

MINIMUM CRITERIA DETERMINATION CHECKLIST

TIP Project No.: B-4566

State Project No.: 38412.1.2

Project Location: Bridge No. 45 on NC 903 over the Neuse River in Lenoir County

Project Description: The North Carolina Department of Transportation (NCDOT) proposes bridge replacement of Bridge No. 45 on NC 903 over the Neuse River in Lenoir County. The purpose of the proposed project is to replace a functionally obsolete bridge.

Bridge No. 45 was constructed in 1977. The bridge is 350 feet long with a deck width of 26.42 feet. The structure type is reinforced concrete deck on steel I-Beams. NCDOT Bridge Management Unit records indicate Bridge No. 45 has a sufficiency rating of 54.88.

Bridge No. 45 would be replaced in-place with an off-site detour. The proposed structure would be pre-stressed concrete girders with five spans; 400 feet long. The bridge typical section is two 12-foot lanes with minimum four-foot shoulders. The proposed design speed is 60 mph. The project length is approximately 1,200 feet.

Anticipated Permit or Consultation Requirements: US Army Corps of Engineer (USACE) Section 404 Nationwide Permit 23 and 33 (NWP 23 and NWP 33), NC Department of Water Resources (NCDWR) Section 401 Water Quality Certification (WQC) 4140 for NWP 23 and WQC 4141 for NWP 33 projects, Federal Emergency Management Act (FEMA) Permit, Section 10 Rivers and Harbors Appropriate Act, US Coast Guard (USCG) Bridge Permit/Advance Approval, and Critical Habitat consultation with the National Marine Fisheries Service (NMFS) for Atlantic Sturgeon

Special Project Information:

Estimated Traffic

Current Year (2019)	2,313 vpd
Future Year (2039)	3,730 vpd
TTST	8%
Dual	3%

Detour – Traffic will be managed with an off-site detour. The off-site detour would begin from NC 903 to SR 5024, to SR 882, to SR 1601, to SR 4400 and back to NC 903; approximately 11 miles. STIP Project B-5619, Replacement of Bridge No. 152 on NC 903 over the Neuse River, is south of B-4566 on the same local road network.

Construction Moratoria – Inland Primary Nursery Area (IPNA) Moratoria for the Neuse River in effect from February 15 to September 30.

NC River Basin Buffer Rules – Streamside riparian zones within the study area are protected under provisions of the Neuse River Buffer Rules administered by the NCDWR. Potential impacts to protected stream buffers will be determined once final alignment and design are determined.

Threatened & Endangered Species – The programmatic determination of biological conclusion for the Northern long-eared bat (NLEB) is May Affect, Likely to Adversely Affect. The US Fish and Wildlife Service (USFWS) developed a Programmatic Biological Opinion (PBO) for NLEB in eastern North Carolina. The PBO will provide incidental take coverage for the NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Lenoir County, where Bridge No. 45 is located.

The Atlantic Sturgeon is known to occur in Neuse River where Bridge No. 45 is located. The NOAA-Fisheries has issued a PBO for the Atlantic Sturgeon. NCDOT will initiate consultation with NMFS for the Atlantic Sturgeon to determine if the PBO is applicable for this project.

A biological conclusion of Unresolved was provided for the Red-cockaded woodpecker (RCW). The RCW field survey, conducted on September 2016, provided a biological conclusion of No Effect.

Cultural Resources – A No Survey Required form was provided for Historic Architecture. An Archaeological Survey Required form was provided on February 6, 2019. A No National Register of Historic Places Eligible or Listed Archaeological Sites Present form was provided on March 4, 2019, with conditions that the design team avoids the Rockford Chapel Cemetery and burial locations along NC 903 with no or very little grading. Conditions include:

- Installation of high visibility construction fencing along NC 903 and within the project limits of the cemetery to avoid accidental disturbances
- No more than very minor surface work such as preparing for reseeding
- No construction staging within the cemetery or along the western shoulder of NC 903 north of SR 1313
- Submittal of design plans to NCDOT Archaeology to document measures to avoid and minimize disturbances near the cemetery

If the design cannot avoid the Rockford Chapel Cemetery and burial locations, NCDOT Archaeology will be consulted to discuss further necessary actions up to and including relocation of human remains under N.C. G.S. 65 and/or 70.

Neuse River Paddle Trail – This is a paddle route that is part of Segments 11A-16A (Falls Lake Dam to the Neusiok Trail) of the Mountain to Sea Trail. There are no riverside trails, greenways or accesses associated with this paddle route in the study area. The Neuse River Paddle Trail navigation would be addressed as part of Section 10 permitting.

PART A: MINIMUM CRITERIA

- | | | |
|--|-------------------------------------|--------------------------|
| | YES | NO |
| 1. Is the proposed project listed as a type and class of activity allowed under the Minimum Criteria Rule in which environmental documentation is <u>not</u> required? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the answer to number 1 is “no”, then the project does not qualify as a minimum criteria project. A state environmental assessment is required.

If yes, under which category? Category #9 – Reconstruction of existing crossroad or railroad separations and existing stream crossings, including, but not limited to, pipes, culverts, and bridges
 If either category #8, #12(i) or #15 is used complete Part D of this checklist.

PART B: MINIMUM CRITERIA EXCEPTIONS

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| | YES | NO |
| 2. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse air quality impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Will the proposed activity have secondary impacts or cumulative impacts that may result in a significant adverse impact to human health or the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Is the proposed activity of such an unusual nature or does the proposed activity have such widespread implications, that an uncommon concern for its environmental effects has been expressed to the Department? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | |
| 5. Does the proposed activity have a significant adverse effect on wetlands; surface waters such as rivers, streams, and estuaries; parklands; prime or unique agricultural lands; or areas of recognized scenic, recreational, archaeological, or historical value? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6. Will the proposed activity endanger the existence of a species on the Department of Interior's threatened and endangered species list? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7. Could the proposed activity cause significant changes in land use concentrations that would be expected to create adverse water quality or ground water impacts? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | YES | NO |
|---|--------------------------|-------------------------------------|
| 8. Is the proposed activity expected to have a significant adverse effect on long-term recreational benefits or shellfish, finfish, wildlife, or their natural habitats | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

PART C: COMPLIANCE WITH STATE AND FEDERAL REGULATIONS

- | | YES | NO |
|--|-------------------------------------|-------------------------------------|
| 9. Is a federally protected threatened or endangered species, or its habitat, likely to be impacted by the proposed action? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Does the action require the placement of temporary or permanent fill in waters of the United States? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Does the project require the placement of a significant amount of fill in high quality or relatively rare wetland ecosystems, such as mountain bogs or pine savannahs? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12. Is the proposed action located in an Area of Environmental Concern, as defined in the coastal Area Management Act? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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| 13. Does the project require stream relocation or channel changes? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Cultural Resources

- | | | |
|---|--------------------------|-------------------------------------|
| 14. Will the project have an “effect” on a property or site listed on the National Register of Historic Places? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Will the proposed action require acquisition of additional right of way from publicly owned parkland or recreational areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

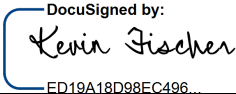
Response to Question 9 – Habitats for the NLEB and Atlantic Sturgeon may be impacted (see Special Projects Information).


Response to Question 10 – A total of 544 linear feet of jurisdictional water resources and a total of 2.2 acres of jurisdictional wetlands were identified in the project study area.

PART D:(To be completed when either category #8, 12(i) or #15 of the rules are used.)

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|------------------------------|------------|
| 16. Project length: | <u>N/A</u> |
| 17. Right of Way width: | <u>N/A</u> |
| 18. Project completion date: | <u>N/A</u> |

- 19. Total acres of newly disturbed ground surface: N/A
- 20. Total acres of wetland impacts: N/A
- 21. Total linear feet of stream impacts: N/A
- 22. Project purpose: N/A

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Project Commitments
Lenoir County
Replace Bridge No. 45 on NC 903 over the Neuse River
TIP Project No. B-4566
WBS No. 38412.1.2

All commitments developed during the project development and design phase for the project are listed below.

NCDOT Hydraulics Unit:

NC River Basin Buffer Rules

NCDOT will identify impacts to protected stream buffers once final alignment and design are determined.

FEMA

The project may encroach but will not adversely affect the FEMA-regulated river. The Hydraulics Unit will coordinate with FEMA to determine if a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR) are required for the project.

NCDOT Environmental Assessment Unit:

Federally Threatened Species

NCDOT will initiate Critical Habitat consultation with the NMFS for the Atlantic Sturgeon.

NCDOT Division 2:

Archaeological Resources

The NCDOT design team will avoid the Rockford Chapel Cemetery and burial locations along NC 903. The NCDOT design team will submit design plants to NCDOT Archaeology to document measures to avoid and minimize disturbances near the cemetery. If the design cannot avoid the Rockford Chapel Cemetery and burial locations, NCDOT Archaeology will be consulted to discuss further necessary actions up to and including relocation of human remains under N.C. G.S. 65 and/or 70.

NCDOT Division 2 Construction:

Construction Moratoria

NCDOT will follow the IPNA Moratoria for the Neuse River in effect from February 15 to September 30.

Roadway Lane Reductions and Closures

NCDOT will coordinate the construction schedules of B-4566 and B-5619, if possible, to minimize effects on local mobility.

Project Commitments
Lenoir County
Replace Bridge No. 45 on NC 903 over the Neuse River
TIP Project No. B-4566
WBS No. 38412.1.2

NCDOT will contact the Lenoir County Emergency Services Medical Services Division at 252-559-1911 (or 252-559-6126) at least one month prior to lane reduction and/or roadway closure to allow first responders to prepare for the anticipated action.

NCDOT will contact the LaGrange Volunteer Fire Department at 252-566-4515 at least one month prior to lane reduction and/or roadway closure to allow first responders to prepare for the anticipated action.

NCDOT will contact the Lenoir County Schools Director of Transportation at 252-527-7092 at least one month prior to lane reduction and/or roadway closure to allow schools to prepare for the anticipated action.

Archaeological Resources

NCDOT will incorporate in design plans and provide the following conditions to contractors:

- Installation of high visibility construction fencing along NC 903 and within the project limits of the cemetery to avoid accidental disturbances
- No more than very minor surface work such as preparing for reseeding
- No construction staging within the cemetery or along the western shoulder of NC 903 north of SR 1313

FEMA

If a CLOMR and subsequent final LOMR are required for the project, NCDOT will submit sealed as-built construction plans to the Hydraulics Unit upon project completion certifying the project was built as shown on construction plans.