way Consultation
- b. Project Description: US 221A Relocation
Rutherford County
- c. WBS Number: 34547.1.1
Federal Project: STP-221A(001)
- d. Document Type: CE 09/13/2012
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 improve US 221A with the horizontal realignment of several sharp curves, as well as the addition of 2-foot paved shoulders and 8-foot grassed shoulders from SR 1920 (Main Street) in Henrietta to just north of SR 1941 (Melton Street) in Caroleen.

There are no substantial changes to the environmental commitments prior to right-of-way acquisition for the CE, which was signed on September 13, 2012. Water resource classifications have not changed since the CE was completed. The U.S. Fish and Wildlife Service lists two threatened species (Small whorled pogonia, Dwarf-flower heartleaf) and three endangered species (Indiana bat, Rock gnome lichen, White irisette) for Rutherford County. The last Biological Conclusions of "No Effect" for all five threatened and endangered 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 may become effective as soon as October 2014. Furthermore, this species is included in USFWS's current list of protected species for Rutherford 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 CE was signed:

- Existing 6'x6' culvert at STA 22+65 will be maintained
- Existing 4'x3' culvert at STA 37+55 will be extended with 48" Pipe
- Proposed double barrel 6'x6' culvert at STA 59+55, existing will be maintained
- Intersection of US221A and Avondale Landfill / Ellenboro Henrietta will be shifted East to improve alignment on US 221A
- Design Speed should be 40mph
- Shoulder Width Reduced:
 - o Reduced to 4-foot (7-foot with G/R) from STA 39+60 to STA 50+00 LT. Side to eliminate impacts to Second Broad River
 - o Reduced to 6-foot (8-foot with G/R) from STA 21+50 to STA 23+50 LT. and RT. to eliminate impacts to existing box culvert

IV. LIST OF ENVIRONMENTAL COMMITMENTS

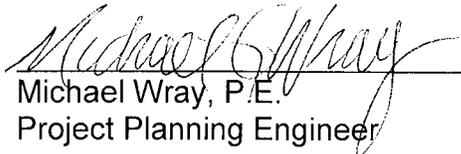
See the attached Green Sheet of environmental commitments developed during the planning and design process.

V. COORDINATION

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

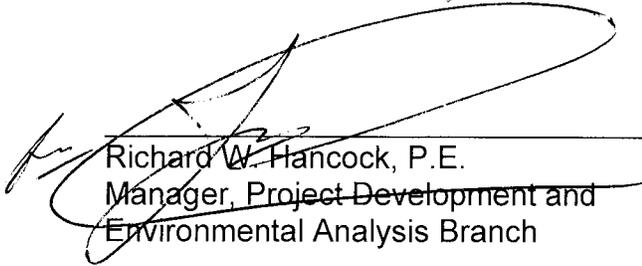
Design Engineer:	<u>Brenda Moore</u>	<u>01-13-2014</u> Date
FHWA Engineer:	<u>Mitch Batuzich</u>	<u>01-15-2014</u> Date
Permits Section:	<u>Jeff Hemphill</u>	<u>01-13-2014</u> Date

VI. NCDOT CONCURRENCE



Michael Wray, P.E.
Project Planning Engineer

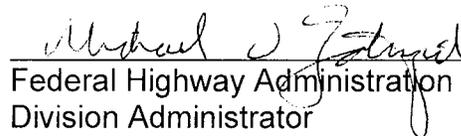
1-23-14
Date



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

1-23-14
Date

VII. FHWA CONCURRENCE



Federal Highway Administration
Division Administrator

1-23-14
Date

PROJECT COMMITMENTS

US 221A RELOCATION

SR 1920 (Main St.) in Henrietta to just north of SR 1941 (Melton St.)
in Caroleen
Rutherford County

WBS Element 34547.1.1
Federal Project No. STP-221A (001)
State Project No. 8.1891401

TIP PROJECT R-3612

Construction Unit

If later project design should accidentally encroach into the historic property area, avoidance to any nearby historic property is required.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT L. MCCRORY
GOVERNOR

ANTHONY J. TATA
SECRETARY

November 21, 2013

Memorandum To: Michael Wray
Project Development 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) Right of Way Consultation for the US 221A Improvements from SR 1920 to North of SR 1941 in Caroleen, Rutherford County; F.A. Project No. STP-221A(001). TIP No. R-3612

References: Categorical Exclusion (CE) signed September 13, 2012.

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

WATER RESOURCES

Water resource classifications for R-3612 have not changed since the CE was completed. The following resources are located within the project area: Three UTs to the Second Broad River. The project is located in the Broad River Basin, Hydrological Cataloguing Unit 03050105. 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. The Second Broad River is not listed on DWRs 2012 303(d) list of impaired waters in North Carolina nor are any listed within one mile downstream of the project. No jurisdictional wetlands were identified within the project study area.

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

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 five federally protected species for Rutherford County (Table 1).

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. Suitable habitat for bald eagle exists along the Second Broad River. Surveys for nest trees were conducted on June 16, 2010 within the study area and to a distance of 660 feet on all sides with no nests or eagles being observed.

Table 1. Federally protected species listed for Rutherford County.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Isotria medeoloides</i>	Small whorled pogonia	T	No	No Effect
<i>Myotis sodalis</i>	Indiana bat	E	No	No Effect
<i>Hexastylis naniflora</i>	Dwarf-flower heartleaf	T	No	No Effect
<i>Gymnoderma lineare</i>	Rock gnome lichen	E	No	No Effect
<i>Sisyrinchium dichotomum</i>	White irisette	E	No	No Effect

GREENSHEET COMMITMENTS

No new commitments