

Categorical Exclusion Action Classification Form

STIP Project No. R-4436CI
WBS Element 34625.2.67
Federal Project No. _____

- A. Project Description: (Include project scope and location, including Municipality and County. Refer to the attached project location map and photos.)

Construction of a Stormwater BMP Infiltration Basin at the US 74 exit ramp to McRae St. in New Hanover County.

- B. Description of Need and Purpose:

To maintain compliance with the National Pollutant Discharge Elimination System (NPDES) program.

- C. Categorical Exclusion Action Classification: (Check one)

TYPE I
 TYPE II
 TYPE III

- D. Proposed Improvements – Include ALL Type I and Type II Action Classifications. For Type III CEs, leave blank.

Type I Action 25: Environmental restoration and pollution abatement actions to minimize or mitigate the impacts of any existing transportation facility (including retrofitting and construction of stormwater treatment systems to meet Federal and State requirements under Sections 401 and 402 of the Federal Water Pollution Control Act (33 U.S.C. 1341; 1342)) carried out to address water pollution or environmental degradation.

- E. Special Project Information: (Provide a description of relevant project information, which may include: vicinity map, costs, alternative analysis (if any), traffic control and staging, and resource agency/public involvement).

Estimated Costs:

Total Construction	\$ 65,000
Right of Way	\$ 0
Total	\$ 65,000

F. Project Impact Criteria Checklists:

<u>Type I - Non-Ground Disturbing Action</u>		Yes	No
If the proposed improvement (described above in Sections C & D) is a Non-Ground Disturbing Type I Action for 1, 4, 5, 10, 11, 13, 14, 15, 16, 17, 19, 20, &/or 29 then answer questions 1, 2, & 3. If question 3 is marked "yes," FHWA signature is required.			
1	Is the project not consistent with the State Transportation Improvement Program?	<input type="checkbox"/>	<input type="checkbox"/>
2	Is the project located within a Historic District? If yes, FHWA coordination is required to determine the effects of the project on the district. FHWA signature (Section I of this Form) on the CE may not be required (see Question 3).	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement under Section 106 of the National Historic Preservation Act or have an adverse effect on a National Historic Landmark?	<input type="checkbox"/>	<input type="checkbox"/>

<u>Type I & II - Ground Disturbing Actions</u>		Yes	No
<u>FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA</u> (FHWA Signature Required If "Yes" Selected)			X
If the proposed improvement (identified above in Sections C & D) is a: <ul style="list-style-type: none"> Type I Action for #s 2, 3, 6, 7, 8, 9, 12, 18, 21, 22, 23, 24, 25, 26, 27, 28, &/or 30; &/or Type II Action then answer the threshold criteria questions (below) and questions 8 - 31 for ground disturbing actions. In addition, if any of questions 1-7 are marked "yes" then the CE will require FHWA approval.			
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” or less 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 type="checkbox"/>	<input checked="" 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? Are there project commitments identified?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Other Considerations (continued)</u>		Yes	No
15	Does the project involve hazardous materials and 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 type="checkbox"/>	<input checked="" 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), 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"/>
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"/>
<u>Type III Actions</u>		Yes	No
If the proposed improvement is identified as a Type III Class of Action answer all questions.			
<ul style="list-style-type: none"> • The Categorical Exclusion will require FHWA approval. • If any questions are marked "yes" then additional information will be required for those question in Section G. 			
1	Does the project involve potential effects on species listed with the USFWS or NMFS?	<input type="checkbox"/>	<input type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the BGPA?	<input type="checkbox"/>	<input type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input type="checkbox"/>
<u>Type III Actions (continued)</u>		Yes	No
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input type="checkbox"/>
5	Does the project involve substantial residential or commercial displacements or right of way acquisition?	<input type="checkbox"/>	<input type="checkbox"/>
6	Does the project include a determination under Section 4(f)?	<input type="checkbox"/>	<input 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 type="checkbox"/>
8	Is a project level air quality Mobile Source Air Toxics (MSAT) analysis required?	<input type="checkbox"/>	<input type="checkbox"/>
9	Does the project impact anadromous fish?	<input type="checkbox"/>	<input type="checkbox"/>
10	Does the project impact waters classified as ORW, HQW, Water Supply Watershed Critical Areas, 303(d)-listed impaired water bodies, buffer rules, or SAV?	<input 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 type="checkbox"/>
12	Does the project require a USACE Individual Section 404 Permit?	<input type="checkbox"/>	<input type="checkbox"/>
13	Will the project require an easement from a FERC licensed facility?	<input type="checkbox"/>	<input type="checkbox"/>
14	Does the project include Section 106 of the NHPA effects determination other than a no effect, including archaeological remains? Are there project commitments identified?	<input type="checkbox"/>	<input type="checkbox"/>
15	Does the project involve hazardous materials and landfills?	<input type="checkbox"/>	<input type="checkbox"/>
16	Does the project require work encroaching and adversely effecting 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 type="checkbox"/>
17	Is the project in a CAMA county and substantially affects the coastal zone and/or any AEC?	<input type="checkbox"/>	<input type="checkbox"/>

18	Does the project require a USCG permit?	<input type="checkbox"/>	<input 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 type="checkbox"/>
20	Does the project involve CBRA resources?	<input type="checkbox"/>	<input type="checkbox"/>
21	Does the project impact federal lands (e.g. USFS, USFWS, etc.) or Tribal Lands?	<input type="checkbox"/>	<input type="checkbox"/>
22	Does the project involve any changes in access control?	<input type="checkbox"/>	<input type="checkbox"/>
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input type="checkbox"/>
24	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input type="checkbox"/>
<u>Type III Actions (continued)</u>		Yes	No
25	Is the project inconsistent with the STIP or the MPO's TIP (where applicable)?	<input type="checkbox"/>	<input 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, 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 type="checkbox"/>
27	Does the project involve FEMA buyout properties under the HMGP?	<input type="checkbox"/>	<input type="checkbox"/>
28	Is the project considered a Type I under the NCDOT's Noise Policy?	<input type="checkbox"/>	<input type="checkbox"/>
29	Is there prime or important farmland soil impacted by this project as defined by the FPPA?	<input type="checkbox"/>	<input type="checkbox"/>
30	Are there other issues that arose during the project development process that effected the project decision?	<input type="checkbox"/>	<input type="checkbox"/>

G. Additional Documentation as Required from Section F

(17) Per the attached e-mail from the NC Division of Coastal Management (DCM), the project is located within an AEC, however the activity is considered maintenance of an existing facility and will not require a permit from DCM.

H. Project Commitments

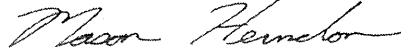
I. Categorical Exclusion Approval

STIP Project No. R-4436CI
WBS Element 34625.2.67
Federal Project No. _____

Prepared By:

2/28/17

Date



Digitally signed by Mason Herndon
DN: cn=Mason Herndon, o=NCDOT, ou=Division
3, email=tmherndon@ncdot.gov, c=US
Date: 2017.02.28 15:52:57 -05'00'

Mason Herndon, Environmental Program Supervisor
North Carolina Department of Transportation, Division 3

Prepared For:

Hydraulics Unit, Highway Stormwater Program
North Carolina Department of Transportation

Reviewed By:

3/1/17

Date



Brian Lipscomb, Project Stormwater Engineer
North Carolina Department of Transportation, Hydraulics Unit



Approved

- If Type I (Non-Ground Disturbing) Categorical Exclusion with an answer of "no" to question 3.
- If Type I or Type II (Ground Disturbing) Categorical Exclusions with an answer of "no" to all of the threshold questions (1 through 7) of Section F.



Certified

- If Type I (Non-Ground Disturbing) Categorical Exclusion with an answer of "yes" to question 3.
- If Type I or Type II (Ground Disturbing) Categorical Exclusions with an answer of "yes" to any of the threshold questions (1 through 7) of Section F.
- If classified as Type III Categorical Exclusion.

3/1/17

Date



Matthew (Matt) Lauffer, Assistant State Hydraulics Engineer
North Carolina Department of Transportation, Hydraulics Unit

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

Date

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

Herndon, T. Mason

From: Lane, Stephen
Sent: Friday, February 17, 2017 2:21 PM
To: Herndon, T. Mason
Subject: RE: Stormwater BMP on McRae St., New Hanover

Hi Mason,

I have reviewed the proposed BMP retrofit project to be constructed on the right side of the exit ramp on MLK Blvd. at McRae Street as detailed in your February 16, 2017 email to me and determined that the work is maintenance and repair of an existing facility and that a CAMA permit will not be required for this project if constructed in accordance with the information provided in your email. Please let me know if I may be of any further assistance with this project.

Sincerely,

Stephen Lane
Coastal Management Representative

From: Herndon, T. Mason
Sent: Thursday, February 16, 2017 8:25 AM
To: Lane, Stephen <stephen.lane@ncdenr.gov>
Subject: Stormwater BMP on McRae St., New Hanover

Good Morning Stephen,

NCDOT is proposing to install a BMP retrofit on the right side of the exit ramp on MLK at McRae St. Please look at the attached figures and let me know if I need anything from your agency to construct this project. If you need any additional information, please let me know.

Thanks!

Mason Herndon
Environmental Program Supervisor
Division 3
NCDOT- Division of Highways

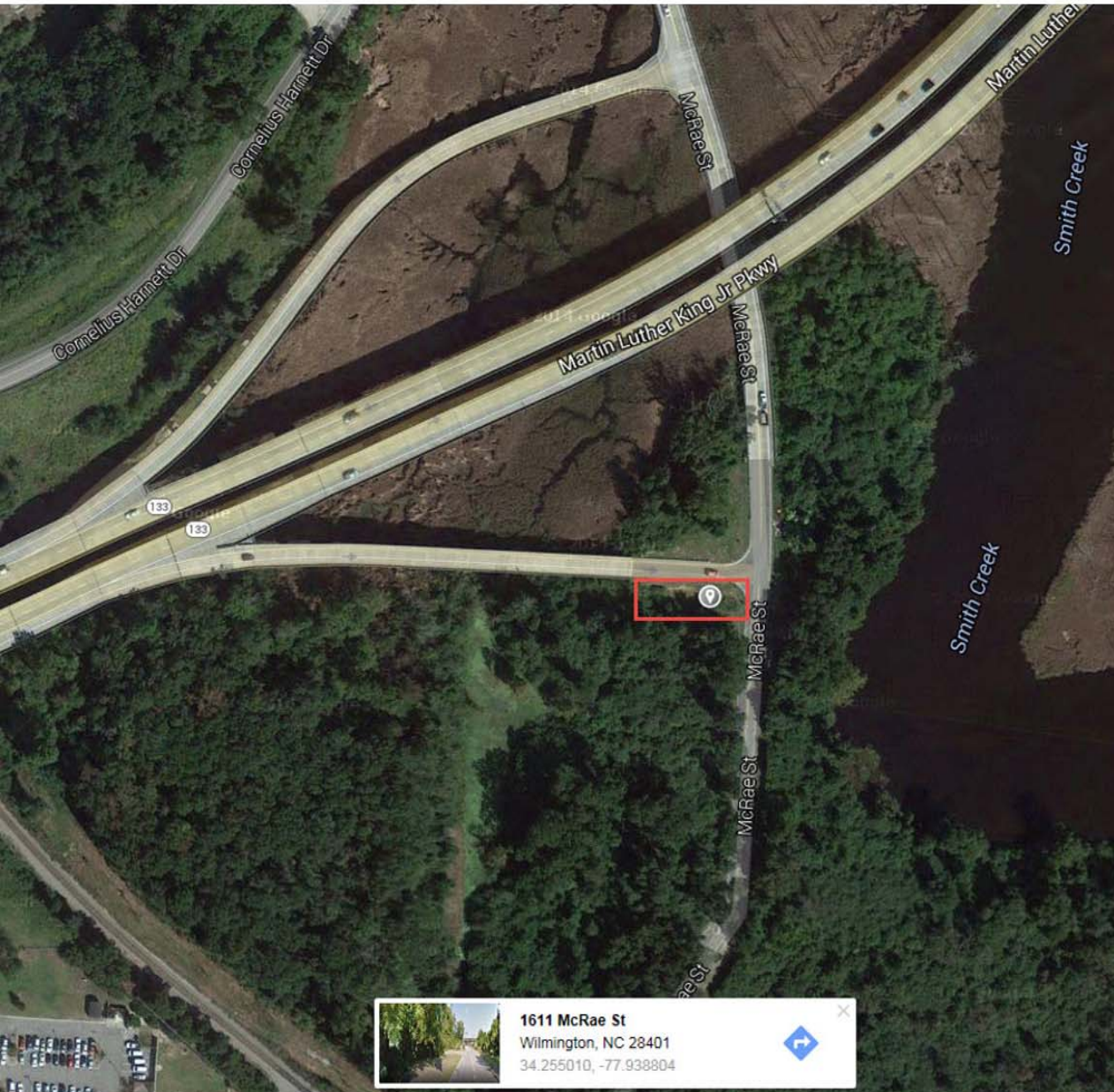
910-341-2036 office
910-604-0050 mobile
tmherndon@ncdot.gov

5501 Barbados Blvd
Castle Hayne, NC 28429



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

NPDES Sites



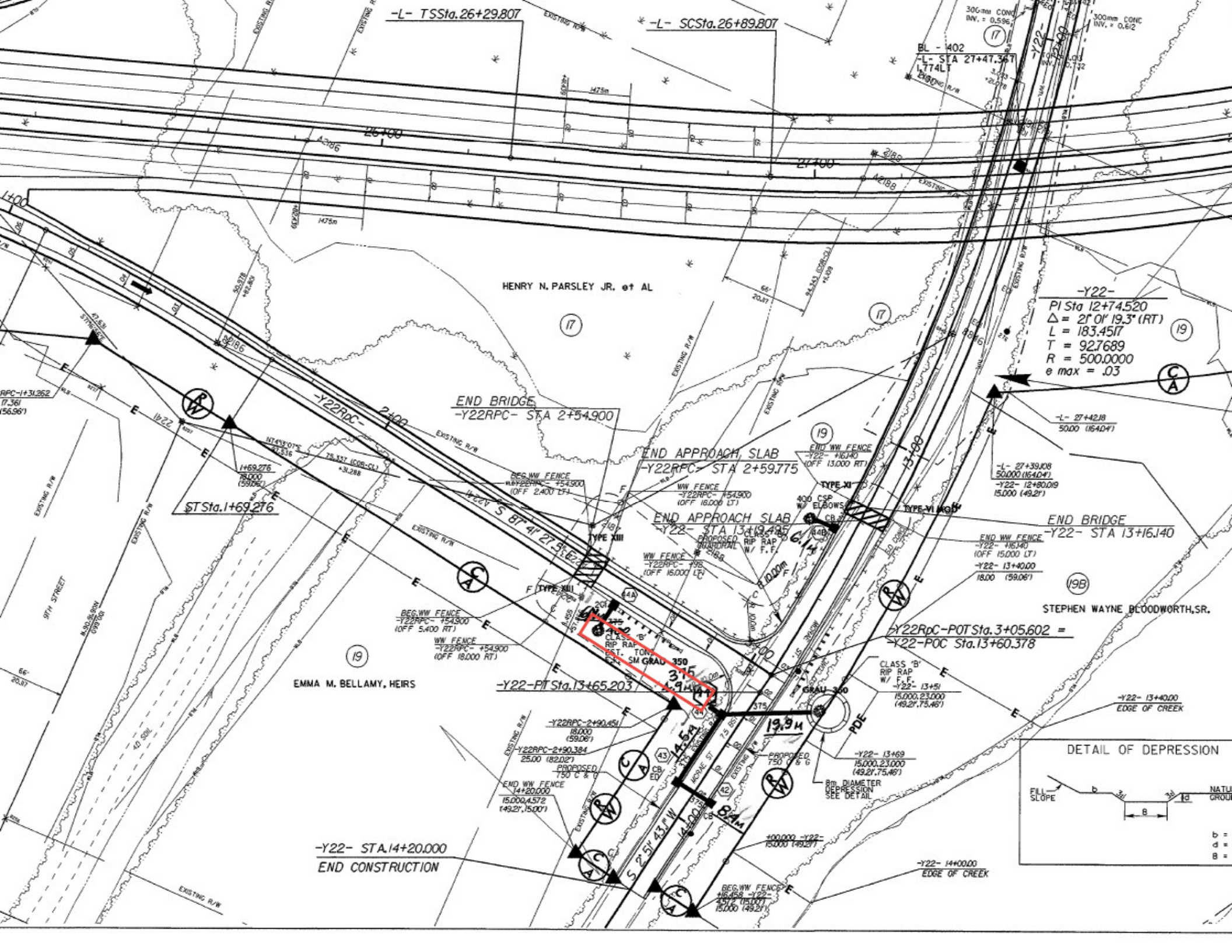
Division 3

- US 74 / NC 133 & McRae St.
 - Smith Creek
 - C, Sw
 - 303d = Fecal, Temperature, Dissolved Oxygen, pH, Benthos
 - 1 credit
 - Existing Basin across the road. Can modify existing ditch with check dams to promote infiltration

Location

Photos





-L- TSSSta.26+29.807

-L- SCSta.26+89.807

BL - 402
 -L- STA 27+47.367
 774LT
 2.78
 22.78

-Y22-
 PI Sta 12+74.520
 $\Delta = 2^\circ 01' 19.3''$ (RT)
 L = 183.4517
 T = 92.7689
 R = 500.0000
 e max = .03

END BRIDGE
 -Y22RPC- STA 2+54.900

END APPROACH SLAB
 -Y22RPC- STA 2+59.775

END APPROACH SLAB
 -Y22- STA 13+19.485

END BRIDGE
 -Y22- STA 13+16.140

STSta.1+69.276

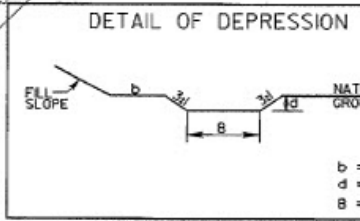
-Y22RPC-POTSta.3+05.602 =
 -Y22-POC Sta.13+60.378

-Y22-PT Sta.13+65.203

EMMA M. BELLAMY, HEIRS

STEPHEN WAYNE BLOODWORTH, SR.

-Y22- STA.14+20.000
 END CONSTRUCTION



-Y22- 14+00.00
 EDGE OF CREEK