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Type I or II Categorical Exclusion Action Classification Form

STIP Project No.	BR-0074
WBS Element	67074.1.1
Federal Project No.	N/A

A. Project Description:

Project No. BR-0074 proposes to replace Bridge Nos. 91 and 92, which carry US 70 over Southwest Prong Slocum Creek in Havelock, Craven County (**Figure 1**). The proposed bridges are both two-lane roadways with 8-foot outside shoulders. The bridges would be replaced on the existing alignment while detouring traffic onsite during construction utilizing an existing parallel service road west of US 70. The service road would carry two lanes of traffic in one direction during construction. Two lanes of traffic in the other direction will be carried per bridge while the other is being replaced. The environmental features in the study area are shown on **Figure 2** and the design is depicted on the **Title Sheet**.

The design speed is 50 mph with a posted speed limit of 45 mph. The 2019 ADT is 30,500 vehicles per day (vpd) and design year ADT is to be determined. The functional classification is Principal Arterial, Tier Classification is Statewide, and the terrain is level. The proposed roadway typical section on either side of the bridge is two (2) twelve-foot lanes in the westbound and eastbound directions with a 30-foot grassed median (2-foot median paved shoulders) and 8-foot shoulders (4-foot outside paved shoulders).

The 2022 verified cost estimates for the selected alternative are as follows: Right-of-Way \$452,200
Utility Estimates \$0
Construction \$9,900,000
Total \$10,352,200

B. <u>Description of Need and Purpose:</u>

The purpose of the proposed project is to replace bridges that are structurally deficient. Bridge No. 240091 has a sufficiency rating of 66.32 out of 100 and the most recent bridge inspection rated the substructure a 5 out of 9. Bridge No. 240092 has a sufficiency rating of 68.93 out of 100 and the most recent bridge inspection rated the substructure a 6 out of 9. Bridge 91 was constructed in 1956 and Bridge 92 was constructed in 1944. Both bridges are considered "functionally obsolete" and are nearing the end of their useful lives. Being structurally deficient does not mean that the bridges are unsafe but does mean the bridges are in need of repair or replacement. As a bridge ages, the cost of repairs and continued maintenance necessitates the need for replacement.

C. <u>Categorical Exclusion Action Classification:</u>

Type I(A) - Ground Disturbing Action

D. <u>Proposed Improvements:</u>

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:

This portion of US 70 is a four-lane median divided roadway that serves as the main entrance into the Havelock and Marine Corps Air Station (MCAS) Cherry Point. It is also a freight corridor accessing the Port of Morehead City. Due to high traffic volumes, use as a freight corridor, and lack of suitable off-site detour route, an on-site detour is the most viable alternative.

Environmental Commitments

The list of project commitments (green sheet) is located at the end of the checklist.

Traffic

The below traffic forecast is derived from the Traffic Forecast for BR-0074 dated April 4, 2019.

Current (2019): 30,500 vehicles per day Future (2045): 33,800 vehicles per day

TTST: 2% Duals: 2%

Design Exceptions

There are no anticipated design exceptions for this project.

Bridge Demolition

The existing bridges are made of concrete and steel and therefore, they should be possible to remove with no debris falling to the water below.

Anticipated Permit or Consultation Requirements

A Nationwide Permit from the U.S. Army Corps of Engineers (USACE) and corresponding Section 401 Water Quality Certification (WQC) from the North Carolina Division of Water Resources (DWR) are anticipated prior to the issuance of a Section 404 Permit. Permitting decisions are at the discretion of the USACE and DWR.

Water resources in the study area are part of the Neuse River basin (HUC 03020204). Streamside riparian zones within the study area are protected under provisions of the Neuse River Buffer Rules administered by DWR. Therefore, a Buffer Authorization will be required for this project.

Coastal Area Management Act (CAMA) Areas of Environmental Concern (AEC) were identified in the study area. A site visit by the North Carolina Division of Coastal Management (DCM) Transportation Field Representative determined that Southwest Prong Slocum Creek is a Public Trust Area and the adjacent shoreline is a Coastal Shoreline AEC. A CAMA major permit from the DCM will be required for all impacts to designated AECs within the study area.

In a letter dated March 29, 2019, the U.S. Coast Guard (USCG) determined that a bridge permit will not be required for the project. The project is placed in the Advance Approval category as per Title 33 Code of Federal Regulations Part 115.70. The Advance Approval determination is valid until March 29, 2024.

Jurisdictional Features

One jurisdictional stream and six jurisdictional wetlands were identified within the study area and are described in detail in the *Natural Resources Technical Report* (July 2021). There are no designated Outstanding Resource Water (ORW), High Quality Waters (HQW) or water supply watersheds (WS-I or WS-II) within or within 1.0 mile downstream of the study area. No streams in the study area or within 1.0 mile of the study area are identified on the North Carolina 2022 Final 303(d) list of impaired waters. No waters in the project area are designated as a National Wild and Scenic River.

Protected Species

As noted in the *Natural Resources Technical Report* (July 2021), the United States Fish and Wildlife Service (USFWS) lists eleven federally-protected species for Craven County (Table 1). For each species, a discussion of the presence or absence of habitat is included below along with the Biological Conclusion rendered based on survey results in the study area.

Table 1. Federally Protected Species

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
Alligator mississippiensis	American alligator	T (S/A)	Yes	Not Required
Acipenser oxyrinchus oxyrinchus	Atlantic sturgeon	Е	No	No Effect
Laterallus jamaicensis	Eastern black rail	T	No	No Effect
Chelonia mydas	Green sea turtle	T	No	No Effect
Dermochelys coriacea	Leatherback sea turtle	Е	No	No Effect
Noturus furiosus	Carolina madtom	Е	Yes	No Effect
Necturus lewisi	Neuse River waterdog	T	Yes	No Effect
Myotis septentrionalis	Northern long-eared bat	T	Yes	MA-LAA
Picoides borealis	Red-cockaded woodpecker	Е	No	No Effect
Calidris canutus rufa	Rufa red knot	T	No	No Effect
Trichechus manatus	West Indian manatee	Е	Yes	MA-NLAA
Lysimachia asperulaefolia	Rough-leaved loosestrife	Е	Yes	No Effect
Aeschynomene virginica	Sensitive -joint vetch	Т	Yes	No Effect

E - Endangered; T - Threatened; T (S/A)- Threatened due to similarity of appearance; MA-NLAA - May affect, not likely to adversely affect; MA-LAA - May affect, likely to adversely affect

Southwest Prong Slocum Creek has been identified as an Anadromous Fish Spawning Area and Essential Fish Habitat.

Rough-leaved loosestrife

Due to the lack of known occurrences and the lack of observed individuals, it has been determined that the proposed project would have "No Effect" on RLLS.

Sensitive-joint vetch

Due to lack of observed individuals and known occurrences, it has been determined that the proposed project would have "No Effect" on SJV.

Floodplains

Bridge Nos. 91 and 92 are within the regulatory floodway, 100-year floodplain, and 500-year floodplain of Southwest Prong Slocum Creek.

Hazardous Materials

The NCDOT GeoEnvironmental Section performed a records search for the study area in April 2019 to identify known and potential sites of concern. Two sites, Tim Newton Auto Sales and Ronco Bicycle Shop were identified as Underground Storage Tanks (UST) facilities and are located either within or adjacent to the study area. Both sites were assigned a "Low" Anticipated Risk from the NCDOT GeoEnvironmental Section.

Section 4(f)

The North Carolina Wildlife Resource Commission (WRC) operates the Slocum Creek Boating Access Area, a boat ramp accessed via Church Rd. Church Road would be utilized as a detour route for the duration of construction, carrying a single direction of traffic. As part of the on-site detour, access to the Slocum Creek Boating Access Area would be temporarily changed. All vehicles would utilize the western-most driveway while the eastern driveway would be closed. A barrier would be placed in front of the eastern driveway to prevent access onto the detour route.

Cultural Resources

It was determined that no historic architecture or archaeological surveys are required for the project.

A tribal coordination letter was sent to the Catawba Indian Nation on December 2, 2021. No response has been received to date.

Alternatives

Two alternatives were considered during project development. Alternative 1 proposed to construct a temporary bridge to the east and replace the bridges in place. Alternative 2 would utilize Church Rd as a temporary detour and replace the bridges in place. Alternative 1 would likely require three construction seasons due to the in-water work moratorium while Alternative 2 is anticipated to only require two seasons. Alternative 2 was selected due to fewer wetland impacts, a shorter construction schedule, and lower cost. An off-site detour was not considered due to high traffic volumes and lack of acceptable detour route.

F. Project Impact Criteria Checklists:

				
F2. 0	F2. Ground Disturbing Actions – Type I (Appendix A) & Type II (Appendix B)			
Proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22 (ground disturbing), 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B) answer the project impact threshold questions (below) and questions 8 – 31.				
• 1	 If any question 1-7 is checked "Yes" then NCDOT certification for FHWA approval is required. If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G. 			
	OJECT IMPACT THRESHOLDS WA signature required if any of the questions 1-7 are marked "Yes".)	Yes	No	
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?		V	
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?		Ø	
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?		V	
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?		V	
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?		V	
6	Does the project require an Individual Section 4(f) approval?		V	
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)?		V	
If any question 8-31 is checked "Yes" then additional information will be required for those questions in Section G.				
<u>Othe</u>	er Considerations	Yes	No	
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?			
9	Is the project located in anadromous fish spawning waters?			
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)?	V		
11	Does the project impact Waters of the United States in any of the designated mountain trout streams?		V	

12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?		$\overline{\checkmark}$
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?		V
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?		V
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	$\overline{\mathbf{A}}$	
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?	$\overline{\checkmark}$	
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)?		V
18	Does the project require a U.S. Coast Guard (USCG) permit?	$\overline{\mathbf{A}}$	
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?		V
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?		$\overline{\mathbf{A}}$
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?		V
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?		
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?		\checkmark
24	Will maintenance of traffic cause substantial disruption?		$\overline{\checkmark}$
25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?		V
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), Tribal Lands, 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?		
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?		\checkmark
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?	$\overline{\mathbf{A}}$	
29	Is the project considered a Type I under the NCDOT Noise Policy?		$\overline{\mathbf{V}}$
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?		V
31	Are there other issues that arose during the project development process that affected the project decision?		V

- G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):
- **8.** 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 22 counties, but may potentially occur in 8 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 current 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 will ensure compliance with Section 7 of the Endangered Species Act for ten years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Craven County, where BR-0074 is located.
- **9.** Southwest Prong Slocum Creek as an Anadromous Fish Spawning Area. As a result, a construction moratorium will be in effect from February 15 to September 30. This is a project commitment.
- **10.** Southwest Prong Slocum Creek is subject to the Neuse River Buffer Rules program. A Buffer Authorization will be obtained prior to construction.
- **15.**. Two sites, Tim Newton Auto Sales and Ronco Bicycle Shop were identified as Underground Storage Tanks (UST) facilities and are located either within or adjacent to the study area. Both sites were assigned a "Low" Anticipated Risk from the NCDOT GeoEnvironmental Section. A Phase 1 GeoEnvironmental Report will be completed prior to right-of-way acquisition. This is a project commitment.
- **16.** Bridge Nos. 91 and 92 are within the regulatory floodway, 100-year floodplain, and 500-year floodplain of Southwest Prong Slocum Creek. The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program to determine the status of the project with regard to applicability of NCDOT'S Memorandum of Agreement (MoA), or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR). This is a project commitment.
- **18.** The project is placed in the USCG's Advance Approval category as per Title 33 Code of Federal Regulations Part 115.70. The Advance Approval determination is valid until March 29, 2024.
- **28.** In a letter dated June 7, 2022 WRC concurred that the temporary change in access to the Slocum Creek Boating Access would result in a *de minimis* impact under Section 4(f).

H. Project Commitments:

NCDOT PROJECT COMMITMENTS

STIP Project No. **BR-0074**Replacement of Bridge Nos. 91 and 92 carrying US 70
Craven County
Federal Aid Project No. N/A
WBS Element 67074.1.1

Project Management Unit

The NCDOT Project Manager will coordinate with NCDOT Work Zone Traffic Control and Integrated Mobility Division to evaluate the necessary level of bicycle/pedestrian access accommodation during construction.

Division Construction

A construction moratorium will be in effect from February 15 to September 30 to protect the Anadromous Fish Spawning Area waters and Primary Nursey Areas upstream of the project.

The USCG must be notified at least 30 days in advance of the start of construction and any other work which may be an obstruction to navigation, so they may issue and update the information in the Local Notice to Mariners and monitor the project. The notice should include details of the project; dates and hours of operation; and vessels, barges and equipment to be used during the project.

Construction activities will adhere to the guidelines outlined in Guidelines for Avoiding Impacts to the West Indian Manatee Precautionary Measures for Construction Activities in North Carolina Waters (2003 USFWS).

At no time during the project will the waterway be closed to navigation without the prior notification and approval of the USCG.

Hydraulics Unit

The NCDOT Hydraulics Unit will coordinate with the North Carolina Floodplain Mapping Program (FMP), the delegated state agency for administering FEMA's National Flood Insurance Program, to determine the status of the project with regard to the applicability of NCDOT's Memorandum of Agreement with the FMP or approval of a conditional Letter of Map revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

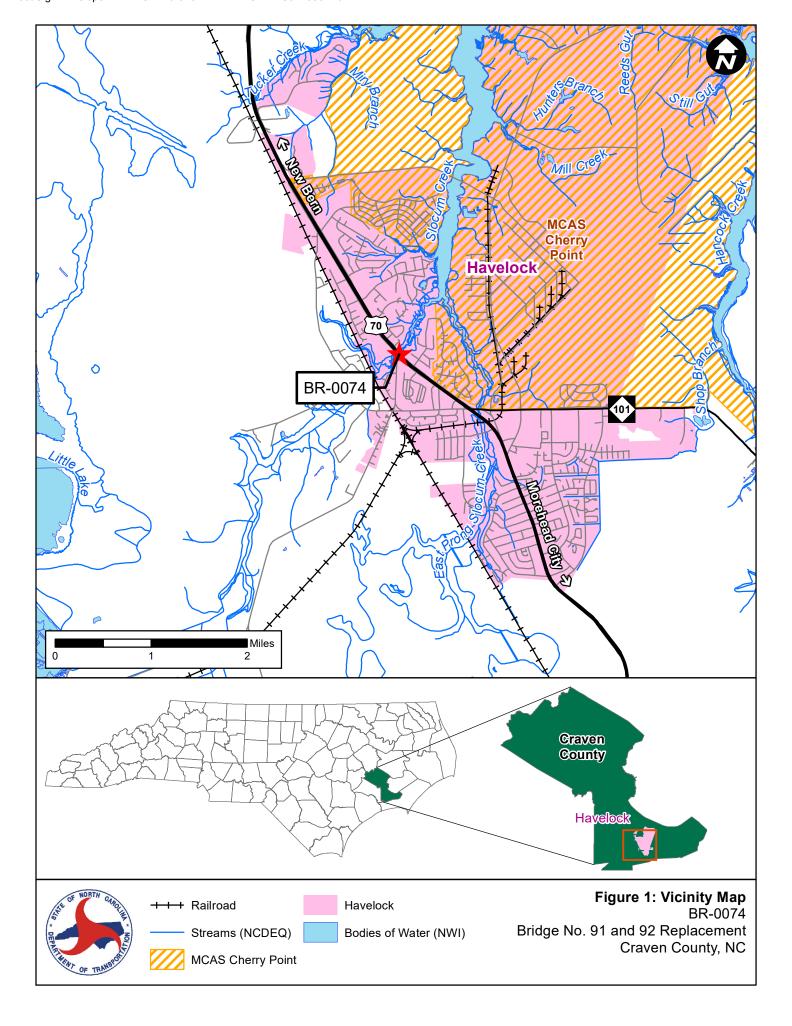
GenEnvironmental Unit

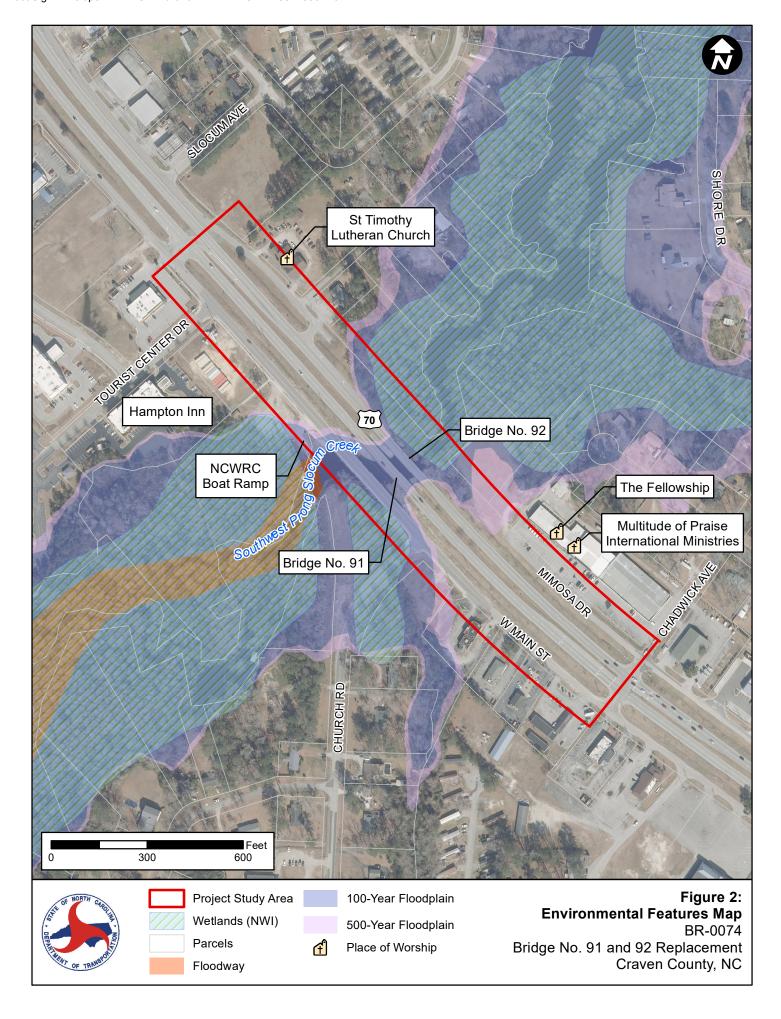
A Phase 1 GeoEnvironmental Report will be complete prior to right-of-way acquisition.

I. Categorical Exclusion Approval:

STIP Project No.	BR-0074		
WBS Element	67074.1.1		
Federal Project No.	N/A		
Prepared By:			
7/15/2022	Docusigned by: Kristina Solberg 541D71456669450		
Date	Kristina Solberg, PE Kimley-Horn & Associates		
Prepared For:	Claudia Lee, P.E., NCDOT Project Manager		
Reviewed By: 7/15/2022	DocuSigned by:		
Date	Colin Mellor, Eastern Regional Team Lead NCDOT Environmental Policy Unit		
✓ Approve	If NO grey boxes are checked in Section F (pages 2 and 3), NCDOT approves the Type I or Type II Categorical Exclusion.		
Certifie	 If ANY grey boxes are checked in Section F (pages 2 and 3), NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval. If classified as Type III Categorical Exclusion. 		
7/15/2022	Juniper a. Evans		
	Jennifer Evans, PE, Manager of the Project Management Unit North Carolina Department of Transportation		
	For Projects Certified by NCDOT (above), FHWA signature equired.		
	N/A		
Date for .	John F. Sullivan, III, PE, Division Administrator Federal Highway Administration		

Note: Prior to ROW or Construction authorization, a consultation may be required (please see Section VII of the NCDOT-FHWA CE Programmatic Agreement for more details).





P PROJECT: BR-0074

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END PROJECT

AADT 2024 =

AADT 2045 =

* (TTST 2% + DUAL 2%)

STATEWIDE TIER

FUNCTIONAL PRINCIPAL

CLASSIFICATION: ARTERIAL

50

PROFILE (HORIZONTAL)

PROFILE (VERTICAL)

31,100

33,800

55%

9%

4%*

45/55 MPH

LENGTH ROADWAY TIP PROJECT BR-0074

TOTAL LENGTH TIP PROJECT BR-0074

LENGTH STRUCTURES TIP PROJECT BR-0074 =

STATE OF NORTH CAROLINA DIVISION OF HIGHWAYS

CRAVEN COUNTY

STATE STATE PROJECT REFERENCE NO.

SHEET NO.

N.C.

BR-0074

STATE PROJ.NO.

P.A. PROJ.NO.

DESCRIPTION

P.E.

LOCATION: BRIDGES 91 AND 92 OVER S. PRONG SLOCUM CREEK ON US 70
TYPE OF WORK: GRADING, DRAINAGE, PAVING, AND STRUCTURES

THE NCDOT BY:

0.274 MILES | RIGHT OF WAY DATE:

2018 STANDARD SPECIFICATIONS

JANUARY 21, 2023

LETTING DATE:

JANUARY 16, 2024

NC LICENSE RF 0102 FAYETTEUN LE STREET, SUITE 600 RALEEU, NORTH CAROLINA, 27601

SIGNATURE:

SIGNATURE:

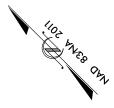
ROADWAY DESIGN ENGINEER

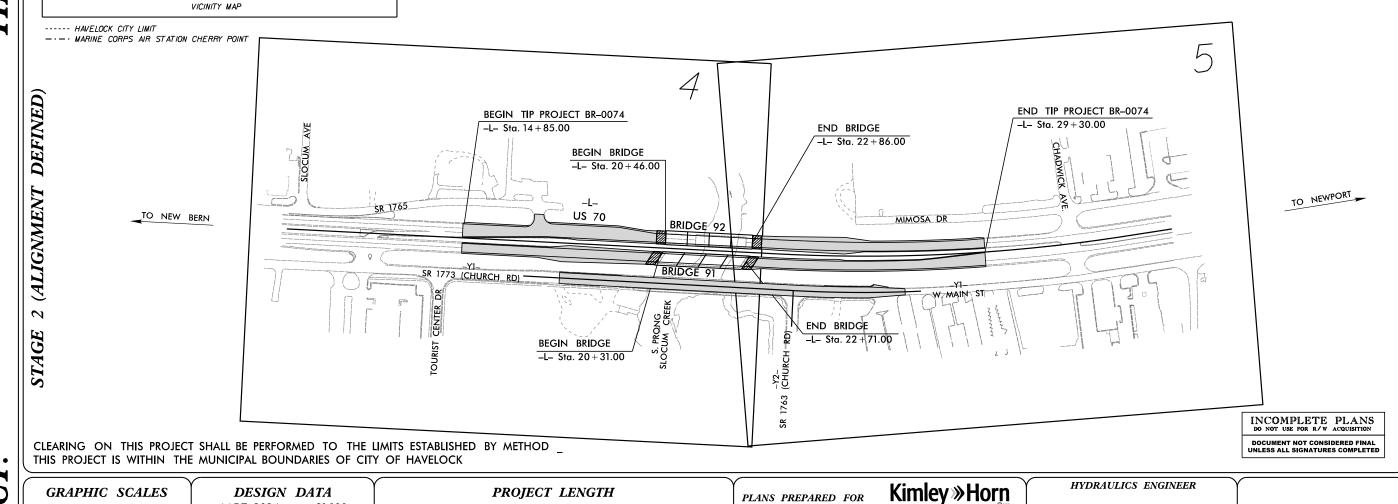
JEFFREY W. MOORE, P.E.

TYLER G. SPRING, P.E.

CLAUDIA W. LEE, P.E.

PROJECT MANAGER NCDOT PROJECT MGMT UNIT





0.229 MILES

0.045 MILES

TONTRACT.

Certificate Of Completion

Envelope Id: 414C71D9025B4227BDCABFC317585A16

Subject: Please DocuSign: BR-0074 Type I CE Final 7-15-2022.pdf

Source Envelope:

Document Pages: 12 Signatures: 3 Certificate Pages: 2 Initials: 0

AutoNav: Enabled

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Envelope Originator: Kristina Solberg

Status: Completed

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Colin Mellor cmellor@ncdot.gov

North Carolina Department of Transportation Security Level: Email, Account Authentication

(None)

Signature

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Signature Adoption: Uploaded Signature Image

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Jennifer Evans

jenniferevans@ncdot.gov Project Engineer - Division 7

North Carolina Department of Transportation Security Level: Email, Account Authentication

(None)

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Kristina Solberg

kristina.solberg@kimley-horn.com

Security Level: Email, Account Authentication

(None)

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Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Carbon Copy Events Status Timestamp Claudia W. Lee Sent: 7/15/2022 1:52:24 PM **COPIED** cwlee2@ncdot.gov

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Electronic Record and Signature Disclosure:

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Jeff Moore Jeff.Moore@kimley-horn.com Senior Vice President Kimley-Horn Security Level: Email, Account Authentication

(None)

Electronic Record and Signature Disclosure:

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Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	7/15/2022 1:52:35 PM
Signing Complete	Security Checked	7/15/2022 1:55:37 PM
Completed	Security Checked	7/15/2022 2:09:52 PM
Payment Events	Status	Timestamps