

Type III Categorical Exclusion Action Classification Form

STIP Project No.	R-5777C
WBS Element	44648.1.4
Federal Project No.	N/A

A. Project Description:

The North Carolina Department of Transportation (NCDOT) proposes to upgrade U.S. 70 to interstate standards from the proposed Havelock Bypass (STIP No. R-1015) to east of Thurman Road (S.R. 1116) in Craven County, North Carolina. This is one of several projects that NCDOT is working on to improve the U.S. 70 Corridor. Improvements include upgrading U.S. 70 to interstate standards and constructing service roads as needed within the project study area. The project is located within the planning jurisdictions of the City of Havelock and Craven County.

The project would upgrade U.S. 70 to interstate standards for a distance of approximately 7 miles with grade-separated interchanges at three locations:

- Stately Pines Road (S.R. 1106)
- West Fisher Road/East Fisher Avenue (S.R. 1104)
- West Camp Kiro Road/East Camp Kiro Road (S.R. 1112)

Existing driveway connections, intersections, and median crossovers will be removed, and service roads will be extended along portions of the project to provide access for property owners and to ensure mobility for local traffic. At the interchanges, roundabouts will be constructed where the U.S. 70 on/off ramps connect to the intersecting cross streets. Detailed descriptions of the proposed improvements are described below in the Proposed Improvements section.

B. Description of Need and Purpose:

The project is one of several that NCDOT is working on to improve the U.S. 70/Future I-42 corridor, with the intent to improve regional mobility and provide better connectivity between Raleigh and the seaport at Morehead City, as well as to the military bases in Havelock and Goldsboro and the Global Transpark in Kinston. In addition, U.S. 70 is a designated hurricane evacuation route between the coast and the I-95 interchange in Johnston County.

The purpose of this R-5777C project is to add access management improvements to the U.S. 70 corridor between James City and Havelock, with the intent to:

- improve regional mobility;
- provide a closer interstate connection to the Port of Morehead City;
- benefit military interconnectivity;

C. Categorical Exclusion Action Classification:

Type III

D. Proposed Improvements:

Two preliminary design alternatives (Alternative A and Alternative B) were developed and presented to the public for comment. Each alternative includes elimination of existing at-grade intersections, extension of service roads in some locations, and construction of new interchanges at three locations: Stately Pines Road, West Fisher Road/East Fisher Avenue, and West Camp Kiro Road/East Camp Kiro Road.

The difference between these two alternatives is primarily at the interchanges, with Alternative A taking U.S. 70 over cross streets, and Alternative B raising cross streets over U.S. 70. The alternatives were developed to allow for a combination of the alternatives to be built along the length of the project (i.e., U.S. 70 over the cross street at one interchange location, while going under the cross street at another interchange location).

NCDOT Preferred Alternative

Based on input received from public outreach efforts in 2019 and 2020, as well as input from stakeholders throughout the project development process, NCDOT has determined that the preferred alternative is a combination of the following interchange configurations:

- Stately Pines Road - **Alternative B** (U.S. 70 UNDER Stately Pines Road)
- West Fisher Road/East Fisher Avenue - **Alternative A** (U.S. 70 OVER West Fisher Road/East Fisher Avenue)
- West Camp Kiro Road/East Camp Kiro Road - **Alternative A** (U.S. 70 OVER West Camp Kiro Road/East Camp Kiro Road)

Other Alternatives Evaluated

In addition to the NCDOT Preferred Alternative, the following alternatives to the proposed improvements to U.S. 70 were considered:

- No-Build Alternative
- Alternate Modes of Transportation
- Transportation Management Alternative
- New Location Alternatives

The No-Build Alternative would not improve regional mobility along U.S. 70 nor would it make the U.S. 70 corridor safer by reducing the number of intersections.

The Alternate Modes of Transportation and Transportation Management alternatives could help improve regional mobility on U.S. 70, but they would not provide the economic development opportunities, closer interstate connection, military connectivity, and safer U.S. 70 corridor that the Preferred Alternative provides, nor would they improve connectivity between Raleigh and the Port of Morehead City.

New location alternatives would have substantial impacts to both the human and natural environment and would not meet the purpose and need for the project because they would not improve economic development within the corridor or improve safety by reducing the number of intersections along U.S. 70.

Cost Estimates

The proposed project is included in the NCDOT 2020-2029 State Transportation Improvement Program (STIP) and is funded for \$153.1 million including \$28,500,000 for right of way acquisition, \$1,100,000 for utilities, and \$123,500,000 for construction. Right of way acquisition and construction for this Design-Build Project are both scheduled to begin in Fiscal Year (FY) 2023.

Current cost estimates, based on 2020 prices, are as follows:

Table 1: Cost Estimates for the R-5777C Preferred Alternative

Cost Category	R-5777C Preferred Alternative*
Utilities	\$31,037,552 ¹
Right of Way	\$26,454,935 ²
Construction	\$168,500,000
Total	\$225,992,487

* Costs are estimates and subject to change

¹ Based on higher utilities cost estimate (Alternative B)

² Based on Alternative A right of way estimate due to its similarity to preferred alternative designs

It should be noted that cost estimates were completed only for two options: U.S. 70 over cross streets at all three interchanges (Alternative A) and U.S. 70 under cross streets at all three interchanges (Alternative B). Estimates were not completed for each of the possible combinations of over and under at the three interchanges. Therefore, the estimates in Table 1 represent the highest utilities cost and the right-of-way cost for the option most similar to the NCDOT Preferred Alternative.

Calculated impacts based on the Preferred Alternative designs are shown in Table 2.

Table 2: Impact Matrix for the R-5777C Preferred Alternative

Resources		R-5777C Preferred Alternative
Length (miles)		7
Relocations ^{1,2}	Residential	33
	Business	7
	Non-profit	1
Total Relocations		41
Minority / Low Income Populations (Disproportionate Impacts)		0
Historic Properties (Adverse Effects)		0
Community Facilities Impacted		0
Section 4(f) Impacts		0
Noise Receptor Impacts		30
Prime Farmland (acres)		0
U.S. Forest Service Lands Impacts (acres) ³		12.75
Riparian Buffers (acres) ³		
Zone 1		1.62
Zone 2		1.01
Streams (linear feet) ³		
Perennial		562
Intermittent		1,017
Wetlands (acres) ³		1.73

Resources	R-5777C Preferred Alternative
100-Year Floodplain and Floodway Impacts (acres)	0
Federally Protected Species:	
Atlantic sturgeon	No Effect
American alligator	Not Required
Black Rail	No Effect
Carolina madtom	No Effect
Shortnose sturgeon	No Effect
Green sea turtle	No Effect
Leatherback sea turtle	No Effect
Neuse River waterdog	MA-NLAA ⁴
Northern long-eared bat	MA-LAA ⁴
Red-cockaded woodpecker	No Effect
Rufa Red knot	No Effect
West Indian manatee	No Effect
Rough-leaved loosestrife	No Effect
Sensitive joint-vetch	No Effect

NOTES:

1. The number of relocations shown above are conservative estimates of a worst-case scenario. A smaller number of relocations are likely after the implementation of avoidance and minimization measures developed during final design.
2. The numbers of relocations calculated for Alternative A (U.S. 70 over) were used to represent the number of relocations for the preferred alternative due to the similarities between the proposed ROW boundaries in the vicinity of the Stately Pines Interchange.
3. Impact quantities are based on construction limits plus an additional 25 feet, as shown on the Preferred Alternative Maps on the project website: <https://www.ncdot.gov/projects/us-70-james-city-havelock-bypass/Pages/preferred-alternative-maps.aspx>.
4. MA-LAA denotes "May affect –likely to adversely affect"; MA-NLAA denotes "May affect- not likely to adversely affect"

E. Special Project Information:**Estimated Traffic:**

Current Year (2019)	31,800 vehicles per day (vpd)
Future Year (2045)	41,500 vpd
Tractor-Trailer Semi-truck (TTST)	3%
Dual Axle Trucks (Dual)	5%

Design:

Design Standards:

- AASHTO, Geometric Design of Highways and Streets, 2018
- NCDOT Roadway Design Manual
- 2018 NCDOT Roadway Standards

Design Speed: 70 miles per hour (mph)

Posted Speed: 65 mph

Design Exceptions: None

Functional Classification: Interstate

Tier Classification: Regional

Service Roads

The project proposes to extend existing service roads or construct new service roads parallel to the U.S. 70 corridor to maintain access for the local communities, businesses, and residents who currently have direct access to U.S. 70. Because the proposed project will convert the existing partial control of access to full control of access along U.S. 70 when completed, these parallel service roads will serve as a replacement for the existing direct access by providing local connections to the new grade separated interchanges at Camp Kiro Road, E. Fisher Ave., and Stately Pines Road. Service roads, from south to north, proposed as part of the project include:

West of U.S. 70

- From existing service road south of Carolina Pines Boulevard to Catfish Lake Road
- From Riverdale Road to service road just south of Thurman Road that is being constructed as part of the U-5713/R-5777A&B project

East of U.S. 70

- Continuous connection from existing service road south of Stately Pines Road to Old Cherry Point Road

Pedestrian and Bicycle Accommodations:

Parallel service roads are proposed to include one, 11-foot travel lane in each direction with 5-foot-wide paved shoulders. This design, with the inclusion of a wide paved shoulder, will help address local goals to improve on-road north/south connectivity for bicyclists within this area. No pedestrian accommodations are included in the project designs.

Tribal Territory:

A tribal coordination letter and request for comment was sent to the Catawba Indian Nation's tribal historic preservation office on February 4, 2020. A response was received on February 28, 2020 stating that, "The Catawba have no immediate concerns with regards to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. However, the Catawba are to be notified if Native American artifacts and/or human remains are located during the ground disturbance phase of this project" (letter included in Appendix).

A request for an input letter and the accompanying Programmatic Agreement Survey Required Form was sent to the Tuscarora Tribal Historic Preservation Officer on May 9th, 2021 asking for review and input on the proposed project. Depending on the comments received, NCDOT will continue to coordinate with the Tuscarora Nation and USFS related to any concerns or questions the Tribe may have after reviewing the project information provided.

Public Involvement Summary:

An open-house public meeting was held on June 18, 2019 at Tucker Creek Middle School in Havelock, NC. This meeting was held to provide the public with information about the conceptual project designs and solicit public input. Approximately 167 citizens attended the meeting, with ten written comments being received either at the meeting or during the 30-day comment period. In general, comments received from the public meeting included questions about changes in access to U.S. 70 from properties, access to U.S. 70, project timeline, construction time period, project timeline in relation to adjacent projects (U-5713, R-5777A&B, and R-1015), and the purpose of the project.

A second, in-person public meeting was originally scheduled to be held on April 9, 2020 at Cornerstone Assembly Church in New Bern, NC, to present the preliminary design alternatives to the public. However, due to the coronavirus disease (COVID-19) pandemic, this public meeting was cancelled, and additional outreach was postponed. In Summer 2020, a virtual public outreach effort was launched as an alternative to in-person meetings. An informational meeting for local officials was held via video conference on August 25, 2020.

The NCDOT provided citizens a project website on PublicInput.com. Comments could be provided via telephone, mail, email, or polls and “forum” posts on the project’s PublicInput.com website throughout the 15-day comment period. A total of 35 individuals provided comments, with 17 individuals providing a preference for one of the two alternatives, in which eight persons favored Alternative A and nine persons favored Alternative B.

The project website continued to be updated throughout Fall 2020 to include additional information and technical reports as they became available, including responses to public comments, the traffic noise report, and updated alternative maps showing areas where reasonable and feasible noise abatement had been recommended for further investigation during the design-build phase of the project. On November 10, 2020, the NCDOT project website was updated with an announcement of NCDOT’s selection of a preferred alternative as a hybrid alternative comprised of some sections of both Alternative A and Alternative B. Mapping of the preferred alternative was also posted.

Other Projects in the Area:

Two STIP projects are located near the project and have the potential to affect or be affected by the project.

R-1015 Havelock Bypass- this other U.S. 70 Corridor improvement project adjoins R-5777C at the southern terminus. Right of way acquisition started summer 2019, and a 4-year construction period is anticipated.

U-5713 and R-5777AB James City Improvements- these U.S. 70 Corridor improvement projects were planned together and adjoin R-5777C at the northern terminus. A single design-build contract was awarded in September 2019. The project began the right of way acquisition phase in Spring 2020, and construction is scheduled to begin summer 2021, and be completed by mid-2024.

Additional Documentation:

Project mapping, State Historic Preservation Office effects determination forms, Tribal coordination letter, and Relocation Reports are appended to this document. The following technical reports and documentation can be found in the project file are available upon request:

- Natural Resources Technical Report
- Neuse River Waterdog Survey Report
- Biological Evaluation
- Public Involvement Materials and Documentation
- Community Characteristics Report
- Community Impact Assessment
- Architectural Survey Report
- Archaeological Survey Report
- Hazardous Materials Report
- Capacity Analysis Report
- Traffic Noise Analysis Report
- Croatan National Forest Scenery Analysis
- Farmland Conversion Impacts

F. Project Impact Criteria Checklists:

F3. Type III Actions			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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>	
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 checked="" type="checkbox"/>	<input type="checkbox"/>	

<u>Type III Actions (continued)</u>		Yes	No
21	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
29	Is the project in an Air Quality non-attainment or maintenance area for a National Ambient Air Quality Standard (NAAQS)?	<input type="checkbox"/>	<input checked="" 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'):

Based on public and agency feedback received during the environmental planning process for the project, none of the responses checked "Yes" in Section F above individually, or cumulatively, lead to an adverse environmental impact and therefore, do not rise to the level of being considered significant.

Response to Question 1 – Threatened and Endangered Species

Northern long-eared bat (NLEB) - The US Fish and Wildlife Service has revised the previous programmatic biological opinion (PBO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the northern long-eared bat (NLEB) (*Myotis septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. Although this programmatic covers Divisions 1-8, NLEBs are currently only known to occur in 30 counties within Divisions 1-8. NCDOT, FHWA, and USACE have agreed to two conservation measures which will avoid/minimize mortality of NLEBs. These conservation measures only apply to the 30 current known/potential counties shown on Figure 2 of the PBO at this time. Craven County is one of the 30 known/potential counties listed. The programmatic determination for NLEB for the NCDOT program is May Affect, Likely to Adversely Affect. The PBO provides incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for ten years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Craven County, where R-5777C is located. This level of incidental take is authorized from the effective date of a final listing determination through December 31, 2030.

Neuse River Waterdog (NRWD) - The Neuse River waterdog (NRWD) is proposed for listing as a Threatened Species (proposed/threatened). An aquatic survey was conducted in January and February 2020 to determine the presence of and project impact on Neuse River Waterdog. Neuse River Waterdog was not located during these efforts. The two sampling locations within the Scotts Creek drainage area and the Brice Creek location in the vicinity of the Wildlife Resources Commission (WRC) public boat landing are heavily influenced by the tidal cycle and based on the presence of the Atlantic Rangia, are brackish. While the salinity tolerance of the Neuse River Waterdog is not reported, it is only known from freshwater habitats. As such, no project related effects to the species are expected within these waterbodies (Scott Creek System, lower portion of Brice Creek), as habitat conditions are not suitable. Although the other two sampling locations within Brice Creek (Old Airport Road and Country Line Road) appear to be freshwater, the brackish conditions between this location and the known population in the upper portions of the Trent River is likely a barrier to colonization. Based on the survey results and the barrier between known populations and this portion of Brice Creek, the Neuse River Waterdog is unlikely to be present. However, given the presence of suitable habitat (lotic freshwater stream of sufficient size), its presence cannot be ruled out entirely. As such, it is concluded that the project construction May Affect but is Not Likely to Adversely Affect the Neuse River Waterdog.

If the NRWD is officially listed as a Threatened Species when the project goes to Let, then this project is covered under the Programmatic Conference Opinion (PCO) for the Carolina madtom and NRWD for Divisions 2, 4, 5, and 7 (https://saw-reg.usace.army.mil/ESA/Bridge_Culvert_PCO.pdf). NCDOT Division 2 and the Design-Build Team will follow the commitments and conservation measures outlined in this PCO. This has been included as a project commitment in the greensheets of this document.

Response to Question 5 – Displacements/Right of Way Acquisition

A relocation report was developed for Alternative A (U.S. 70 over) and Alternative B (U.S. 70 under). A hybrid of these two alternatives was developed as the Preferred Alternative. The numbers of relocations calculated for Alternative A (U.S. 70 over) were used to represent the number of relocations for the Preferred Alternative due to the similarities between the proposed ROW boundaries in the vicinity of the Stately Pines Interchange. Based on preliminary designs, thirty-three (33) residences, seven (7) businesses, and one (1) non-profit will be displaced. The Relocation Reports are appended to this document for reference.

Sufficient right-of-way and easements will be acquired to accommodate the proposed improvements along U.S. 70 and the adjoining side roads and service roads. Additional right-of-way and easements are required along U.S. 70 to accommodate the proposed improvements, with the majority of the right-of-way being acquired at the locations of the proposed interchanges and in areas where the proposed service roads will be located. The resulting impacts of residential and business displacements, although substantial, will not result in a significant impact to the community based on the proportion of residences and businesses being relocated due to the project when compared to the total number of residences and businesses within the project study area.

Response to Question 9 – Impacted Waters

Impaired Waters - The North Carolina 2018 Final 303(d) list of impaired waters identifies one impaired water, the Neuse River (Assessment Unit Nos. 27-[104]a1 and a2), within 1.0 mile of the study area as impaired due to Copper.

Buffer Impacts - This project is located within the Neuse River Basin (USGS HUC 03020204). Potential jurisdictional features within the study area are therefore subject to streamside riparian zones protected under provisions administered by the North Carolina Department of Environmental Quality (NCDEQ). Table 3 below presents anticipated buffer impacts of the project. Specific mitigation amounts will be determined during the permitting stage of the project.

Table 3. Buffer Impacts of Project (acres)

Stream	Zone 1	Zone 2
Goodwin Creek ¹	0.01	0.01
Otter Creek	0.23	0.12
SA	0.56	0.37
SB	0.25	0.16
SC	0.05	0.04
SD	0.16	0.11
SF	0.04	0.03
SG	0.07	0.04
SO	0.20	0.11
SP	0.04	0.03

Note 1: Neuse River Basin (NRB) buffers only apply to the downstream reach of Goodwin Creek, east of U.S. 70

Note 2: NRB buffers apply to the intermittent reach of Stream SD on the west side of U.S. 70 between the mapped perennial origin and the USGS blue-line stream origination point, which is short of where the intermittent stream origin is located in our mapping (i.e., at the railroad culvert outlet).

Response to Question 11 – Section 404 Individual Permit:

Based on the current functional designs, the proposed project is expected to impact 1.67 acres of wetlands and 1,579 feet of streams. Under the current Section 404 permitting requirements, it is expected the project will require an Individual Permit (IP). In general, the US Army Corps of Engineers Wilmington District issues an IP for projects that result in 0.5 acre or more of fill to Waters of the US or 300 linear feet or more of stream impacts or if the project is considered by the agency to be a major action. This permit requires a full public interest review, including public notices and coordination with involved agencies, interested parties, and the general public. However, the design-build team will reassess the jurisdictional impacts based on final designs and will prepare the appropriate Section 404 permit at that time.

NCDOT employs many strategies to avoid and minimize impacts to jurisdictional areas in all of its designs. Impacts will be minimized by strict enforcement of Best Management Practices for the protection of surface waters, restrictions against the staging of equipment in or adjacent to waters of the US, and coordination with appropriate environmental staff.

In addition, the roadway typical section for the service roads includes narrower travel lanes (11-foot), from the standard 12-foot lanes, as a way to minimize the footprint and associated impacts of the project. Service Road and interchange ramp alignments were adjusted during the preliminary design development to avoid and minimize, to the extent practicable, impacts to jurisdictional features that had been located as part of the natural resources field surveys for the project.

Additional avoidance and minimization measures will be developed during final design and preparation of the permit. Design Standards in Sensitive Watersheds will be employed.

Response to Question 13 – Section 106 Effects Determination

Archaeological Resources

Field investigations for the proposed project occurred on Thursday, September 12th, 2019, and were comprised of an intensive pedestrian survey to locate and assess potentially significant archaeological resources that could be damaged or destroyed by the proposed project.

On November 16, 2020, and as a result of this field survey, NCDOT prepared and submitted a “No National Register of Historic Places Eligible or Listed Archaeological Sites Affected Form” to the North Carolina State Historic Preservation Office – Office of State Archaeology for review. This archaeological survey report concluded the following:

- No newly identified archaeological sites were documented within the Study Area. One (1) 20th-century cemetery (i.e., Boyd Cemetery) was recorded immediately adjacent to the Study Area

along Old Cherry Point Road and was not evaluated for the National Register of Historic Places (NRHP) since it was not to be impacted by the proposed project. The extent of the St. Matthew's Disciples Church of Christ Cemetery was also determined. In addition, the St. Matthew's Cemetery does not meet any of the criteria (A-D) or criteria considerations for eligibility to the NRHP. All of the archaeological sites (including two historic Antebellum cemeteries) located on the USFS' Fisher Landing Tract have been mapped; however, none of them have been formally evaluated for the NRHP based on their location in respect to the overall project study area. If any of the Fisher Landing sites are to be impacted by the potential relocation of the USFS district headquarters, then additional archaeological investigations will be necessary. Finally, the location of one (1) previously recorded archaeological site (31CV241) was re-established and enlarged based on a field reconnaissance of the surrounding area. Site 31CV241 represents an intact Civil War-era fortification, constructed as part of the defensive lines south of New Bern. Although the Croatan Works did not see true battlefield action (as part of the Battle of New Bern), Site 31CV241 is recommended eligible for the NRHP per Criterion D based on the results of the excavations conducted by Daniel et al. (2000).

- Additional fieldwork within the project study area is unlikely to provide any significant or substantial amounts of archaeological data. Therefore, it is recommended that additional archaeological work should not be required. Based on the recommendations put forth by NCDOT in the November 16, 2020 archaeological survey report, a finding of "No NRHP-Eligible or -Listed Archaeological Sites Affected" within the project study area is considered appropriate for the project. However, should the description of this project or design plans change prior to construction, then additional consultation regarding archaeology will be required. If archaeological materials are uncovered during project activities, then such resources will be dealt with according to the procedures set forth for "unanticipated discoveries," to include notification of NCDOT's Archaeology Group.

On February 22, 2021, the State Historic Preservation Officer (NC-HPO) provided a response memorandum to NCDOT stating:

"Thank you for your letter of November 12, 2020, transmitting the No National Register of Historic Places Eligible or Listed Archaeological Sites Affected Form for the above referenced project. We have reviewed the form and offer the following comments.

We concur that archaeological site 31CV241 is eligible for listing in the National Register of Historic Places for the reasons outlined in the report. As planned, the undertaking will not adversely affect this significant archaeological resource."

Historic Architecture Resources

A reconnaissance-level architectural survey of the project study area was conducted in March 2020 in which documented and undocumented properties over fifty years of age were identified within the Area of Potential Effects (APE). This survey identified 123 resources over 50 years of age or more within the APE. Two resources, which were previously Study Listed in 1989, were identified as warranting an intensive evaluation of eligibility for the National Register of Historic Places (NRHP). NCDOT architectural historians determined that all other resources did not warrant further evaluation.

In March 2020, NCDOT architectural historians conducted an intensive-level survey of the two properties identified (Tom Haywood Store (CV1044) and Croatan Presbyterian Church (CV1385) in which they were both determined not eligible for NRHP listing. The State Historic Preservation Office (SHPO) concurred with this finding on May 6, 2020. The concurrence letter is included in the appendix of this document.

Response to Question 14 – Hazardous Materials and/or Landfills:

Eleven (11) sites of concern were identified within the project study area, as identified in the R-5777C GeoEnvironmental Planning Report (November 8, 2019). These sites of concern are listed in Table 4 below, and the locations of these sites are shown in Figure 2. Low monetary and scheduling impacts are anticipated for all eleven sites (refer to Hazardous Materials Report).

The construction of the project is anticipated to be handled through the Design-Build process. As such, the Design-Build Team will be required to do the following:

After submittal of the right of way roadway design plans, the Design-Build Team shall hold a right of way consultation with the NCDOT's GeoEnvironmental staff, Transportation Program Management Director, and key Design-Build Team members. Sites of concern within the proposed right of way that are noted in the GeoEnvironmental Pre-Scoping Comments and 3/14/2018 Addendum, and any other sites identified by the Design-Build Team during the right of way consultation, shall be investigated by the Department. The Department shall require 90 days from the date of the consultation to investigate and provide Right of Way Recommendations. The Right of Way Consultation shall occur prior to the Design Build Team making offers to purchase the right of way on these sites of concern. The Design-Build Team shall adhere to all Right of Way Branch procedures regarding the acquisition of contaminated property and any Right of Way Acquisition Recommendations provided by the Department.

After the parcels with identified contamination and/or underground storage tanks (USTs) are acquired and cleared of all existing above ground structural improvements, the Department shall remove all USTs from the right of way within 60 days of notification that the structures have been removed. Contaminated soil shall be removed by the Department to the limits necessary to complete the construction project. All remaining contaminated soil shall be left in place and undisturbed.

Response to Question 20 – Federal Lands

Impacts to USFS Species and Resources

The project runs through a portion of the Croatan Ranger District in Croatan National Forest (CNF). Four parcels of land within the CNF are currently located within the project study area [Figures 1 and 2 of Biological Evaluation (BE)] and would be affected by the project. Construction of the project will result in disturbance within the CNF, some of which may be locally significant. Construction activities will include land clearing and grubbing, grading of the ground surface, and disturbance to vegetation and/or ground surfaces by construction equipment. Effects on natural resources from the proposed project would include vegetation removal and loss of forest habitat, soil disturbance, and altered hydrology of surface water flow via ditching. As a result, adverse impacts are expected to occur to those species and communities occurring at and adjacent to the proposed U.S. 70 improvements.

Based on the functional designs using a construction footprint (slope stakes) plus a 25-foot buffer, it is estimated that the proposed U.S. 70 improvements from R-5777C will affect 19.3 acres of National Forest Service (NFS) land at the ranger station tract (both east and west sides of U.S. 70) and 1.5 acres from the remaining NFS tracts in the final study area. The associated relocation of the ranger station and helibase may affect up to 12.7 acres of NFS land, in a worst-case estimate based on initial plans provided by USFS (RDO Basemap 01 36x48 100sc--DRC Sketch). See Figure 7a of Appendix A in the BE.

USFS expressed concern for conflicts between the improved transportation corridor and their ongoing prescribed burning program; coordination has been ongoing between USFS and NCDOT to ensure access for vehicles and personnel so that prescribed fires may continue post-project. Areas used for borrow or fill material are not included as part of this analysis, as their locations are determined later in time and are covered under their own environmental review.

Results from the BE for the R-5777C project indicate that the U.S. 70 improvements, including the ranger station relocation, will have no effect on any federally listed Endangered, Threatened, or Proposed species, with the exception of the NLEB, which has a programmatic determination of May Affect, Likely to Adversely Affect. The following Sensitive species are known or likely to be present within the final study area: Tricolored Bat, Southeastern Bat, and Spring-flowering goldenrod (SOVE). The following Forest Concern species are known or likely to be present within the final study area: Rafinesque's Big-eared Bat, Southern Chorus Frog, Mabee's Salamander, Glossy Crayfish Snake and Black-throated Green Warbler (Figures 6a and 6b of Appendix A of the BE).

With implementation of proposed mitigation measures, as discussed in the BE and listed in the Project Commitment greensheets in this document, the project is not likely to cause a loss of viability for the following species on NFS lands in the CNF: Monarch Butterfly, Tricolored Bat, Southeastern Bat, Rafinesque's Big-eared Bat, Glossy Crayfish Snake, Blackthroated Green Warbler and Graceful Clam Shrimp. Spring-flowering goldenrod (SOVE) should not have viability concerns as long as mitigation

measures from other NCDOT construction projects can be successfully implemented. The project may cause a loss of viability for the following species on NFS lands in the CNF: Southern Chorus Frog and Mabee's Salamander (see Figures 7a and 7b of Appendix A of the BE for project footprint). Additional mitigation measures, listed in the Project Commitment greensheets in this document, will help ensure the viability of these two species.

If mitigation measures are implemented, as proposed in the Biological Evaluation (BE) in coordination with the USFS, no viability concerns for Species of Conservative Concern (SCC) animal or plant species are anticipated on NFS lands in CNF.

Impacts to USFS Facilities and Operations

District Ranger Station

The proposed Fisher Avenue interchange is expected to require the relocation of the existing USFS ranger station, located along Fisher Avenue on the east side of U.S. 70. Right of way impacts will be addressed through a federal land transfer (FLT) agreement between the Federal Highway Administration (FHWA) and USFS prior to the commencement of construction activities for the project. The FLT will not include the new Ranger Station since it will be relocated on existing USFS property and owned by USFS.

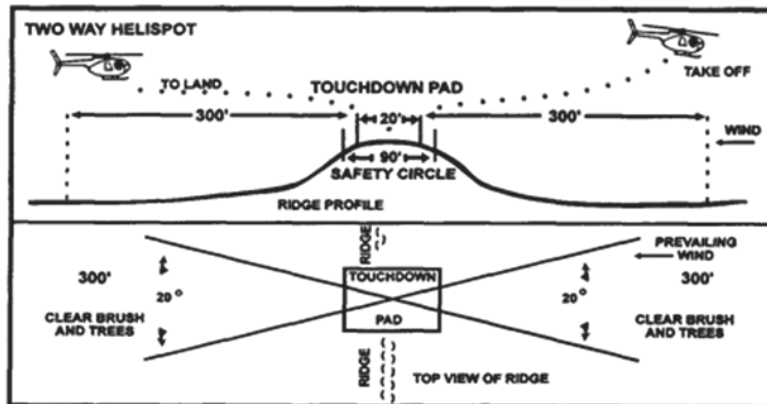
NCDOT and FHWA have consulted with USFS staff and determined that impacts to the ranger station structure will be mitigated by the project through monetary compensation from project funds to USFS. This compensation will be for the replacement costs associated with for relocating and constructing an in-kind ranger station on a suitable site determined by USFS staff. NCDOT will be responsible for any jurisdictional stream and/or wetland impacts, and associated mitigation costs related to the new ranger station.

Helipad and Maintenance Facility

The USFS maintains and operates a helicopter base (helibase) and maintenance facility that is located on Fisher Avenue, east of the existing Fisher Avenue intersection with U.S. 70. Accommodations for approach/departure paths for helipad operations, using the "USFS Interagency Helicopter Operations Guide" were considered during the development of the project's preliminary designs. Specifically, the details and distances shown in Exhibit 8.1 – Diagram of Two-Way Helispot of the Operations Guide were used to confirm that the proposed Fisher Avenue interchange was in compliance with the required horizontal and vertical distances shown in the exhibit. Details from the Operations Guide are included below for reference:

Construction of approach/departure paths for helibases and helispots will conform as closely as possible to the specifications in Exhibit 8.1 and as discussed later in this chapter.

Exhibit 8.1-- Diagram of Two-Way Helispot.



If the proposed project requires the helibase to be shifted due to the proposed Fisher Avenue interchange and associated service roads, possible tree-clearing and mowing/maintenance activities may need to be extended further to the northwest, on the existing USFS District Ranger

Station parcel, to maintain safe take-off and landing zones for flight operations. This will increase light penetration locally, affecting plant growth. Areas under consideration for the new ranger station, helibase, and flight path were included as part of the project study area as potential indirect effects of the U.S. 70 improvements.

The project study area was created using conservative (wide) estimates of potential roadway, building, and flight path impacts, and was not based on proposed highway cut/fill lines or slope stakes.

Prescribed Burn Areas

The project may have minor impacts on access to USFS property and prescribed burn activities during construction, however access to these designated prescribed burn areas will be maintained during the construction phase of this project.

Scenery Analysis

A Scenery Analysis (refer to the Croatan National Forest Scenery Analysis report) was completed for this project to evaluate potential scenic impacts to Croatan National Forest property adjacent to or traversed by the R-5777C project study area. The scenery analysis takes into account the change in the U.S. 70 corridor from an existing four lane divided highway with service roads in some locations and numerous non-signalized at-grade intersections, to a four lane divided highway designed to interstate standards with interchanges constructed at three locations: Stately Pines Road (Stately Pines Road would cross over U.S. 70); West Fisher Road/East Fisher Avenue (U.S. 70 would cross over); and, West Camp Kiro Road/East Camp Kiro Road (U.S. 70 would cross over). The analysis identified five parcels for evaluation, and further identified viewpoints within those parcels where the existing U.S. 70 highway is visible, or where proposed improvements would be visible. The analysis established a Scenic Integrity Objective (SIO) level for each viewpoint based on Primary Management Prescription and Scenic Class at that location. Using these factors for evaluation of the proposed improvements, the analysis concluded that the identified level of SIO would be met at each identified viewpoint. Furthermore, the analysis determined that no past or foreseeable future actions would result in additional cumulative effects to scenery resources beyond what was described in the report.

Based on the findings of this analysis, the project is not expected to result in substantive scenic impacts to Croatan National Forest property.

Response to Question 21 – Changes in Access Control

Full control of access will be acquired along U.S. 70, including the ramps and intersecting roads where new interchanges are being proposed (i.e., Stately Pines Road, Fisher Avenue, and Camp Kiro Road). The full control of access along these intersecting roads will extend from the proposed interchange to the proposed service road intersections.

While the project will result in a change in the existing access control along U.S. 70, the inclusion of the proposed service road extensions and new interchanges will sufficiently mitigate any impacts associated with this access change by maintaining, and possibly even improving, the level of connectivity, mobility, and access between the existing local road network and U.S. 70 such that impacts to the traveling public do not rise to the level of being a significant impact.

Response to Question 23 – Maintenance of Traffic

The proposed modifications to U.S. 70 would be constructed within an existing roadway network; as such, temporary delays associated with construction are anticipated. All construction operations would be scheduled to keep traffic delay minimized. All safeguards, safety devices, protective equipment, and any other actions reasonably necessary to protect the life and health of employees on the job, the safety of the public, and the property connected with performance of the work would be applied.

The construction of the project is anticipated to be handled through the Design-Build process. As such, the Design-Build Team will be required to maintain traffic as required in the Traffic Management Plan (TMP) scope of work and other components of the Design-Build's Request for Proposal (RFP) that relate to traffic maintenance. Adhering to North Carolina's standards will also be required for this project.

Response to Question 27 – Traffic Noise Analysis

Based on the final Traffic Noise Report (TNR) (September 2020), ten Noise Sensitive Areas (NSAs) (NSA 1, 2, 6, 8, 9, 11, 13, 14, 19, 20) accounting for 30 impacted sites, are eligible for consideration for noise abatement measures (refer to Figures 2 through 13: 2045 Build Alternative Noise Barrier Recommendations in the 2020 TNR). Noise barriers were evaluated and are likely to be feasible and reasonable in NSAs 2, 11, and 14 pending any engineering, structural, or environmental concerns. The final decision on the installation of the abatement measures shall be made upon completion of the public involvement process, project final design, and NCDOT acceptance.

Response to Question 28 – Farmland Protection Policy Act

Although the majority of the project footprint is located within the New Bern urbanized area as determined by the U.S. Census Bureau, portions of the project footprint fall outside of this boundary and, therefore, an evaluation of eligible farmland soils was undertaken for the project.

This evaluation found that farmland soils eligible for protection under the Farmland Protection Policy Act (FPPA) are present within the project footprint. A preliminary screening of farmland conversion impacts in the project study area was completed (CPA-106 for corridor projects, Part VI only) and a total score of 48 out of 160 points was calculated for the R-5777C project site. Since the total site assessment score does not exceed the 60-point threshold established by Natural Resource Conservation Service (NRCS), impacts may be anticipated, but are not considered notable.

H. Project Commitments (attach as Green Sheet to CE Form):**NCDOT PROJECT COMMITMENTS**STIP Project No. **R-5777C**Upgrade U.S. 70 to interstate standards and construct service roads from East
Thurman Road (S.R. 1116) to the Havelock Bypass

Craven County

Federal Aid Project No. N/A

WBS Element 44648.1.4

**Craven County Potable Water Supply and Treatment Facilities – Water Supply Wells (NCDOT
Division 2, Hydraulics Unit, Design-Build Unit)**

- There are four (4) potable water supply well sites associated with Craven County's water supply system that are located within the project study area. These well sites are regulated by the North Carolina Department of Environmental Quality – Division of Water Resources Public Water Supply Section, in accordance with Title 15A NCAC Subchapter 18C – Water Supplies.

To ensure compliance with Title 15A NCAC Subchapter 18C, the Department shall continue to coordinate with Craven County regarding the driveway connections for the four potable water supply wells located within the R-5777C project limits. In addition, the Department will continue to coordinate with Craven County during procurement and post-award.

- The Department will adhere to the following requirements and restrictions associated with the well sites:

General Requirements

- Per 15A NCAC 18C .0203 (4), “there can be no grading that allows point discharge nor sheet drainage of storm drainage” onto the well sites.
- All costs associated with the relocations or modifications of the access driveways will be paid by NCDOT, including any engineering, permitting, wetland impacts or driveway piping.
- The driveway aprons shall be paved with a gravel surface for the drive and turnaround area.

Well Site Specific Requirements

- *Site FB3*
The access drive shall remain in its current location with access to the slightly relocated service road. The County would grant a 15-foot temporary construction easement to allow reconstruction of the service road shoulder and shoulder ditch. No permanent road structure or paving shall be allowed within this easement. During final design, the Design-Build Team shall verify that the proposed 15-foot temporary construction easement is outside of the required 100-foot buffer radius from the well based on their proposed design. [15A NCAC 18C .0203 (a)(1)].
- *Site FB4*
The access drive shall be relocated to the rear of the site with access to the relocated service road. A new access gate will be required for the relocated access drive.
- *Site SP3*
The access drive shall be relocated to the vicinity of the northeast rear corner of the site with access to the relocated service road. If construction activities affect the location of the access gate, the Contractor shall relocate the gate to a location approved by the County.

Archaeological Site 31CV241 (NCDOT Division 2, NCDOT EAU-Cultural Resources, Design-Build Unit)

- Site 31CV241 is recommended eligible for the National Register of Historic Places (NRHP). The archaeological site will not be impacted by the Undertaking as currently designed; however, if design plans change prior to construction thereby causing an adverse effect to the site, the NCDOT, in consultation with the North Carolina State Historic Preservation Office (NC-SHPO) and US Forest Service (USFS), will develop an archaeological Data Recovery Plan (DRP) in order to mitigate any adverse effects to the site. Given the site's proximity to the Undertaking, Final Plans will identify the location of High-Visibility Fencing along the Proposed Right of Way/Control of Access (ROW/CA) or Easement, whichever extends farthest into Parcel# 6-011-019 (U.S. Government Property, Deed Book 0336, Deed Page 0061), beyond which is to be labeled as: "PROTECTED AREA." Project specifications should indicate that High-Visibility Fencing: 1) will be installed by the Contractor prior to any clearing and grubbing operations, 2) will be maintained for the construction duration, and 3) will not be removed until final project inspection. No construction equipment or personnel shall cross over the High-Visibility Fencing into the Protected Area.

Continued Coordination and Outreach (NCDOT Division 2, NCDOT Design-Build Unit)

- School Buses
In light of the large number of school buses that historically travel within the project corridor, it is recommended that the Department evaluate inclusion in the R-5777C Request for Proposal (RFP), time-of-day restrictions on lane closures and detours during the school year in order to minimize impacts to school transportation. Additionally, the Department should require the Contractor to coordinate with Craven County Schools prior to construction activities including temporary closures of railroad crossings, that could result in substantial delays for school buses.
- Fire/EMS Outreach
The Department should include language in the R-5777C Design-Build RFP that impacts to emergency response services be minimized during construction; and, that the Department prefers that rail crossings remain open during construction. Furthermore, that the Contractor be required to coordinate with Township 7 VFD (252-637-3812), Township 6 VFD (252-447-2700) and Craven County Emergency Services (252-636-6608), prior to the start of construction regarding the construction schedule and anticipated construction-related impacts to emergency services; and, prior to any temporary closures of railroad crossings.
- Marine Corps Air Station at Cherry Point
 - U.S. 70 is a designated Strategic Highway Network (STRAHNET) route and serves military commuters. Because the project is expected to have temporary impacts on mobility during construction, it is recommended that the Department coordinate with the Commanding Officer of the Marine Corps Air Station at Cherry Point (252-466-2811) prior to project construction.
 - The Department will provide luminaires which contain the International Dark-Sky Association (IDA) Fixture Seal of Approval.
- NCDOT Rail Division, North Carolina Railroad (NCRR), and Norfolk Southern (NS)
The Department should coordinate with the NCDOT Rail Division, the NCRR and NS regarding potential impacts to railroad facilities and freight rail operations.
- Tuscarora Tribal Historic Preservation Office
A request for an input letter and the accompanying Programmatic Agreement Survey Required Form was sent to the Tuscarora Tribal Historic Preservation Officer on May 9th, 2021 asking for review and input on the proposed project. Depending on the comments received, NCDOT will continue to coordinate with the Tuscarora Nation and USFS related to any concerns or questions the Tribe may have after reviewing the project information provided.

United States Forest Service (USFS) Coordination (NCDOT Division 2, Division 2 Environmental Officer, NCDOT Right of Way, Design-Build Unit)

- **Tribal Coordination – Tuscarora Tribe**

Because the Tuscarora Tribe has expressed interest in any land disturbing activities that take place within the Croatan National Forest, NCDOT, on behalf of the USFS, sent a letter to the Tuscarora Tribal Historic Preservation Office (THPO) in May 2021 requesting review and comment of the proposed project. Pending receipt of their response, the Department should continue to coordinate with FHWA, USFS, and the Tuscarora THPO if the Tuscarora have any concerns or additional questions related to the proposed project.

- **Land Transfer Agreement**

The Department should continue to coordinate with the Federal Highway Administration (FHWA) and USFS regarding development of a federal land transfer agreement to address right of way impacts to Croatan National Forest property.

- **Maintain Access to USFS Recreational Areas**

In order to comply with a request from USFS to avoid impacts to potential Section 4(f) resources, the contractor shall maintain access to Fishers Landing and Flanners Beach/Neuse River Recreation Area and Campground during construction and replace any impacted signage.

- **Equipment Cleaning for National Forest Service Lands**

All construction equipment, including but not limited to cranes, graders, panners, excavators, loaders, pick-up trucks and dump trucks, shall be cleaned prior to being brought into the National Forest Service (NFS) lands construction areas to ensure they are free of seeds, rhizomes, or other propagules. The contractor is also responsible for ensuring that all subcontractors comply with this provision. Cleaning may be done with pressure washing or other acceptable methods sufficient to remove this material. The contractor shall submit a cleaning plan to the Department for review and approval. This plan will detail cleaning methods including the materials and equipment utilized for this process. The plan shall also detail the frequency and the location of the equipment cleaning. The contractor is responsible for coordinating and communicating any changes to plan to the Department. Equipment shall be visually inspected for vegetation when moving from delineated non-native invasive species sites to ensure that seeds or other propagules are not transported outside of those areas. No direct payment will be made for Equipment Cleaning for National Forest Service Lands.

- **USFS Prescribed Burn Commitments**

The Department shall coordinate with the USFS to maintain existing vehicular and personnel access to NFS lands to facilitate prescribed burns after project completion. NCDOT will maintain access for USFS "low-boy" trucks to move equipment to prescribed burn areas. For control of access fencing, NCDOT will use non-wooden posts throughout areas where burning will be conducted.

- **USFS Ranger Station Relocation Commitments**

The proposed Fisher Avenue interchange is expected to require the relocation of the existing USFS ranger station, located along Fisher Avenue on the east side of U.S. 70. Right of way impacts will be addressed through a federal land transfer agreement between the Federal Highway Administration (FHWA) and USFS prior to the commencement of construction activities for the project. NCDOT and FHWA have consulted with USFS staff and determined that impacts to the ranger station structure will be mitigated by the project through monetary compensation from project funds to USFS. This compensation will be for the replacement costs associated with for relocating and constructing an in-kind ranger station on a suitable site determined by USFS staff. NCDOT will be responsible for any jurisdictional stream and/or wetland impacts, and associated mitigation costs related to the new ranger station.

- *USFS Croatan Helicopter Base Commitments*
The NCDOT will continue to coordinate with the USFS regarding the potential relocation of the helicopter base, and effects that the project may have on the helicopter landing pad and flight path.
- *USFS Review of Drainage Design/Erosion Control Plan Commitments*
Erosion and Sedimentation Control Plans (E&SCP) and proposed road drainage locations and flow quantity estimates on Forest Service lands will be provided to USFS staff for review prior to finalizing the Design-Build final designs.
- *Mitigation Measures for USFS Species of Conservative Concern (SCC)*
In coordination with the USFS, to ensure no viability concerns for SCC animal or plant species on NFS lands in the Croatan National Forest, implementation of the following mitigation measures are proposed:
 1. Seed collection and relocation have been determined to be appropriate mitigation measures for Spring-flowering Goldenrod (SOVE). Since no seeds have been produced within the final study area, transplants should be used to help establish new populations in suitable areas or bolster existing populations in coordination with USFS.
 2. Successful completion of proposed mitigation measures for the Havelock Bypass and U.S. 17 improvements will help ensure the viability for SOVE. If successful mitigation for these projects is not possible, ascertaining the status of remaining EOs in CNF could help ensure viability.
 3. High-visibility fencing could be installed along the limits of the construction footprint on NFS land. These visual barriers would ensure construction equipment and contractors remain within approved disturbance limits.
 4. NCDOT could commit that no USFS property adjacent to an NCDOT right-of-way shall be used for staging or stockpiling of project fill material, storage of equipment or vehicles, excavation for fill material, or any ground disturbing activities, except with the express prior written consent of USFS under a special use permit.
 5. At individual project sites where a total of 1.0 acre or more of tree clearing will occur, no tree clearing will occur during the portion of the day that the air temperature is <40 degrees Fahrenheit in order to protect Northern Long-eared Bats that may be in torpor. This measure is part of the NLEB Programmatic Biological Opinion, which will also protect other sensitive bat species.
 6. NCDOT will avoid tree clearing within 150 feet of known Northern Long-eared Bat maternity roost trees during the time frame of May 1 – June 30, thus reducing the probability of killing non-volant young.
 7. NCDOT will work with USFS regarding herbicides and pesticides to minimize use adjacent to NFS land and obtain written confirmation for use on NFS land itself. NCDOT will contact USFS for any use of herbicides on National Forest System lands.
 8. To prevent the spread of non-native invasive plants on CNF lands, all construction equipment, including but not limited to cranes, graders, pavers, excavators, loaders, pick-up trucks and dump trucks, shall be cleaned prior to being brought into the National Forest Service (NFS) lands construction areas to ensure they are free of seeds, rhizomes, or other propagules. The contractor is also responsible for ensuring that all subcontractors comply with this provision.
 9. To control the spread of non-native invasive plants on CNF lands, NCDOT, in coordination with the USFS, will locate and flag areas of non-native invasive plants within the project footprint at the parcel with the USFS ranger station. If any of these areas are within areas of proposed fill, those areas will be cleared and grubbed, and the material disposed of outside the limits of CNF. If non-native invasive plants are located in areas of proposed cuts, then the material and actual thickness of root mat or other defined amount will be disposed of outside the limits of CNF.
 10. NCDOT will utilize completely biodegradable rolled matting or weed-free mulch for erosion control and revegetation on CNF lands. If erosion becomes problematic in any area post-construction, turfgrass may be used selectively to limit soil disturbance.
 11. In consultation with USFS, seed mixes of native grasses and forbs or non-aggressive nonnatives could be used on CNF lands for erosion control and revegetation. NCDOT will

coordinate with USFS on a landscaping plan for CNF lands. The plan will detail appropriate native seeding mixes for erosion control.

12. With appropriate management, roadsides can support high levels of biodiversity (Jakobsson 2018). On NFS lands, road shoulders will be mowed as needed for safety, but to increase plant species richness, remaining right-of-way areas will be mowed approximately twice per year.
13. Mitigation for bats, Mabee's Salamander, Southern Chorus Frog, and Glossy Crayfish Snake: maintain large puddles/vernal pools in the vicinity of the Mabee's Salamander capture as much as possible. These areas provide amphibian breeding habitat and produce prey in the form of aquatic insects, amphibians, and crustaceans, which provide food sources for bats (including SCC bats), birds, snakes (including the Glossy Crayfish Snake), and turtles. In addition, the vernal pools provide a location for drinking that doesn't require traveling to the Neuse River, which may expose small animals such as bats to increased predation.
14. NCDOT and/or USFS will avoid ditching/draining existing vernal pools in the vicinity of Mabee's Salamander and Southern Chorus Frog observations, and avoid diverting surface water from roads or facilities into these pools and nearby wetland, if any work is to occur in these areas where feasible (Figure 6a).
15. NCDOT will withhold final payment to construction contractors until USFS has confirmed that silt fences and similar erosion control measures that create barriers to small amphibians and reptiles have been removed post-construction.
16. Attempt to find other occurrences of Mabee's Salamander and Southern Chorus Frog on NFS lands in the CNF that will not be affected by the U.S. 70 improvements. Completed – surveys were conducted for both species and Mabee's salamander was found in an area not affected by the U.S. 70 improvements.
17. Install a "dry" (no active flow) concrete pipe next to the existing culvert under U.S. 70 at the ranger station parcel to encourage passage of Mabee's Salamander and Southern Chorus Frogs into or out of the area and help maintain breeding populations. Any ramps or service roads constructed parallel to U.S. 70 at the culvert location should similarly include a concrete pipe with no active flow. This would also benefit other amphibians, reptiles, and small mammals, including any SCC that may be present in the vicinity but were not detected during surveys.
18. Retain or protect live hardwood cavity (den) trees and standing dead trees that are not a safety hazard to provide habitat for Northern Long Eared Bat and sensitive bat species, where feasible.

Northern long-eared bat (NCDOT Division 2, Design-Build Unit, NCDOT Division 2 Division Environmental Officer)

- At individual project sites where a total of 1.0 acre or more of tree clearing will occur, no tree clearing will occur during the portion of the day that the air temperature is <40 degrees Fahrenheit in order to protect NLEBs that may be in torpor. This restriction is only subject to the known/potential range (30 coastal counties) that is shown in Figure 2 of the 2020 PBO. Craven County is one of the 30 known/potential range counties.

Neuse River waterdog (NCDOT Division 2, Design-Build Unit, NCDOT Division 2 Division Environmental Officer)

- The Neuse River waterdog (NRWD) is proposed for listing as a Threatened Species (proposed/threatened). A NRWD Survey Report was completed for this project in which a biological conclusion of May Affect/Not Likely to Adversely Affect (MANLAA) was reached (if this species were to receive federal protection, which will likely occur before this project is Let). If the NRWD is officially listed as a Threatened Species when the project goes to Let, then this project is covered under the Programmatic Conference Opinion (PCO) for the Carolina madtom and NRWD for Divisions 2, 4, 5, and 7 (https://saw-reg.usace.army.mil/ESA/Bridge_Culvert_PCO.pdf). NCDOT Division 2 and the Design-Build Team will follow the commitments and conservation measures outlined in this PCO.

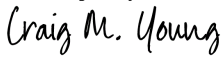
I. Categorical Exclusion Approval:

STIP Project No.	<u>R-5777C</u>
WBS Element	<u>44648.1.4</u>
Federal Project No.	<u>N/A</u>

Prepared By:

5/28/2021

Date

DocuSigned by:

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Craig M. Young, PE / NEPA Group Lead
 Three Oaks Engineering

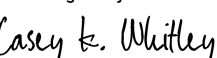
Prepared For:

United States Department of Transportation
 Federal Highway Administration
 and
 North Carolina Department of Transportation
 Division of Highways

Reviewed By:

6/1/2021

Date

DocuSigned by:

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Casey K. Whitley, PE, PLS / Project Engineer
 North Carolina Department of Transportation, Highway Division 2

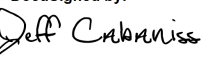
Approved

Certified

- If classified as Type III Categorical Exclusion.

6/1/2021

Date

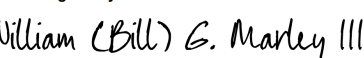
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Jeff Cabaniss, PE; Division Project Development Engineer
 North Carolina Department of Transportation, Highway Division 2

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

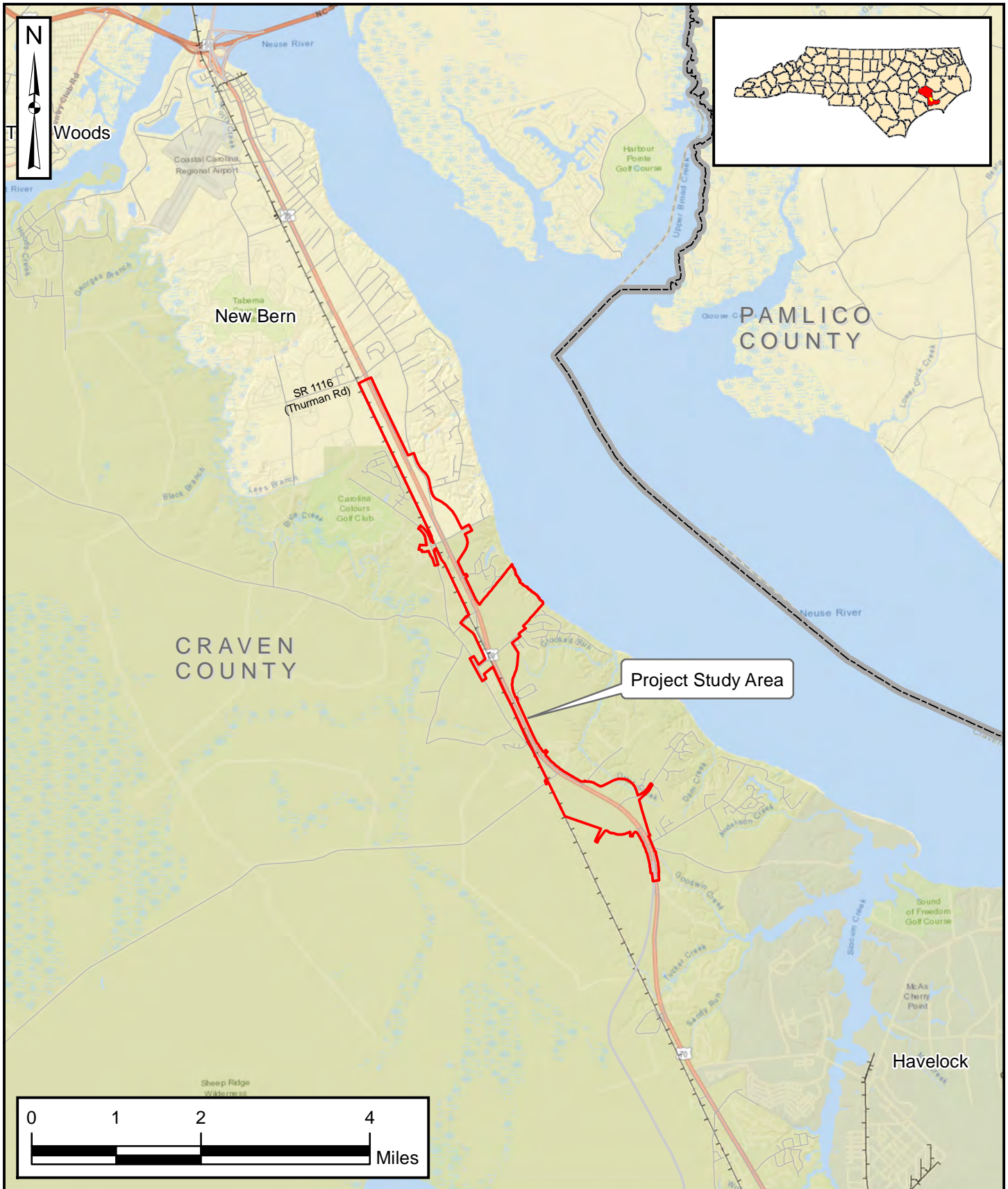
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Date

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

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

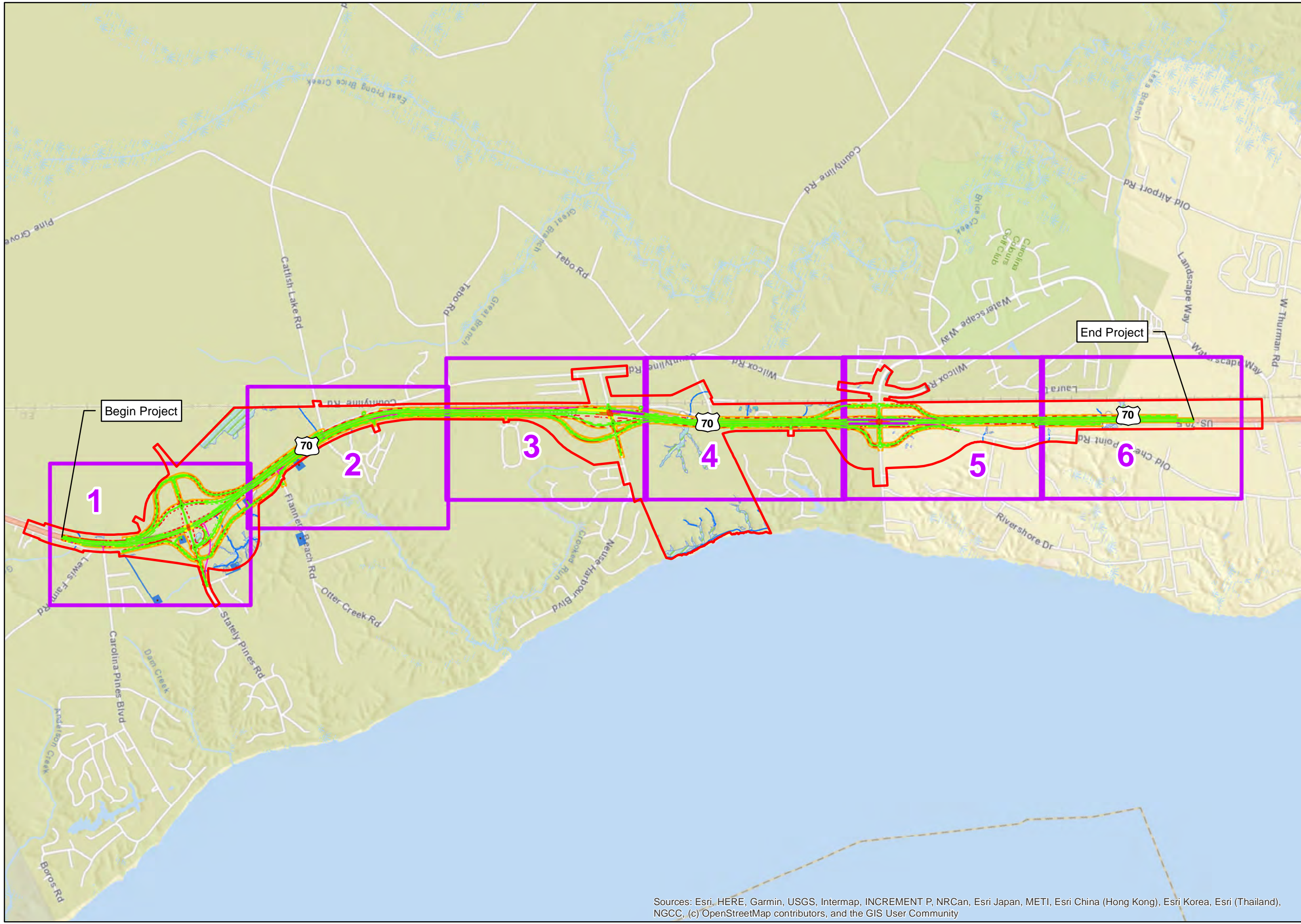


**NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS**

**VICINITY MAP
US 70 IMPROVEMENTS
FROM SR 116 (THURMAN RD)
TO THE HAVELOCK BYPASS
CRAVEN COUNTY
STIP PROJECT R-5777C**

County:	CRAVEN
Div: 2	STIP# R-5777C
WBS:	44648.1.4
Date:	JANUARY 2020

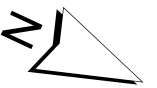
**Figure
1**



NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROJECT DESIGN MAP
PREFERRED ALTERNATIVES
US 70 IMPROVEMENTS
FROM THE HAVLOCK BYPASS
TO EAST OF THE SR 1116 (THURMAN RD)

CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



0 1,300 2,600
Feet

By:
C ROWELLS

County:
CRAVEN

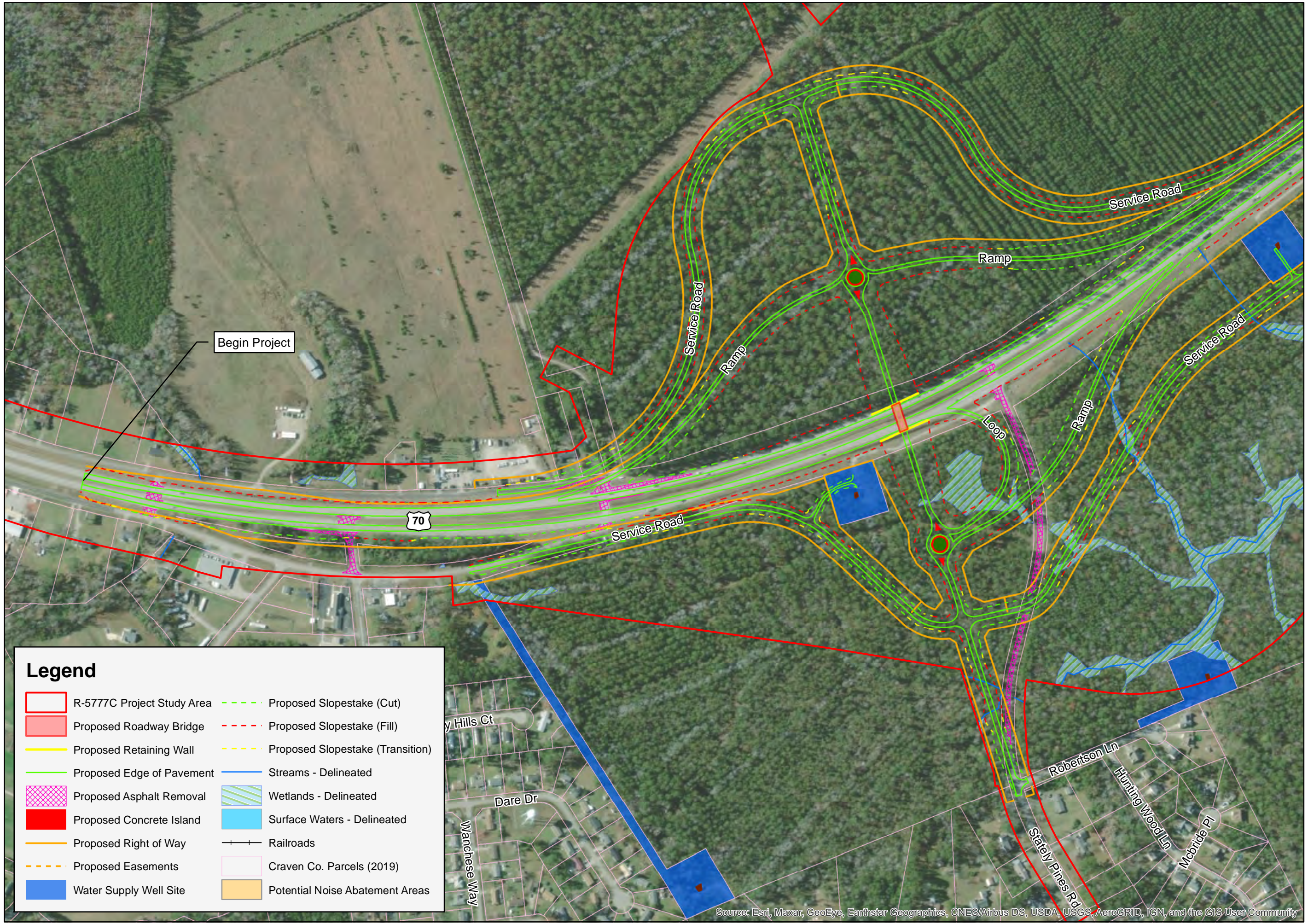
Div: 2	STIP# R-5777C
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Date:
FEBRUARY 2021

Figure

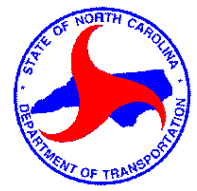
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Sheet Index



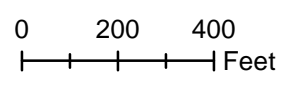
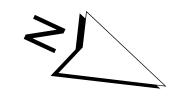
Legend

R-5777C Project Study Area	Proposed Slopestake (Cut)
Proposed Roadway Bridge	Proposed Slopestake (Fill)
Proposed Retaining Wall	Proposed Slopestake (Transition)
Proposed Edge of Pavement	Streams - Delineated
Proposed Asphalt Removal	Wetlands - Delineated
Proposed Concrete Island	Surface Waters - Delineated
Proposed Right of Way	Railroads
Proposed Easements	Craven Co. Parcels (2019)
Water Supply Well Site	Potential Noise Abatement Areas



NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROJECT DESIGN MAP
PREFERRED ALTERNATIVE
US 70 IMPROVEMENTS
FROM THE HAVELOCK BYPASS
TO EAST OF THE SR 1116 (THURMAN RD)
CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



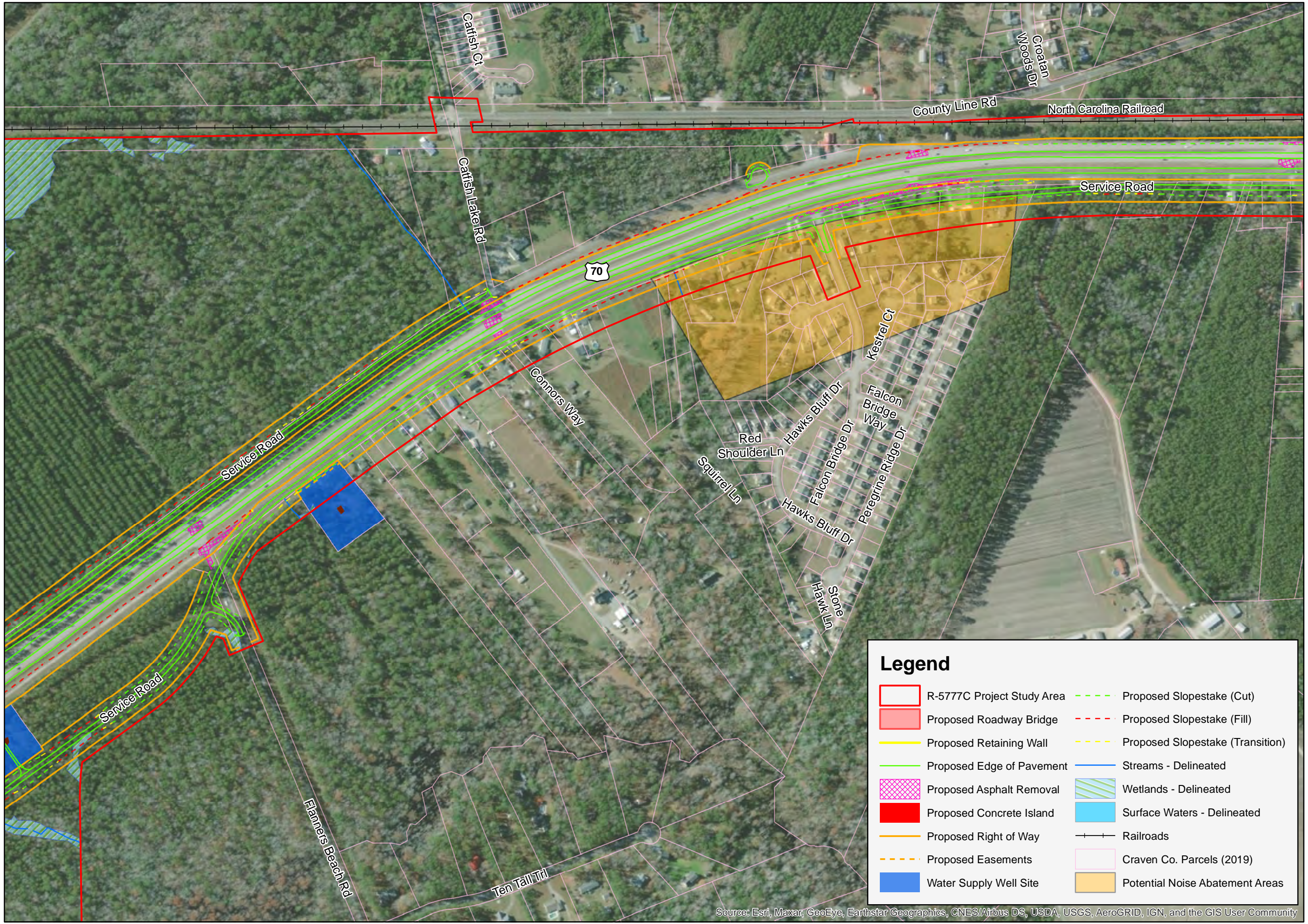
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County:
CRAVEN

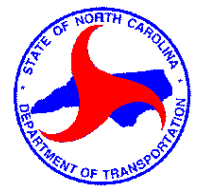
Div: 2	STIP# R-5777C
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Date:
FEBRUARY 2021

Figure
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Sheet 1 of 6

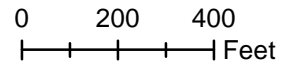
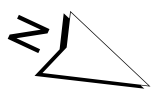


Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROJECT DESIGN MAP
PREFERRED ALTERNATIVES
US 70 IMPROVEMENTS
FROM THE HAVELOCK BYPASS
TO EAST OF THE SR 1116 (THURMAN RD)
CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



Legend	
	R-5777C Project Study Area
	Proposed Roadway Bridge
	Proposed Retaining Wall
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	Streams - Delineated
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	Surface Waters - Delineated
	Railroads
	Craven Co. Parcels (2019)
	Potential Noise Abatement Areas

By:
C ROWELLS

County:
CRAVEN

Div: 2	STIP# R-5777C
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Date:
FEBRUARY 2021

Figure
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Sheet 2 of 6



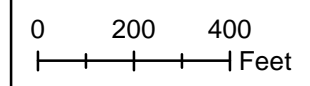
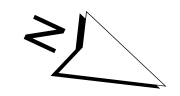
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NORTH CAROLINA
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TO EAST OF THE SR 1116 (THURMAN RD)
CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



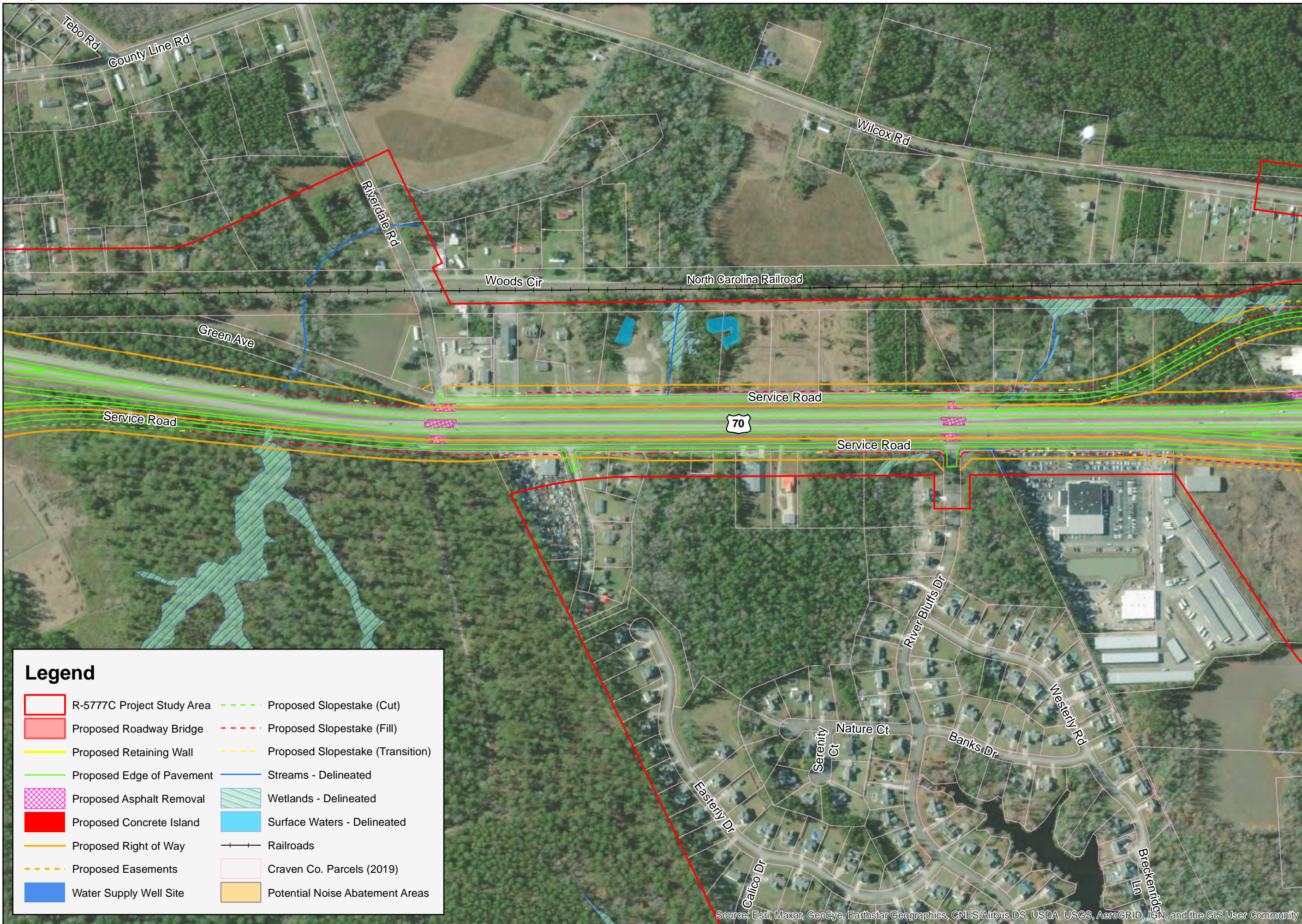
By:
C ROWELLS

County:
CRAVEN

Div: 2	STIP# R-5777C
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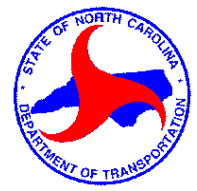
Date:
FEBRUARY 2021

Figure
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Legend

- R-5777C Project Study Area
- Proposed Roadway Bridge
- Proposed Retaining Wall
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NORTH CAROLINA
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PROJECT DESIGN MAP
PREFERRED ALTERNATIVE
US 70 IMPROVEMENTS
FROM THE HAVELOCK BYPASS
TO EAST OF THE SR 1116 (THURMAN RD)
CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



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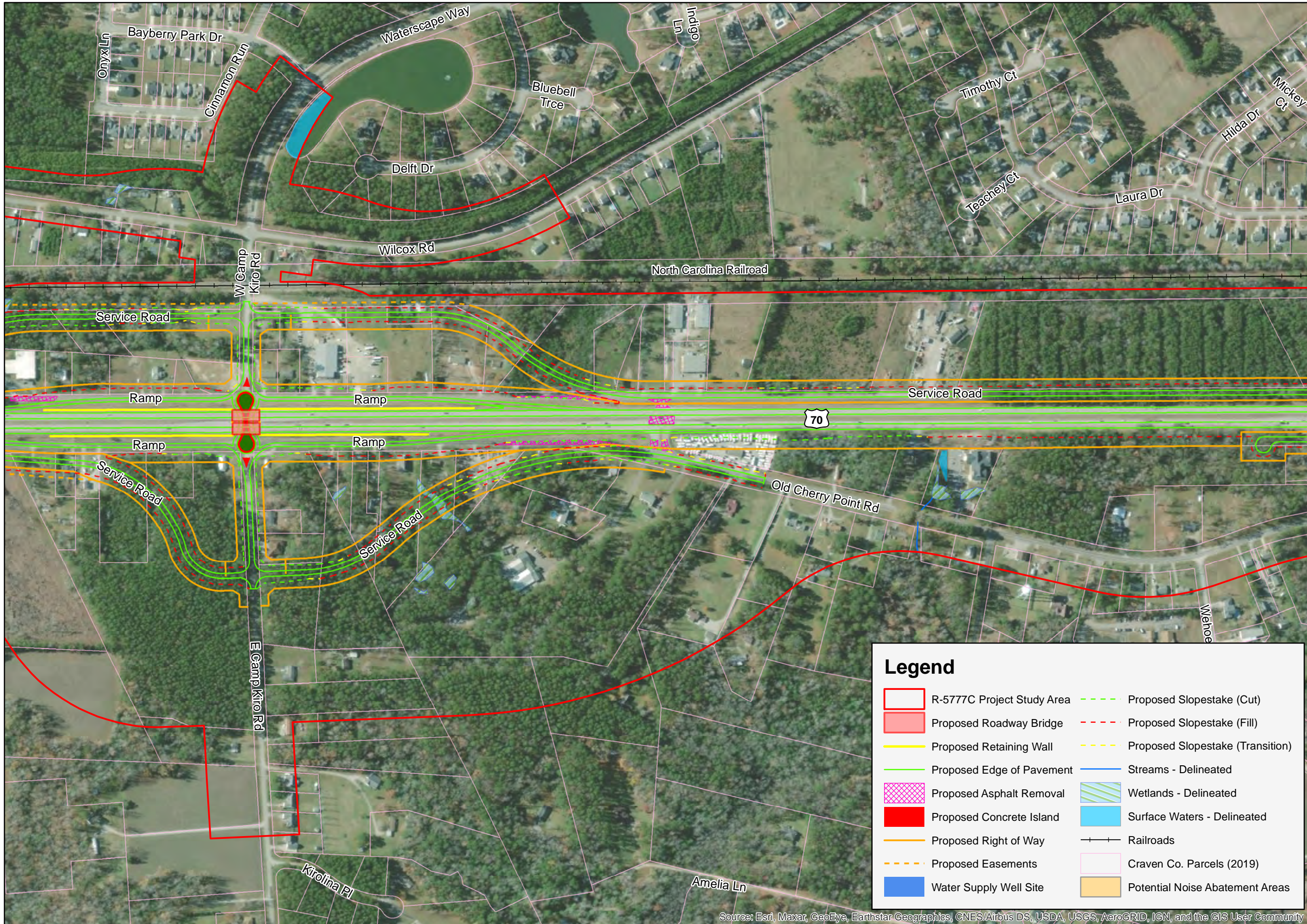
By:
C ROWELLS

County:
CRAVEN

Div: 2	STIP# R-5777C
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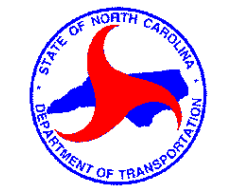
Date:
FEBRUARY 2021

Figure
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Sheet 4 of 6



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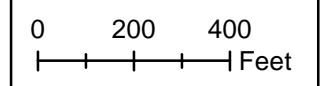
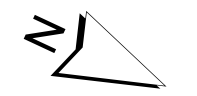
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NORTH CAROLINA
DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS

PROJECT DESIGN MAP
PREFERRED ALTERNATIVE
US 70 IMPROVEMENTS
FROM THE HAVELOCK BYPASS
TO EAST OF THE SR 1116 (THURMAN RD)

Craven County
STIP PROJECT R-5777C
WBS 44648.1.4



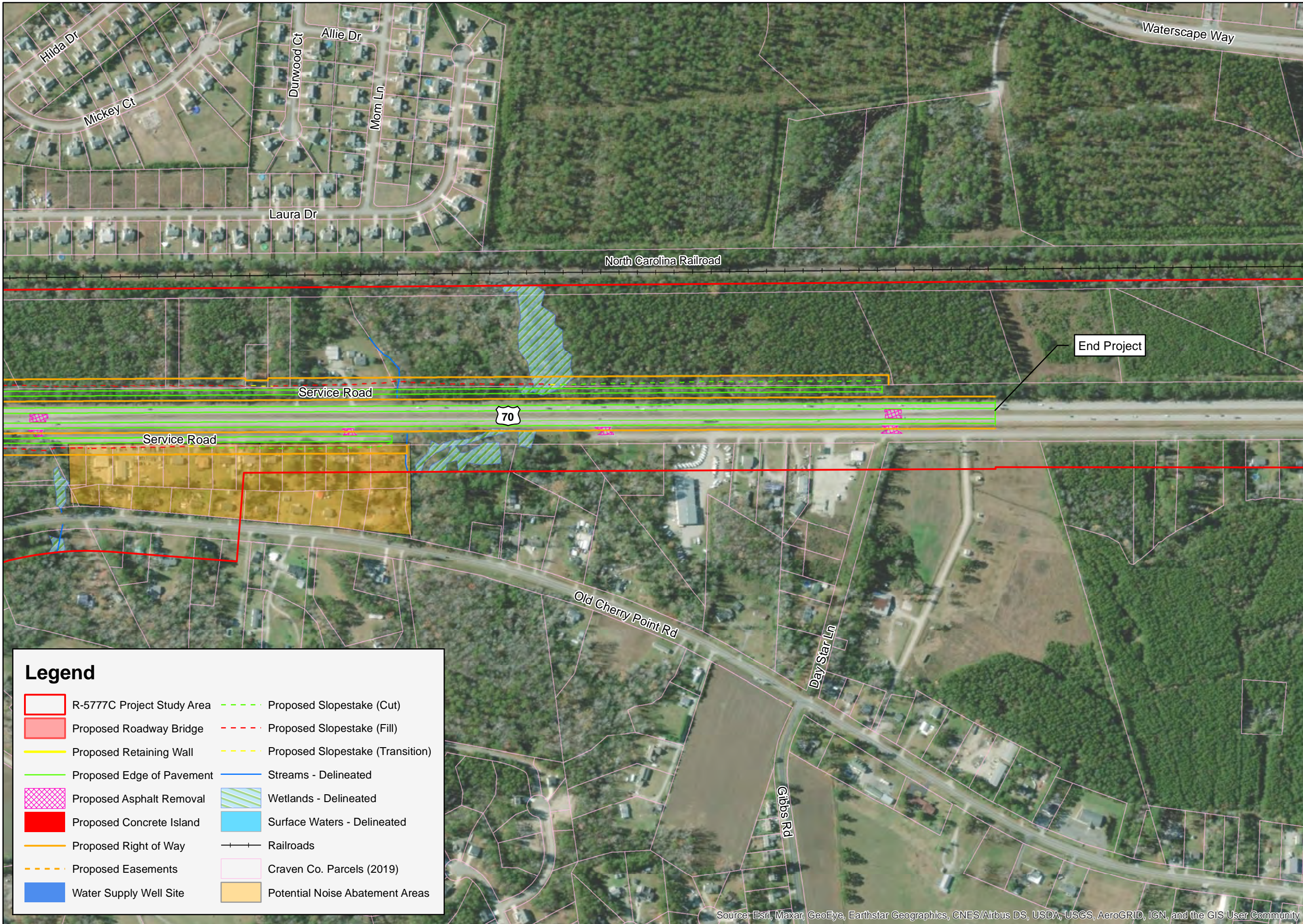
By:
C ROWELLS

County:
Craven

Div: 2 STIP# R-5777C

Date:
FEBRUARY 2021

Figure
2
Sheet 5 of 6



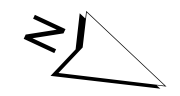
Legend

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NORTH CAROLINA
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TO EAST OF THE SR 1116 (THURMAN RD)
CRAVEN COUNTY
STIP PROJECT R-5777C
WBS 44648.1.4



0 200 400
Feet

By:
C ROWELLS

County:
CRAVEN

Div: 2	STIP# R-5777C
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Date:
FEBRUARY 2021

Figure
2
Sheet 6 of 6

PRELIMINARY SCREENING OF FARMLAND CONVERSION IMPACTS – CORRIDOR PROJECT

1. **Area in non-urban use. Points awarded = 6 out of 15**
5054.1 acres out of 10458.7 acres are in non-urban area. (48%)
2. **Perimeter in non-urban use. Points awarded = 2 out of 10**
92.4 acres out of 341.6 acres are in non-urban area. (27%)
3. **Percent of site being farmed. Points awarded = 0 out of 20**
27.7 acres out of 341.6 acres are being farmed. (12%)
4. **Protection provided by state and local government. Points awarded = 0 out of 20**
None
5. **Size of present farm unit compared to average. Points awarded = 10 out of 10**
321.28 acres – Craven Co. avg farm size = 332 acres (2017 usda ag census)
6. **Creation of non-farmable farmland. Points awarded = 25 out of 25**
More than 25%
7. **Availability of farm support services. Points awarded = 5 out of 5**
Farm support services available
8. **On-farm investments. Points awarded = 0 out of 20**
None apparent
9. **Effects of conversion on farm support services. Points awarded = 0 out of 25**
0
10. **Compatibility with existing agricultural use. Points awarded = 0 out of 10**
0

Conclusion: Total Points = 48 out of 160

NCDOT has completed a screening of farmland in the project area and calculated the total number of points for the site per Part VI of the NRCS CPA-106 Farmland Conversion Impact Rating Form.

19-03-0022



HISTORIC ARCHITECTURE AND LANDSCAPES

SURVEY REQUIRED FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

PROJECT INFORMATION

Project No:	R-5777	County:	Craven
WBS No.:	44648.1.4	Document Type:	Federal CE
Fed. Aid No:		Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	
<u>Project Description:</u> Improve US 70 from SR 1116 (Thurman Rd) to the Havelock Bypass.			

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

<u>Description of review activities, results, and conclusions:</u> Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on March 25, 2019. Based on this review, there are documented and undocumented properties over fifty years of age within the Area of Potential Effects, which follows the boundary of the Study Area. An Historic Architecture Survey will be required.

SUPPORT DOCUMENTATION

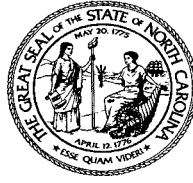
Map(s)
 Previous Survey Info.
 Photos
 Correspondence
 Design Plans

FINDING BY NCDOT ARCHITECTURAL HISTORIAN

Historic Architecture and Landscapes -- ****SURVEY REQUIRED****

NCDOT Architectural Historian
Date

Anticipated Fieldwork Completion Date: We can complete these investigations using one of the Historic Architecture Team's on-call firms or if Division would like to manage and complete the survey they can use a NCDOT prequalified architectural historian under contract with one of Division's on-call firms. I'm happy to provide a scope of work for the Division to use, but I do need to know within seven days which path the Division plans to follow. All products produced by the Division's consultant will need to be submitted to the Historic Architecture Team for review, acceptance, and submittal to the HPO as per the Programmatic Agreement.



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

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

May 6, 2020

MEMORANDUM

TO: Mary Pope Furr, Senior Architectural Historian mfurr@ncdot.gov
NCDOT/EAU/Historic Architecture Group

FROM: 
Renee Gledhill-Earley
Environmental Review Coordinator

SUBJECT: Historic Structures Survey Report, R-5777C, US 70 Improvements from SR 1116 (Thurman Road) to the Havelock Bypass, Craven County, ER 20-0790

Thank you for your March 30, 2020, memorandum transmitting the above-referenced report. We have reviewed the submittal and offer the following comments.

We concur that the following properties are not eligible for listing in the National Register of Historic Places due to the loss of historic integrity and not possessing the level of significance necessary to meet the National Register Criteria for Evaluation.

- Tom Haywood Store, 6241 East US 70 Highway (CV1044)
- Croatan Presbyterian Church, 6375 East US 70 Highway (CV1385)

All other identified resources, listed in the Appendix, do not warrant further evaluation due to lack of historic significance and/or integrity.

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

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

19-03-0022**ARCHAEOLOGICAL SURVEY REQUIRED FORM**

This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Group.

**PROJECT INFORMATION**

Project No: **R-5777C** *County:* **Craven**
WBS No: **44648.1.4** *Document:* **Federal CE**
F.A. No: **N/A** *Funding:* State Federal

Federal Permit Required? Yes No *Permit Type:* **USACE (anticipated)**

Project Description: NCDOT's Division 2 proposes to improve US 70 from east of East Thurman Road to the proposed Havelock Bypass in Craven County. Upgrading the roadway to a freeway and constructing service roads will help facilitate better traffic flow, decrease congestion, and accommodate future interstate standards. Since Preliminary Design Plans have not been developed yet, a large Study Area has been generated in order to facilitate environmental planning purposes at this stage. The Study Area varies greatly in width along the corridor, encompassing about 1,105 acres, inclusive of the existing roadway and any modern development.

SUMMARY OF ARCHAEOLOGICAL RESOURCES REVIEW: *SURVEY REQUIRED****Brief description of review activities, results of review, and conclusions:***

This project was accepted for review on Wednesday, April 3, 2019. Background information for the Study Area has been compiled from various sources beginning on Thursday, April 4, to Monday, April 15, 2019. Portions of the Study Area have been previously surveyed as part of NCDOT's Havelock Bypass Project (TIP# R-1015), previous US 70 improvements (TIP# R-5777 [PAs 17-09-0015 and 17-09-0016]), and USFS Timber Sales (Flanner Beach Compartment [OSA Biblio# 2962]). As a result of those surveys as well as others conducted in the area, over 50 archaeological sites have been recorded within a half-mile buffer of the Study Area, several of which have been deemed eligible for the National Register of Historic Places (NRHP). Digital copies of HPO's maps (Havelock, New Bern, Upper Broad Creek, and Catfish Lake Quadrangles) as well as the HPOWEB GIS Service (<http://gis.ncdcr.gov/hpweb/>) were reviewed on Thursday, April 18, 2019. There are at least four (4) known historic architectural resources located within or adjacent to the Study Area; however, intact archaeological deposits associated with these resources are not anticipated within the footprint of the proposed project. In addition, topographic maps, historic maps (NCMaps website), USDA soil survey maps, and aerial photographs were utilized and inspected to gauge environmental factors that may have contributed to historic or prehistoric settlement within the project limits, and to assess the level of modern, slope, agricultural, hydrological, and other erosive-type disturbances within and surrounding the Study Area.

This is a state-funded project for which a Federal permit is anticipated. In addition, there is the potential for future federal funding to be received for this project. Permanent/temporary easements will be necessary, although the need for additional ROW was not conveyed as part of the request. The size and shape of the Study Area, however, have been drawn in a way to capture any possible ground-disturbing activities associated with this project beyond NCDOT's existing ROW. At this time, we are in compliance with NC GS 121-12a, since there are no eligible (i.e. National Register-listed) archaeological resources located within the project's Study Area that would require our attention. From an

"ARCHAEOLOGICAL SURVEY REQUIRED" form for Minor Transportation Projects as Qualified in the 2007/2015 Programmatic Agreement.

19-03-0022

environmental perspective, the Study Area falls along a sparsely developed corridor between the cities of New Bern and Havelock within the Coastal Plain physiographic region of North Carolina. The Study Area consist of numerous soil types, most of which are categorized as somewhat poorly drained (La, Le, and Ly soils), poorly drained (Gr, Me, and Ra soils), and very poorly drained (Ba, Mm, and Pa soils). Such soil types would be considered to have a low probability for intact archaeological resources to be present. However, pockets of relatively level terrain with well-drained soil conditions are present within the Study Area and warrant some form of archaeological investigation. Such areas consist of: 1) Goldsboro loamy fine sand, 0-2% slopes (GoA), 2) Onslow loamy sand (On), 3) Norfolk loamy fine sand, 2-6% slopes (NoB), and Suffolk loamy sand, 10-30% slopes (SuD) and would be considered to have a moderate probability for archaeological deposits to be found. The Office of State Archaeology (OSA) has reviewed numerous projects within the vicinity of the Study Area for environmental compliance, including timber sales, commercial and residential development, transportation improvements, FEMA concerns, solar farms, and wetland mitigation work. Several archaeological surveys have been conducted in the vicinity based on recommendations put forth by OSA based on the presence of known archaeological and historic sites as well as favorable topographic settings within large swaths of undeveloped (and undisturbed) property. As mentioned before, over 50 archaeological sites have been documented in the vicinity of the Study Area as a result of those surveys. Within five (5) miles of the Study Area, NCDOT's Archaeology Group has reviewed at least five (5) transportation-related projects for environmental compliance under the Programmatic Agreement (PA) with the State Historic Preservation Office (NC-HPO), one of which can be considered an extension of the currently proposed project (i.e. TIP# R-5777 [PAs 17-09-0015 and 17-09-0016]). An archaeological survey was recommended and conducted for only the TIP# R-5777 project, because it traversed a portion of the New Bern Battlefield as well as sections of well-drained upland-like setting overlooking a perennial water source. Results from that survey are pending. In addition, there are at least five (5) cemeteries located within or adjacent to the Study Area. Additional documentation regarding these resources will be necessary. Based on the information presented here, an archaeological survey is recommended. Therefore, a visual inspection of the Study Area should be conducted, followed then by systematic archaeological excavations within areas of moderate to high archaeological probability. All cemeteries (if any) should also be properly recorded and delineated if any occur within or adjacent to the Study Area. None of the property within the Study Area that would requires further investigation is owned by the State of North Carolina so a State Archaeological Resources Protection Act (ARPA) permit should not be necessary. Should the description of this project change or design plans be made available prior to construction, additional consultation regarding archaeology will be required.

*We can complete these investigations by using one of the Archaeology Team's on-call firms or if Division would like to manage and complete the survey, they can use an NCDOT prequalified archaeologist under contract with one of the Division's on-call firms. We can provide a scope of work for the Division to use, but we do need to know **within seven days** which path the Division plans to follow. All products produced by the Division's consultant will need to be submitted to the Archaeology Team for review, acceptance, and submittal to the Office of State Archaeology as per the Programmatic Agreement. We would be happy to discuss this approach with you.

**This project falls within a North Carolina County in which the following federally recognized Tribe(s) has expressed an interest: Catawba Indian Nation. It is recommended that you contact each federal agency involved with your project to determine their Section 106 Tribal consultation requirements. Please know that no State-recognized tribes have expressed interest in activities within this county.

SUPPORT DOCUMENTATION

See attached: Map(s) Previous Survey Info Photos Correspondence
 Photocopy of County Survey Notes Other:

19-03-0022

FINDING BY NCDOT ARCHAEOLOGIST – SURVEY REQUIRED

Paul J Mohler
NCDOT ARCHAEOLOGIST

April 18, 2019

Date

PROPOSED FIELDWORK COMPLETION DATE

October 18, 2019



Figure 1: New Bern, NC (USGS 1950 [PR74]), Upper Broad Creek, NC (USGS 1951 [PR74]), Catfish Lake, NC (USGS 1984), and Havelock, NC (USGS 1949 [PI71]).



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

November 12, 2020

Ms. Ramona Bartos
Deputy State Historic Preservation Officer
North Carolina State Historic Preservation Office
4617 Mail Service Center
Raleigh, North Carolina 27699-4617

Dear Ms. Bartos

Subject: Proposed US 70 Improvements – Havelock Bypass to East of Thurman Road, Craven County, TIP# R-5777C, PA No. 19-03-0022, WBS No. 44648.1.4, NCDOT Division 2.

Enclosed please find two (2) copies of the “No National Register of Historic Places Eligible or Listed Archaeological Sites Affected Form” prepared after the completion of archaeological investigations within the Study Area for the Proposed US 70 Improvements in Craven County. The work on this state-funded project was completed in compliance with Section 106 of the National Historic Preservation Act and the guidelines issued by the Advisory Council on Historic Preservation in anticipation of federal permit requirements administered by the United States Army Corps of Engineers (USACE). The proposed project was completed under the terms of the Amended Programmatic Agreement among the Federal Highway Administration, the North Carolina Department of Transportation, the Advisory Council on Historic Preservation, and the North Carolina State Historic Preservation Office for Minor Transportation Projects (PA) as executed in September 2015.

As a result of this survey, no newly identified archaeological sites were documented within the Study Area. One (1) 20th-century cemetery (i.e. Boyd Cemetery) was recorded immediately adjacent to the Study Area but was not evaluated for the NRHP since it was not to be impacted by the proposed project. The extent of the St. Matthew’s Church Cemetery was also determined. In addition, the St. Matthew’s Cemetery does not meet any of the criteria (A-D) or criteria considerations for eligibility to the NRHP. All of the archaeological sites (including two historic Antebellum cemeteries) located on the USFS’ Fisher Landing Tract have been mapped; however, none of them has been formally evaluated for the NRHP based on their location in respect to the Preferred Alternative. If any of the Fisher Landing sites are to be impacted by the potential relocation of the USFS district headquarters, then additional archaeological investigations will be necessary.

Finally, the location of one (1) previously recorded archaeological site (31CV241) was re-established and enlarged based on a field reconnaissance of the surrounding area. Site 31CV241 represents an intact Civil War-era fortification, constructed as part of the defensive lines south of New Bern. Although the Croatan Works did not see true battlefield action (as part of the Battle of New Bern), Site 31CV241 is recommended eligible for the NRHP per Criterion D based on the

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1598 MAIL SERVICE CENTER
RALEIGH, NC 27699-1598

Telephone: (919) 707-6000
Fax: (919) 250-4224
Customer Service: 1-877-368-4968

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610

Website: www.ncdot.gov

results of the excavations conducted by East Carolina University in 2000. As currently designed, the proposed project may be allowed to proceed without concern for impacts to significant archaeological resources. The redoubt component of Site 31CV241 has been shown to be an important example of earthen Civil War fortification construction techniques and is also recommended eligible per Criterion C and would warrant preservation in place. However, both earthwork lines radiating from the redoubt, although eligible under Criterion D as part of the site as a whole, do not meet the same level of eligibility as the redoubt component. Neither line qualifies as an important example of earthen fortification construction techniques.

Based on discussions with the United States Forest Service regarding the location and eligibility of Site 31CV241 and a review of the Preferred Alternative design plans, we currently anticipate no effects to Site 31CV241 as a result of this undertaking. Per Stipulation V.C.1.a.i of the PA, we are providing your office with this documentation. For the purposes of Section 106 compliance, the Federal Highway Administration (FHWA) will serve as the lead Federal agency; however, should there be no Federal action, then the project is considered to be in compliance with NCGS 121-12(a).

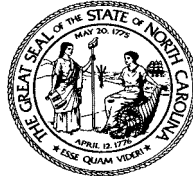
We look forward to further discussions with your office and other consulting parties. If you have any specific questions regarding this documentation, please contact me at (919) 707-6089 or mtwilkerson@ncdot.gov or Paul J. Mohler, NCDOT Archaeologist, at (919) 707-6080 or pjmohler@ncdot.gov.

Sincerely,

Matthew Wilkerson
Archaeology Team Leader
Environmental Analysis Unit

Enclosures (Archaeological PA Forms, updated site form imagery, design plan)

cc: George Hoops, FHWA
Bill Marley, FHWA
Tom Steffens, USACE
Joel Hardison, US Forest Service
Nichole Wagner, US Forest Service
Karen Capps, NCDOT Technical Services
Byron Kyle, NCDOT Technical Services
Casey Whitley, NCDOT Division 2
Hon Yeung, NCDOT Division 2
Jeffrey Cabaniss, NCDOT Division 2
Paul J. Mohler, NCDOT Archaeology
Craig Young, Three Oaks
Karen Taylor, Three Oaks
Jackie Obediente, Three Oaks
Michael Pekarek, Mott MacDonald



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

Ramona M. Bartos, Administrator

Governor Roy Cooper

Secretary D. Reid Wilson

February 22, 2021

MEMORANDUM

TO: Matt Wilkerson mtwilkerson@ncdot.gov
NCDOT/EAU/Archaeology Group

FROM: Ramona M. Bartos, Deputy State Historic Preservation Officer
Re: for Ramona M. Bartos

SUBJECT: US 70 improvements from SR 1116 (Thurman Road) to the Havelock Bypass, R-5777C, PA 19-03-0022, Craven County, ER 20-0790

Thank you for your letter of November 12, 2020, transmitting the No National Register of Historic Places Eligible or Listed Archaeological Sites Affected Form for the above referenced project. We have reviewed the form and offer the following comments.

We concur that archaeological site 31CV241 is eligible for listing in the National Register of Historic Places for the reasons outlined in the report. As planned, the undertaking will not adversely affect this significant archaeological resource.

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

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Catawba Indian Nation
Tribal Historic Preservation Office
1536 Tom Steven Road
Rock Hill, South Carolina 29730

Office 803-328-2427
Fax 803-328-5791



February 28, 2020

Attention: Hon Yeung
NC Dept. of Transportation
1581 Mail Service Center
Raleigh, NC 27699

Re. THPO #	Project #	Project Description
2020-193-136	R-5777C	Upgrade of US 70 to freeway standards and the construction of service roads from Thurman Road to the Havelock Bypass in Craven Co., NC

Dear Mr. Yeung,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail caitlinh@ccppcrafts.com.

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer

EIS RELOCATION REPORT



**North Carolina Department of Transportation
RELOCATION ASSISTANCE PROGRAM**

E.I.S. **CORRIDOR** **DESIGN**

WBS ELEMENT: 44648.1.1 **COUNTY** Craven **Alt** **A** **of** **2** **Alt**

T.I.P. No.: R-5777C

DESCRIPTION OF PROJECT: Upgrade US 70 to freeway standards and construct service roads from Thurman Rd to Havelock Bypass
Upgrade US 70 to freeway standards, with US 70 going over intersecting cross streets

ESTIMATED DISPLACEDS					INCOME LEVEL														
Type of Displacees	Owners	Tenants	Total	Minorities	0-15M	15-25M	25-35M	35-50M	50 UP										
Residential	21	12	33		1	4	7	11	10										
Businesses	5	2	7		VALUE OF DWELLING				DSS DWELLING AVAILABLE										
Farms	0	0	0		Owners		Tenants		For Sale		For Rent								
Non-Profit	1	0	1		0-20M	0	\$ 0-150	0	0-20M	0	\$ 0-150	0							
ANSWER ALL QUESTIONS					20-40M	1	150-250	0	20-40M	3	150-250	0							
Yes	No	<i>Explain all "YES" answers.</i>			40-70 M	4	250-400	0	40-70M	8	250-400	0							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Will special relocation services be necessary?			70-100M	4	400-600	3	70-100M	19	400-600	9							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Will schools or churches be affected by displacement?			100 UP	12	600 UP	9	100 UP	543	600 UP	56							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Will business services still be available after project?			Total	21	Total	12	Total	573	Total	65							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Will any business be displaced? If so, indicate size, type, estimated number of employees, minorities, etc.			REMARKS (Respond by number) 2. At the time of inspection, Parcel 077 appeared to be an active and viable place of worship (church). 3. There is an ample supply of unaffected businesses. 4. See EIS Relocation Report Attached 6. Local Realtors, MLS Service 8. As required by law 11. Public Housing (Craven County) 12. DSS housing will be made available or built if necessary 14. Local Realtors, MLS Service See Below														
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Will relocation cause a housing shortage?																	
				6. Source for available housing (list).															
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Will additional housing programs be needed?																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Should Last Resort Housing be considered?																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Are there large, disabled, elderly, etc. families?																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Will public housing be needed for project?																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Is public housing available?																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. Is it felt there will be adequate DSS housing housing available during relocation period?																	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	13. Will there be a problem of housing within financial means?																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	14. Are suitable business sites available (list source).																	
				15. Number months estimated to complete RELOCATION? 12-18															
(Signature) 					(Signature) 														
(Typed Name) John H. Savage					Chris Coughlin					06/17/2020									
Right of Way Agent					Date					Relocation Coordinator					Date				

FRM15-E

R-5777C EIS BUSINESS RELOCATION ATTACHMENT Alt. A & B
(The same Business Relocatees apply for each Alt.)

Parcel	Business Name	Type	Size	Tenant	Owner	No. of Employees
060	Liftator Elevator Installation	Service Installation	Small	x		6-8
090	Able's Asphalt Services	Construction	Small	x		6-8
109	Legally Plumbing	Service Installation	Small		x	4-6
127	Grill Man Grills	Retail Bus.	Small		x	4-6
146	Fuel Market Conv. Mart and Office	Conv. Store and Office	Med.		x	8-12
148	Bud Harris Auto Sales	Used Car Sales	Small		x	4-6
152	Croatan National Forest Office	Office Facility	Med.		x	8-12
Totals	7			2	5	