

**North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
T.I.P. No. U-3338B**

I. GENERAL INFORMATION

- A. Consultation Phase:** Right-of-Way
- B. Project Description:** Widening of SR 1175 (Kerr Avenue) from Randall Parkway to SR 2649 (Martin Luther King, Jr. Parkway) Wilmington, New Hanover County, NC
- C. Federal Project No.:** STP-1175(B)
WBS Number: 34932
- D. Document Type:** Categorical Exclusion Addendum 3-28-2011
Date

II. CONCLUSIONS

The subject environmental document has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced documents unless noted otherwise herein. Therefore, the original Administration Action remains valid.

III. CHANGES IN THE PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

The attached Project Commitments lists obligations and their status.

As listed in the original CE and the CE Addendum, the breakline for U-3338B is the Kerr Avenue intersection with Sunglow and New Center Drives. The U-3338C section then extends from Sunglow/New Center Drive to approximately 500 feet to the north of Alandale Road, and includes a new interchange with Martin Luther King, Jr. Parkway

Because U-3338B is the first phase, improvements must occur to the north of the Sunglow/New Centre Drive intersection so that southbound approaches to the intersection will function properly. Therefore, current plans for U-3338B include right-of-way acquisition for a small portion of the U-3338C project, which includes mainline right-of-way to Martin Luther King, Jr. Parkway. Because quadrant B (the southwest quadrant) of

the proposed interchange involves the same property owners as are taken on the mainline right-of-way, NCDOT will also acquire land parcels in quadrant B during the U-3338B right-of-way phase.

Design Changes

Since the Categorical Exclusion Addendum was approved by the Federal Highway Administration in March 2011, several changes in design have occurred:

Specific Changes in Design:

1. The linear project limits on Randall Parkway are decreased by approximately 900 feet. During design coordination, the City of Wilmington requested NCDOT to shorten the westbound approach storage lanes to match the existing left-turn lane storage length. This change coincides with City plans to widen Randall Parkway.
2. A minor Permanent Drainage Easement is added along Princess Place; however this addition will not cause natural environment impacts, a relocation, or a change of access.
3. To the west side of Kerr Avenue, additional Permanent Drainage Easements are added on both sides of McClelland Drive. These additions do not cause natural environment impacts, a relocation, or a change of access.

Jurisdictional Resource Impacts

Jurisdictional impacts have increased since the Categorical Exclusion Addendum, mainly as a result of field reclassifications. A 0.01 acre wetland increase occurred as a result of the first design modification listed below.

Exhibit 1 is attached, which uses Figure 2 from the CE Addendum as a backdrop to indicate where changes in jurisdictional impacts occur.

Specific Changes to Jurisdictional Resource impacts:

Wetlands

1. A small wetland exists on Randall Parkway, just west of Kerr Avenue. This wetland was not originally impacted at the time the CE Addendum was prepared; however slope stakes now indicate an impact of 0.01 acre.
2. A new connector road is proposed to the east of Kerr Avenue, which connects New Centre Drive and Sagedale Drive. The CE Addendum reported no jurisdictional resources in this location; however a recent field determination has identified a wetland in this location, as well as an associated stream. Impacts from the new connector road will result in 0.04 acre of wetland impact; however no stream impacts will occur.

Streams

1. In the area of the proposed quadrant intersection, several ditches existed in the vicinity of the new location connector road that is located between McClelland Drive and the proposed extension of Birchwood Drive. These resources were labeled as stream in the CE Addendum; however a recent field determination reclassified these streams as jurisdictional streams. This change in reclassification causes a permanent impact to approximately 157 linear feet of stream.
2. At several intersecting streets along Kerr Avenue, ditches existed along the roadway and also along an abandoned CSX railroad line. A recent field determination reclassified these ditches as jurisdictional stream, which results in a total of 128 linear feet of permanent impact. The impacts occurred near Emerson Drive (45 lf), Cinema Drive (35 lf), and Birchwood Drive (48 lf).

Compared below are the original (CE) impacts and currently-envisioned worst-case impacts:

	<u>CE Addendum</u>	<u>Current Impacts</u>	<u>Change</u>
Wetland	0 acre	0.04 acre	+ 0.04 acre
Stream	0 lf	285 lf	+ 285 lf

Stream Impacts of 285 lf and wetland impacts of 0.04 acre fall within the threshold of a Nationwide Permit.

The CE Addendum identifies a USFWS request for a general moratorium period for anadromous fish from February 15 to June 30 for in-water work. In the project area, these newly-classified jurisdictional streams are lesser quality and are not judged as supporting anadromous fish habitat - due to a lack of direct connection to local estuarine systems by continuous open channel. Therefore NCDOT concurs with NC Wildlife Resources Commission that a moratorium is not necessary.

Water Resources

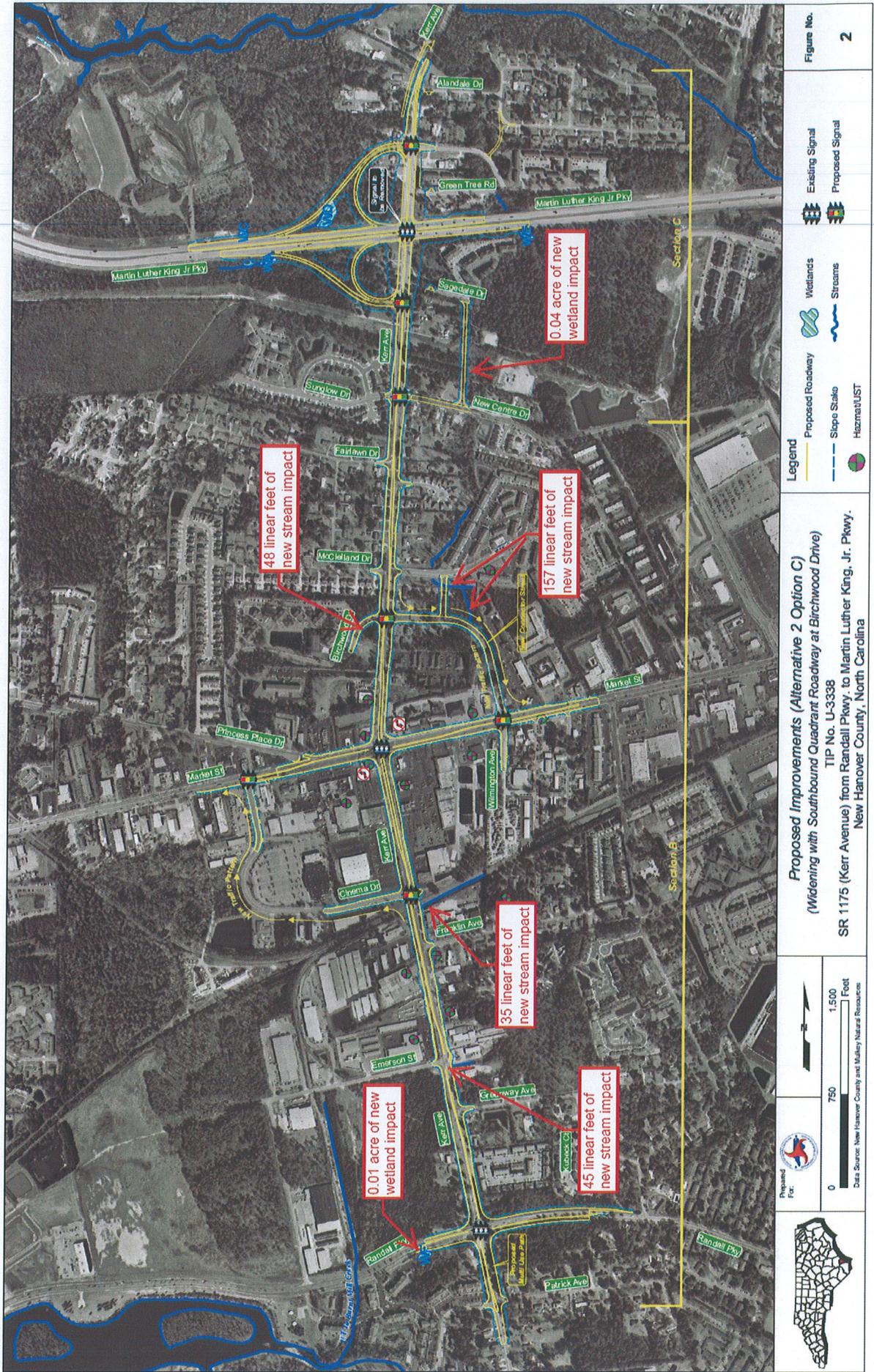
Water resource classifications have not changed since the CE Addendum was completed.

Protected Species

As of September 22, 2010, the Fish and Wildlife Service (FWS) lists 11 species protected by the Endangered Species Act (ESA) for New Hanover County. Golden sedge has been listed since the CE Addendum was signed. Biological conclusions of “No Effect” were rendered for all of these species.

A review of the North Carolina Natural Heritage Program (NCNHP) database, updated November 2011, indicated no occurrences of protected species within 1.0 mile of the project study area.

Exhibit 1: Changes to Wetland and Stream Impacts since the CE Addendum



IV. LIST OF SPECIAL ENVIRONMENTAL COMMITMENTS

NCDOT will implement all practical measures and procedures to minimize and avoid environmental impacts. See the attached list of Project Commitments.

V. COORDINATION

Project Development and Environmental Analysis Branch personnel have discussed current project proposals with others as follows:

Roadway Design Engineer:	<u>Tatia White, PE</u>	<u>4-26-2012</u> Date
Hydraulics Engineer:	<u>Ray Lovingood, P.E.</u>	<u>4-26-2012</u> Date
Permits Section:	<u>Chris Underwood</u>	<u>4-26-2012</u> Date
FHWA Engineer:	<u>Ron Lucas</u>	<u>5-3-2012</u> Date

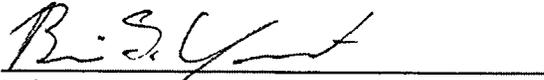
VI. NCDOT CONCURRENCE



Thomas E. Devens, P.E.
Project Development Engineer

5/4/12

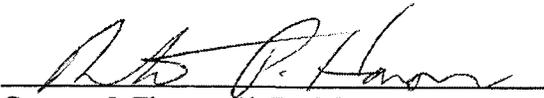
Date



Brian F. Yamamoto, P.E.
Project Engineer

5.4.12

Date

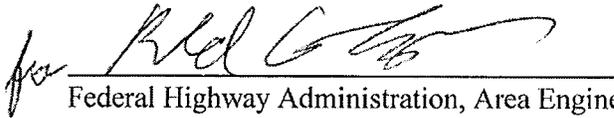


for Gregory J. Thorpe, Ph.D., Manager
Project Development and Environmental Analysis Unit

5/4/12

Date

VII. FHWA CONCURRENCE


Federal Highway Administration, Area Engineer

5/7/12

Date

PROJECT COMMITMENTS

WIDENING OF SR 1175 (KERR AVENUE)
FROM RANDALL PARKWAY
TO SR 2649 (MARTIN LUTHER KING, JR. PARKWAY)
NEW HANOVER COUNTY, NORTH CAROLINA

FEDERAL AID PROJECT NO. STP-1175(8)
WBS PROJECT NO. 34932
TIP PROJECT NO. U-3338B

Current status, changes, or additions to the project commitments as shown in the environmental documents for the project are printed in *italics*.

Roadway Design, Program Development and Division 3

Four-foot striped bicycle lanes will be provided along Kerr Avenue for the project length. The Wilmington MPO has requested that five-foot sidewalks be installed on both sides of Kerr Avenue for the extent of the project. In addition, a 10-foot multi-use path will be installed on the east side of Kerr Avenue between Patrick Avenue and Randall Parkway.

During design phase, a municipal agreement will be developed between NCDOT and the City. The City will commit to fund the additional construction and right-of-way costs incurred beyond those for a 14-foot outside lane, and a portion of the sidewalk and multi-use path on a cost share basis according to NCDOT policy.

Current plans reflect 16-foot outside lanes, which include a 4-foot bicycle lane. A cost estimate has been provided to the Wilmington MPO that reflect this additional width, as well as cost for the multi-use path. During final design phase, an MOA will be developed.

Roadway Design Unit and ITS & Signals Unit

During the design phase, NCDOT will coordinate with Wilmington MPO to review pedestrian aspects of signal designs, with the intention of incorporating pedestrian signals and protected crossing phases (possibly ped-actuated). At a minimum, pedestrian signals will be installed at the intersections of Kerr Avenue/Market Street, Kerr Avenue/Cinema Drive, Kerr Avenue/Birchwood Drive, and Kerr Avenue/Randall Parkway.

NCDOT will complete this task during its ongoing final design phase.

Roadway Design Unit and Noise/Air Group

During design phase, NCDOT will re-evaluate justification of a noise wall in the vicinity of the Kerr Avenue interchange with Martin Luther King, Jr. Drive.

This commitment will be fulfilled during final design phase for the U-3338C section of this project, which is programmed for right-of-way and construction at a later date.

NOTE:

The CE Addendum identifies a USFWS request for a general moratorium period for anadromous fish from February 15 to June 30 for in-water work. In the project area, these newly-classified jurisdictional streams are lesser quality and are not judged as supporting anadromous fish habitat - due to a lack of direct connection to local estuarine systems by continuous open channel. Therefore NCDOT concurs with NC Wildlife Resources Commission that a moratorium is not necessary.