

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	<u>B-5896</u>
WBS Element	<u>48028.1.1</u>
Federal Project No.	<u>BRZ-1138 (002)</u>

A. Project Description:

Replace Bridge Number 143 on SR 1138 (Lake Adger Road) over Panther Creek in Polk County. The existing bridge is 26 feet long, with a deck width of 20 feet. The proposed replacement structure is a single-span 28-ft x 8-ft bottomless concrete box culvert with a deck width of 27 feet, which will accommodate two 10-ft lanes. The bridge will be replaced to the upstream side of the existing bridge, utilizing phased construction to maintain one lane of traffic during construction. See attached vicinity and study area maps.



Bridge Number 99

B. Description of Need and Purpose:

The purpose of the project is to address a functionally obsolete 57-year-old bridge with a narrow deck and low posted weight. Bridge Number 143 has a sufficiency rating of 29.22 out of a possible 100 for a new structure.

The bridge is considered functionally obsolete due to its structural evaluation being rated 3 out of 9 and its deck geometry being rated 2 out of 9, based on Federal Highway Administration (FHWA) standards. Bridge Number 143 is approaching the end of its useful life, and replacement of the bridge will result in safer traffic operations.

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:

Alternatives Discussion:

No-Build: The No-Build Alternative was not selected because it would have resulted in the closure of Bridge Number 143, which is unacceptable because it would permanently impact emergency service response times as the available detour route is seven miles long. Agricultural operations would also experience a longer direct route to regional agricultural resources in Hendersonville.

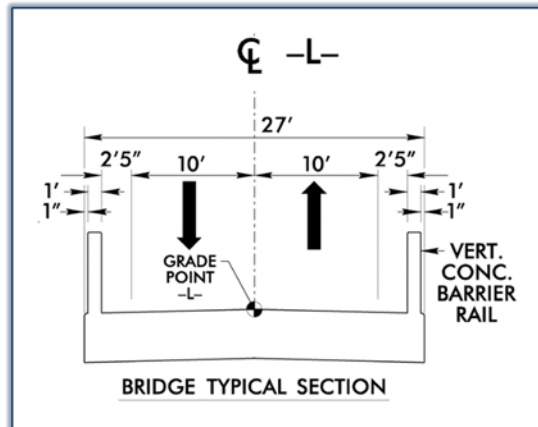
Offsite Detour: An offsite detour was not selected because the available detour route is seven miles long.

Phased Construction: The option to utilize phased construction to the upstream side was chosen because it will minimize impacts to resources in the area and allow one lane of traffic to be maintained during construction.

Estimated Costs:

Structure Costs	\$ 248,700
Roadway Costs	\$ 198,965
Misc. & Mob.	\$ 127,335
Eng. & Contingencies	\$ 100,000
Total Construction Cost	\$ 675,000
Right-of-Way Cost	\$ 27,040
Total Project Cost	\$702,040

Bridge Typical Section:



F. Project Impact Criteria Checklists:

<u>Type I & 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 checked="" type="checkbox"/>	<input 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

8. While there are no Northern long-eared bat (NLEB) hibernacula within 0.25 mile of the project study area and no known NLEB roost trees within 150 feet of the project study area, NCDOT has agreed to commitments in order to prevent incidental takes.

For the proposed action, NCDOT has committed to the conservation measures listed below:

- 1) No alterations of a known hibernaculum's entrance or interior environment if it impairs an essential behavioral pattern, including sheltering Northern long-eared bats (January 1 through December 31);
- 2) No tree removal within a 0.25 mile radius of a known hibernacula (January 1 through December 31); and
- 3) No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

NCDOT has determined that the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule, codified at 50 C.F.R. §17.40(o) and effective February 16, 2016. Section 7 responsibilities are therefore considered fulfilled.

H. Project Commitments

**Polk County
Replacement of Bridge Number 143 on SR 1138 (Lake Adger Road)
Over Panther Creek
Federal Project No. BRZ-1138 (002)
WBS No. 48028.1.1
TIP No. B-5896**

Division 14

The following conservation measures will be enacted in relation to the protection of the Northern long-eared bat:

- No alterations of a known hibernacula entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31)
- No tree removal within a 0.25 mile radius of a known hibernacula (January 1 through December 31)
- No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

I. Categorical Exclusion Approval

STIP Project No.	<u>B-5896</u>
WBS Element	<u>48028.1.1</u>
Federal Project No.	<u>BRZ-1138 (002)</u>

Prepared By:

10/16/2018

Date

DocuSigned by:

Colista Freeman

Colista Freeman, PE, Planning Senior Project Manager
CALYX Engineers and Consultants, an NV5 Company

Prepared For:

North Carolina Department of Transportation

Reviewed By:

10/22/2018

Date

DocuSigned by:

Adam Dockery

Adam Dockery, Division 14 Bridge Program Manager
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.

10/22/2018

Date

DocuSigned by:

Brian Burch

Brian Burch, Division 14 Engineer
North Carolina Department of Transportation

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

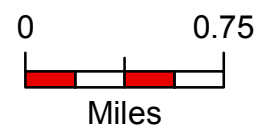
Date

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



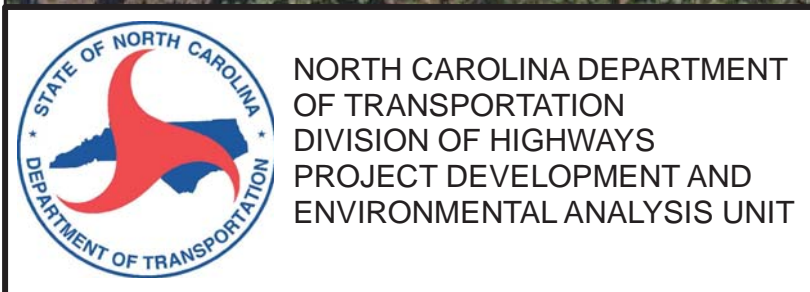
NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS UNIT

VICINITY MAP
Replace Bridge No. 143 on SR 1138
over Panther Creek in Polk County
TIP Project B-5896

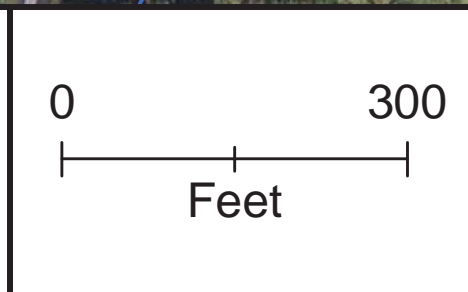


Div: 14	TIP# B-5896
Date: DECEMBER 2015	

Figure
1



STUDY AREA MAP
Replace Bridge No. 043 on SR 1138
over Panther Creek in Polk County
 TIP Project B-5896



Div: 14	TIP # B-5896
Date: SEPTEMBER 2016	

Figure
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