

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.	<u>U-6093</u>
WBS Element	<u>47748.1.1</u>
Federal Aid Project No.	<u>N/A</u>

A. Project Description, Location, and Purpose:

The City of Raleigh (COR), in conjunction with the North Carolina Department of Transportation (NCDOT), proposes to widen approximately 0.8 miles of SR 2542 (Rock Quarry Road) from Olde Birch Drive to SR 2544 (Sunnybrook Road) in southeast Raleigh (see Figure 1). The proposed project is located in southeastern Wake County.

Existing Rock Quarry Road is a two-lane roadway with a center turn lane and intermittent wider sections along the south side at Sunnybrook Road and the north side at Olde Birch Drive. The proposed project is to widen Rock Quarry Road to four 11-foot travel lanes with an 11-foot turn lane median. The project will be proposed with curb and gutter for the entire project. Existing bridge number 910609 over I-40 will be replaced under project I-5111/I-4739 (site 4). A 6-foot sidewalk is proposed on the north side and a 10-foot multiuse path is proposed on the south side of the entire project.

The purpose of the proposed project is to relieve congestion on Rock Quarry Road from Olde Birch Drive to Sunnybrook Road and to provide bicyclist and pedestrian accommodations and sidewalk connectivity throughout the project corridor.

B. Consultation Phase:

Right-of-Way

C. NEPA/SEPA Class of Action Initially Approved as:

FHWA Class II (CE) 4/18/2019

Additional Notes: Type III

D. Changes in Proposed Action & Environmental Consequences:

Changes in Proposed Action

The project has no major design changes since the completion of the CE.

Environmental Consequences

The design will occur within the study area identified in the 2019 CE for the project.

Water resources

No jurisdictional waters of the United States have been identified in the project study area.

Federal Protected species

Protected species were addressed in the CE, and the Natural Resources Technical Report completed in June 2018. However, the United States Fish and Wildlife Service (USFWS) list of federally protected species for Wake County was updated on July 17, 2020.

Table 1. Federally listed species for Wake County.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Haliaeetus leucocephalus</i>	Bald Eagle	BGPA	No	No Effect
<i>Notropis mekistocholas</i>	Cape Fear shiner	E	No	No Effect
<i>Noturus furiosus</i>	Carolina madtom	ARS	No	No Effect
<i>Necturus lewisi</i>	Neuse River waterdog	ARS	No	No Effect
<i>Picoides borealis</i>	Red-cockaded woodpecker	E	Yes	No Effect
<i>Fusconaia masoni</i>	Atlantic pigtoe	ARS	No	No Effect
<i>Alasmidonta heterodon</i>	Dwarf wedgemussel	E	No	No Effect
<i>Lasmigona subviridis</i>	Green floater	ARS	No	No Effect
<i>Parvaspina steinstansana</i>	Tar River spiny mussel	E	No	No Effect
<i>Elliptio lanceolata</i>	Yellow lance	T	No	No Effect
<i>Rhus michauxii</i>	Michaux's sumac	E	Yes	No Effect

BGPA – Bald & Golden Eagle Protection Act, E – Endangered, ARS – At Risk Species, T - Threatened

The Natural Resources Technical Report (2018) reached a Biological Conclusion of No Effect for bald eagle, Cape Fear shiner, red-cockaded woodpecker, dwarf wedgemussel, Tar River spiny mussel, yellow lance and Michaux's sumac. Due to the absence of water resources in the study area, the same conclusion of No Effect is appropriate for Carolina madtom, Neuse River waterdog, Atlantic pigtoe, and green floater which have been added to the Wake County list since the completion of the NRTR.

The survey for Michaux's sumac needs to be updated, as the 2018 survey expired in June 2020. This survey will be updated in May 2021.

Bald Eagle

The NRTR found no water bodies large enough or sufficiently open to be considered potential feeding sources were identified. Since there was no foraging habitat within the review area, a survey of the study area and the area within 660 feet of the project limits was not conducted.

Additionally, a review of NCNHP records, updated January 2021, revealed no known occurrences of this species within 1.0 mile of the project study area. Due to the lack of habitat, known occurrences, and minimal impact anticipated for this project, it has been determined that this project will not affect this species.

Northern long-eared bat (*Myotis septentrionalis*)

The US Fish and Wildlife Service has revised the previous 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) (*Myotis septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. Although this programmatic covers Divisions 1-8, NLEBs are currently only known in 19 counties, but may potentially occur in 11 additional counties within Divisions 1-8. NCDOT, FHWA, and USACE have agreed to two conservation measures which will avoid/minimize mortality of NLEBs. These conservation measures only apply to the 30 currently known/potential counties shown on Figure 2 of the PBO at this time. 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 ten years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Wake County where U-6093 is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2030.

Cultural Resources

NCDOT has reviewed the Section 106 effects findings for historic properties within the project’s area of potential effects (APE), that were made as part of the NEPA analysis. NCDOT has confirmed there is no new information that would alter the original Section 106 findings and, therefore, they remain valid.

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, Melanie Nguyen, PE, hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	Brandon McInnis, PE (RK&K)	1/21/2021
Environmental Specialist:	Gordon Cashin (NCDOT)	1/15/2021
FHWA:	Joe Geigle, PE	2/1/21
City of Raleigh:	Jason Myers	1/21/21

G. Consultation Approval for NCDOT Project U-6093

Prepared By:
2/9/2021


Date

DocuSigned by:

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Melanie Nguyen, PE
Project Management Unit – Division 5 & 8
North Carolina Department of Transportation

Reviewed By:
2/9/2021

Date


DocuSigned by:

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Jason Myers, Senior Transportation Planner
Transportation Services
City of Raleigh

- 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.

2/10/2021

Date

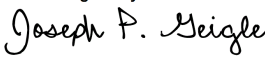
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Colin Mellor, Eastern Regional Team Lead
Environmental Policy Unit
North Carolina Department of Transportation

FHWA Approved: FHWA signature required for Type I(B) CE, Type II(B) CE, Type III CE, FONSI or ROD.

2/10/2021

Date

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

H. Project Commitments

**Wake County
Widening of SR 2542 (Rock Quarry Road)
From Olde Birch Drive to SR 2544 (Sunny Brook Road)
WBS No. 47748.1.1
TIP No. U-6093**

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

NCDOT Design-Build Section – Resident Engineer

Prior to construction, a soil and groundwater assessment will be conducted to determine possible hazardous material sites in the study area. Any properties identified as potential hazardous material sites will be analyzed prior to right of way acquisition.

- *This commitment has been completed. Two sites were identified and have been addressed.*

The City of Raleigh will participate in the cost of new sidewalks and multi-use paths where they do not currently exist. NCDOT will prepare a municipal agreement for signature by the City of Raleigh for the portion of betterment costs prior to project construction.

- *This commitment has been completed.*

~~Final decision on the installation of any noise abatement measures shall be made upon completion of the project design, the public involvement process, and concurrence with the NCDOT Traffic Noise Policy.~~

- *The final noise study will be completed prior to construction as part of standard procedure by the Design Build Team.*

NCDOT Environmental Analysis Unit

Prior to construction activities, a biologist will conduct a survey for Michaux's sumac, during the optimal survey window, to determine the Biological Conclusion.

- *This survey will be completed in May of 2021.*

City of Raleigh (COR)

The COR will coordinate with the NCDOT Division of Bicycle and Pedestrian Transportation to evaluate the necessary level of bicycle/ pedestrian access accommodation during construction.

- *Existing access will be maintained with traffic during construction.*

Prior to construction, the COR will coordinate with affected property owners and businesses regarding access needs and options for temporary solutions to maintain access during construction.

- *Standard construction practice will provide access during construction.*

In order to minimize potential impacts to bus stops and delays to school buses and school-related traffic, the COR will coordinate with the Wake County Public Schools Transportation Department prior to construction.

- *This commitment is still valid.*

Figure 1

