

**North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
T.I.P. No. R-3307**

I. GENERAL INFORMATION

- A. Consultation Phase: Construction
- B. Project Description: US 70 Improvements from Four Lanes at Radio Island to north of Beaufort near Olga Road (SR 1429)
- C. Federal Project: STPNHF-70(43)
WBS Element: 34528.1.1
- D. Document Type: EA October 20, 2004
FONSI September 7, 2006
Right of Way Consultation June 12, 2008
Construction Consultation # 1 February 14, 2012
Construction Consultation # 2 October 1, 2012

II. CONCLUSIONS

The above 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, if any, are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administrative Action remains valid.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

There have been no design changes since the previous Construction Consultation was approved in October 2012. The following are non-design changes:

USCG Coordination:

At the request of the United States Coast Guard (USCG), NCDOT commissioned a marine assessment for the existing Gallants Channel Bridge. This study included historical vessel data as well as vessel height surveys; heights of the vessels traveling beneath the existing bridge, as well as the time of each opening event and the type and number of vessels traveling through the bridge during event. This data was collected over a total of a 6 month period, and was used to help establish the U.S. Coast Guard clearance requirements for the new fixed span bridge replacement

alternative. The final report was submitted to USCG in August 2013 as part of the permit application package. NCDOT has since received the USCG permit.

Natural Resources:

The total updated wetland and stream impacts for project R-3307 are listed in Tables 1 and 2, respectively.

Table 1: Summary of Anticipated Impacts to Wetlands

<u>Site*</u>	<u>FONSI Impact (acres)</u>	<u>Current Impact (acres)</u>
Total	13.61	6.94

* Site number corresponds to 2011 permit drawings

Table 2: Summary of Anticipated Impacts to Streams

<u>Water Body</u>	<u>FONSI Impact (linear feet)</u>	<u>Current Impact (linear feet)</u>
Total	None	851*

* Includes 48 linear feet of impacts from bank stabilization

Since the publication of the previous Construction Consultation in October 2012, water resource classifications have not changed. Neither Water Supplies (WS-I/WS-II) nor Outstanding Resource Waters (ORW) occur within 1.0 mile of the project study area. Newport River (Gallants Channel) and Town Creek are not designated as North Carolina Natural or Scenic Rivers, or as National Wild and Scenic Rivers. Additionally, these waters are not listed on the Final 2010 303(d) list of impaired waters due to sedimentation for the White Oak River Basin, nor do they drain into any Section 303(d) waters within 1.0 miles of the project study area.

As of December 26, 2012, the U.S. Fish and Wildlife Service (USFWS) lists fourteen federally protected species for Carteret County (see Table 3).

A Concurrence Request providing Biological Conclusions for each species was submitted to the USFWS in November 30, 2007. The USFWS responded with concurrence on December 26, 2007.

A review of the North Carolina Heritage Program (NCNHP) database, updated January 2014 indicated two occurrences of a protected species within one mile of the project study area. West Indian manatee (last observed 2007). As a result, the NCDOT will utilize *The Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for Construction Activities in North Carolina Waters* to the maximum extent practicable.

Additionally, Atlantic sturgeon (last observed 2012) has been added to the list since completion of the referenced documents and subsequent permit applications. Per personal communication via an email from Fritz Rhode of NOAA Fisheries, the biological conclusion for Atlantic sturgeon is "no effect".

In the July 9, 2007 Federal Register (72:37346-37372), the bald eagle was declared recovered, and removed (de-listed) from the Federal List of Threatened and Endangered wildlife. This delisting took effect on August 8, 2007. After delisting, the Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668d) became the primary law protecting bald eagles. A survey that was conducted on November 21, 2007 found no nests within 660 feet of the project limits; however, nesting and foraging habitat was present.

Table 3: Federally Protected Species of Carteret County

<u>Scientific Name</u>	<u>Common Name</u>	<u>Federal Status</u>	<u>Biological Conclusion</u>
<i>Alligator mississippiensis</i>	American alligator	T(S/A)	N/A
<i>Chelonia mydas</i>	Green sea turtle	T	No Effect
<i>Lepidochelys kempii</i>	Kemp's ridley sea turtle	E	No Effect
<i>Eretmochelys imbricata</i>	Hawksbill sea turtle	E	No Effect
<i>Dermochelys coriacea</i>	Leatherback sea turtle	E	No Effect
<i>Caretta caretta</i>	Loggerhead sea turtle	T	No Effect
<i>Charadrius melodus</i>	Piping plover	T	No Effect
<i>Picoides borealis</i>	Red-cockaded woodpecker	E	No Effect
<i>Sterna dougallii</i>	Roseate tern	E	No Effect
<i>Acipenser oxyrinchus oxyrinchus</i>	Atlantic sturgeon	E	No Effect
<i>Acipenser brevirostrum</i>	Shortnose sturgeon	E	No Effect
<i>Trichechus manatus</i>	West Indian manatee	E	May Affect, Not Likely to Adversely Affect
<i>Lysimachia asperulaefolia</i>	Rough-leaved loosestrife	E	No Effect
<i>Amaranthus pumilus</i>	Seabeach amaranth	T	No Effect
<i>Acipenser oxyrinchus oxyrinchus</i>	Atlantic sturgeon	E	No Effect

IV. LIST OF ENVIRONMENTAL COMMITMENTS


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

V. COORDINATION

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

Design Engineer:	Rekha Patel, P.E.	<u>1/13/14</u> Date
Permits Specialist:	Tyler Stanton	<u>1/13/14</u> Date
Hydraulics Engineer:	Jay Twisdale, P.E.	<u>1/13/14</u> Date
FHWA Area Engineer:	Ron Lucas, P.E.	<u>1/14/14</u> Date

VI. NCDOT CONCURRENCE



Charles R. Cox, P.E.
Project Planning Engineer


1/15/14
Date



Robert P. Hanson, P.E., Eastern Region Section Head
Project Development and Environmental Analysis Unit

1/10/14
Date

VII. FHWA CONCURRENCE



Division Administrator
Federal Highway Administration

1/16/14
Date

PROJECT COMMITMENTS

US 70 Improvements

From Four Lanes at Radio Island
To North of Beaufort near Olga Road (SR 1429)

Beaufort, Carteret County

WBS Project 34528.1.1

Federal Aid Project No. STPNHF-70(43)

STIP PROJECT R-3307

COMMITMENTS DEVELOPED THROUGH PROJECT DEVELOPMENT AND DESIGN

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

Roadway Design Unit/Hydraulics Unit/Roadside Environmental Unit/Division 2

NCDOT's High Quality Water Guidelines (Design Standards in Sensitive Watersheds) will be implemented.

Design Standards in Sensitive Watersheds have been included in the current project design.

Roadway Design Unit/Division 2

The project will include 3:1 fill slopes in wetland areas to eliminate the need for guardrail.

3:1 fill slopes in wetland areas have been included in the current project design where practicable. However, 1.5:1 and 3:1 fill slopes with guardrail have been utilized between Stations 28+00 and 29+50 and between Stations 63+50 to 66+50, respectively, due to the height of embankment, which is too high to obtain the necessary clear zone recovery distance. Also, flatter fill slopes have been included in the wetland areas between Stations 172+00 and 182+00, where low fill embankments are present, to obtain necessary clear zone recovery distance and avoid the use of guardrail.

NCDOT will build a new sidewalk on the east side of Turner Street from north of the bridge to the proposed intersection with US 70 so that pedestrians will have improved access to downtown Beaufort.

This sidewalk has been included in the current project design.

NCDOT will install the conduit and pedestals necessary for lighting the Turner Street Bridge.

NCDOT has coordinated the design and spacing of the lighting with the Town of Beaufort and these have been included in the design plans for this project. This work

will be completed during construction; however, it will be the responsibility of the Town of Beaufort to pay for the wiring, purchase, installation, and maintenance of this lighting.

Roadway Design Unit/Hydraulics Unit

NCDOT will remove a portion of the causeway at Town Creek to aid the hydrology and ecological system for the area.

As part of the proposed design, a portion of the existing roadway along Turner Street and the metal pipe culverts at Town Creek shall be removed and replaced with a 580-foot long bridge. A mitigation plan for this area will be included as part of the proposed design.

During construction, NCDOT will avoid impacting the Beaufort-Morehead City Airport's stormwater detention pond located adjacent to the proposed alignment.

The alignment of proposed US Highway 70 was shifted away from this area of the airport's property in order to avoid impacts to the stormwater detention pond.

Roadway Design Unit/Local Programs Management Office

NCDOT will participate in an 80/20 costshare with the Town of Beaufort to install a sidewalk on the west side of Turner Street from north of the bridge to the proposed intersection with US 70.

This sidewalk has been included in the current project design. A supplement will be made to the existing Memorandum of Agreement (MOA) that outlines the cost that will be borne by the Town of Beaufort and their commitment to maintain these sidewalks.

Division 2

NCDOT will implement the "Guidelines for Avoiding Impacts to the West Indian Manatee: Precautionary Measures for North Carolina Waters."

These measures will be incorporated during construction.

NCDOT "Best Management Practices for Bridge Demolition and Removal" will be implemented on this project.

These measures will be incorporated during construction.

Project Development & Environmental Analysis Unit/Roadway Design Unit

NCDOT will coordinate the proposed design of the new bridge with the North Carolina Maritime Museum officials to minimize the project's effect on the museum expansion site (see Memorandum of Agreement (MOA)).

NCDOT has coordinated with the North Carolina Department of Cultural Resources (NCDOR) and the North Carolina Maritime Museum regarding the impact of the new bridge on the proposed museum expansion site and the results of this coordination have been incorporated into the final design.

Project Development & Environmental Analysis Unit

The measures outlined in the MOA and the Programmatic Section 4(f) Evaluation are recommended to minimize harm to Bridge #29 and the Beaufort Historic District. These include the following:

- Prior to the initiation of construction, NCDOT shall record the existing condition of the Carteret County Home and its surroundings in accordance with the Historic Structures and Landscape Recordation Plan (see Appendix A of FONSI) and submit the results to the North Carolina Historic Preservation Office (NCHPO) so there is a permanent record of the property. If, prior to the completion of the project, the owners of the Carteret County Home donate the building for relocation to a qualified preservation organization, such as Preservation North Carolina, NCDOT will provide funding up to \$75,000 to the preservation organization to assist in the move of the building to a new site within Carteret County. In consideration of such assistance, the preservation organization shall ensure that covenants are placed on the building to require its rehabilitation and preservation in perpetuity.

This will be completed prior to construction.

- Prior to initiation of construction, NCDOT shall record the existing condition of Bridge #29 and its surroundings in accordance with the attached Historic Structures and Landscape Retention Plan and submit the results to the NCHPO so there is a permanent record of the bridge.

NCDOT's Historic Architecture group will record the existing condition of the Grayden Paul Bridge (Bridge #29) prior to construction. Division 2 personnel will coordinate with the contractor to ensure that the Historic Architecture Group is notified at least one week in advance of the existing bridge being removed.

- NCDOT, in accordance with its Bridge Reuse and Relocation Program, shall transfer Bridge #29 to the NC Maritime Museum. Up to the cost of what it would have cost NCDOT to demolish and remove the bridge, NCDOT is responsible for removing and delivering Bridge #29 to a location specified by the museum.

The North Carolina Maritime Museum has decided not to take any portion of Bridge #29 once it is removed; therefore, NCDOT will dismantle and dispose of the existing structure during the construction phase of this project.

- NCDOT shall ensure that an interpretive display about the presence and history of Bridge #29 on its original site and directions to its new site are installed within the public use area.

The PDEA Planning Engineer will coordinate with the Historic Architecture Group and the NCHPO to design and produce an appropriate interpretive display that shows what Bridge #29 used to look like, how it worked, and why it was important. This display will be placed in a location that overlooks the original site of the bridge and will be installed by NCDOT's Division 2.

Project Development & Environmental Analysis Unit/Natural Environment Section

Due to unanticipated utility relocations, the beginning project limits have been expanded slightly on the west side of the existing Gallants Channel Bridge near SR 1208 (Pivers Island Road). Wetland delineations have already been completed to determine if additional impacts will occur in this area, and any pertinent permits will be modified to reflect these changes if necessary.

They have been included in permits.

Project Development & Environmental Analysis Unit/Division 2

The NCDOT, NCHPO, and the Museum will explore opportunities and other means, such as Transportation Enhancement funds, to further ensure the preservation of the bridge and its use as an educational element within the Museum's Gallants Channel campus.

The North Carolina Maritime Museum has decided not to take any portion of Bridge #29 once it is removed; therefore, NCDOT will dismantle and dispose of the existing structure during the construction phase of this project.

NCDOT will consult with the NCHPO, Town of Beaufort, and North Carolina Wildlife Resources Commission (WRC) to develop and implement a plan for future public use of the Bridge #29 site, including approaches in the Town of Beaufort that constitute the US 70 right-of-way. Thereafter, a Memorandum of Understanding (MOU) may be developed between NCDOT, the Town of Beaufort, NCHPO and WRC, if it agrees to participate, to provide a detailed plan for future public use.

The Town of Beaufort has retained a consultant to develop plans for improving the entrances into their town, including the US 70 (Cedar Street) site where the existing Bridge #29 is located. NCDOT will coordinate with the Town to ensure that their future plans for this site are in accordance with current standards.

If the proposed Gallants Channel Bridge has not been fully constructed by 4/26/13, NCDOT will coordinate with the Federal Aviation Administration (FAA) regarding the filing and approval of an extension of the obstruction analysis determination.

An extension was filed April 16, 2013, to expire October 16, 2014. NCDOT's Division 2 Office will contact the PDEA Planning Engineer about coordinating with the FAA if another extension is necessary.

NCDOT will submit FAA Form 7460-2, a Notice of Actual Construction or Alteration, within 5 days after the construction reaches its greatest height in order to remain in compliance with the FAA's obstruction analysis determination.

NCDOT's Division 2 Office will contact the PDEA Planning Engineer one month in advance of the construction of the highest point of the bridge so that the PDEA Unit can prepare and submit this form within the appropriate 5-day time frame.

NCDOT will coordinate with the Town of Beaufort regarding the removal of and reimbursement for the boardwalk along Turner Street prior to construction.

NCDOT's Division 2 Right of Way Office has settled with the Town regarding the value of the boardwalk. It will be removed by NCDOT as part of the project construction.

Project Development & Environmental Analysis Unit/Roadway Design Unit/Division 2

NCDOT will allow the North Carolina Maritime Museum to operate their Junior Sailing Program until ninety days prior to the construction of the new Gallants Channel Bridge, and will also coordinate with the NC Department of Cultural Resources (NCDRCR) and the NC Maritime Museum to accommodate the continued operation of this program after construction is complete.

NCDOT and the NCDRCR will develop a Memorandum of Understanding (MOU) to allow the continued operation of the Junior Sailing Program, provided that the NCDRCR receives a statute from the General Assembly allowing the non-highway use of highway right of way. NCDOT has coordinated with the NC Maritime Museum to make sure that design-specific details required for continued operation of this program were included in the final design plans.

Roadway Design Unit

As part of the subject project, improvements along Turner Street within the Beaufort Historic District will be completed within the existing right-of-way. No additional right-of-way will be obtained.

The current design plans reflect this commitment, although some permanent drainage easement will be needed. However, the effect on the Beaufort Historic District will not be adverse. NCDOT has coordinated this de minimus Section 4(f) impact with the NCHPO and FHWA.

No more than three lanes will result from any lane reconfigurations on Turner Street within the Beaufort Historic District.

Turner Street within the Beaufort Historic District is being widened to three lanes only as shown on the proposed design plans.

Bicycle travel will be accommodated by the use of 4-foot paved shoulders on roadway sections and 4-foot offsets with 54-inch bicycle safe railings.

4-foot paved shoulders on the roadway and 4-foot offsets with bicycle safe railings on the bridge have been included as part of the project design.

Any sections of existing sidewalk on Turner Street within the Beaufort Historic District affected by construction will be replaced.

Existing sidewalks will be replaced as necessary during construction and are reflected in the current design.

Project Development & Environmental Analysis Unit/Roadway Design Unit/ Structure Design Unit

NCDOT will consult with NCHPO to address the design options and height for the proposed new bridge on Turner Street over Town Creek.

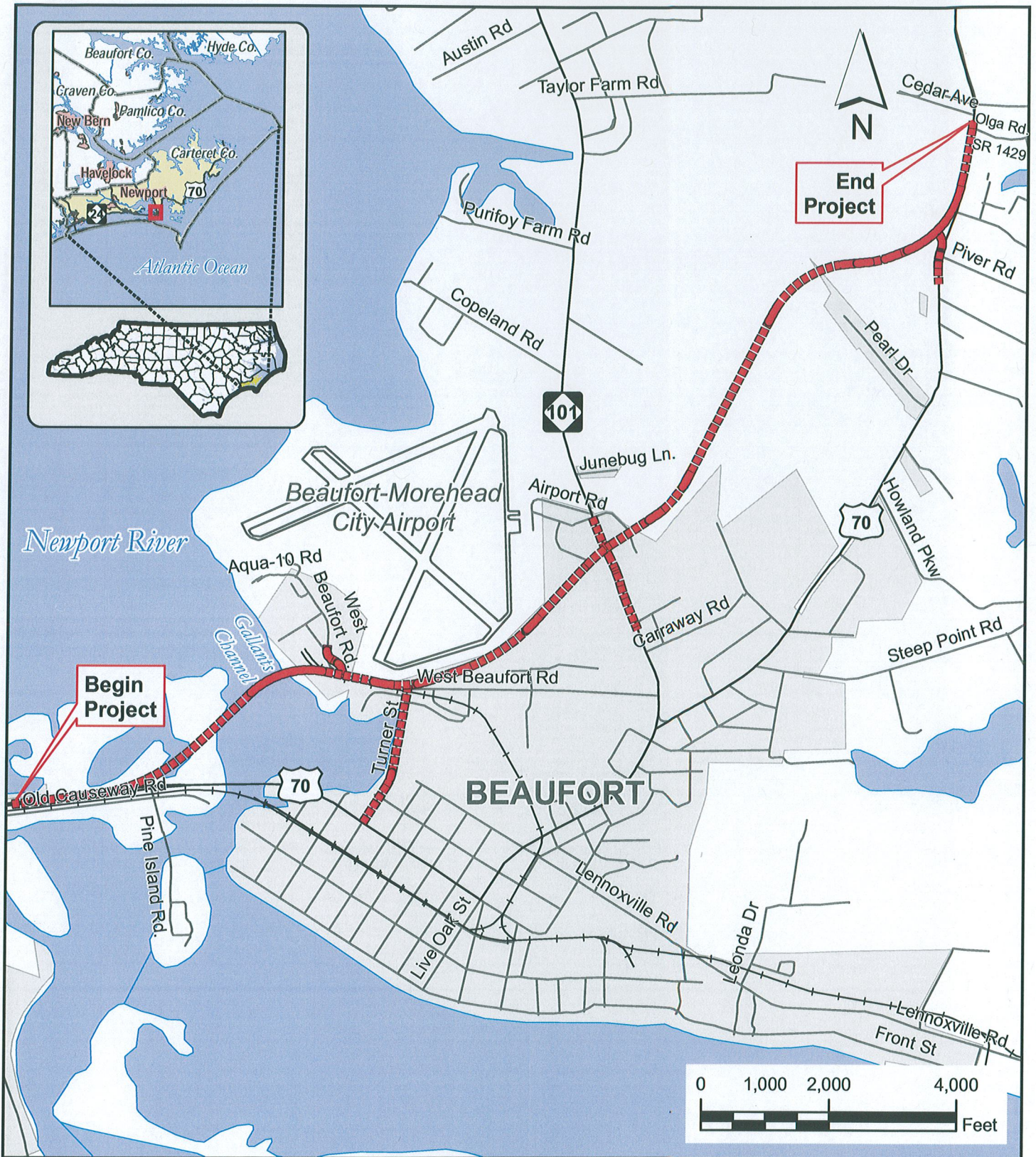
NCDOT has consulted with NCHPO on these issues and is incorporating NCHPO's requests into the final design, including:

- *The use of a classic railing on both sides of bridges*
- *Sidewalks on both sides of the bridge*
- *Conduit and pedestals for lighting on the bridge*

NCDOT will consult with NCHPO to address the design options for the proposed new bridge over Gallants Channel to limit visual and audible impacts on the National Register-listed Beaufort Historic District.

NCDOT has consulted with NCHPO on these issues and is incorporating NCHPO's requests into the final design, including:

- *The construction of a parapet and a two-bar metal rail*



NORTH CAROLINA DEPARTMENT
OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT AND
ENVIRONMENTAL ANALYSIS BRANCH

VICINITY MAP
US 70 FROM RADIO ISLAND
TO NORTH OF SR 1429
BEAUFORT, CARTERET COUNTY
TIP PROJECT R-3307

County:	BEAUFORT
Div: 2	TIP# R-3307
WBS:	34528.1.1
Date:	JUNE 2006

Figure
1

