

## Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

|                     |                  |
|---------------------|------------------|
| TIP Project No.     | <b>B-4635</b>    |
| WBS Element         | <b>38446.1.2</b> |
| Federal Project No. | <b>N/A</b>       |

A. Project Description:

The proposed project involves replacement of Bridge No. 9 on US 13 (Fayetteville Highway) over South River in Sampson County (see **Figure 1**). The replacement structure will be a 167-foot-long bridge providing a minimum of 40-foot clear deck width. The bridge will include a minimum of two undivided 12-foot lanes and 8-foot offsets. The bridge length is based on preliminary design information and is set by hydraulic requirements. The roadway grade of the new structure will be approximately the same as the existing structure. The Preferred Alternative is to replace the bridge on the existing alignment.

With the Preferred Alternative, the approach roadway will extend approximately 676 feet from the west end of the new bridge, and 797 feet from the east end of the new bridge. The approaches will include a 24-foot pavement width providing two 12-foot lanes. Two-foot paved shoulders and a total shoulder width of eight feet will be provided on each side (13-foot shoulders where guardrail is included). The roadway will be designed as a Minor Arterial using AASHTO guidelines with a 60 mile per hour design speed.

Traffic will be relocated to an on-site temporary detour during construction.

B. Description of Need and Purpose:

The bridge was built in 1954 and has a length of 137 feet with a deck width of 31.42 feet and approach roadway width (including shoulders) of 24 feet. NCDOT Bridge Management Unit records indicate Bridge No. 9 has a sufficiency rating of 19.18 out of a possible 100 for a new structure. The bridge is structurally deficient due to a substructure condition appraisal of 3 out of 9 according to Federal Highway Administration (FHWA) standards. The bridge also meets the criteria for functionally obsolete due to a structural appraisal of 3 out of 9.

C. Categorical Exclusion Action Classification:



TYPE I A

D. Proposed Improvements

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

## E. Special Project Information:

### **Cost:**

The proposed project is included in SMU's Bridge Replacement Program. Right of way acquisition and construction are scheduled for federal fiscal years 2018 and 2019, respectively. The estimated costs of the proposed project are as follows:

|               |             |
|---------------|-------------|
| Right of Way: | \$396,000   |
| Construction: | \$4,850,000 |
| Total:        | \$5,246,000 |

### **Design:**

Design Standards: AASHTO

Design Speed: 60 mph

Design Exceptions: None

Construction Type: Replace in place with temporary onsite detour

### **Estimated Traffic:**

|          |       |
|----------|-------|
| ADT 2019 | 4,184 |
| ADT 2039 | 6,104 |
| TTST     | 14%   |
| Dual     | 5%    |

### **Bridge Demolition:**

Bridge No. 9 is constructed of timber and steel and should be possible to remove with no resulting debris in the water based on standard demolition practices.

### **Alternatives Discussion:**

No Build – The no build alternative would result in closing the road, which is unacceptable given the volume of traffic served by US 13.

Rehabilitation – The bridge was originally constructed in 1954. The timber materials within the bridge are reaching the end of their useful life. Rehabilitation would require replacing the timber components, which would constitute effectively replacing the bridge.

Replace In-Place with Onsite Detour (Preferred) – Traffic will be relocated to an onsite temporary detour bridge during construction due to the unfavorable conditions of an offsite detour and due to the heavy truck volume on US 13. The temporary bridge will be constructed south of the existing bridge and will be approximately 180 feet in length with two 12-foot lanes and 8-foot offsets.

Replace In-Place using Staged Construction – Staged construction was not considered due to the acceptability of an onsite detour.

Replace on New Alignment – The current alignment for US 13 is acceptable, and a new alignment would unnecessarily increase permanent project impacts due to the presence of jurisdictional wetlands on both sides of the roadway. Therefore, replacement of the bridge on new alignment was not selected as an alternative.

Replace In-Place with an Offsite Detour – The closest available offsite detour is approximately 7.75 miles in length and includes the following roadways: Autry Mill Road, Wrench Road, Green Path Road, NC 82 (S. West Street). Due to its length, current condition, and the volume of truck traffic that currently uses US 13, it was determined that an offsite detour was not an acceptable option for the project.

**Bicycle and Pedestrian Accommodations:**

US 13 is not designated as a bicycle route. No additional bicycle or pedestrian accommodations are recommended as part of this project.

**Human Environment:**

Cultural Resources

Under NCDOT’s programmatic agreement with the North Carolina State Historic Preservation Office (SHPO) for bridge replacement projects, NCDOT reviewed the project study area (see **Figure 2**) for the presence of historic architectural and archeological resources. The reviews concluded that No Survey Required for historic architectural resources and that no listed or eligible archeological resources are located within the project’s area of potential effects.

Environmental Justice

Census data does not indicate a notable presence of populations meeting the criteria for Environmental Justice within the Demographic Study Area (DSA), nor were minority, low-income, or non-EJ Title VI communities observed within the Direct Community Impact Area (DCIA) during the field visit and/or were noted by local planners. (Community Impact Assessment, April 2015)

Limited English Proficiency

Because LEP populations within the DSA exceed the Department of Justice’s Safe Harbor thresholds, written translations of vital documents should be provided for Spanish language-speaking populations, in addition to other measures assuring meaningful language access, as determined by NCDOT Public Involvement to satisfy the requirements of Executive Order 13166. (Community Impact Assessment, April 2015)

**Public Involvement:**

Newsletters were mailed to the residents located within the project study area. The newsletter described the project location, schedule, and length of construction. The deadline for public comments was Monday, September 30, 2019. No comments were received.

**Anticipated Permit or Consultation Requirements:**

A Nationwide Permit (NWP) will likely be required for impacts to “Waters of the United States” resulting from this project.

In addition, an NCDWR Section 401 Water Quality General Certification (GC) may be required prior to the issuance of a Section 404 Permit. The USACE holds the final discretion as to what permit will be required to authorize project construction.

F. Project Impact Criteria Checklists:

| <u>Type I &amp; II - Ground Disturbing Actions</u>   |   |                          |                                     |    |
|--|---|--------------------------|-------------------------------------|----|
| <u>FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA</u>   |   |                          |                                     |    |
| If any of questions 1-7 are marked "yes" then the CE will require FHWA approval.   |   |                          | Yes                                 | No |
| 1  | Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 2  | Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 3  | Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 4  | Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 5  | Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 6  | Does the project require an Individual Section 4(f) approval?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 7  | Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| If any of questions 8 through 31 are marked "yes" then additional information will be required for those questions in Section G. |   |                          |                                     |    |
| <u>Other Considerations</u>  |   |                          | Yes                                 | No |
| 8  | Does the project result in a finding of "may affect not likely to adversely affect" for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 9  | Is the project located in anadromous fish spawning waters?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 10   | Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 11   | Does the project impact waters of the United States in any of the designated mountain trout streams?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 12   | Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 13   | Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |
| 14   | Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |    |

| <u>Other Considerations (continued)</u> |  | Yes                      | No                                  |
|---|--|--------------------------|-------------------------------------|
| 15                                      | Does the project involve hazardous materials and/or landfills?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16                                      | Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17                                      | Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18                                      | Does the project require a U.S. Coast Guard (USCG) permit?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19                                      | Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20                                      | Does the project involve Coastal Barrier Resources Act (CBRA) resources?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21                                      | Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22                                      | Does the project involve any changes in access control?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23                                      | Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 24                                      | Will maintenance of traffic cause substantial disruption?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 25                                      | Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 26                                      | Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 27                                      | Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 28                                      | Does the project include a <i>de minimis</i> or programmatic Section 4(f)?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 29                                      | Is the project considered a Type I under the NCDOT's Noise Policy?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30                                      | Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31                                      | Are there other issues that arose during the project development process that affected the project decision?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

G. Additional Documentation as Required from Section F

**Question 1:**

*Northern long-eared bat*

After the NRTR was completed, the USFWS developed a 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. 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 five years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Sampson County, where B-4635 is located. This level of incidental take is authorized from the effective date of a final listing determination through April 30, 2020.

**Question 8:**

A Natural Resources Technical Report (NRTR) was prepared for this project in June 2015. At that time, the wood stork (*Mycteria americana*) was listed as a federally threatened species and suitable habitat was deemed present in the study area. No individuals of wood stork or nest were observed during a foot survey on February 11, 2015 and a review of the NCNHP records indicated no occurrences within 1 mile of the study area. A biological conclusion of "May Affect – Not Likely to Adversely Affect" (MA-NLAA) was determined. Since that time the wood stork has been delisted as a federally threatened species in Sampson County and the biological conclusion MA-NLAA conclusion is no longer warranted.

H. Project Commitments

**Sampson County  
Replace Bridge No. 9 on US 13 (Fayetteville Highway)  
Over South River  
WBS No. 38446.1.2  
TIP No. B-4635**

**Division Construction – FEMA**

This project involves construction activities on or adjacent to FEMA-regulated stream (s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

I. Categorical Exclusion Approval

|                     |                  |
|---------------------|------------------|
| TIP Project No.     | <u>B-4635</u>    |
| WBS Element         | <u>38446.1.2</u> |
| Federal Project No. | <u>N/A</u>       |

**Prepared By:**

11/14/2019

Date

DocuSigned by:

*Elizabeth D. Smyre, PE*

Beth Smyre, PE, Senior Planner  
Dewberry Engineers Inc.

**Prepared For:**

Structures Management Unit  
North Carolina Department of Transportation

**Reviewed By:**

11/19/2019

Date

DocuSigned by:

*Philip S. Harris, III*

Philip S. Harris, III, PE, Environmental Analysis Unit  
North Carolina Department of Transportation



**Approved**

If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.



**Certified**

If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.

11/19/2019

Date

DocuSigned by:

*Kevin Fischer*

Kevin Fischer, PE, Assistant State Structures Engineer  
North Carolina Department of Transportation

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

Date

N/A

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