### MEMORANDUM

То:	Attendees
From:	WSP USA
Date:	May 4, 2018
Project Name:	Mid-Currituck Bridge
Project Number:	R-2576
Subject:	March 14, 2018 Agency Coordination Meeting Summary

### Attendees:

NAME	AGENCY	EMAIL
Ron Lucas	FHWA	Ron.lucas@dot.gov
Clarence Coleman	FHWA	Clarence.coleman@dot.gov
Cathy Brittingham	NCDEQ-DCM	Cathy.brittingham@ncdenr.gov
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John Page	WSP	John.page@wsp.com
Tim Brock	WSP	tim.brock@wsp.com
Nicole Bennett*	WSP	Nicole.Bennett@wsp.com

\*Participated by Phone

The purpose of the meeting was to update environmental resource and regulatory agencies on the changes that have occurred since the Final Environmental Impact Statement (EIS) was approved in January 2012. The last agency meeting took place in 2011. A Reevaluation Report is required if major steps to advance an action have not occurred within three years after approval of the Final EIS. The Reevaluation Report addresses the changes in project settings, travel demand, area plans, laws and regulations, and other information or circumstances.

The agency meeting started at 10 am with an introduction by NCTA GEC (General Engineering Consultant) project manager Tracy Roberts. Natalie Lockhart and the WSP team used a Power Point Presentation to explain project history, preliminary Reevaluation Report findings, traffic updates, purpose and need, and preliminary reevaluation conclusion (see attached meeting agenda and presentation handout).

A USACE representative asked about the purpose and need statement. Slide 12 of the presentation included the purpose and need statement and was reviewed. The DCM representative asked if the alternatives should be reviewed for any new members from the represented environmental agencies. NCTA indicated that there was an upcoming slide explaining the alternatives. WSP clarified the naming convention of Existing Road (ER) and Mid-Currituck Bridge (MCB). Previous alternatives from the early alternative screening process were revisited in the Reevaluation Report to reaffirm that they are still not reasonable alternatives. NCTA noted that the reasons for these findings are explained in the Reevaluation Report.

The DCM representative asked if the STIP R-3419 and R-2574 projects (see slide 17) were accounted for in ER2 and MCB, including the no-build alternative. WSP confirmed that these STIP projects were assumed to be in place by the 2040 design year as part of the assessment for ER2 and MCB, including the no-build alternative.

Traffic forecasts were updated and the roadway designs for detailed study alternatives ER2 and MCB were updated because of the lower traffic forecasts. The updates include a reduction of improvements to NC 12 for both alternatives. It was noted that the wetlands were re-delineated. The US 158 interchange was reconfigured and resulted in less impacts to wetlands. CZR noted that there has been no substantive change in the wetland boundaries, jurisdictional waters or submerged aquatic vegetation (SAV) from prior delineations and surveys.

WSP presented that three species were added to the Threatened and Endangered Species list since the FEIS and are now included in the Reevaluation Report. The three species are the Atlantic sturgeon, rufa red knot, and the northern long-eared bat. For MCB, the first two species have a biological determination of "May Affect, Not Likely to Adversely Affect". For ER2, the biological conclusion is "No Effect." USFWS representative noted that no consultation is required for the northern long-eared bat due to a programmatic biological opinion (PBO) being in place that covers the entire NCDOT program in Divisions 1 through 8. It was noted that, because of the PBO, the biological conclusion for the species is "May Affect, Likely to Adversely Affect" for both MCB and ER2.

The DCM representative asked what is meant by regulatory changes and policy updates. The WSP team highlighted some of the notable changes and noted all the changes were documented in the Reevaluation Report. For example, Currituck County now regulates beach access by commercial vendors, which was a local regulatory change. A change in state law also occurred that does not allow land use density to be regulated by limiting the number of bedrooms in a house (Currituck County was not using this as a way of regulating density). NCTA noted that the NCDOT noise policy has changed and the FHWA Mobile Source Air Toxic (MSAT) guidance has been updated. All the changes were considered and documented in the Reevaluation Report.

The DCM representative asked if the impacts presented are based on the slope stake limits plus 25-feet; NCTA confirmed this is the case.

The NCWRC representative asked why there was a change in shading impacts for SAV habitat. WSP team explained that it was because of the reduction of 10 foot shoulders to 8 foot shoulders on the bridge over Currituck Sound.

NCTA noted that the team is optimistic that FHWA will approve the Reevaluation Report with a conclusion that there is no need for a Supplemental EIS; however, this decision has not yet been made by FHWA.

The cost estimate for the project and the FHWA Cost Estimate Review (CER) were discussed. FHWA stated that a CER is required for projects estimated to approach or exceed \$500 million in cost. The DCM representative asked why the FHWA conducted the CER on the Mid-Currituck Bridge alternative only and not ER2. NCTA and WSP explained that updated cost estimates based on the revised designs for both ER2 and MCB were used to compare the alternatives in the Reevaluation Report, but FHWA does a CER for the Preferred Alternative only since that is the alternative that the financial plan will be based on. The CER must be completed 90 days prior to the final decision document for NEPA. NCTA noted that the CER is a 70% cost review, meaning that the cost estimate is determined such that there is a 70% confidence level that the actual cost will come in at or under the estimate.

NCTA explained that a Public-Private Partnership is not actively being considered; however, it is not being precluded from future consideration as a means to deliver the project.

The DCM representative asked if the Reevaluation Report would be circulated via the state clearinghouse. FHWA noted that the Reevaluation Report is an internal FHWA decision document and that the Record of Decision (ROD) would be circulated. FHWA did note that the Reevaluation Report would be in the project file and administrative record.

The DCM representative asked if the project would follow the Merger Process or continue with the 6002 Agency Coordination Plan (see updated coordination plan attached). FHWA and NCTA confirmed it would continue to follow the 6002 Agency Coordination Plan. The DCM representative was concerned that new staff representatives from the agencies are not familiar with the 6002 Agency Coordination Plan. NCTA noted it was similar to the Merger Process; however, there are no signatures obtained at concurrence points. NCTA indicated that in this process, it is incumbent on the participating and cooperating agencies to raise an "issue of concern" if at any time there is an issue that in the agency's judgment could result in denial of a permit or substantial delay in issuing a permit.

NCDWR, USFWS and USACE representatives explained that agencies should raise issues of concern early and they would be discussed. By not raising an issue during the comment period, agencies were indicating that there are no foreseeable issues of concern. NCTA requested that the agencies raise issues of concern, if necessary, based on the information being presented and in the forthcoming Reevaluation Report.

NCTA noted that there were previously four issues of concern raised and that NCTA held meetings with the pertinent agencies to resolve them. The issues of concern were dredging in Currituck Sound, stormwater management, submerged aquatic vegetation impacts and fisheries moratorium for in-water construction activities. Dredging is no longer proposed. For the other three issues, the agencies and NCTA agreed that the direction of the project relative to these concerns was appropriate and had the potential to advance the project to permit issuance. The DCM representative noted that not following the Merger Process may create uncertainty for permitting.

If the Reevaluation Report is approved by FHWA with a conclusion that a Supplemental EIS is not required, NCTA noted the next steps would include submitting a draft ROD to FHWA.

The DCM-Fisheries representative noted there were SAV shading impacts. As a SAV mitigation feature, the first 1.5 inches of stormwater runoff will be captured from the eastern terminus of the bridge for a distance of 4,000 feet to prevent direct discharge into the existing SAV habitat along the eastern shore of the sound. The runoff would be piped to the end of the bridge for treatment to a stormwater treatment basin. NCTA noted that this mitigation approach is still a project commitment. The DCM-Fisheries representative said that project commitments and proposed mitigation should be revisited to be consistent with current practice on other similar projects.

NCDOT and the DCM representatives asked if Final EIS mitigation and project commitments would still be adhered to. NCTA confirmed that they would be. Updated mitigation and commitments that would be required would be discussed with individual agencies or a set of agencies to determine what mitigation would allow the project to move forward. It was agreed that meetings to review SAV mitigation and stormwater management could occur prior to a ROD being released.

During the schedule discussion, the let date was questioned. NCTA noted that the project has a schedule for a design-build let date of November 2018, but that although that remains the date in NCDOT's scheduling system, NCTA is reevaluating that date.

The USACE representative asked about the difference in the shaded aquatic bottom and SAV impacts. The WSP team explained that the shaded aquatic bottom less than six feet deep was all SAV habitat and the SAV impacts are areas with observed SAV beds. USACE representative also asked about wetland shading impacts for Maple Swamp. NCWRC representative noted that the impacts of wetland shading have never been used to compare alternatives in the past. WSP confirmed that the impacts are documented in the Reevaluation Report.

There was a question about the height of the bridges over Maple Swamp and Currituck Sound. The bridge will have a height of 16 feet over most of Currituck Sound and will have a single navigation span. The height of the navigation span will be determined in coordination with the US Coast Guard during the permitting process. The Maple Swamp bridge has a 10-foot clearance spanning most of the swamp with the east terminus starting at-grade and the west terminus with a 4-foot clearance.

The NCWRC representative asked about the conservation of a landlocked parcels around the Maple Swamp bridge, as discussed in the Final EIS. NCDOT noted that parcels that would have road access cut off (landlocked) are considered economically 'damaged parcels' and NCDOT would offer to buy the entire parcel. Landlocked parcel owners could choose to be compensated for the loss of access yet continue to own their land. NCDOT also could offer the creation of a conservation easement on the land as another option. The NCWRC representative asked if full purchase or a conservation easement could be required for landlocked parcels. NCDOT said purchase of a conservation easement could be required for landlocked parcels. NCDOT said purchase of a conservation easement could be required. It was noted that the Final EIS commitment needs to be revised to reflect that property owners could choose to keep their land with full ownership even where NCDOT pays property damages because of lack of access. NCTA and WSP agreed to update the commitment language to indicate that landowners of landlocked parcels have this choice.

A USACE representative asked for clarification about the ferry alternative. NCTA indicated that this was an early alternative considered but not selected as an alternative to be studied in detail in the Draft EIS and Final EIS because of low travel benefits, high cost, and high natural resource impacts. The project team revisited and reaffirmed that the ferry alternative continued to not be a reasonable alternative.

### Next Steps

- Complete the Reevaluation Report and seek approval by FHWA. When complete, it will be posted to the project website and the agencies will be notified.
- Proceed with a ROD if FHWA finds a Supplemental EIS is not needed.
- Schedule coordination meetings to discuss SAV mitigation and stormwater management.
- Confirm the effects call for the northern long-eared bat is correct in the Reevaluation Report. The biological conclusion is "May Affect, Likely to Adversely Affect" for ER2 and MCB.
- Update language for the landlocked parcels commitment to read: "With the Preferred Alternative, NCTA will pursue the purchase of land-locked parcels north of Aydlett Road in Maple Swamp in addition to purchasing needed project right-of-way. If the landowner agrees to sell their land-locked property, the land-locked property purchased will be set aside as a conservation area and allowed to retain or return to its natural state (see Section 3.3.6.4 of the FEIS)." Note that with the revised design, new right-of-way is no longer being purchased, nor is right-of-access being purchased, west of US 158. Thus, no parcels will be landlocked west of US 158.

Meeting adjourned at 11:33pm.





# MID-CURRITUCK BRIDGE PROJECT

### Agency Coordination Meeting STIP Project R-2576 March 14, 2018

### AGENDA

1.	Introductions	Tracy Roberts
2.	Project History	Natalie Lockhart
3.	Updated Information (Presentation)	Natalie Lockhart
4.	Discussion (Q&A)	All
5.	Conclusion	Tracy Roberts

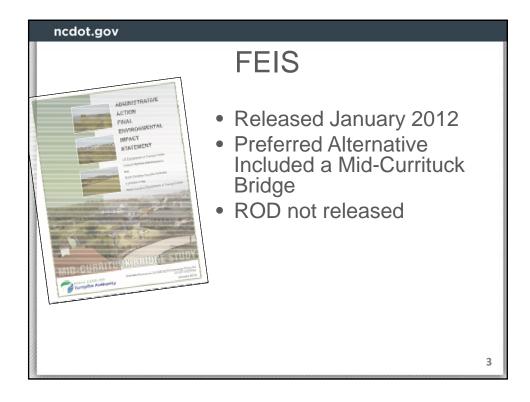


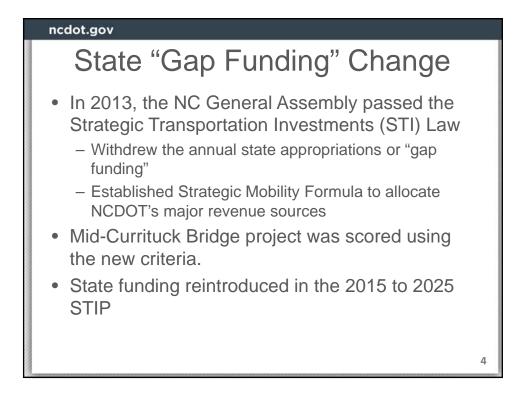
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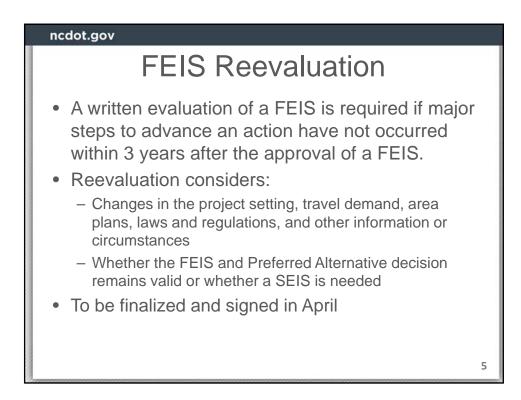
## **Topics Covered in this Presentation**

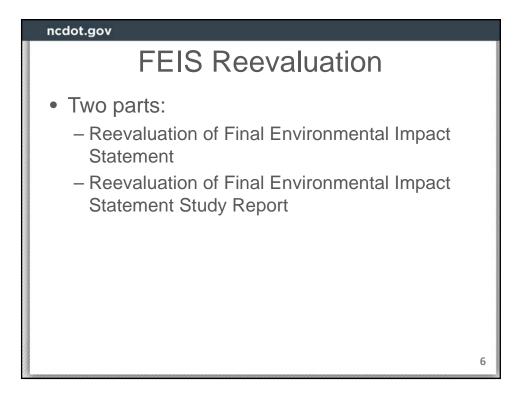
- Why Reevaluation
- Reevaluation Reports
- Updated Information
  - Updated Traffic
  - Updated Purpose and Need Justification
  - Updated Travel Benefits
  - Updated Alternatives Screening
  - Reevaluation Detailed Study Alternatives/Revised Designs
  - Updated Environmental Studies
  - Changes in Project Setting
  - Updated Impacts
  - Updated Project Commitments
- Reevaluation Conclusions
- Cost/Finance/Schedule

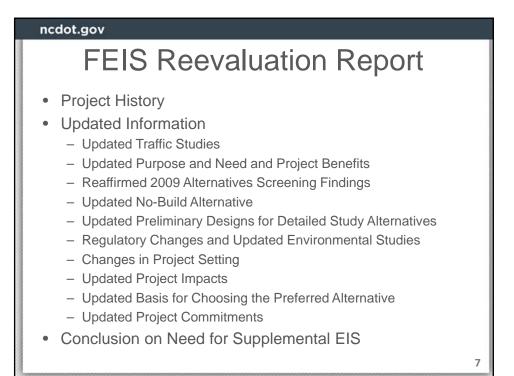
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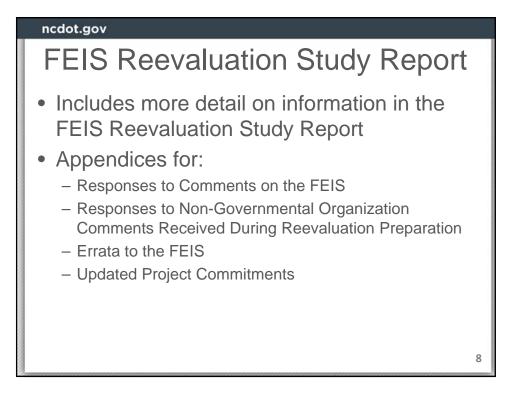


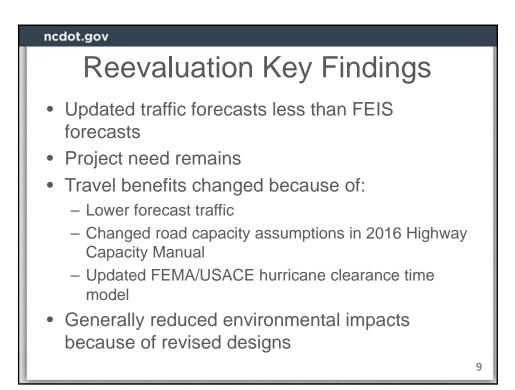




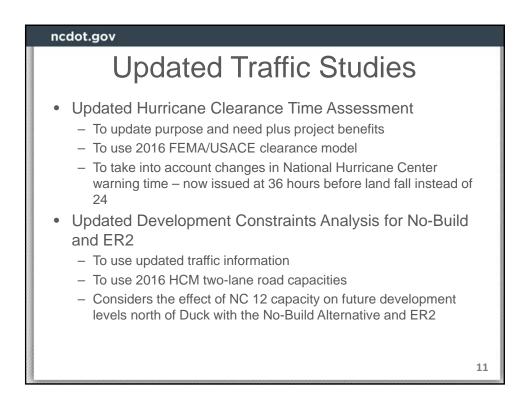


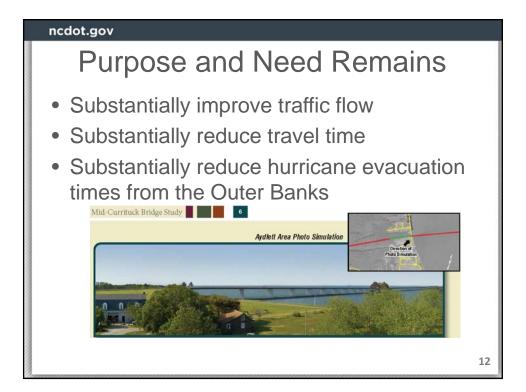


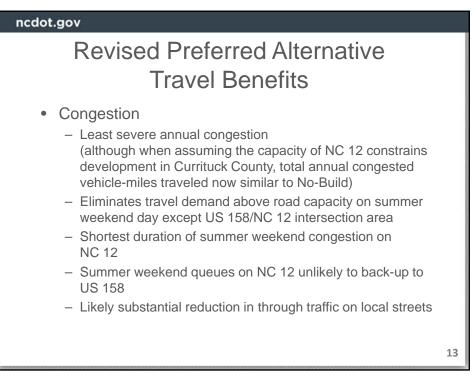




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Updated Traffic Studies	
<ul> <li>Updated Traffic Forecasts         <ul> <li>Based on updated counts and recent growth trends</li> <li>Forecast traffic is lower</li> </ul> </li> <li>Updated Congestion Measures         <ul> <li>To update purpose and need plus project benefits</li> <li>Used 2016 Highway Capacity Manual</li> </ul> </li> </ul>	
<ul> <li>Design Capacity Studies for Existing Road (ER2) and the Preferred Alternative – To update preliminary design to take into account lower traffic forecasts</li> <li>Updated Travel Time Studies – To update purpose and need plus project benefits</li> </ul>	
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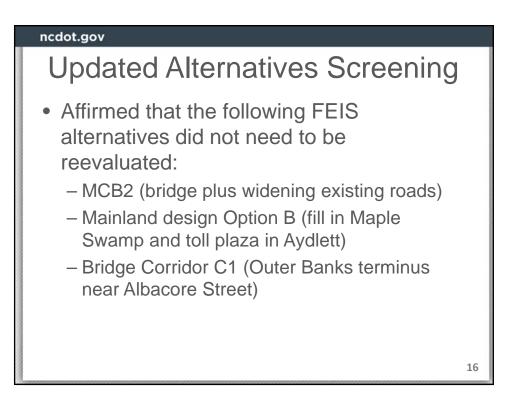


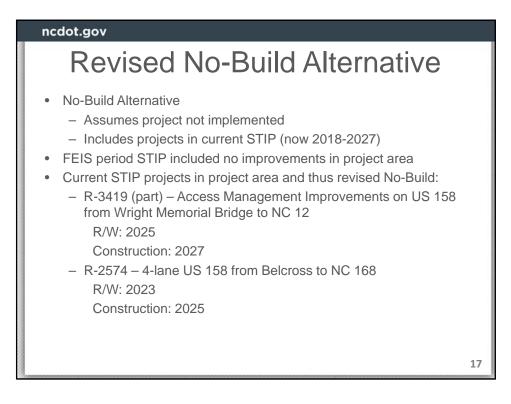


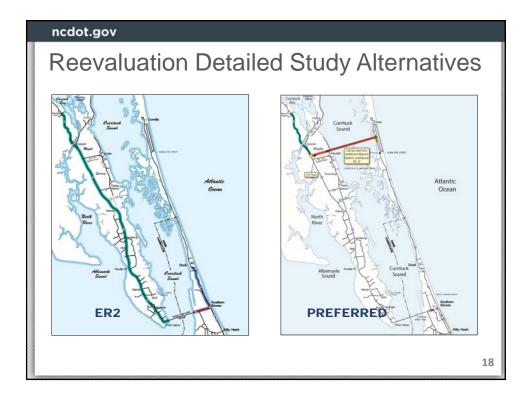


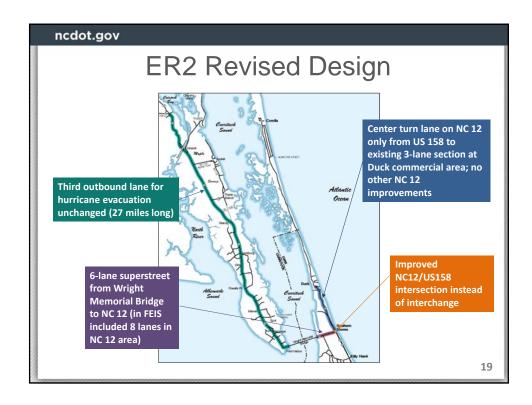
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Revised Preferred Alternative	
Troval Popofita	
Travel Benefits	
<ul> <li>Greatest peak period travel time reduction         <ul> <li>11 minute travel time from the Currituck County mainland to its Outer Banks over the Mid-Currituck Sound Bridge</li> <li>A reduction of 47 minutes for same trip on existing roads (from 116 minutes to 69 minutes) during typical summer weekday</li> <li>A reduction of 105 minutes for same trip on existing roads (from 187 minutes to 82 minutes) during typical summer weekend day</li> </ul> </li> </ul>	
Hurricane clearance time	
<ul> <li>2-hour reduction (from 34.3 hours with No-Build [constrained development] to 32.3 hours)</li> </ul>	
<ul> <li>No-Build 37.2 hours without development constraint</li> </ul>	
Compared to ER2	
<ul> <li>Greater congestion reduction and travel time benefits</li> </ul>	
<ul> <li>Assuming constrained development less hurricane clearance time benefit (ER2 has 3.6-hour reduction)</li> </ul>	
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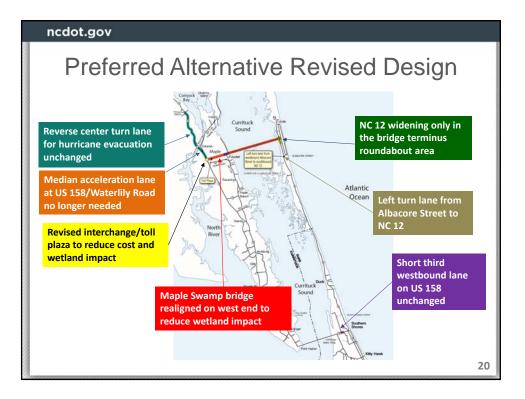
# ncdot.gov Updated Alternatives Screening Reaffirmed the following alternatives not reasonable: Roadway and Bridge Alternatives ER1 MCB1 MCB3 Additional Alternatives Considered Shifting rental times Transportation systems management Bus transit Ferry Confirmed a composite of ER2 plus the items in last four bullets above is not reasonable

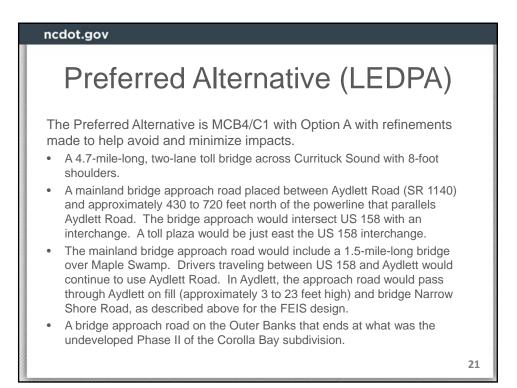


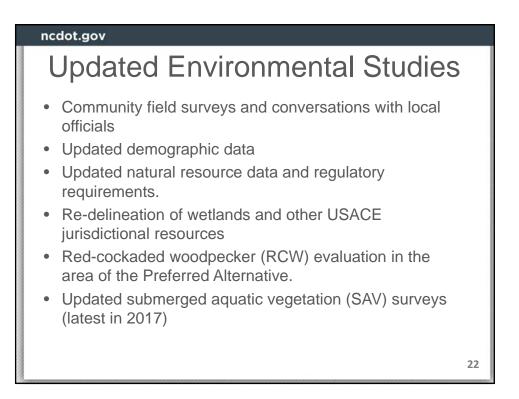


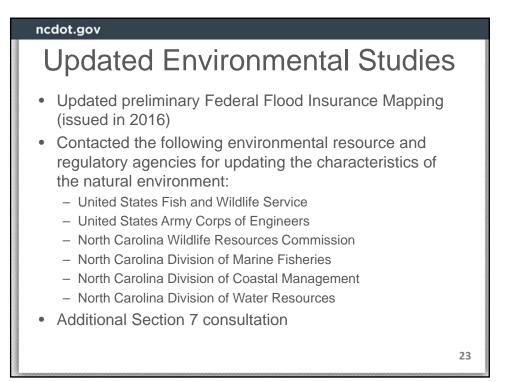










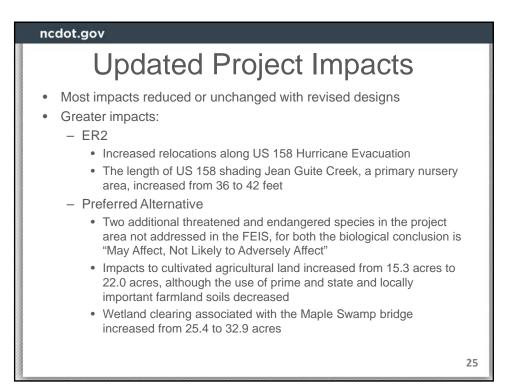




# **Changes in Project Setting**

- Limited new development in existing subdivisions
- No need for additional cultural resource surveys
- Changed jurisdictional resource boundaries (considered in revised designs)
- · Additional protected species
- · Updated flood hazard boundaries
- Additional development projects and regulatory changes in indirect and cumulative impacts study area

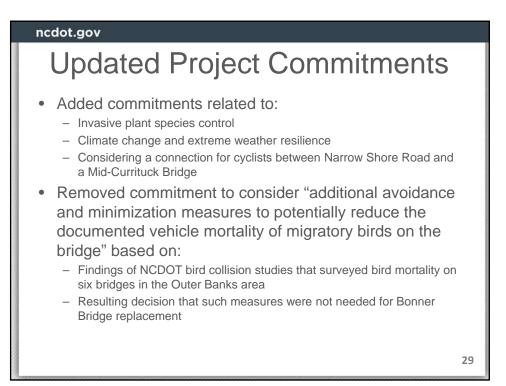
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Natural Resource Specifics					
	ER2		Preferred Alternative		
Water Quality Impact	FEIS Increased levels of highway runoff with 89.0	Reevaluation Increased levels of highway runoff with 33.7	FEIS Potential for increased turbidity levels during Mid- Currituck Bridge construction; increased	Reevaluation Potential for increased turbidity levels during Mid Currituck Bridge construction; increased	
	acres of increased impervious surface	acres of increased impervious surface	levels of bridge and highway runoff with 71.5 acres of increased impervious surface	levels of bridge and highway runoff with 64.3 acres of increased impervious surface	
Natural Upland Biotic Comn	nunities impact				
<ul> <li>Fill in Natural and Naturalized Upland Communities</li> </ul>	85.3 acres	23.9 acres	33.6 acres	22.8 acres	
Clearing Natural and Naturalized Upland Communities	0.0 acre	Same as FEIS	1.3 acres	0.0 acres	
Land Wildlife Habitat Impact	Least invasive	Same as FEIS	Removal and alteration of wildlife habitat (both by habitat use and bridging) and habitat edge effects	Same as FEIS	
Shaded aquatic Bottom <6 feet deep	0.1 acre	0.0 acre	8.7 acres	7.8 acres	
Water Wildlife Habitat Impact	Minor	Same as FEIS	Altered light levels and the introduction of piles as a hard substrate in Currituck Sound; localized noise, turbidity, and siltation during construction	Same as FEIS	
Shading Jean Guite Creek (a primary nursery area)	36 feet	42 feet	0 feet	Same as FEIS	

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Natural Resource Specifics					
		R2		Alternative	
Submerged Aquatic Vegetatio	FEIS	Reevaluation	FEIS	Reevaluation	
Existing SAV Beds     Shaded	0.0 acre	Same as FEIS	3.8 acres	3.7 acres	
Existing Beds and     Potential (water depths <u>&lt; 6 feet) SAV Shaded </u>	0.1 acre	Same as FEIS	8.7 acres	7.8 acres	
Wetlands Impacts					
Wetlands within Slope- Stake Line, plus Additional 25-foot Buffer	12.6 acres	8.5 acres	8.3 acres	4.2 acres	
Total Coastal Area Management Act (CAMA) Wetland Impacts	0.7 acre	Same as FEIS	0.0 acre	Same as FEIS	
Wetland clearing associated with the Maple Swamp Bridge	0.0 acre	Same as FEIS	25.4 acres	32.9 acres	
CAMA Areas of Environmenta	I Concern Affected				
• Fill	0.9 acre	Same as FEIS	0.0 acre	Same as FEIS	
Pilings	0.0 acre	Same as FEIS	0.1 acre	Same as FEIS	
Clearing	0.0 acre	Same as FEIS	0.0 acre	Same as FEIS	

ER2 Preferred Alternative				
Facestick Fick Habitat (FFI	FEIS	Reevaluation	FEIS	Reevaluation
Essential Fish Habitat (EFI • Fill	1.8 acres	Same as FEIS	0.0 acre	Same as FEIS
Pilings	0.0 acre	Same as FEIS	0.1 acre	Same as FEIS
<ul> <li>Shading (water depths ≤ 6 feet)</li> </ul>	0.1 acre	Same as FEIS	8.7 acres	7.8 acres
Shading (SAV habitat)	0.0 acre	Same as FEIS	4.8 acres	4.2 acres
Clearing	0.0 acre	Same as FEIS	0.0 acre	Same as FEIS
Threatened and Endangered Species Habitat Affected	"No Effect" on the 11 threatened and endangered species under USFWS jurisdiction	Same as FEIS	"May Affect, Not Likely to Adversely Affect" for 3 species and "No Effect" for 8 species under USFWS jurisdiction "May Affect, Not Likely to Adversely Affect" for 4 species and "No Effect" on 2 species under NMFS jurisdiction	"May Affect, Not Likely Adversely Affect" for 5 species under USFWS jurisdiction. No chang for other species

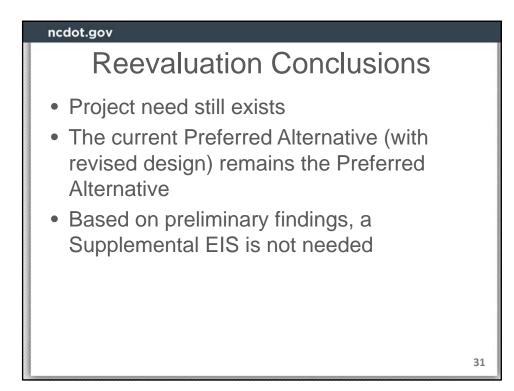


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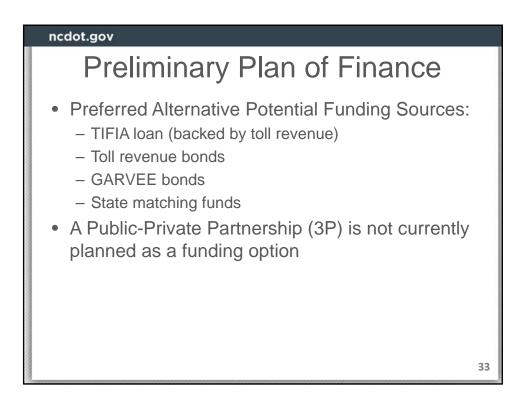
# Updated Project Commitments Removed commitment that said: "NCTA also will provide space in the NC 12 right-of-way and complete the grading for future multi-use paths to be provided by others in three locations along the widened sections of NC 12 in Currituck County."

- The referenced future multi-use paths have been built and are not affected with the revised designs
- Commitment is no longer needed
- Added other editorial/clarification changes requested in FEIS comments

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	Cost			
Preferred Alternative				
– FEIS:	\$502.4 to \$594.1 million			
- Reevaluation:	\$481.7 to \$502.6 million *			
• ER2				
– FEIS:	\$416.1 to \$523.4 million			
- Reevaluation:	\$277.9 to \$288.1 million			
*Reevaluation cost for Preferred Alternative is preliminary pending completion of Cost Estimate Review with FHWA				
		32		



ncdot.gov					
Current Schedule					
<ul> <li>Draft EIS</li> <li>Final EIS</li> <li>Reevaluation</li> <li>ROD</li> <li>Begin Construction</li> <li>Open to Traffic</li> </ul> *Schedule is preliminary and subject to	Completed Completed April 2018 Spring/Summer 2018 To be determined To be determined				
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