

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

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|---------------------|------------------------|
| STIP Project No. | U-5532E |
| WBS Element | 46297.3.6 |
| Federal Project No. | STPDA-0708(106) |

A. Project Description:

The City of Greensboro is planning to construct approximately 0.64 miles of 5'-wide concrete sidewalk and 2.47 miles of 6'-wide concrete sidewalk along four roadways in Greensboro, North Carolina. The City of Greensboro resides in Guilford County. The proposed sidewalk locations are as follows:

- (1) Hewitt Street: Both sides where none exists from Norwalk Street to Merritt Drive. ADA ramps will be constructed along the sidewalk project. Bus stops with concrete shelter pad will be constructed on the south side.
- (2) Shelby Drive: East side from Big Tree Way to Edith Lane.
- (3) Big Tree Way: Both sides where none exists from Wendover Ave to Shelby Drive and south side from Shelby Drive to Elk Hound Trail. ADA ramps and a pedestrian signal will be constructed along the project.
- (4) Bridford Parkway/ Hornaday Road: Both sides where none exists from Wendover Ave to existing sidewalk approximately 800' west of Nicholas Road. ADA ramps, a pedestrian signal, a concrete bus stop pad, and a bus stop with shelter pad will be constructed along the sidewalk project.

(See Attachment A – Location Map and Photographs).

B. Description of Need and Purpose:

The purpose of this project is to facilitate and improve pedestrian access by construction of new sidewalk and reconstruction of existing sidewalk at these four locations. The sidewalk will be constructed adjacent to existing roadways in areas that have been identified as lacking pedestrian accommodations or needing improved pedestrian accommodations. The project will provide safe and convenient pedestrian access, and will improve access and connectivity for underserved areas by extending sidewalk and by filling in key gaps in the sidewalk system. All sections of sidewalk included in this project are identified in the 2040 Metropolitan Transportation Plan for the Greensboro Urban Area MPO and are included in the adopted Greensboro Urban Area Bicycle, Pedestrian, and Greenway Master Plan Update 2016.

C. Categorical Exclusion Action Classification: (Check one)

TYPE IA

D. Proposed Improvements – Delete Action Classifications that do not apply.

3. Construction of bicycle and pedestrian lanes, paths, and facilities.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
23. Federally-funded projects:
 - a) That receive less than \$5,000,000 (as adjusted annually by the Secretary to reflect any increases in the Consumer Price Index prepared by the Department of Labor) of Federal funds.

E. Special Project Information:

Threatened and Endangered Species:

Threatened and Endangered Species reviews were performed on October 21, 2019 and November 22, 2019 by an environmental scientist with WithersRavenel (WR). The reviews included a pedestrian survey to assess vegetative communities and identify potential habitat for, or occurrences of, federally listed species within or immediately adjacent to the review area. The current federally listed species known to occur in Guilford County are the Cape Fear shiner (Endangered), the Roanoke logperch (Endangered), Schweinitz's sunflower (Endangered), small whorled pogonia (Threatened) and the bald eagle (Bald and Golden Eagle Protection Act). Also, the Atlantic pigtoe is listed as an At-Risk Species (Proposed Threatened).

The survey for federally listed threatened and endangered species resulted in a biological conclusion that activities within the review area will have "No Effect" on the Cape Fear shiner, the Roanoke logperch, Schweinitz's sunflower, small whorled pogonia, the bald eagle, and the Atlantic pigtoe due to either a lack of habitat or the lack of presence of the species.

The US Fish and Wildlife Service has developed a 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) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. The programmatic determination for NLEB for the NCDOT program in Divisions 1-8 is "May Affect, Likely to Adversely Affect." The PBO will provide incidental take coverage for NLEB and will ensure compliance with Section 7 of the Endangered Species Act for five years for all NCDOT projects with a federal nexus in Divisions 1-8, which includes Guilford County, where the Project is located. This level of incidental take is authorized from the effective date of final listing through April 30, 2020.

Wetlands, Streams, and Buffers:

The site review did not identify any wetlands within any of the review areas.

WR identified a total of three jurisdictional streams within the Big Tree Way and Shelby Drive review areas. Stream 1 and Stream 3 (South Buffalo Creek) are perennial streams, and Stream 2 is intermittent.

WR identified one jurisdictional stream (Stream 4) within the Hewitt Street review area. Stream 4 is a perennial stream.

At each stream location, the sidewalk alignment was determined to be located entirely within the existing, filled ROW. Therefore, there are no impacts to the jurisdictional streams anticipated for construction of the sidewalks. In the event that temporary or permanent impacts to streams within the review areas are necessary, authorization will be required from the USACE and NCDWR.

The project is located within the Jordan Lake drainage basin (Haw River sub basin) and is subject to the Jordan Lake Riparian Buffer Rules. Since the proposed project is a City of Greensboro project, enforcement of the Jordan Lake Buffer Rules would default to NCDWR. Per the Jordan Lake Riparian Buffer Rules, any intermittent or perennial streams depicted on the USGS Quadrangle Maps or Guilford County Soil Survey are subject to 50' riparian buffers.

Streams 1, 3 (South Buffalo Creek) & 4 are depicted on both the USGS Quadrangle and Soil Survey and are therefore subject to 50' riparian buffers. Stream 2 is not depicted on either the USGS Quad or Soil Survey and therefore is not subject to 50' riparian buffers. No other streams were identified within the review corridors or within 50' of the review area. Buffer subjectivity of field verified depicted streams is conceded, and therefore a formal Buffer Determination from NCDWR is not required.

Since the proposed sidewalk was determined to be located within the "Existing Transportation Facility" (ETF), the improvements are considered exempt and will not require authorization from NCDWR. If the proposed activities should result in either temporary or permanent impacts to Riparian Buffers outside the ETF, authorization from NCDWR will be required through buffer authorization permitting.

National Historic Preservation Act:

The project does not propose to rehabilitate, alter, remove, or demolish any historic property, and there is no proposed sale, transfer, or lease of historic properties within the project area.

A portion of the proposed sidewalk along the east end of Hewitt Street is located within the boundaries of the Pomona Mill Village Historic District (z-2211SL) which is on the State Study List. The NC Department of Cultural Resources, State Historic Preservation Office (SHPO) has reviewed the proposed project. In their response letter dated December 3, 2019 (see Attachment B), SHPO stated that the installation of the new sidewalk will not adversely affect the character-defining features of the district, and they have determined that the proposed sidewalk improvement project will have no adverse effect on the historic district.

Right of Way/ Easements, Section 4(f) and Section 6(f):

The project does not require the relocation of any residence or business, nor are any parking spaces being eliminated from any parking lots. The proposed sidewalk will be located adjacent to the existing roadway, resulting in minimal impact to any front yard or commercial property. The project only requires the acquisition of 1.44 AC in ROW and 4.19 AC in TCE. The project does not use land from any 4(f) resource. There are no Section 6(f) resources located within the project limits.

Environmental Screening

A Transaction Screen Assessment was performed for this project that included site reconnaissance and review of ownership documents, aerial photographs, historical property uses, public records, the Environmental Data Resources (EDR) Report and the construction plans provided by the City of Greensboro. Based on the results of this environmental review

and the scope of the proposed sidewalk improvements, it was determined that no sites appear to pose an environmental concern to the proposed sidewalk corridors.

Permits Required

This project requires the following approvals:

1. NCDEQ Erosion and Sedimentation Control Plan

Estimated Costs

| | |
|--------------|-------------|
| Right of Way | \$ 267,577 |
| Construction | \$2,207,598 |
| Total | \$2,475,175 |

F. Project Impact Criteria Checklists:

| <u>Type I & II - Ground Disturbing Actions</u> | | | |
|--|---|-------------------------------------|-------------------------------------|
| <u>FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA</u> | | | |
| If any of questions 1-7 are marked "yes" then the CE will require FHWA approval. | | Yes | No |
| 1 | Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2 | Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5 | Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 | Does the project require an Individual Section 4(f) approval? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7 | Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If any of questions 8 through 31 are marked "yes" then additional information will be required for those questions in Section G. | | | |
| <u>Other Considerations</u> | | Yes | No |
| 8 | Does the project result in a finding of "may affect not likely to adversely affect" for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9 | Does the project impact anadromous fish? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10 | Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11 | Does the project impact waters of the United States in any of the designated mountain trout streams? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 12 | Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13 | Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14 | Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | | | |
|----|--|-------------------------------------|-------------------------------------|
| 15 | Does the project involve hazardous materials and/or landfills? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16 | Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17 | Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18 | Does the project require a U.S. Coast Guard (USCG) permit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19 | Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 20 | Does the project involve Coastal Barrier Resources Act (CBRA) resources? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21 | Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22 | Does the project involve any changes in access control? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23 | Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 24 | Will maintenance of traffic cause substantial disruption? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 25 | Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 26 | Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 27 | Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 28 | Does the project include a <i>de minimis</i> or programmatic Section 4(f)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 29 | Is the project considered a Type I under the NCDOT's Noise Policy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30 | Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31 | Are there other issues that arose during the project development process that affected the project decision? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

G. Additional Documentation as Required from Section F

Item 10:

The project is located within the Jordan Lake drainage basin (Haw River sub basin) and is subject to the Jordan Lake Riparian Buffer Rules. Since the proposed project is a City of Greensboro project, enforcement of the Jordan Lake Buffer Rules would default to NCDWR. Per the Jordan Lake Riparian Buffer Rules, any intermittent or perennial streams depicted on the USGS Quadrangle Maps or Guilford County Soil Survey are subject to 50' riparian buffers.

Three features (Streams 1, 3 & 4) are depicted on both the USGS Quadrangle and Soil Survey and are therefore subject to 50' riparian buffers. Stream 2 is not depicted on either the USGS Quad or Soil Survey and therefore is not subject to 50' riparian buffers. No other streams were identified within the review corridors or within 50' of the review area. Buffer subjectivity of field verified depicted streams is conceded, and therefore a formal Buffer Determination from NCDWR is not required.

Since the proposed sidewalk was determined to be located within the "Existing Transportation Facility" (ETF), the improvements are considered exempt and will not require authorization from NCDWR.

Item 16:

Within the project limits, Big Tree Way and Shelby Drive are both adjacent to South Buffalo Creek, which has an established floodway. Portions of the proposed sidewalk construction along Big Tree Way and Shelby Drive are located in the floodplain, and a Floodplain Development Permit is on file. Big Tree Way crosses South Buffalo Creek at one location; however, there are no proposed improvements at this location and, therefore, no construction within the floodway.

H. Project Commitments

**Guilford
Sidewalk Improvements:
Big Tree Way, Bridford Pkwy/Hornaday Rd, Hewitt St & Shelby Dr
Federal Project No. STPDA-0708(106)
WBS No. 46297.3.6
TIP No. U-5532E**

City of Greensboro – Engineering and Inspections Department

- After project completion, the contract administrator for construction must submit the actual amount of tree clearing reported in tenths of acres. This information should be submitted at:
<https://connect.ncdot.gov/site/construction/biosurveys/Lists/Northern%20Long%20Eared%20Bat/AllItems.aspx> Please contact (cdmanley@ncdot.gov), Environmental Analysis Unit- Biological Surveys Group with any questions.


I. Categorical Exclusion Approval

STIP Project No. U-5532E
WBS Element 46297.3.6
Federal Project No. STPDA-0708(106)

Prepared By:

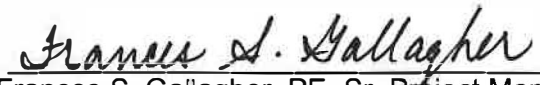
4/6/2020

Date


Tyler Meyer, AICP
City of Greensboro

4-3-2020

Date


Frances S. Gallagher, PE, Sr. Project Manager
WithersRavenel

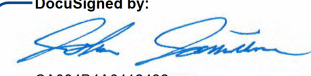
Prepared For:

John Fersner, PE, City of Greensboro, NC
Local Government Agency

Reviewed By:

7/27/2020

Date

DocuSigned by:

CA004B4A6412432...
John Jamison, Western Regional Lead
NCDOT Environmental Policy Unit



Approved

If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.



Certified

If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.

7/28/2020

Date

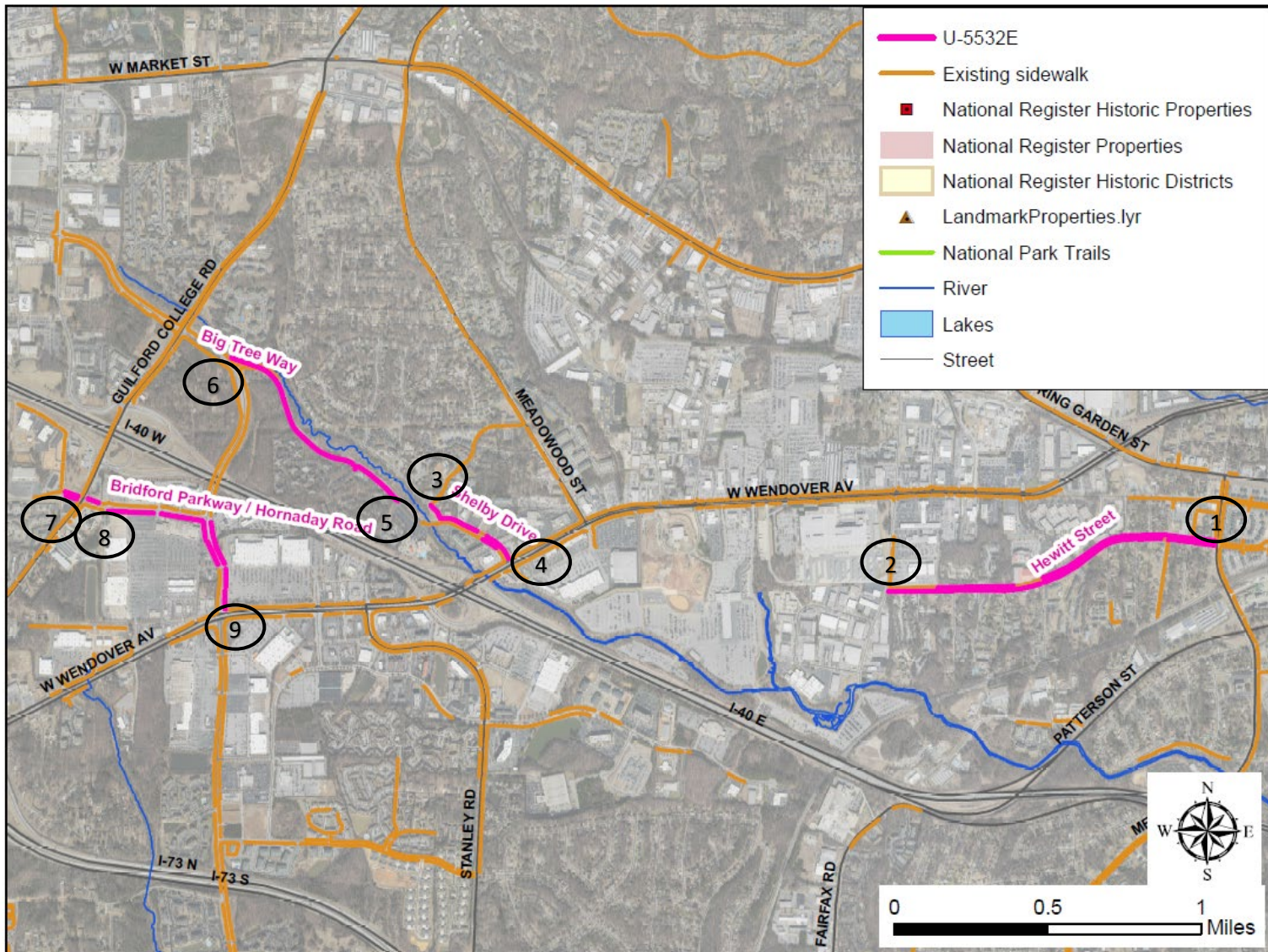
DocuSigned by:
J. M. Mills/P. D. Wilson for
2232BC18A448166...
Mike Mills, PE, Division Engineer
North Carolina Department of Transportation

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

Date

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

ATTACHMENT A: PROJECT LOCATION MAPS AND PHOTOGRAPHS



Map: General sidewalk improvements U-5532E at 4 locations: Hewitt Street, Shelby Drive, Big Tree Way, and Bridford Parkway/ Hornaday Road



Photo 1: Looking northwest from the south side of Hewitt Street toward Merrit Drive



Photo 2: Looking east from the north side of Hewitt Street toward Barton Street



Photo 3: Looking southeast from the north side of Shelby Drive toward Big Tree Way



Photo 4: Looking northwest from the north side of Big Tree Way toward Shelby Drive



Photo 5: Looking northwest from the south side of Big Tree Way toward River Oaks Drive



Photo 6: Looking east from the north side of Big Tree Way from Bridford Parkway toward Elk Hound Trail



Photo 7: Looking northwest from the south side of Hornaday Road toward Nicholas Road

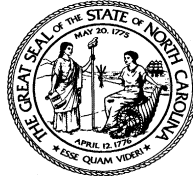


Photo 8: Looking east from the south side of Hornday Road toward Bridford Parkway



Photo 9: Looking north from east side of Bridford Parkway toward Hornaday Road

**ATTACHMENT B: NORTH CAROLINA DEPARTMENT OF NATURAL AND CULTURAL RESOURCES -
STATE HISTORIC PRESERVATION OFFICE**



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

December 3, 2019

Tram Truong
City of Greensboro
PO Box 3136
Greensboro, NC 27402

Re: Sidewalk Improvements, Hewitt Street, Shelby Drive, Big Tree Way, & Bridford Parkway,
Hornaday Road, U-5532, Greensboro, Guilford County, ER 19-3236

Dear Ms. Truong:

Thank you for your email of October 25, 2019, regarding the above-referenced undertaking. We have reviewed your submittal and offer the following comments.

A portion of the project is within the boundaries of the Pomona Mill Village Historic District (z-2211SL), which was placed on the State Study List in 1990. While a portion of the proposed segment does not currently have existing pavement, installation of the new sidewalk will not adversely affect character defining features of the district. Therefore, we have determined that the proposed sidewalk improvement project will have no adverse effect on the historic district.

There are no known archaeological sites within the proposed project area. Based on our knowledge of the area, it is unlikely that any archaeological resources that may be eligible for inclusion in the National Register of Historic Places will be affected by the project. We, therefore, recommend that no archaeological investigation be conducted in connection with this project.

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.

Sincerely,

A handwritten signature in blue ink that reads "Renee Gledhill-Earley".

for Ramona M. Bartos
Deputy State Historic Preservation Office