

## Type III Categorical Exclusion Action Classification Form

STIP Project No.	<u>HL-0008J</u>
WBS Element	<u>49367.1.7</u>
Federal Project No.	<u>TBD</u>

### A. Project Description:

The project proposes roadway widening and intersection improvements to NC 50 (Benson Road) from south of State Route (SR) 2728 (Rand Road) to north of SR 2711 (Buffaloe Road), partially within the southeast portion of the City of Garner and mostly within an unincorporated area of Wake County (Figure 1).

The project is funded through the provision in the Strategic Transportation Investments law for allocating revenue from tolling to local governments. The Capital Area Metropolitan Planning Organization (CAMPO) received a bonus allocation from the N.C. 540 (toll road). CAMPO selected project HL-0008J for the bonus allocation funding, and the project is programmed for right of way in Fiscal Year (FY) 2025, and construction is programmed for FY 2026.

NC 50 (Benson Road) is a north/south rural two-lane undivided roadway that parallels I-40 between the cities of Garner and Benson. Complete 540 (STIP projects R-2721, R-2828, and R-2829) will construct an interchange with NC 50 (Benson Road) approximately three (3) miles south of the project project. Future growth, including a Veterans Affairs Clinic currently under construction near the project's southern terminus at 2700 NC 50 (Benson Road), is anticipated to increase the existing traffic volumes along NC 50 (Benson Road).

The project will construct one additional through lane in each direction, resulting in a 4-lane divided roadway with curb and gutter on each side. HL-0008J will build a new bridge over Swift Creek, upstream of the existing bridge, to accommodate southbound traffic. The project will also construct lane improvements to the NC 50 (Benson Road) and SR 2728 (Rand Road) intersection, supporting the median-divided facility to improve traffic operations and reduce congestion. HL-0008J proposes a 10-foot shared-use path along the west side and a 5-foot sidewalk along the east side of Benson Road.

In addition, one alternative was considered but determined not to meet the stated purpose and need. This alternative proposed reconstruction of the NC 50 (Benson Road) and SR 2751 (Rand Road) intersection to a Continuous Green-T design and extending the southbound right-turn lane.

### B. Description of Need and Purpose:

The purpose of this project is to improve traffic capacity and reduce congestion along NC 50 (Benson Road) from south of SR 2728 (Rand Road) to north of SR 2711 (Buffaloe Road), resulting in a better than existing level of service (LOS) at the signalized intersections through the design year 2050. In addition, an added benefit of the project is improved pedestrian accessibility and mobility along NC 50 (Benson Road) within the study area (Figure 1).

The project is needed because the existing capacity of the intersection approaches and intersections at NC 50 (Benson Road) at SR 2728 (Rand Road) and NC 50 (Benson Road) at SR 2711 (Buffaloe Road) results in undesirable vehicular delays, and no pedestrian or bicycle facilities are located along the project corridor.

### C. Categorical Exclusion Action Classification:

**Type III**

**D. Proposed Improvements:**

The project will construct one additional through lane in each direction along NC 50, resulting in a 4-lane divided roadway with curb and gutter on each side. The project includes building a new bridge over Swift Creek and lane improvements to the NC 50 (Benson Road) and SR 2728 (Rand Road) intersection. HL-0008J provides a 10-foot shared-use path along the west side and a 5-foot sidewalk along the east side of NC 50.

**E. Special Project Information:**

**Design Standards**

- Design Speed: 50 miles per hour (MPH)
- Posted Speed: 45 MPH
- Functional Classification: Minor Arterial

**Project Schedule**

- Right of Way: December 2024
- Construction: April 2026

**Estimated Cost**

The following estimated costs are based on 2023 and 2024 prices (costs are subject to change).

Right of Way:	\$ 1,000,000
Utilities Relocation:	\$ 600,000
Construction:	\$ 14,300,000
<b>Total</b>	<b>\$ 15,900,000</b>

Table 1 shows the average daily traffic (ADT) and percent truck traffic. Table 2a-b contains the Level of Service forecasted under the No-Build and Build scenarios for the design year (2050).

**Table 1. Estimated Traffic**

Roadway	ADT in Vehicles per Day		
	NC 50 (Benson Road)	SR 2711 (Buffaloe Rd)	SR 2728 (Rand Rd)
<b>Current Year (2022) ADT</b>	16,100 – 23,400	3,400	7,900
<b>Design Year (2050) ADT</b>	28,500 – 35,500	6,400	8,800
<b>Duals Axle Trucks</b>	5%	2%	3%
<b>Tractor-Trailer Trucks</b>	1%	1%	1%

**Table 2a. LOS for Design Year (2050) No-Build**

Base Year (2022) No-Build Summary Level of Service Table													
Intersection No.	Intersection	Approach	Lane Group	Delay <sup>1</sup> (s)		Level of Service <sup>2</sup>		95th Queue (ft)/Spillback Rate				Maximum Queue Length (ft)	
				AM	PM	AM	PM	AM		PM		AM	PM
1	NC 50 (Benson Rd) & SR 2728 (Rand Rd)	<b>Overall</b>		<b>77.0</b>	<b>128.5</b>	<b>E</b>	<b>F</b>						
		NC 50 (Benson Rd) SWB	T	6.6	9.2	A	A	9.4	0%	42.1	0%	90.7	47.9
			R	1.4	2.7	A	A	0.0	0%	0.0	0%		
		NC 50 (Benson Rd) NB	L	51.6	291.8	D	F	8.2	0%	13.4	0%	278.6	1689.2
			T	39.3	253.9	D	F	78.7	0%	644.8	24%		
2	NC 50 (Benson Rd) & SR 2711 (Buffaloe Rd)	SR 2728 (Rand Rd) EB	L	353.7	1086.3	F	F	813.1	8%	1189.2	55%	1644.2	1822.6
			R	356.2	1047.5	F	F	17.3	0%	4.5	0%		
		<b>Overall</b>		<b>37.6</b>	<b>217.7</b>	<b>D</b>	<b>F</b>						
		NC 50 (Benson Rd) SWB	L	1580.3	94.6	F	F	671.3	9%	0.4	0%	941.1	531.4
			TR	120.7	79.0	F	E	15.7	0%	374.2	11%		
2	NC 50 (Benson Rd) & SR 2711 (Buffaloe Rd)	Water Treatment Plant WB	L	--	184.3	--	F	0.0	0%	11.9	0%	17.5	53.9
			TR	126.8	78.8	F	E	0.8	0%	4.4	0%		
		NC 50 (Benson Rd) NEB	L	26.6	704.2	C	F	25.5	0%	1050.3	15%	164.7	2481.7
			TR	15.9	311.3	B	F	28.3	0%	4.0	0%		
		SR 2711 (Buffaloe Rd) EB	L	106.5	509.9	F	F	11.5	0%	10.9	0%	116.8	1709.6
	TR	111.6	559.8	F	F	39.5	0%	1000.1	52%				

**Table 2b. LOS for Design Year (2050) Build**

Design Year (2050) Build Summary Level of Service Table													
Intersection No.	Intersection	Approach	Lane Group	Delay <sup>1</sup> (s)		Level of Service <sup>2</sup>		95th Queue (ft)/Spillback Rate				Maximum Queue Length (ft)	
				AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1	NC 50 (Benson Rd) & SR 2728 (Rand Rd)	<b>Overall</b>		<b>51.3</b>	<b>17.9</b>	<b>D</b>	<b>B</b>						
		NC 50 (Benson Rd) SWB	T	9.1	13.1	A	B	7.8	0%	32.7	0%	130.6	634.9
			TR	6.9	15.3	A	B	11.1	0%	47.4	0%		
		NC 50 (Benson Rd) NB	L	58.0	568.2	E	F	10.4	0%	116.2	0%	901.4	216.0
			T	70.3	5.3	E	A	185.0	0%	9.3	0%		
	SR 2728 (Rand Rd) EB	L	31.9	35.5	C	D	64.2	0%	58.5	0%	231.8	188.8	
		R	37.9	42.7	D	D	8.1	0%	5.4	0%			
		<b>Overall</b>		<b>49.7</b>	<b>49.4</b>	<b>D</b>	<b>D</b>						
2	NC 50 (Benson Rd) & SR 2711 (Buffaloe Rd)	NC 50 (Benson Rd) SWB	L	1655.9	220.7	F	F	284.8	0%	4.1	0%	485.5	699.5
			T	12.3	39.2	B	D	3.8	0%	151.9	0%		
			TR	5.1	39.6	A	D	8.0	0%	157.5	0%		
		Water Treatment Plant WB	L	--	3294.7	--	F	0.0	0%	345.6	0%	14.9	496.1
			TR	172.0	623.8	F	F	1.3	0%	1.3	0%		
		NC 50 (Benson Rd) NEB	L	60.6	168.2	E	F	16.1	0%	143.0	0%	361.8	625.9
			TR	53.4	31.6	D	C	17.3	0%	133.8	0%		
	SR 2711 (Buffaloe Rd) EB	LT	95.7	70.8	F	E	10.0	0%	11.5	0%	102.3	748.3	
		R	71.9	85.2	E	F	24.7	0%	217.2	0%			

Notes:

- 1 Delay shown is the 95th percentile worst case control delay for the full 60-minute simulation period as derived from the 10 random seed simulations
- 2 Level of Service shown is Simulation based and calculated in a manner that is consistent with the HCM Methodologies

**Tribal Coordination**

NCDOT sent a tribal coordination letter to the Catawba Indian Nation in June 2023. The Catawba Indian Nation responded on July 18, 2023, indicating no immediate concern with HL-0008J. The Catawba requests notification if Native American artifacts and/or human remains are located during grand disturbance activities.

**Cultural Resources**

Cultural resource staff reviewed the project and provided a No Archaeological Survey Required form on August 7, 2021.

Two historic properties that required additional evaluation were identified. A survey was conducted in October and November 2021; the resources were determined not eligible for the National Register of Historic Places (NRHP) under any criteria.

**Community Resources**

A Community Characteristics Report, completed in October 2021, noted the project would neither influence nearby land uses nor stimulate growth, and further studies were not necessary.

**Natural Resources**Protected Species

The U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) lists the following federally protected species (Table 3) that are potentially affected by activities at the project site under the Endangered Species Act (ESA).

**Table 3. ESA Federally protected species within the Study Area<sup>1</sup>**

Scientific Name	Common Name	Federal Status <sup>2</sup>	Habitat Present	Biological Conclusion <sup>3</sup>
<i>Necturus lewisi</i>	Neuse River waterdog	T	Yes	MA-NLAA
<i>Noturus furiosus</i>	Carolina madtom	E	Yes	MA-NLAA
<i>Fusconaia masoni</i>	Atlantic pigtoe	E	Yes	MA-NLAA
<i>Alasmidonta heterodon</i>	Dwarf wedgemussel	E	Yes	MA-NLAA
<i>Elliptio lanceolata</i>	Yellow lance	T	Yes	MA-NLAA

Scientific Name	Common Name	Federal Status <sup>2</sup>	Habitat Present	Biological Conclusion <sup>3</sup>
<i>Rhus michauxii</i>	Michaux's sumac	E	Yes	No Effect
<i>Perimyotis subflavus</i>	Tricolored bat	PE	Yes	MA-LAA
<i>Myotis septentrionalis</i>	Northern Long-Eared Bat	E	Yes	MA-LAA
<i>Leuconotopicus borealis</i>	Red-cockaded woodpecker	E	No	No Effect

1. IPaC data checked for study area on 1/11/2023
2. T – Threatened, E – Endangered, PE – Proposed Endangered
3. MA-LAA – May Affect – Likely Adversely Affect

### Jurisdictional Resources

Fieldwork was conducted on December 21, 2022, and January 10, 2023. Jurisdictional resources within the project study area and impact calculations based on preliminary design are summarized in Tables 4. Total buffer impacts are 12,870 square feet.

**Table 4. Jurisdictional Wetland Resources**

Resource Map ID	NCWAM* Classification	NCWAM Rating	Hydrologic Classification	Resource Area in Study Area	Impact Area in Acres
WA	Bottomland Hardwood Forest	High	Riparian	1.10 ac	0.179
WB	Non-Tidal Freshwater Marsh	Low	Riparian	0.01 ac	0.00
WC	Non-Tidal Freshwater Marsh	Low	Riparian	0.01 ac	0.0
WD	Non-Tidal Freshwater Marsh	Low	Riparian	0.02 ac	0.0
WE	Non-Tidal Freshwater Marsh	Medium	Riparian	0.03 ac	0.0
WF	Non-Tidal Freshwater Marsh	Low	Riparian	0.02 ac	0.002
WG	Headwater Forest	Low	Riparian	0.01 ac	0.006
WH	Headwater Forest	Low	Riparian	0.20 ac	0.002
<b>Total</b>				<b>1.40 ac</b>	<b>0.189</b>

\*NCWAM: North Carolina Wetland Assessment Method

### **Right of Way**

The proposed project would acquire additional right of way or easement from parcels along the corridor. The proposed project would acquire small amounts of frontage property along thirteen (13) parcels. No residential or commercial relocations would occur. Driveways impacted during construction would be provided temporary access and new tie-ins.

### **Public Involvement**

On March 5, 2024, 291 postcards were mailed to owners and tenants along the project corridor, informing them of a project website that provided information, including the anticipated schedule, purpose and need, typical section, and contact information. The website received 769 views. Public comments were accepted via the website, phone, and email from March 8, 2024, to March 22, 2024. A total of seventeen (17) comments were received. In general, the comments were focused on a desire for a project expanded further along NC 50; there was no indication of controversy or opposition to the project implementation.

### Integrated Mobility Division

NCDOT's Integrated Mobility Division (IMD) reviewed the proposed project and recommended a shared-use path along one side and a sidewalk on the other, per the Complete Street Review Assessment dated November 29, 2023. The preliminary design includes IMD's recommended design elements. HL-0008J proposes a 10-foot shared-use path along the west side and a 5-foot sidewalk along the east side of NC 50 (Benson Road).

#### F. Project Impact Criteria Checklists:

<b>F3. Type III Actions</b>			
Proposed improvement(s) that fit Type III Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix C) answer questions below.			
<ul style="list-style-type: none"> <li>NCDOT will certify the Categorical Exclusion for FHWA approval.</li> <li>If any questions are marked "Yes" then additional information will be required for those questions in Section G.</li> </ul>			
		Yes	No
1	Does the project involve potential effects to Threatened or Endangered species listed by the US Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?	<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 substantial residential or commercial displacements or right of way acquisition?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Does the project include a determination under Section 4(f)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8	Does the project impact anadromous fish spawning waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	Does the project impact waters classified as Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supply Watershed Critical Areas, 303(d)-listed impaired water bodies, buffer rules, or submerged aquatic vegetation (SAV)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10	Does the project impact Waters of the United States in any of the designated mountain trout streams?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	Does the project require a US Army Corps of Engineers (USACE) Individual Section 404 Permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13	Does the project include Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15	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"/>

<u>Type III Actions (continued)</u>		Yes	No
16	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Areas of Environmental Concern (AEC)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17	Does the project require a US Coast Guard (USCG) permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	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"/>
19	Does the project involve Coastal Barrier Resource Act (CBRA) resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	Does the project impact federal lands (e.g. US Forest Service (USFS), US Fish and Wildlife Service (USFWS), etc.) or Tribal (Trust) Lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25	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, 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Does the project involve Federal Emergency Management Act (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
27	Is the project considered a Type I under the NCDOT's Noise Policy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
28	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"/>
29	Is the project in an Air Quality non-attainment or maintenance area for a National Ambient Air Quality Standard (NAAQS)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
30	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 (ONLY for questions marked 'Yes'):

1. Aquatic Species

Aquatic habitat assessments and species surveys were conducted on March 6-10, 2023, July 3, 2023, and September 6, 2023. Aquatic surveys and habitat evaluations were completed in Swift Creek and Unnamed Tributaries to Swift Creek on July 3, 2023 (for Carolina madtom), March 6-10, 2023 (for Neuse River waterdog) and September 6, 2023 (for freshwater mussels). This information was shared with the United States Fish and Wildlife Service (USFWS) on November 29, 2023. The target freshwater mussels, Carolina madtom, and Neuse River waterdog were not found during the site visits. The USFWS has evaluated the survey results and the preliminary design and has indicated the Department can request concurrence with findings for Informal Consultation under Section 7(a)(2) of the Endangered Species Act for findings of May Affect, Not Likely to Adversely Affect for Dwarf wedgemussel, Atlantic pigtoe, Yellow lance, Neuse River waterdog and Carolina madtom.

Michaux' Sumac

Surveys conducted on June 7, 2023, for Michaux's sumac indicated suitable habitat is present within the study area; however, no occurrences of the species were observed. The biological conclusion is No Effect. NCDOT Division 5 staff or the PEF will update the surveys as needed.

Tricolored Bat

The US Fish and Wildlife Service (USFWS) has issued a Programmatic Conference Opinion (PCO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the tricolored bat (TCB) (*Perimyotis subflavus*) in eastern North Carolina (November 20, 2023). The PCO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for TCB for the NCDOT program is May Affect, Likely to Adversely Affect. Once the TCB is officially listed, the PCO will become the programmatic biological opinion (PBO) by formal request from FHWA and USACE. The PBO will ensure compliance with Section 7 of the Endangered Species Act for approximately five years (effective through December 31, 2028) for all NCDOT projects with a federal nexus in Divisions 1-8. NCDOT, FHWA, and USACE have agreed to three conservation measures (listed in the PCO), which will avoid/minimize take to TCBs. These conservation measures apply to all counties in Divisions 1-8. Note that at this time, no TCB maternity roost trees have been identified in Divisions 1-8. Additionally, NCDOT, FHWA, and USACE have agreed to two Monitoring and Reporting Requirements.

**M&R1:** If dead bats suspected of being TCB are observed during clearing, demolition, or construction activities of the Action, such bats should be collected and preserved for identification. Gary Jordan of the USFWS Raleigh Field Office should be contacted at [gary\\_jordan@fws.gov](mailto:gary_jordan@fws.gov) to arrange transfer of the bats. Dead bats should be placed in a freezer until they can be transferred.

**M&R2:** NCDOT staff and/or consultants must follow the NCDOT Bat Habitat Assessment SOP by filling out Bat Habitat Assessment Forms for projects that affect bridges and culverts. Minimum dimensions for conducting a culvert survey are 5 feet in height and 60 feet in length. Bridge and structure assessments are valid for two years. These forms will be submitted to the NCDOT Biological Surveys Group (BSG) using the Survey 123 application or submitted to the NCDOT Project Manager and NCDOT Sharepoint site and notification sent to [BSG@ncdot.gov](mailto:BSG@ncdot.gov). BSG staff will enter the forms into its database even if no bat presence is detected. If TCBs are detected at a bridge or culvert, the USFWS will be notified via email at [gary\\_jordan@fws.gov](mailto:gary_jordan@fws.gov). A bat survey was completed on the existing bridge over Swift Creek on December 21, 2022. No bats were observed during the survey.

Northern Long-Eared Bat

The USFWS has issued a revised 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 (December 15, 2022). The revised 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 revised 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. Although this PBO covers Divisions 1-8, the USFWS only considers NLEBs to be known or potentially found in 30 counties within Divisions 1-8. Note that none of these 30 counties are located within Division 5. 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 1 of the revised PBO and do not include any parts of Division 5. Additionally, NCDOT, FHWA, and USACE have agreed to three Monitoring and Reporting Requirements to monitor the impacts of incidental take. (Note: M&R2 is adhered to by Biological Surveys Group (BSG) and is not discussed below).

**M&R1:** If dead bats suspected of being NLEB are observed during clearing, demolition, or construction activities of the Action, such bats should be collected and preserved for identification. Gary Jordan of the USFWS Raleigh Field Office should be contacted at [gary\\_jordan@fws.gov](mailto:gary_jordan@fws.gov) to arrange transfer of the bats. Dead bats should be placed in a freezer until they can be transferred.

**M&R3:** NCDOT staff and/or consultants must follow the NCDOT Bat Habitat Assessment SOP by filling out Bat Habitat Assessment Forms for projects that affect bridges and culverts. Minimum dimensions for conducting a culvert survey are 5 feet in height and 60 feet in length. Bridge and structure assessments are valid for two years. These forms will be submitted to the NCDOT Biological Surveys Group (BSG)

using the Survey 123 application or submitted to the NCDOT Project Manager and NCDOT Sharepoint site and notification sent to [BSG@ncdot.gov](mailto:BSG@ncdot.gov). BSG staff will enter the forms into its database even if no bat presence is detected. If NLEBs are detected at a bridge or culvert, the USFWS will be notified via email at [gary\\_jordan@fws.gov](mailto:gary_jordan@fws.gov). A bat survey was completed on the existing bridge over Swift Creek on December 21, 2022. No bats were observed during the survey.

9. Two streams, Swift Creek and Unnamed Tributary to Swift Creek (map ID SA), are within the study area are protected under provisions of the Neuse River Basin Buffer Rules. Potential impacts to protected stream buffers will be determined once a final alignment and design have been determined. Preliminary impact estimates total buffer impacts of 12,870 square feet and were calculated using a 25-foot buffer from the slope stake limits.

14. The GeoEnvironmental Section of the NCDOT Geotechnical Engineering Unit completed a Phase I Report on August 21, 2023. Three (3) sites of concern were identified within the proposed study area (Figure 1). Major cleanup activities have been performed in sites 2 and 3. The GeoEnvironmental Section did not request project commitments for these sites. The GeoEnvironmental Section should review sites of concern identified in this report once the Final right-of-way plans are complete to determine if Phase II Investigations and Right-of-way Recommendations are necessary prior to the acquisition of the right-of-way.

27. The project proposes reconstructing NC 50 (Benson Road) from a two-lane undivided roadway to a four-lane divided typical section. Therefore, the proposed project is a "Type I" project due to the additional through-traffic lanes. A Traffic Noise Report (TNR) was approved in February 2024; no traffic noise abatement measures were recommended for detailed analysis during the final design.

29. Section 176(c) of the Clean Air Act Amendment (CAAA) requires that transportation plans, programs, and projects conform to the intent of the state air quality implementation plan (SIP). The current SIP does not contain any transportation control measures for Wake County. The 2050 NC Capital Area Metropolitan Planning Organization (CAMPO) MTP and the 2024-2033 CAMPO TIP conform to the intent of the SIP. The USDOT made a conformity determination on the MTP and the TIP on September 30, 2023.



H. Project Commitments (attach as Green Sheet to CE Form):

## **NCDOT PROJECT COMMITMENTS**

STIP Project No. **HL-0008J**  
NC 50 (Benson Road) Widening and Intersection Improvements  
Wake County  
Federal Aid Project No. TBD  
WBS Element 49367.1.7

### **COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN**

#### **NCDOT GeoEnvironmental – Sites of Concerns**

The GeoEnvironmental Section did not request project commitments for these sites. The GeoEnvironmental Section should review sites of concern identified in this report once the Final right-of-way plans are complete to determine if Phase II Investigations and Right-of-way Recommendations are necessary prior to the acquisition of the right-of-way.

I. Categorical Exclusion Approval:

STIP Project No.	<u>HL-0008J</u>
WBS Element	<u>49367.1.7</u>
Federal Project No.	<u>TBD</u>

**Prepared By:**

<u>5/29/24</u>	<u><i>Jessica Kim</i></u>
Date	Jessica Kim, AICP VHB

**Prepared For:** North Carolina Department of Transportation, Division 5

**Reviewed By:**

<u>5/29/2024</u>	DocuSigned by: <u><i>Zahid Baloch</i></u> <small>5E9297E958C0481</small>
Date	Zahid Baloch, PE, Division 5 Senior Project Engineer North Carolina Department of Transportation

**Approved**

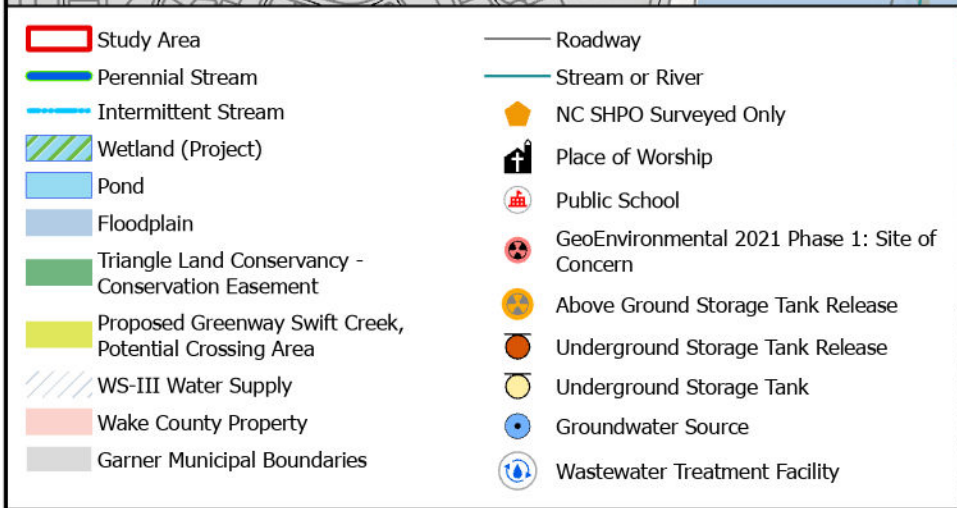
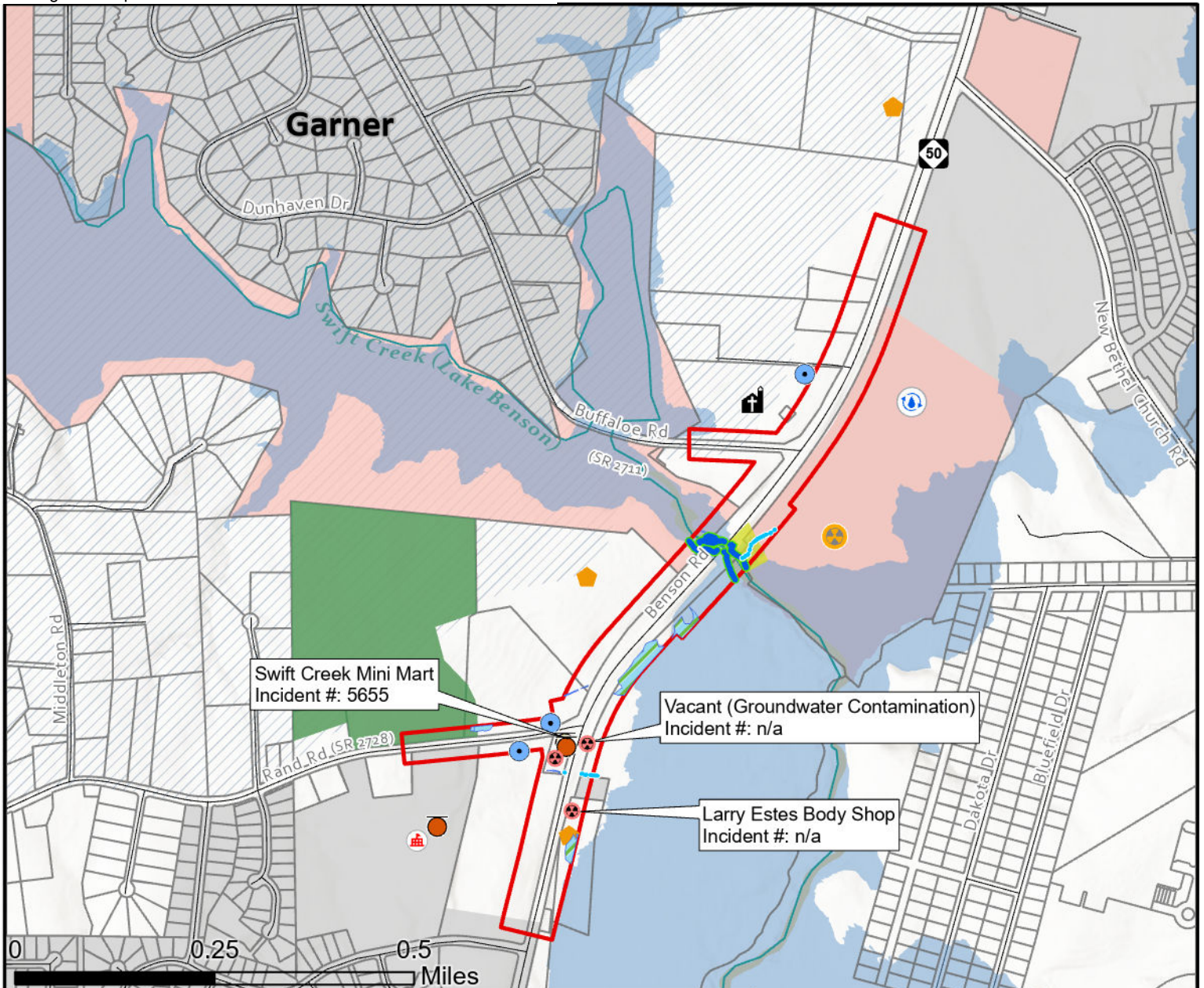
**Certified** • If classified as Type III Categorical Exclusion.

<u>5/29/2024</u>	DocuSigned by: <u><i>Beth Quinn</i></u> <small>17287FAEF639A432</small>
Date	Beth Quinn, Ph.D., PE Division 5 Team Lead for Brandon Jones, Division 5 Engineer North Carolina Department of Transportation

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

<u>5/30/2024</u>	DocuSigned by: <u><i>Joseph P. Seigle</i></u> <small>24DC29FCA6034B0...</small>
Date	for Yolonda K. Jordan, 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).*



**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF HIGHWAYS**  
**DIVISION 5**

**ENVIRONMENTAL FEATURES MAP**  
**IMPROVEMENTS TO US-50**  
**FROM SR 2728 (RAND RD)**  
**TO SR 2711 (BUFFALOE RD)**

Sources: Esri, NASA, NGA, USGS, FEMA



County:	Wake
Division:	5
WBS:	HL-0008J
Date:	April 2024

**Figure 1**