

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	<u>B-5908</u>
WBS Element	<u>17BP.14.R.195</u>
Federal Project No.	<u>BRZ-1387(002)</u>

A. Project Description:

Replace Bridge Number 127 on SR 1387 (Upper Burningtown Road) over Left Prong Burningtown Creek in Macon County. The existing bridge is 36 feet long, with a deck width of 20 feet. The proposed replacement structure is a single-span 50-foot long 21-inch cored slab with a deck width of 33 feet, which will accommodate one 10-ft lane and one 16-foot lane. 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 map.



Bridge Number 127

B. Description of Need and Purpose:

The purpose of the project is to address a functionally obsolete 53-year-old bridge with a narrow deck and low posted weight. Bridge Number 127 has a sufficiency rating of 31.61 out of a possible 100 for a new structure.

The bridge is considered functionally obsolete due to its deck geometry being rated 3 out of 9, based on Federal Highway Administration (FHWA) standards. Bridge Number 127 is approaching the end of its useful life. Additionally, the 20-ft wide deck is substandard, 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 127, which is unacceptable because Upper Burningtown Road, which serves residences, is a dead-end road with no acceptable detour route available north and west of the bridge.

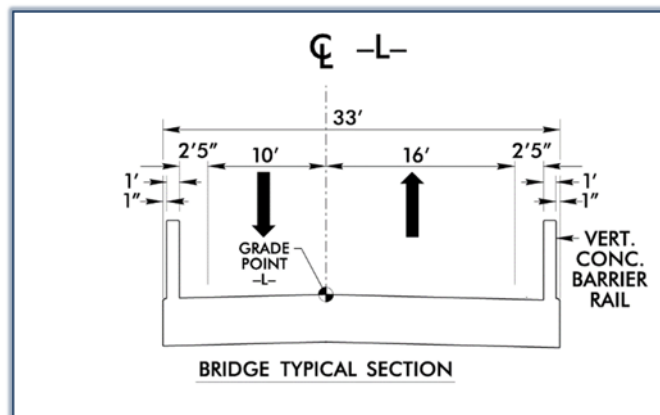
Offsite Detour: An offsite detour was not selected because Upper Burningtown Road is a dead-end road with no acceptable detour route available for residences and properties north and west of the bridge.

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	\$ 307,440
Roadway Costs	\$ 212,565
Misc. & Mob.	\$ 142,995
Eng. & Contingencies	\$ 112,000
Total Construction Cost	\$ 775,000
Right-of-Way Cost	\$ 23,400
Total Project Cost	\$798,400

Typical Section for Bridge:



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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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. Although no evidence of bats was found during surveys, Indiana bats are currently known from Haywood County; therefore, the biological conclusion for the Indiana bat is "May Affect, Not Likely to Adversely Affect". Any tree clearing required for construction will occur between October 15 and April 15 to avoid potential impacts to Indiana bats.

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.

11. The N.C. Wildlife Resources Commission has identified Left Prong Burningtown Creek in the study area as trout waters. A mandatory trout moratorium is required from January 1 to April 15.
14. Archaeological Site 31MA788 was identified as eligible for the National Register (NR). Based on preliminary plans, construction will not impact any portion of the site that makes it NR-eligible, provided work does not extend any farther west. The NC Office of State Archaeology has concurred that the project supports a finding of "No Eligible or Listed Sites Affected" (see attached form). Construction plans will denote the area of archaeological site 31MA788 that should not be disturbed by the contractor. Safety fencing may also be placed around the site during construction.

H. Project Commitments

Macon County
Replacement of Bridge Number 127 on SR 1387 (Upper Burningtown Road)
Over Left Prong Burningtown Creek
Federal Project No. BRZ-1387(002)
WBS No. 17BP.14.R.195
TIP No. B-5908

Division 14

1. Any tree clearing required for construction will occur between October 15 and April 15 to avoid potential impacts to Indiana bats.
2. 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.
3. No in-water work will occur between January 1 and April 15, due to a recommended trout moratorium.
4. Sediment and erosion control measures will adhere to the *Design Standards for Sensitive Watersheds*.
5. Construction plans will denote the area of archaeological site 31MA788 that should not be disturbed by the contractor. Safety fencing might also be placed around the site during construction.

I. Categorical Exclusion Approval

STIP Project No.	B-5908
WBS Element	17BP.14.R.195
Federal Project No.	BRZ-1387(002)

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:

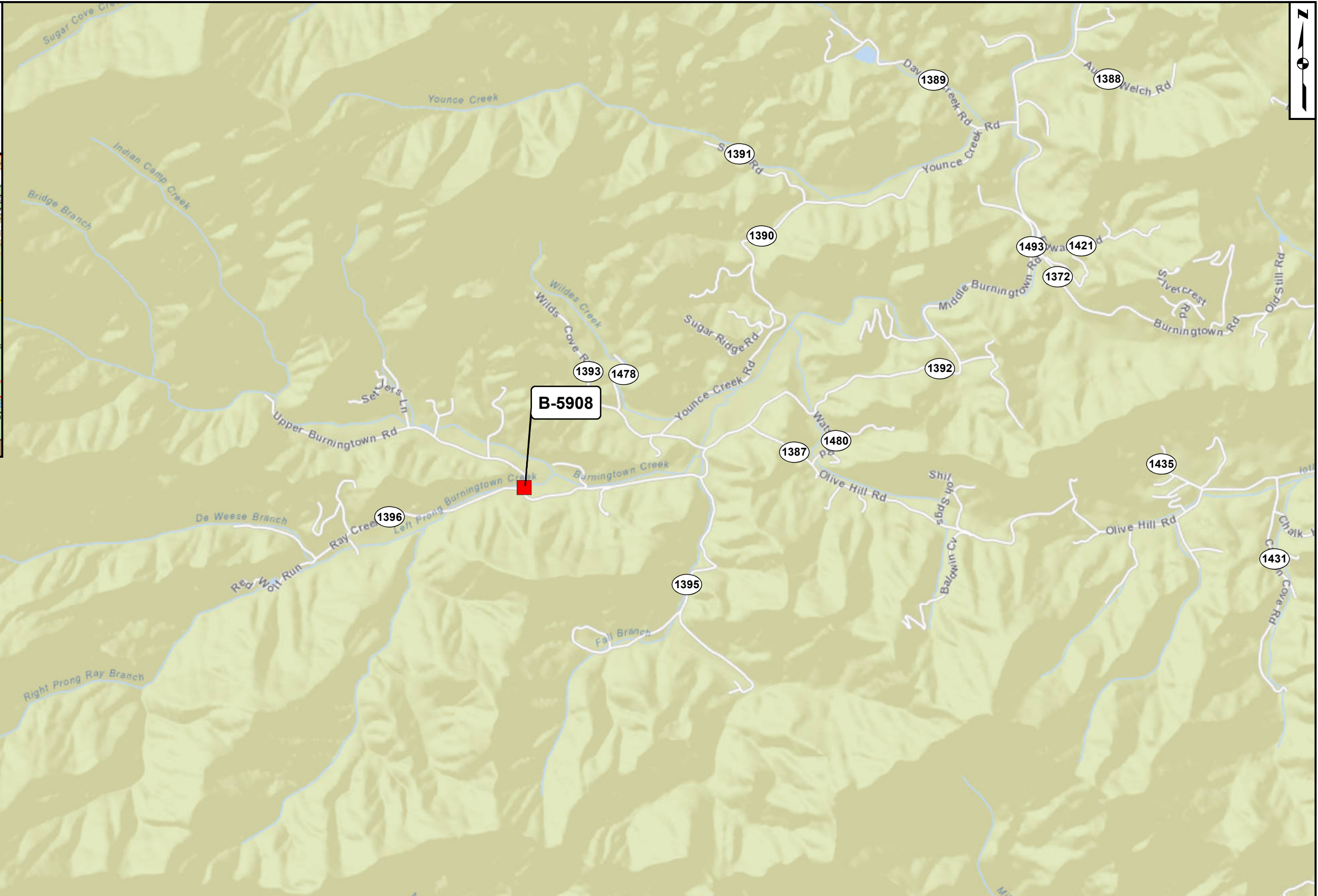
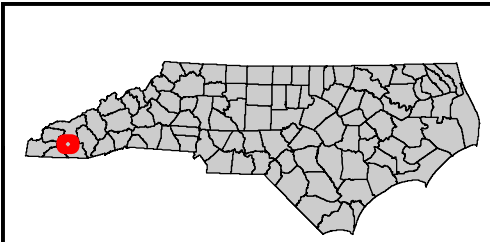
Brian Burch

Brian Burch, Division 14 Engineer
North Carolina Department of Transportation

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

Date

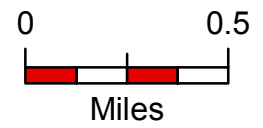
John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration



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

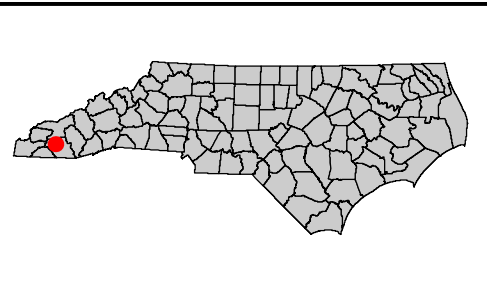
VICINITY MAP
Replace Bridge No. 127 on SR 1387
over Burningtown Creek in Macon County

TIP Project B-5908



Div: 14 TIP# B-5908
Date: DECEMBER 2015

Figure
1



**Bridge
No. 127**

Left Prong Burningtown Creek

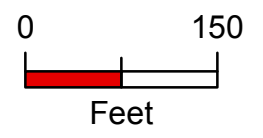
SR-1387

SR-1396



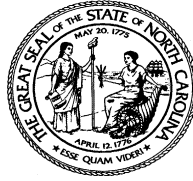
NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS UNIT

STUDY AREA MAP
Replace Bridge No. 127 on SR 1387
over Burningtown-Creek Left Prong in Macon County
TIP Project B-5908



Div: 14 TIP# B-5908
Date: DECEMBER 2015

**Figure
2**



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

March 13, 2018

MEMORANDUM

TO: Matt Wilkerson
Office of Human Environment
NCDOT Division of Highways

FROM: Ramona M. Bartos *RMB for Ramona M. Bartos*

SUBJECT: Bridge 127 on SR 1387 over Burningtown Creek, PA 16-01-0119 Revised, B-5908,
Macon County, ER 16-1204

Thank you for your letter of February 9, 2018, transmitting the revised No National Register of Historic Places Eligible or Listed Archaeological Sites Affected form for the above project.

The form indicates that project construction plans have been altered to avoid adverse impacts to the significant portion of eligible site 31MA788. Therefore, we concur that the integrity of 31MA788 will not be diminished by the project as currently proposed, and no eligible sites will be affected. If construction plans are altered to extend further west, additional archaeological work will be required.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.