

NC 125
Williamston Bypass
From SR 1182 (East College Road) southwest of Williamston
to NC 125 northwest of Williamston
Martin County
Federal-Aid Project STP-125(1)
State Project 8.1090501
WBS Element 34553.1.1
TIP Project R-3826

ADMINISTRATIVE ACTION


FINDING OF NO SIGNIFICANT IMPACT

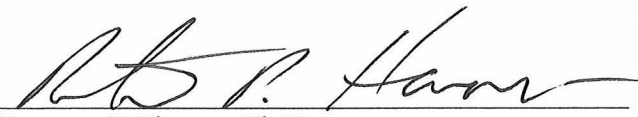
U. S. Department of Transportation
Federal Highway Administration
And
N. C. Department of Transportation
Division of Highways

Submitted pursuant to 42 U. S. C. 4332(2)(C)



APPROVED:

1/15/11
Date for 
John F. Sullivan III, PE
Division Administrator, FHWA


1/3/11
Date for 
Gregory J. Thorpe, Ph.D.
Manager,
Project Development and Environmental Analysis Branch, NCDOT

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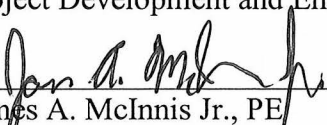
FINDING OF NO SIGNIFICANT IMPACT



Documentation Prepared in Project Development and Environmental Analysis Branch By:



John E. Richards, III, EI
Project Planning Engineer
Project Development and Environmental Analysis Branch



James A. McInnis Jr., PE
Project Engineer
Project Development and Environmental Analysis Branch



1/3/11

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PROJECT COMMITMENTS

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Federal Aid Project STP-125(1)
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NCDOT Rail Division

Formal approval for the at-grade rail crossing for the proposed bypass will be obtained from CSX Transportation prior to construction of this project. The Slade Street and SR 1410 (Cullipher Road) crossings must be closed prior to CSX Transportation granting formal approval for the proposed at-grade crossing for the bypass.

NCDOT Roadway Design/Geotechnical Unit/Division One Construction

Steeper side slopes (3:1) will be used in jurisdictional areas.

Side slopes steeper than 3:1 will be investigated during project design for the UT 3 stream crossing.

NCDOT Division Office/Area Traffic Engineer

The Area Traffic Engineer will re-evaluate need for a traffic signal at the proposed intersection of the NC 125 Bypass with SR 1420 (McCaskey Road) prior to project construction.

NCDOT Location and Surveys Unit

Unmarked graves may exist on property along the east side of existing NC 125 near the northern terminus of the project (Whitley Farm). NCDOT will investigate this area and determine whether or not graves are located within the proposed right of way prior to right of way acquisition.

**FINDING OF NO SIGNIFICANT IMPACT
PREPARED BY THE
PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS BRANCH
DIVISION OF HIGHWAYS
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
IN CONSULTATION WITH THE
FEDERAL HIGHWAY ADMINISTRATION**

I. TYPE OF ACTION

This is a Federal Highway Administration (FHWA) Finding of No Significant Impact (FONSI).

The FHWA has determined this project will have no significant impact on the human environment. This Finding of No Significant Impact is based on the April 30, 2009 Environmental Assessment (EA) which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues and impacts of the proposed project and appropriate mitigation measures. The following documentation provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope and content of the Environmental Assessment.

II. DESCRIPTION OF PROPOSED ACTION

This project involves constructing a NC 125 bypass of Williamston, mostly on new location, from SR 1182 (East College Road) to existing NC 125 northwest of Williamston. The proposed project is approximately 2.7 miles long.

A three-lane roadway is proposed from SR 1182 to the CSX Transportation rail line north of US 64 Alternate. A two-lane roadway on multi-lane right of way is proposed for portions of the bypass north of the rail line. It is anticipated approximately 100 feet of right of way will be required between SR 1182 and the rail line and 200 feet of right of way will be required north of the rail line. Partial control of access (one access per parcel for properties with no other access) will be obtained between US 64 Alternate and existing NC 125 northwest of Williamston.

The proposed project is included in the approved 2009-2015 North Carolina State Transportation Improvement Program (STIP). The project is scheduled in the draft 2011-2020 work plan for right of way acquisition and construction in federal fiscal years 2013 and 2015, respectively.

The latest cost estimate for the selected alternative for the project is presented below.

**TABLE 1
PROJECT COST ESTIMATE**

Right of Way Acquisition (Including Utility Relocation)	\$3,030,000
Construction	\$9,800,000
Wetland/Stream Mitigation	\$468,000
Total	\$13,298,000

The cost estimate for the project included in the draft 10-year work plan is \$15,453,000. Of this total, \$4,455,000 is estimated for right of way acquisition and utility relocation, \$498,000 is estimated for wetland and stream mitigation and \$10,500,000 is estimated for construction.

III. SELECTED ALTERNATIVE

Alternatives 1, 2N and 4 were presented to the public at a hearing held on September 17, 2009 in Williamston (see Section V-C). A description of the alternatives is included in Section III-B of the environmental assessment.

Following the public hearing, NCDOT selected Alternative 1 as the preferred alternative for the project. The NEPA/404 merger team concurred with the selection of Alternative 1 as the Least Environmentally Damaging Practicable Alternative (LEDPA) at a merger meeting held on February 23, 2010. A copy of the concurrence form from the meeting is included in Appendix C of this document.

NCDOT has selected Alternative 1 because it will affect fewer homes, less wetlands, and will cost less than alternatives 2N and 4.

**TABLE 2
ALTERNATIVES PRESENTED AT PUBLIC HEARING**

	Alternative		
	1	2N	4
Residential Relocates	9	11	15
Business Relocates	1	1	2
Wetlands Affected (Acres)	1.59	3.15	3.28
Streams Affected (Feet)	596	1,191	257
Open Water Impacts (Acres)	0	0	0
Protected Species Habitat?	No	No	No
Effect Protected Species?	No	No	No
Effect Historic Properties?	No	No	No
Involve Section 4(F)?	No	No	No
Receptors Impacted By Traffic Noise	2	3	8
Forested Areas Affected (Acres)*	14.3	25.4	9.2
Prime and Important Farmland Affected (Acres)	45.4	43.6	47.5
Length New Location (Miles)	1.9	1.8	2.0
Total Length (Miles)	2.7	2.6	3.5
Total Cost** (Millions)	\$15.1	\$15.3	\$20.1

Impacts computed based on approximate width required for future four-lane typical section for the project.

Shaded cells in table indicate highest impact or most unfavorable response.

*Forested acres based on forested areas shown on aerial photograph.

** Total Cost as presented at public hearing, see Table 7 for corrected cost estimates.

Two farms make up approximately half of the land crossed by Alternatives 1 and 2N. These farms are located between SR 1420 (McCaskey Road) and existing NC 125 northwest of Williamston.

At the September 2009 hearing, concerns were expressed that Alternatives 1 and 2N would severely disrupt the operation of these two farms. Following the hearing, a modified alignment for Alternative 1 was developed which would have less impact on these farms. The alignment for Alternative 1 was only modified on the two farms so as not to increase impacts to other property owners. Alternative 1A is within the original project study area boundary identified in Figure 1 of the environmental assessment.

The modified alignment for Alternative 1 will affect 0.03 acre more wetlands and approximately 174 feet less streams than the original alignment. The NEPA/404 merger team concurred with the modification to the original alignment for Alternative 1 as an avoidance and minimization measure at the February 2010 merger team meeting. A copy of the concurrence form from the meeting is included in Appendix C. Table 3 below compares the modified alignment for Alternative 1A with the original alignment for Alternative 1 and includes updated cost estimates.

**TABLE 3
COMPARISON OF ALTERNATIVES 1 AND 1A**

	Alternative	
	1	1A
Residential Relocates	9	3
Business Relocates	1	0
Wetlands Affected (Acres)	1.59	1.62
Streams Affected (Feet)	596	422
Open Water Impacts (Acres)	0	0
Protected Species Habitat?	No	No
Effect Protected Species?	No	No
Effect Historic Properties?	No	No
Involve Section 4(F)?	No	No
Receptors Impacted By Traffic Noise	2	2
Forested Areas Affected (Acres)*	14.3	21.7
Farmland Affected (Acres)**	20.5	15.1
Length New Location (Miles)	2.0	2.0
Total Length (Miles)	2.7	2.7
Total Cost (Millions)	\$13.6	\$13.3

Impacts computed based on approximate width required for future four-lane typical section for the project.

*Forested acres based on forested areas shown on aerial photograph.

**Land being actively farmed, not necessarily prime and important farmland.

IV. SUMMARY OF ENVIRONMENTAL EFFECTS

Table 4 presents a summary of the anticipated environmental effects for the selected alternative.

**TABLE 4
SUMMARY OF ENVIRONMENTAL EFFECTS**

	Alternative 1A
Residential Relocates	3
Business Relocates	0
Wetlands Affected (Acres)	1.62
Streams Affected (Feet)	422
Open Water Impacts (Acres)	0
Protected Species Habitat?	No
Effect Protected Species?	No
Effect Historic Properties?	No
Involve Section 4(F)?	No
Receptors Impacted By Traffic Noise	2
Forested Areas Affected (Acres)*	21.7
Farmland Affected (Acres)**	15.1
Length New Location (Miles)	2.0
Total Length (Miles)	2.7
Total Cost (Millions)	\$13.3

Impacts computed based on approximate width required for future four-lane typical section for the project.

*Forested acres based on forested areas shown on aerial photograph.

**Land being actively farmed, not necessarily prime and important farmland.

V. COMMENTS AND COORDINATION

A. Distribution of the Environmental Assessment

Copies of the environmental assessment were made available to the public and to the following federal, state and local agencies:

US Department of the Army - Corps of Engineers
*US Environmental Protection Agency
*US Fish and Wildlife Service – Raleigh
*NC Department of Administration – State Clearinghouse
*NC Department of Agriculture and Consumer Services
NC Department of Cultural Resources – State Historic Preservation Office
*NC Department of Environment and Natural Resources – DENR
*DENR – NC Division of Water Quality
*DENR – NC Wildlife Resources Commission
Mid-East Rural Planning Organization
Martin County
Town of Williamston

Asterisks (*) indicate agencies from which comments on the environmental assessment were received. Copies of letters received are included in Appendix A of this document.

B. Comments on the Environmental Assessment

Substantive comments on the environmental assessment are presented below.

US Environmental Protection Agency

COMMENT: “EPA acknowledges that the impact summary table provided in the EA was comprehensive. EPA’s environmentally preferred alternative at this time is Alternative 1, which has the least wetland (1.59 acres) and stream (395 linear feet) impacts, the least residential relocation (9), the fewest impacted noise receptors (2) and the least cost (\$15.1 million). However, EPA plans to stay involved with the Merger 01 process and will consider input from other agencies during the Concurrence Point 3, Least Environmentally Damaging Practicable Alternative (LEDPA) selection meeting.”

NCDOT RESPONSE: Comment noted. Alternative 1 was selected as the LEDPA at a NEPA/Section 404 merger team meeting held on February 23, 2010. In addition, Alternative 1 was modified to avoid and minimize impacts to farms. The NEPA/Section 404 merger team concurred with these modifications as part of concurrence point 4A at the February 2010 meeting.

US Fish and Wildlife Service

COMMENT: “There are no federally threatened or endangered species listed for Martin County. We believe that this FEA adequately addresses the existing fish and wildlife resources, the waters and wetlands of the United States, and the potential impacts of this project on these resources.”

NCDOT RESPONSE: Comment noted.

NC Department of Agriculture and Consumer Services

COMMENT: “Based on the potential secondary, cumulative and direct impacts, Alternatives 1 or 2N would minimize the adverse impacts on the agricultural resources on the study area and should be selected for this project.”

NCDOT RESPONSE: Comment noted. Alternative 1 was selected as the LEDPA at a NEPA/Section 404 merger team meeting held on February 23, 2010. In addition, Alternative 1 was modified to avoid and minimize impacts to farms. The NEPA/Section 404 merger team concurred with these modifications as part of concurrence point 4A at the February 2010 meeting.

NC Division of Water Quality

COMMENT: “This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, NCDWQ will continue to work with the team.”

NCDOT RESPONSE: Comment noted.

NC Wildlife Resources Commission

COMMENT: “This project is being review[ed] through the NEPA/404 Merger 01 process. We will continue to assess the impacts associated with the remaining alternatives in preparation for the selection of the LEDPA and for further avoidance and minimization measures.”

NCDOT RESPONSE: Comment noted.

C. Public Hearing

In accordance with 23 U.S.C. 128, the North Carolina Department of Transportation certifies that a public hearing for the subject project has been held and the social, economic, and environmental impacts, consistency with local community planning

goals and objectives, and comments from individuals have been considered in the selection of the recommended alternative for the project.

A formal public hearing was held for the project on September 19, 2009 in Williamston at Martin Community College. Approximately 72 citizens attended the hearing. Overall, 23 comments were received and documented.

Four people spoke at the hearing and 19 written comments were received. The majority of comments focused on eliminating Alternative 4 (four comments) and revisiting Alternative 2S, which was dropped from consideration following detailed environmental surveys (six comments). Those asking for Alternative 2S to be reconsidered were concerned about the effect of Alternatives 1 and 2N on two farms. Concerns were also raised regarding pedestrian safety, traffic noise, neighborhood beautification, well contamination, and drainage issues as a result of the proposed construction of NC 125 Bypass.

Following the hearing, a subsequent meeting was held on February 9, 2010 with local property owners regarding impacts to actively farmed land. A modification to Alternative 1 (Alternative 1A), which would reduce impact to farms, was shown to property owners affected. In response to citizen concerns regarding pedestrian safety, NCDOT will reevaluate the need for a traffic signal at the proposed intersection of NC 125 Bypass with SR 1420 (McCaskey Road) prior to construction. In regards to traffic noise, a traffic noise analysis was conducted during detailed environmental studies (see Section V-J of the environmental assessment) and it was found that no noise mitigation would be required as a result of the project. Other comments were noted.

D. NEPA/404 Merger Process

As discussed in Section VI-C of the environmental assessment, this project has followed the NEPA/404 merger process. The merger process is an interagency procedure integrating the regulatory requirements of Section 404 of the Clean Water Act into the National Environmental Policy Act decision making process.

A merger team, composed of representatives of the Federal Highway Administration, NCDOT, the Army Corps of Engineers and other federal and state resource agencies, formally concurs on project decisions made at key project milestones. Prior to the environmental assessment, the NEPA/404 merger team met and obtained concurrence on the purpose and need, alternatives to study in detail, and bridging decisions. Copies of these concurrence forms are available in Appendix D of the environmental assessment.

At a meeting held on February 23, 2010, the NEPA/404 merger team concurred on the selection of Alternative 1 as the least environmentally damaging practicable alternative (CP3) for the proposed project. A copy of the signed concurrence form for CP3 is included in Appendix C of this document.

The merger team also discussed avoidance and minimization measures for the selected alternative, including modifying the alignment for Alternative 1. The merger team concurred on the avoidance and minimization measures (CP4A) and selected the modified alignment as Alternative 1A. Measures taken to avoid and minimize are discussed below in Section VI-A. A copy of the signed concurrence form for CP4A is included in the Appendix C of this document.

VI. REVISIONS TO THE ENVIRONMENTAL ASSESSMENT

A. Avoidance and Minimization

The following changes to the typical section of the project have been made in order to further minimize impacts to wetlands and streams:

Steeper side slopes (3:1) will be used in jurisdictional areas.

Side slopes steeper than 3:1 will be investigated during project design for the UT 3 stream crossing.

The horizontal alignment will cross wetland WM at its narrowest point.

In addition, the Alternative 1A modifications to Alternative 1 will avoid wetlands WL and WG and streams UT 1 and UT 5. The modification will reduce the stream impacts by 174 feet and increase the wetland impacts by 0.03 acre. It will also avoid approximately 5.4 acres of actively farmed land and impact fewer homes than the original alignment for Alternative 1.

The NEPA/404 merger team concurred on these measures at a meeting held on February 23, 2010. The signed concurrence form is included in Appendix C of this document. Current anticipated impacts of the project are shown on Table 4 of this document.

B. Right of Way and Access Control

Following completion of the environmental assessment, the decision was made to acquire a 200-foot right of way for new location portions of the project, rather than the 175-foot proposed right of way discussed in Sections I-A and IV-B of the environmental assessment.

C. Relocation of Residences and Businesses

Alternative 1A, the modification to the original alignment of the selected alternative, will require the relocation of three homes and no businesses. This is six fewer homes and one less business than the original Alternative 1 alignment would have relocated. A copy of the relocation report for Alternative 1A is provided in Appendix B of this document. The relocation report for Alternative 1 and the other detailed study alternatives is included in Appendix B of the environmental assessment.

D. Corrections to the Environmental Assessment

Summary

A typographical error exists on Table S1 of the environmental assessment. This table presents the total cost of Alternative 1 as one million dollars. This table should have instead shown the total cost for Alternative 1 as 15.3 million dollars. Table 6 of this document presents corrections to Table S1 and Table 5 of the environmental assessment. Table 7 of this document presents an update to Table 1 of the environmental assessment which includes the correct cost estimates for the project alternatives at the time the environmental assessment was completed.

Structures

Section IV-I of the environmental assessment states that a one barrel, 10-foot by 5-foot reinforced concrete box culvert is proposed to carry Alternative 4 over unnamed tributary 10.

Following completion of the environmental assessment, an error was discovered in the drainage area calculation for this crossing. The actual drainage area is smaller than originally believed. Therefore, a pipe smaller than 72 inches will be sufficient to carry unnamed tributary 10 under the proposed bypass.

Also, Section IV-I, the environmental assessment states that Alternatives 1 and 2N do not cross unnamed tributary 10. This statement is incorrect. All three of the detailed alternatives cross this stream and a pipe smaller than 72 inches is proposed to convey this stream under all of the alternatives.

Stream Impacts

An error was discovered in the impact calculations for unnamed tributary 10 for all of the current study alternatives. Table 5 and Table 6 below presents the correct stream impacts for the alternatives presented in the environmental assessment.

**TABLE 5
CORRECTION TO TABLE 9 OF EA
PROJECT EFFECTS ON STREAMS**

Stream	Effects of Alternative (Feet)		
	1	2N	4
UT1	112	83	0
UT3	50	263	0
UT4	0	14	0
UT5	233	192	0
UT6	0	11	0
UT10	201*	628*	257*
Total	596	1,191	257

* - Corrected impacts.

These incorrect impacts were also presented on Table S1 and Table 5 of the environmental assessment. A corrected version of these tables is presented below.

**TABLE 6
CORRECTION TO TABLES S1 AND 5 OF EA
ALTERNATIVE COMPARISONS**

	Alternative		
	1	2N	4
Residential Relocates	9	11	15
Business Relocates	1	1	2
Wetlands Affected (Acres)	1.59	3.15	3.28
Streams Affected (Feet)	596	1,191	257
Open Water Impacts (Acres)	0	0	0
Protected Species Habitat?	No	No	No
Effect Protected Species?	No	No	No
Effect Historic Properties?	No	No	No
Involve Section 4(F)?	No	No	No
Receptors Impacted By Traffic Noise	2	3	8
Forested Areas Affected (Acres)*	14.3	25.4	9.2
Farmland Affected (Acres)	45.4	43.6	47.5
Length New Location (Miles)	2.0	1.8	2.0
Total Length (Miles)	2.7	2.6	3.5
Total Cost (Millions)	\$15.3	\$15.6	\$20.3

Impacts computed based on approximate width required for future four-lane typical section for the project.

Shaded cells in table indicate highest impact or most unfavorable response.

*Forested acres based on forested areas shown on aerial photograph.

Project Cost Estimates

The incorrect stream impacts discussed above affected the wetland and stream mitigation cost estimates presented in the environmental assessment.

**TABLE 7
CORRECTION TO TABLE 1 OF EA
PROJECT COST ESTIMATES**

	Alt. 1	Alt. 2N	Alt 4
Right of Way Acquisition (Including Utility Relocation)	\$3,325,695	\$3,707,772	\$6,471,720
Construction	\$11,400,000	\$10,800,000	\$13,300,000
Wetland/Stream Mitigation	\$582,000	\$1,087,000	\$484,000
Total	\$15,307,695	\$15,594,772	\$20,255,720

Minority/Low-Income Populations

A typographical error exists in the fourth paragraph of this section of the environmental assessment. The first sentence of this paragraph states, "A citizens informational workshop was held for the project on December 13, 2001...". The date for the citizens informational workshop listed in this sentence is incorrect. The citizens informational workshop for this project was held on January 9, 2003.

E. Update to the Environmental Assessment

Archaeological Resources

In a letter dated May 13, 2005, the State Historic Preservation Office requested an intensive archaeological study of the selected alternative project area (see Appendix A of the environmental assessment). A project commitment included in the environmental assessment was that an intensive archaeological survey would be conducted for the selected alternative.

An intensive archaeological survey has been conducted for Alternative 1A. No sites eligible for inclusion in the National Register of Historic Places were found. The State Historic Preservation Office concurred with this finding in a letter dated December 23, 2010 (see the Appendix of this document).

The survey report stated a property owner mentioned the possible existence of a family cemetery on property (Whitley Farm) adjacent to the selected alternative on the east side of existing NC 125 near the northern terminus of the project. NCDOT will investigate this area and determine whether or not graves are located within the proposed right of way prior to right of way acquisition.

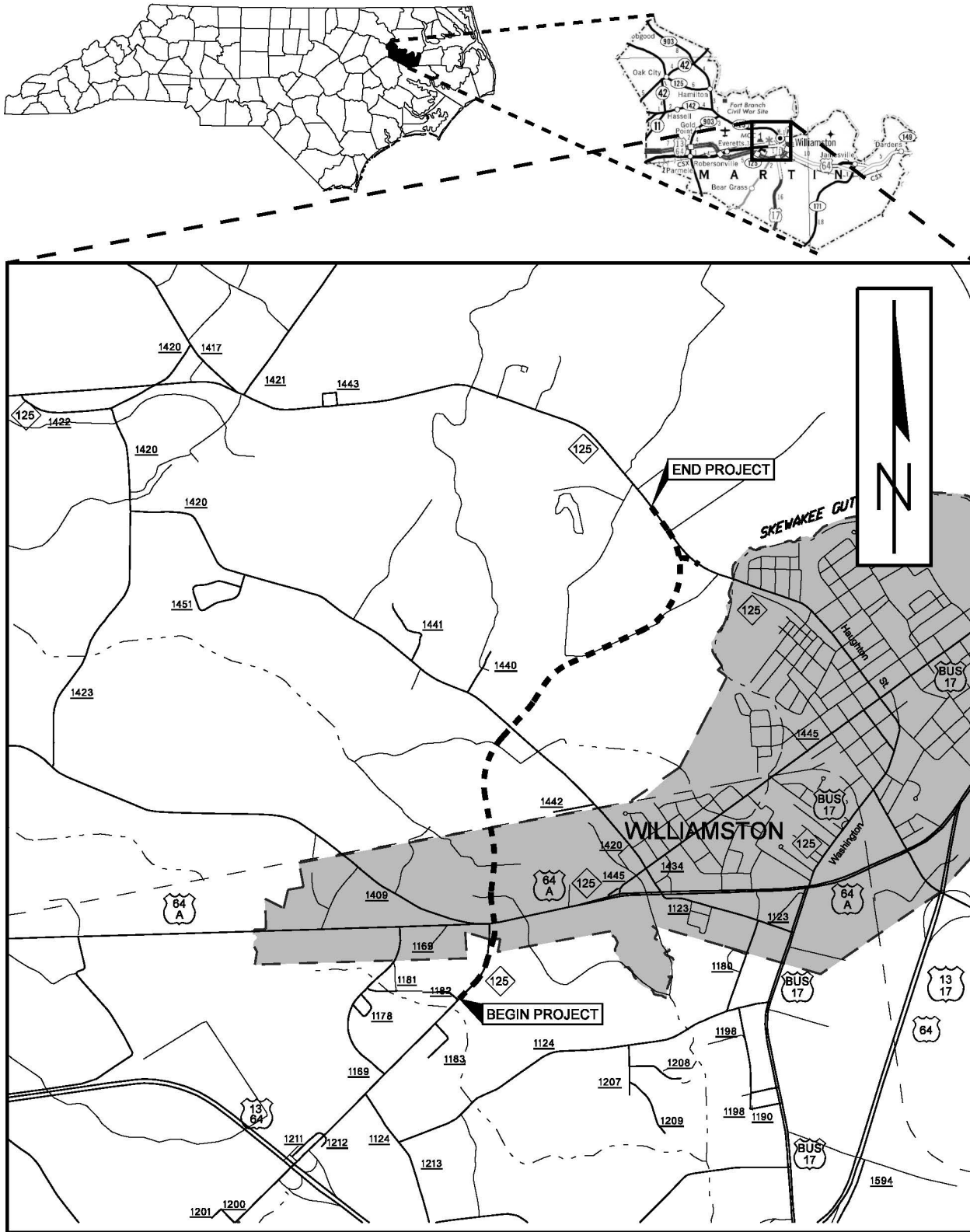
VII. BASIS FOR FINDING OF NO SIGNIFICANT IMPACT

Based upon environmental studies and coordination with appropriate federal, state, and local agencies, it is the finding of the Federal Highway Administration and the North Carolina Department of Transportation that the proposed action will have no significant impact upon the quality of the human environment. Therefore, an environmental impact statement will not be required.

The following persons can be contacted for additional information concerning this proposal and statement:


John F. Sullivan, III, P.E.
Division Administrator
Federal Highway Administration
310 New Bern Avenue
Raleigh, North Carolina 27601-1442
(919) 856-4346

Gregory J. Thorpe, Ph.D., Manager,
Project Development and Environmental Analysis Branch
NC Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548
(919) 733-3141

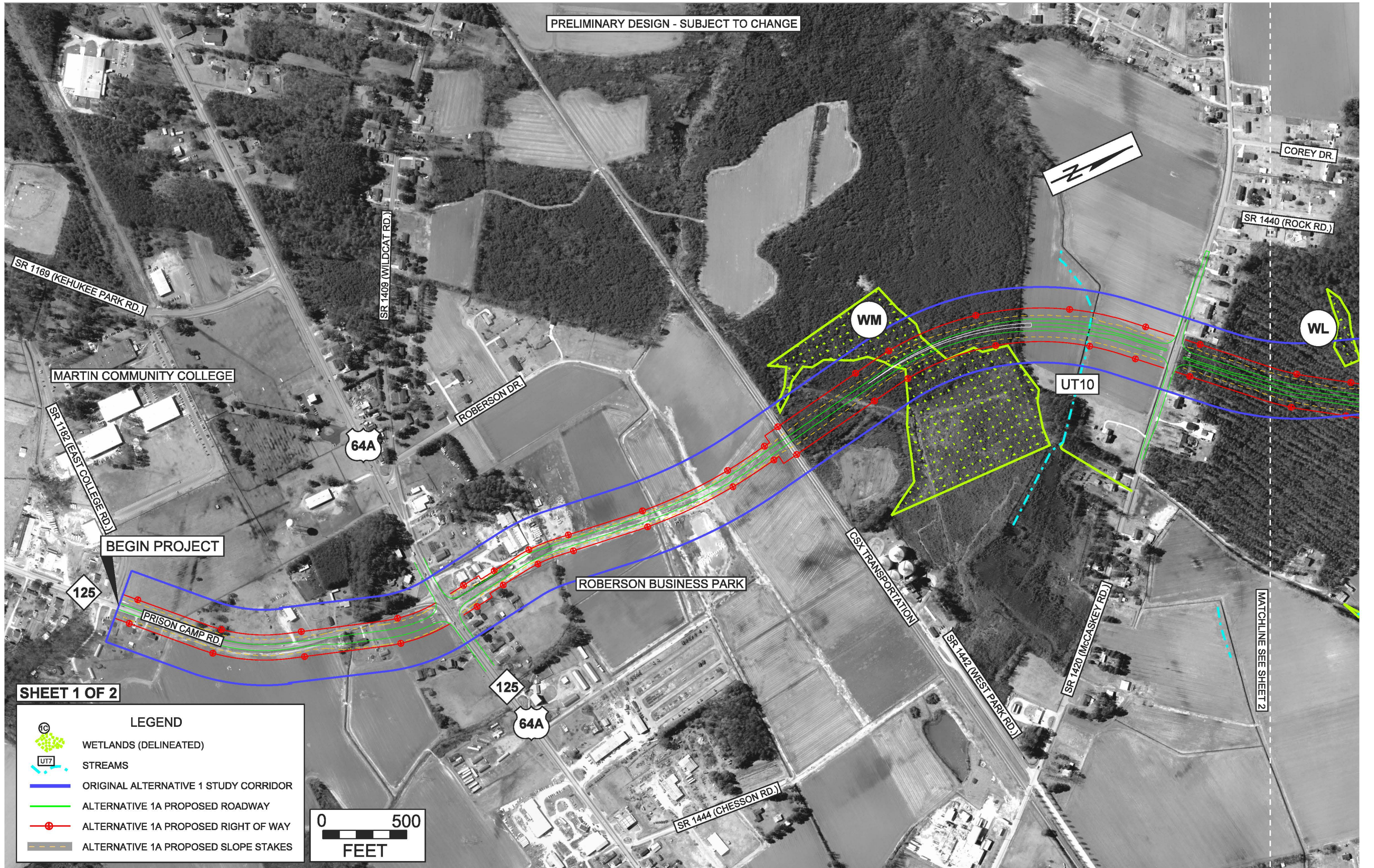


----- PROPOSED NC 125 BYPASS









	NORTH CAROLINA DEPARTMENT OF TRANSPORTATION PROJECT DEVELOPMENT AND ENVIRONMENTAL ANALYSIS BRANCH
	NC 125 WILLIAMSTON BYPASS MARTIN COUNTY TIP PROJECT R-3826
FIGURE 1	

PRELIMINARY DESIGN - SUBJECT TO CHANGE



SHEET 1 OF 2

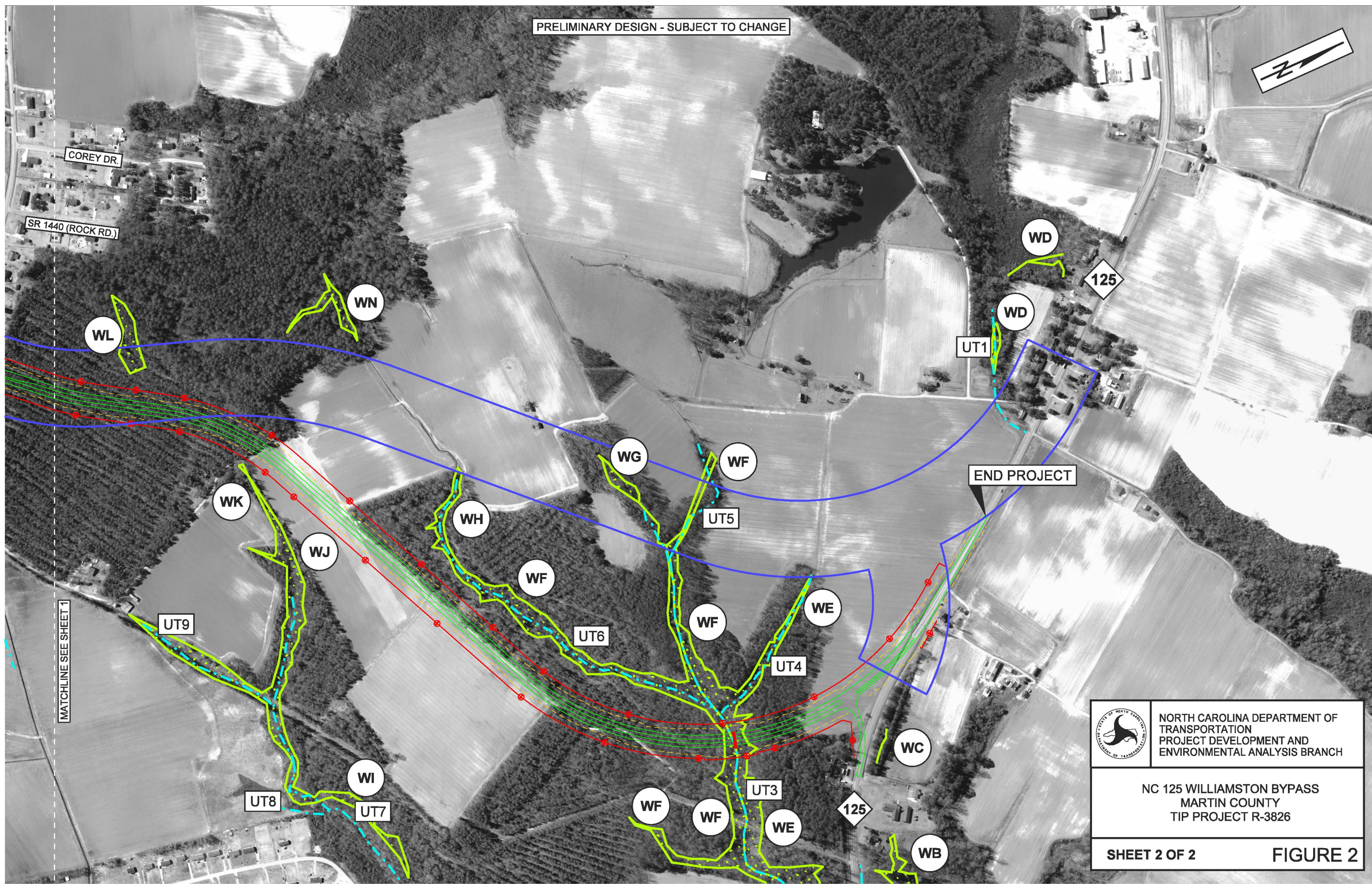
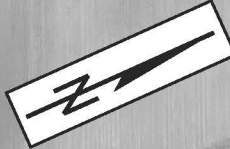
LEGEND

-  WETLANDS (DELINEATED)
-  STREAMS
-  ORIGINAL ALTERNATIVE 1 STUDY CORRIDOR
-  ALTERNATIVE 1A PROPOSED ROADWAY
-  ALTERNATIVE 1A PROPOSED RIGHT OF WAY
-  ALTERNATIVE 1A PROPOSED SLOPE STAKES



MATCHLINE SEE SHEET 2

PRELIMINARY DESIGN - SUBJECT TO CHANGE



MATCHLINE SEE SHEET 1



NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS BRANCH

NC 125 WILLIAMSTON BYPASS
MARTIN COUNTY
TIP PROJECT R-3826

APPENDIX A

AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

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**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 4 RALEIGH OFFICE
TERRY SANFORD FEDERAL COURTHOUSE
310 NEW BERN AVENUE
RALEIGH, NORTH CAROLINA 27601**

Date: June 16, 2009

Dr. Gregory J. Thorpe, Ph.D.
Manager, Project Development and Environmental Analysis Branch
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

SUBJECT: EPA Review Comments of the Federal Environmental Assessment for
R-3826, NC 125 Williamston Bypass/Connector, Martin County

Dear Dr. Thorpe:

The U.S. Environmental Protection Agency Region 4 (EPA) has reviewed the subject document and is commenting in accordance with Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The North Carolina Department of Transportation (NCDOT) and the Federal Highway Administration (FHWA) are proposing to construct both a 3-lane widening section and a new location 2-lane connector from SR 1182 (East College Road) to US 64 Alternate, in Williamston, Martin County for an approximate distance of 2.5 miles.

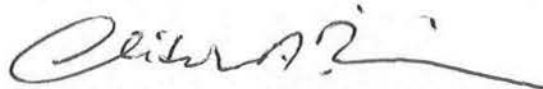
The proposed project has been in the Section 404/NEPA Merger 01 process and EPA notes the following concurrence point (CP) milestones: CP 1 Purpose and Need signed 5/7/02, CP 2 Alternatives to be Carried Forward for Detailed Study signed 10/5/05, and CP 2A Bridging and Alignment Review signed 10/5/05.

There are 3 detailed study alternatives (DSAs) currently under consideration, including Alternatives 1, 2N and 4. Three (3) other DSAs were dropped from further consideration during the Merger 01 process, including Alternatives 2S, 2M and 3A. Impacts shown in Table 5 were computed based on approximate width required for future four-lane typical section for the new location section.

EPA acknowledges that the impact summary table provided in the EA was comprehensive. EPA's environmentally preferred alternative at this time is Alternative 1, which has the least wetland (1.59 acres) and stream (395 linear feet) impacts, the least residential relocation (9), the fewest impacted noise receptors (2) and the least cost (\$15.1 million). However, EPA plans to stay involved with the Merger 01 process and will consider input from other agencies during the Concurrence Point 3, Least Environmentally Damaging Practicable Alternative (LEDPA) selection meeting. Please copy Ms. Kathy Matthews of EPA's Wetland Sections on all future NEPA documents

and concurrence meeting notices at matthews.kathy@epa.gov. Thank you for the opportunity to comment and if you have any questions please call me at (919) 856-4206.

Sincerely,



Christopher A. Militscher, REM, CHMM
Merger Team Representative
NEPA Program Office

For: Heinz J. Mueller, Chief
EPA Region 4 NEPA Program Office

Cc: W. Biddlecome, USACE-Washington Field Office
D. Wainwright, NCDWQ
C. Coleman, FHWA

MAY 19 2009

Project Developer and
Environmental Analysis Branch



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Raleigh Field Office
Post Office Box 33726
Raleigh, North Carolina 27636-3726

May 14, 2009

Gregory J. Thorpe, Ph.D.
Environmental Management Director, PDEA
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Dear Dr. Thorpe:

This letter is in response to your May 11, 2009 letter which requested comments from the U.S. Fish and Wildlife Service (Service) on the Federal Environmental Assessment (FEA) for the proposed NC 125 Williamston Bypass in Martin County, North Carolina (TIP No. R-3826). These comments are provided in accordance with provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c) and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

According to the FEA, the North Carolina Department of Transportation (NCDOT) proposes to widen existing NC 125 between SR 1182 (East College Road) and US 64 Alternative to three lanes and construct a NC 125 bypass of Williamston from US 64 Alternate to existing NC 125 northwest of Williamston. The bypass would consist of a two-lane roadway on multi-lane right of way and would be built mostly on new location. There are currently three corridors under consideration (Alternatives 1, 2N and 4). Wetland and stream impacts for each alternative range from 1.59 to 3.28 acres and 0 to 771 linear feet, respectively.

The Service has previously provided comments and recommendations through the combined NEPA/Section 404 Merger Process. We do not have any additional comments or concerns at this time. The Service does not have a preferred alternative at this time and will defer that decision until Concurrence Point 3.

There are no federally threatened or endangered species listed for Martin County. We believe that this FEA adequately addresses the existing fish and wildlife resources, the waters and wetlands of the United States, and the potential impacts of this proposed project on these resources. The Service appreciates the opportunity to review this project. If you have any questions regarding our response, please contact Mr. Gary Jordan at (919) 856-4520, ext. 32.

Sincerely,

for 
Pete Benjamin
Field Supervisor

cc: Chris Militscher, USEPA, Raleigh, NC
Travis Wilson, NCWRC, Creedmoor, NC
Bill Biddlecome, USACE, Washington, NC
John Sullivan, FHWA, Raleigh, NC



North Carolina Department of Administration

Beverly Eaves Perdue, Governor

Britt Cobb, Secretary

June 15, 2009

Mr. Gregory Thorpe
N.C. Dept. of Transportation
Project Development Branch
1548 Mail Service Center
Raleigh, NC 27699-1548

Re: SCH File # 09-E-4220-0324; EA; NC 125 Williamston Bypass, Martin County, TIP Project No. R-3826

Dear Mr. Thorpe:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

Valerie McMillan (576)

Valerie W. McMillan, Director
State Environmental Review Clearinghouse

Attachments

cc: Region Q
Jay McInnis

Mailing Address:
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone: (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail valerie.w.mcmillan@doa.nc.gov

Location Address:
116 West Jones Street
Raleigh, North Carolina

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NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: MARTIN

F02: HIGHWAYS AND ROADS

STATE NUMBER: 09-E-4220-0324
DATE RECEIVED: 05/12/2009
AGENCY RESPONSE: 06/08/2009
REVIEW CLOSED: 06/12/2009

MS HOLLY GILROY
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE
1001 MSC - AGRICULTURE BLDG
RALEIGH NC

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DENR - COASTAL MGT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
MID EAST COMMISSION



PROJECT INFORMATION

APPLICANT: N.C. Dept. of Transportation
TYPE: National Environmental Policy Act
Environmental Assessment

DESC: NC 125 Williamston Bypass, Martin County, TIP Project No. R-3826 - widening existing NC 125 between SR 1182 and US 64 Alternate to 3 lanes and constructing a bypass of Williamston from US 64 to existing NC 125 northwest of Williamston (approx. 2.5 miles)

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Holly Gilroy

DATE:

6-4-09



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Agricultural Services

Maximilian Merrill
Environmental Programs

Ms. Valerie McMillan
State Clearinghouse
N.C. Department of Administration
1301 Mail Service Center
Raleigh, North Carolina 27699-1301

State #: 09-E-4220-0324

RE: 125 NC Williamston Bypass, Martin County

Dear Ms McMillan

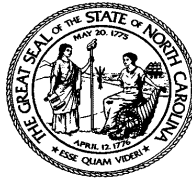
This Environmental Assessment shows that *Alternative 1 or 2N* would be the alternatives which would minimize the loss of farmland. In order to select between the *Alternatives 1 and 2N*, it would be prudent to look at which alternative would fragment fewer farmland parcels, which probably is 2N. It also seems that *Alternatives 1 and 2N* would also have less secondary and cumulative impacts on the areas farmland by keeping growth closer to the town's center.

Based on the potential secondary, cumulative and direct impacts, Alternatives 1 or 2N would minimize the adverse impacts on the agricultural resources of the study area and should be selected for this project.

Gratefully,

Maximilian Merrill





North Carolina Department of Cultural Resources
State Historic Preservation Office

Peter B. Sandbeck, Administrator

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

December 23, 2010

MEMORANDUM

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

FROM: Peter Sandbeck *Re: for Peter Sandbeck*

SUBJECT: Archaeological Survey for the Proposed NC 125 (Williamston) Bypass, R-3826, Martin County, ER 01-9766

Thank you for your memorandum of November 30, 2010. We have reviewed the report provided by your office for the above project and offer the following comments.

The report presents the results of an archaeological survey for the proposed NC 125 Bypass in Martin County. The project corridor was approximately 1.98 miles long and 450 feet in width. The field methods and rates of coverage employed for this work were appropriate for the variable conditions of the landscape encountered within the project area.

Four sites and one isolated find were recorded as a result of the fieldwork. These sites include: 31MT188, 31MT189, 31MT190, and 31MT191. The isolated find consisted of a single 1946 one-cent piece and was not assigned a site number. No further work was recommended for the isolated find. We concur with this recommendation.

Sites 31MT188, 31MT189, 31MT190, and 31MT191 were recommended as ineligible for inclusion on the National Register of Historic Places (NRHP). No further work was recommended for these four sites. We concur with these recommendations.

The landowner of the Whitley Farm (31MT191) indicated the possible existence of a family cemetery located in an area to the south of the presently-existing domestic structure. Further work was recommended for the landform containing the possible cemetery in the event that ground disturbance is scheduled for the area. In this event, it was recommended that either the area first be stripped of plowzone and examined for evidence of interments, or ground-disturbing activities be monitored by an archaeologist. We concur with these recommendations.

The report meets our office's guidelines and those of the Secretary of the Interior. There are no corrections which need to be addressed in terms of the final report. The present version of this document can serve as the final report.

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, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number.

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: MARTIN

F02: HIGHWAYS AND ROADS

STATE NUMBER: 09-E-4220-0324
DATE RECEIVED: 05/12/2009
AGENCY RESPONSE: 06/08/2009
REVIEW CLOSED: 06/12/2009

RECEIVED
MAY 13 2009

HISTORIC PRESERVATION OFFICE

MS RENEE GLEDHILL-EARLEY
CLEARINGHOUSE COORDINATOR
DEPT OF CULTURAL RESOURCES
STATE HISTORIC PRESERVATION OFFICE
MSC 4617 - ARCHIVES BUILDING
RALEIGH NC

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DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
MID EAST COMMISSION

PROJECT INFORMATION

APPLICANT: N.C. Dept. of Transportation
TYPE: National Environmental Policy Act
Environmental Assessment

DESC: NC 125 Williamston Bypass, Martin County, TIP Project No. R-3826 - widening existing NC 125 between SR 1182 and US 64 Alternate to 3 lanes and constructing a bypass of Williamston from US 64 to existing NC 125 northwest of Williamston (approx. 2.5 miles)

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

ER 01-9766

A (NC) 5/14/09
Document addresses
our concerns - arch.
Survey to be done.

S - ok

Due 6/4/09

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Renee Gledhill-Earley

DATE:

5-19-09





North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue
Governor

Dee Freeman
Secretary

MEMORANDUM

TO: Valerie McMillan
State Clearinghouse

FROM: Melba McGee *McGee*
Environmental Review Coordinator

RE: 09-0324 EA - NC 125 Williamston Bypass in Martin County

DATE: June 10, 2009



The Department of Environment and Natural Resources has reviewed the proposed information. The applicant is encouraged to consider the attached recommendations. Addressing these comments during the review process and/or during the NEPA Merger Process will avoid delays during the permit phase.

Thank you for the opportunity to review.

Attachments

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH

Project # 09-0324
County Martin

Inter-Agency Project Review Response

Project Name: USDOT/Fed Hwy
Admin/NCDOT, Div. Of
Hwys

Type of Project EA – NC125 Williamston
Bypass, Martin County, TIP
Project No. R-3826

Comments provided by:

- Regional Program Person
- Regional Supervisor for Public Water Supply Section
- Central Office program person

Name: Joey White Telephone #: (252) 948-3894 Date Rec'd: 05/19/09
Joey C. White Date Rev'd: 05/27/09

Program within Division of Environmental Health:

- Public Water Supply
- Other, Name of Program _____

Response (check all applicable):

- No objection to project as proposed
- No comment
- Insufficient information to complete review
- Comments attached
- See comments below



- Public Water Supply approval is required for the relocation of existing water mains prior to construction. If DOT specifications are to be used only plan submittal is required. Please contact the Town of Williamston and the Martin County Water Department to verify utility location and coordinate the relocation.
- Plans and specifications for new water distribution lines that are two inches or larger in diameter must be submitted to the Public Water Supply – Plan Review Section for approval prior to construction.

Return to :
Public Water Supply Section
Environmental Review Coordinator
for the Division of Environmental Health

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH

Inter-Agency Project Review Response

Project Number 09-0324
County Martin

Project Name USDOT/Fed Hwy
Admin/NCDOT, Div. of
Hwys

Type of Project

EA - NC 125 Williamston
Bypass, Martin County, TIP
Project No. R-3826.

Comments provided by:

- Regional Program Person
- Regional Supervisor for Public Water Supply Section
- Central Office program person

Name Harry Bailey-Washington RO

Date 05/14/2009

Telephone number: _____

Program within Division of Environmental Health:

- Public Water Supply
- Other, Name of Program: _____

Response (check all applicable):

- No objection to project as proposed
- No comment
- Insufficient information to complete review
- Comments attached
- See comments below



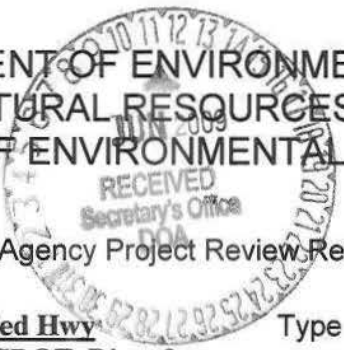
NCPWSS

MAY 19 2009

WASHINGTON REG OFFICE

Return to:
Public Water Supply Section
Environmental Review Coordinator for the
Division of Environmental Health

DEPARTMENT OF ENVIRONMENT AND
NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL HEALTH



Project Number 09-0324
County Martin

Inter-Agency Project Review Response

Project Name USDOT/Fed Hwy Type of Project EA - NC 125 Williamston
Admin/NCDOT, Div. of Bypass, Martin County, TIP
Hwys Project No. R-3826.

- The applicant should be advised that plans and specifications for all water system improvements must be approved by the Division of Environmental Health prior to the award of a contract or the initiation of construction (as required by 15A NCAC 18C .0300et. seq.). For information, contact the Public Water Supply Section, (919) 733-2321.
- This project will be classified as a non-community public water supply and must comply with state and federal drinking water monitoring requirements. For more information the applicant should contact the Public Water Supply Section, (919) 733-2321.
- If this project is constructed as proposed, we will recommend closure of _____ feet of adjacent waters to the harvest of shellfish. For information regarding the shellfish sanitation program, the applicant should contact the Shellfish Sanitation Section at (252) 726-6827.
- The soil disposal area(s) proposed for this project may produce a mosquito breeding problem. For information concerning appropriate mosquito control measures, the applicant should contact the Public Health Pest Management Section at (919) 733-6407.
- The applicant should be advised that prior to the removal or demolition of dilapidated structures, a extensive rodent control program may be necessary in order to prevent the migration of the rodents to adjacent areas. For information concerning rodent control, contact the local health department or the Public Health Pest Management Section at (919) 733-6407.
- The applicant should be advised to contact the local health department regarding their requirements for septic tank installations (as required under 15A NCAC 18A. 1900 et. sep.). For information concerning septic tank and other on-site waste disposal methods, contact the On-Site Wastewater Section at (919) 733-2895.
- The applicant should be advised to contact the local health department regarding the sanitary facilities required for this project.
- If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Environmental Health, Public Water Supply Section, Technical Services Branch, 1634 Mail Service Center, Raleigh, North Carolina 27699-1634, (919) 733-2321.
- For Regional and Central Office comments, see the reverse side of this form.

<u>Jim McRight</u>	<u>PWSS</u>	<u>05/14/2009</u>
Reviewer	Section/Branch	Date

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State of North Carolina
Department of Environment and Natural Resources

Reviewing Office: Washington

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Project Number: 09-0324 Due Date: 6-8-09

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/> Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems, not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input checked="" type="checkbox"/> NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/> Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/> Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/> Permit to construct & operate Transportation Facility as per 15 A NCAC (2D.0800, 2Q.0601)	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input checked="" type="checkbox"/> Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/> Demolition or renovations of structures containing asbestos (material must be in compliance with 15 A NCAC 2D.1110.1a(1)) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-287-2950.		
<input type="checkbox"/> Complex Source Permit required under 15 A NCAC 2D.0800		
<input type="checkbox"/> The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input checked="" type="checkbox"/> Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any acre mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days.	1 day (N/A)
<input type="checkbox"/> Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
<input type="checkbox"/> Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/> Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)



PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fees based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	N/A	60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application.	55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application.	22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
<input type="checkbox"/>	Tar Pans/ies or Neuse Riparian Buffer Rules required.		
* Other comments (attach additional pages as necessary, being certain to cite comment authority)			



REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

Asheville Regional Office
2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500

Mooresville Regional Office
610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699

Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

Fayetteville Regional Office
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300

Raleigh Regional Office
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200

Winston-Salem Regional Office
585 Waughtown Street
Winston-Salem, NC 27107
(336) 771-5000

Washington Regional Office
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481



North Carolina Department of Environment and Natural Resources

Division of Water Quality
Coleen H. Sullins
Director



Dee Freeman
Secretary

Beverly Eaves Perdue
Governor

June 1, 2009

MEMORANDUM

To: Melba McGee, Environmental Coordinator, Office of Legislative and Intergovernmental Affairs

From: David Wainwright, Division of Water Quality *DW*

Subject: Comments on the Environmental Assessment related to proposed NC 125 (Williamston Bypass) from existing SR 1182 (East College Road) to existing NC 125 (northwest of Williamston), Martin County, Federal Aid Project No. STP-125(1), State Project No. 8.1090501, TIP R-3826.
SHC No. 09-0324

This office has reviewed the referenced document dated April 2009. The NC Division of Water Quality (NCDWQ) is responsible for the issuance of the Section 401 Water Quality Certification for activities that impact Waters of the U.S., including wetlands. It is our understanding that the project as presented will result in impacts to jurisdictional wetlands, streams, and other surface waters. The NCDWQ offers the following comments based on review of the aforementioned document:

Project Specific Comments:

1. This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, NCDWQ will continue to work with the team.

General Comments:

2. Future environmental documents should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.
3. Environmental assessment alternatives should consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. These alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of NCDWQ's *Stormwater Best Management Practices*, such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.
4. After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. In accordance with the Environmental Management Commission's Rules {15A NCAC 2H.0506(h)}, mitigation will be required for impacts of greater than 1 acre to wetlands. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions

Transportation Permitting Unit
1650 Mail Service Center, Raleigh, North Carolina 27699-1650
Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604
Phone: 919-733-1786 \ FAX: 919-733-6893
Internet: <http://h2o.enr.state.nc.us/ncwetlands/>



and values. The NC Ecosystem Enhancement Program may be available for use as wetland mitigation.

5. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 150 linear feet to any single perennial stream. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as stream mitigation.
6. Future documentation, including the 401 Water Quality Certification Application, should continue to include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.
7. NCDWQ is very concerned with sediment and erosion impacts that could result from this project. NCDOT should address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigating factors that would reduce the impacts.
8. NCDOT is respectfully reminded that all impacts, including but not limited to, bridging, fill, excavation and clearing, and rip rap to jurisdictional wetlands, streams, and riparian buffers need to be included in the final impact calculations. These impacts, in addition to any construction impacts, temporary or otherwise, also need to be included as part of the 401 Water Quality Certification Application.
9. Where streams must be crossed, NCDWQ prefers bridges be used in lieu of culverts. However, we realize that economic considerations often require the use of culverts. Please be advised that culverts should be countersunk to allow unimpeded passage by fish and other aquatic organisms.
10. Sediment and erosion control measures should not be placed in wetlands or streams.
11. Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas will need to be presented in the 401 Water Quality Certification and could precipitate compensatory mitigation.
12. The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater should not be permitted to discharge directly into streams or surface waters.
13. Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require an Individual Permit (IP) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from NCDWQ. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.
14. If concrete is used during construction, a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
15. If temporary access roads or detours are constructed, the site should be graded to its preconstruction contours and elevations. Disturbed areas should be seeded or mulched to stabilize the soil and

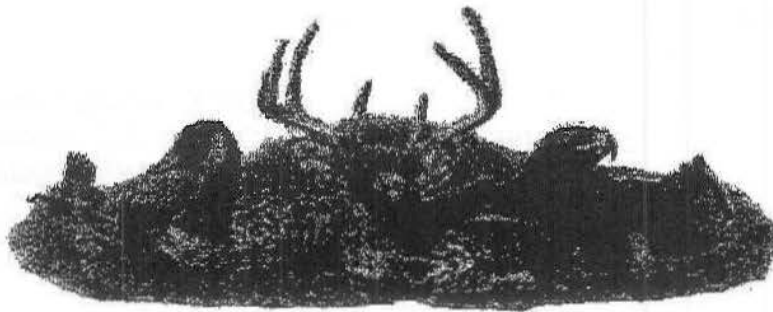
appropriate native woody species should be planted. When using temporary structures the area should be cleared but not grubbed. Clearing the area with chain saws, mowers, bush-hogs, or other mechanized equipment and leaving the stumps and root mat intact allows the area to re-vegetate naturally and minimizes soil disturbance.

16. Placement of culverts and other structures in waters, streams, and wetlands should be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures should not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by NCDWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
17. If multiple pipes or barrels are required, they should be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation, floodplain benches, and/or sills may be required where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
18. Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.
19. All work in or adjacent to stream waters should be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures should be used to prevent excavation in flowing water.
20. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment should be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.
21. Riprap should not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.
22. Riparian vegetation (native trees and shrubs) should be preserved to the maximum extent possible. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.

NCDWQ appreciates the opportunity to provide comments on your project. Should you have any questions or require any additional information, please contact David Wainwright at (919) 715-3415.

cc: Bill Biddlecome, US Army Corps of Engineers, Washington Field Office
Clarence Coleman, Federal Highway Administration
Chris Militscher, Environmental Protection Agency (electronic copy only)
Travis Wilson, NC Wildlife Resources Commission (electronic copy only)
Garcy Ward, NCDWQ Washington Regional Office
File Copy

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☒ North Carolina Wildlife Resources Commission ☒

Gordon Myers, Executive Director

MEMORANDUM

TO: Melba McGee
Office of Legislative and Intergovernmental Affairs, DENR

FROM: Travis Wilson, Highway Project Coordinator
Habitat Conservation Program

DATE: June 8, 2009

SUBJECT: North Carolina Department of Transportation (NCDOT) Environmental Assessment (EA) for the proposed NC 125 Williamston Bypass, Martin County, North Carolina. TIP No. R-3826, SCH Project No. 09-0324



Staff biologists with the N. C. Wildlife Resources Commission have reviewed the subject EA and are familiar with habitat values in the project area. The purpose of this review was to assess project impacts to fish and wildlife resources. Our comments are provided in accordance with certain provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

NCDOT is currently proposing to widening portions of existing NC 125 in combination with constructing a new location section of roadway in order to complete a NC 125 bypass of Williamston. The project would widen the existing facility to three lanes, with the new location portion having two lanes constructed on a four lane right of way. There are three alternatives being considered, however NCWRC has not selected a preferred alternative at this time.

This project is being review through the NEPA/404 Merger 01 process. We will continue to assess the impacts associated with the remaining alternatives in preparation for the selection of the LEDPA and for further avoidance and minimization measures. Thank you for the opportunity to comment on this EA. If we can be of any further assistance please call me at (919) 528-9886.

cc: Gary Jordan, U.S. Fish and Wildlife Service, Raleigh

Mailing Address: Division of Inland Fisheries • 1721 Mail Service Center • Raleigh, NC 27699-1721
Telephone: (919) 707-0220 • **Fax:** (919) 707-0028

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APPENDIX B

DIVISION OF HIGHWAYS RELOCATION PROGRAM/ RELOCATION REPORT FOR SELECTED ALTERNATIVE

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DIVISION OF HIGHWAYS RELOCATION PROGRAMS

It is the policy of NCDOT to ensure comparable replacement housing will be available prior to construction of state and federally-assisted projects. Furthermore, the North Carolina Board of Transportation has the following three programs to minimize the inconvenience of relocation:

- Relocation Assistance
- Relocation Moving Payments
- Relocation Replacement Housing Payments or Rent Supplement

As part of the Relocation Assistance Program, experienced NCDOT staff will be available to assist displacees with information such as availability and prices of homes, apartments, or businesses for sale or rent and financing or other housing programs. The Relocation Moving Payments Program provides for payment of actual moving expenses encountered in relocation. Where displacement will force an owner or tenant to purchase or rent property of higher cost or to lose a favorable financing arrangement (in case of ownership), the Relocation Replacement Housing Payments or Rent Supplement Program will compensate up to \$22,500 to owners who are eligible and qualify and up to \$5,250 to tenants who are eligible and qualify.

The relocation program for the proposed action will be conducted in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646), and/or the North Carolina Relocation Assistance Act (GS-133-5 through 133-18). The program is designed to provide assistance to displaced persons in relocating to a replacement site in which to live or do business. At least one relocation officer is assigned to each highway project for this purpose.

The relocation officer will determine the needs of displaced families, individuals, businesses, non-profit organizations and farm operations for relocation assistance advisory services without regard to race, color, religion, sex, or national origin. The NCDOT will schedule its work to allow ample time, prior to displacement, for negotiations and possession of replacement housing which meets decent, safe and sanitary standards. The displacees are given at least a 90-day written notice after NCDOT purchases the property. Relocation of displaced persons will be offered in areas not generally less desirable in regard to public utilities and commercial facilities. Rent and sale prices of replacement property will be within the financial means of the families and individuals displaced and will be reasonably accessible to their places of employment. The relocation officer will also assist owners of displaced businesses, non-profit organizations and farm operations in searching for and moving to replacement property.

All tenant and owner residential occupants who may be displaced will receive an explanation regarding all available options, such as (1) purchase of replacement housing, (2) rental of replacement housing, either private or public, or (3) moving existing owner-occupant housing to another site (if possible). The relocation officer will also supply information concerning other state and federal programs offering assistance to displaced

persons and will provide other advisory services as needed in order to minimize hardships to displaced persons in adjusting to a new location.

The Moving Expense Payments Program is designed to compensate the displacee for the costs of moving personal property from homes, businesses, non-profit organizations and farm operations acquired for a highway project. Under the Replacement Program for Owners, NCDOT will participate in reasonable incidental purchase payments for replacement dwellings such as attorney's fees, surveys, appraisals, and other closing costs and, if applicable, make a payment for any increased interest expenses for replacement dwellings. Reimbursement to owner-occupants for replacement housing payments, increased interest payments and incidental purchase expenses may not exceed \$22,500 (combined total), except under the Last Resort Housing provision.

A displaced tenant may be eligible to receive a payment, not to exceed \$5,250, to rent a replacement dwelling or to make a down payment, including incidental expenses, on the purchase of a replacement dwelling. The down payment is based upon what the state determines is required when the rent supplement exceeds \$5,250.

It is a policy of the State that no person will be displaced by NCDOT's state or federally-assisted construction projects unless and until comparable replacement housing has been offered or provided for each displacee within a reasonable period of time prior to displacement. No relocation payment received will be considered as income for the purposes of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law.

Last Resort Housing is a program used when comparable replacement housing is not available, or when it is unavailable within the displacee's financial means, and the replacement payment exceeds the federal/state legal limitation. The purpose of the program is to allow broad latitude in methods of implementation by the state so that decent, safe and sanitary replacement housing can be provided. It is not believed this program will be necessary on the project, since there appear to be adequate opportunities for relocation within the area.

EIS RELOCATION REPORT

North Carolina Department of Transportation
RELOCATION ASSISTANCE PROGRAM

E.I.S. CORRIDOR DESIGN

WBS:	34533.1.1	COUNTY	Martin	Alternate	1A	of	1	Alternate
I.D. NO.:	R-3826	F.A. PROJECT	STP-125 (1)					
DESCRIPTION OF PROJECT:	NC 125 Williamston Bypass – SR 1182 (East College Road) to NC 125 Northwest of Williamston							

ESTIMATED DISPLACED					INCOME LEVEL					
Type of Displacees	Owners	Tenants	Total	Minorities	0-15M	15-25M	25-35M	35-50M	50 UP	
Residential	3	0	3	1	0	0	3	0	0	
Businesses	0	0	0	0	VALUE OF DWELLING DSS DWELLING AVAILABLE					
Farms	0	0	0	0	Owners		Tenants		For Sale For Rent	
Non-Profit	0	0	0	0	0-20M	0	\$ 0-150	0	0-20M	0
					20-40M	1	150-250	0	20-40M	0
					40-70M	1	250-400	0	40-70M	3
					70-100M	1	400-600	0	70-100M	4
					100 UP	0	600 UP	0	100 UP	12+
					TOTAL	3		0		19

ANSWER ALL QUESTIONS		
Yes	No	Explain all "YES" answers.
	X	1. Will special relocation services be necessary?
	X	2. Will schools or churches be affected by displacement?
X		3. Will business services still be available after project?
	X	4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc.
	X	5. Will relocation cause a housing shortage?
	X	6. Source for available housing (list).
	X	7. Will additional housing programs be needed?
X		8. Should Last Resort Housing be considered?
	X	9. Are there large, disabled, elderly, etc. families?
	X	10. Will public housing be needed for project?
X		11. Is public housing available?
X		12. Is it felt there will be adequate DSS housing available during relocation period?
	X	13. Will there be a problem of housing within financial means?
X		14. Are suitable business sites available (list source).
		15. Number months estimated to complete RELOCATION? 14 months

REMARKS (Respond by Number)									
3 – Businesses will not be affected									
6, 12, 14 – Multiple Listing Services, Newspaper, Local Realtor									
11 – Martin County Public Housing									
8 – As mandated by law.									

Michelle A. Pittman Senior Right of Way Agent	05-11-10 Date	Relocation Coordinator	5/12/10 Date
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APPENDIX C

**NEPA/SECTION 404 MERGER PROCESS
CONCURRENCE FORMS**

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**Section 404/NEPA Interagency Agreement
Concurrence Point 3
Least Environmentally Damaging Practicable Alternative**

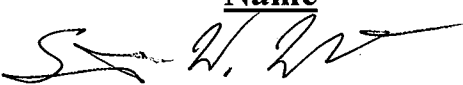
Project Title: NC 125 Williamston Bypass, Martin County, TIP Project R-3826, Federal-Aid Project STP-125(1), State Project 8.81090501, WBS Element 34533.1.1

Project Description: The project will construct a NC 125 bypass of Williamston, mostly on new location. The proposed two-lane roadway will be constructed on multi-lane right of way. For all bypass alternatives, existing NC 125 will be widened between SR 1182 and US 64A.

Least Environmentally Damaging Practicable Alternative: The alternative marked with a check below has been selected by the merger team as the least environmentally damaging practicable alternative (LEDPA) for the proposed NC 125 Williamston Bypass. Alternatives with a line drawn through the alternative name have been dropped from further consideration.

Alternative 1 ~~Alternative 2N~~ ~~Alternative 4~~

The merger team has unconditionally concurred on this date of February 23, 2010 on the LEDPA for the NC 125 Williamston Bypass, as shown on the attached figure and described above.

<u>Name</u>	<u>Agency</u>
<u></u>	<u>NCWRC</u>
<u>Gary Jordan</u>	<u>USFWS</u>
<u>Deke [unclear]</u>	<u>USEPA - Raleigh</u>
<u>Will J. Biddleman</u>	<u>USACE - Washington, NC</u>
<u>David [unclear]</u>	<u>NCDWQ 2/23/10</u>
<u>Roll [unclear]</u>	<u>USDOT - FHWA</u>
<u>John [unclear]</u>	<u>NC DOT - PDEA</u>
<u>Renee Bleckhill-Easley</u>	<u>FACR - SHPO</u>
<u> </u>	<u> </u>
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**Section 404/NEPA Interagency Agreement
Concurrence Point 4A
Avoidance and Minimization Measures**

Project Title: NC 125 Williamston Bypass, Martin County, TIP Project R-3826, Federal-Aid Project STP-125(1), State Project 8.81090501, WBS Element 34533.1.1

Project Description: The project will construct a NC 125 bypass of Williamston, mostly on new location. The proposed two-lane roadway will be constructed on multi-lane right of way. For all bypass alternatives, existing NC 125 will be widened between SR 1182 and US 64A.

404 Avoidance and Minimization Measures

In an effort to avoid and minimize impacts to jurisdictional wetlands and streams associated with the LEDPA (Alternative 1), NCDOT has proposed to implement one or more of the following measures:

- 3:1 side slopes in jurisdictional areas. *NCDOT will explore steeper side slopes at UT 3 crossing. (steeper than 3:1)*
- Horizontal alignment crosses wetland WM at its narrowest point.
- Horizontal alignment shift (Alternative 1A) to avoid or minimize jurisdictional areas:
 - Alternative 1A will have slightly more wetland impacts (0.02 acre), but will completely avoid the following wetland sites affected by Alternative 1:
 - WL (0.02 acre)
 - WG (0.39 acre)
 - Alternative 1A will have overall less stream impacts (174 feet less) and will avoid the following streams affected by Alternative 1:
 - UT 1 (112 feet)
 - UT 5 (233 feet)

Other Measures to Avoid and Minimize Impacts to the Human and Natural Environment

NCDOT has also documented the following measures to avoid and minimize impacts to the human and natural environment associated with the LEDPA, as appropriate:

- Measures to avoid or minimize residential or business relocations: Revised alignment for Alternative 1 (Alternative 1A) only involves changes in the alignment on two farms. The revised alignment will not affect any other properties and will not require the relocation of any more homes or businesses than Alternative 1.
- Measures to avoid or minimize other human resource impacts: Revised alignment for Alternative 1 (Alternative 1A) will reduce impacts of the proposed bypass on two farms. Alternative 1A will affect approximately five acres less land being actively farmed than Alternative 1.

The merger team has unconditionally concurred on this date of February 23, 2010 on the above listed avoidance and minimization measures for the NC 125 Williamston Bypass.

<u>Name</u>	<u>Agency</u>
<u>Thomas Wilson</u>	<u>NCWRC</u>
<u>Gary Jordan</u>	<u>USFWS</u>
<u>Gene A. R.</u>	<u>USEPA - Raleigh</u>
<u>Walter Biddle</u>	<u>USACE - Washington, NC</u>
<u>Phil Whiting</u>	<u>NC DWQ 2/23/10</u>
<u>Ronald G. ...</u>	<u>USDOT - FHWA</u>
<u>John E. ...</u>	<u>NC DOT - PDEA</u>
<u>Renee Medkitt-Easley</u>	<u>FCR - SHPO</u>
<u> </u>	<u> </u>
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