



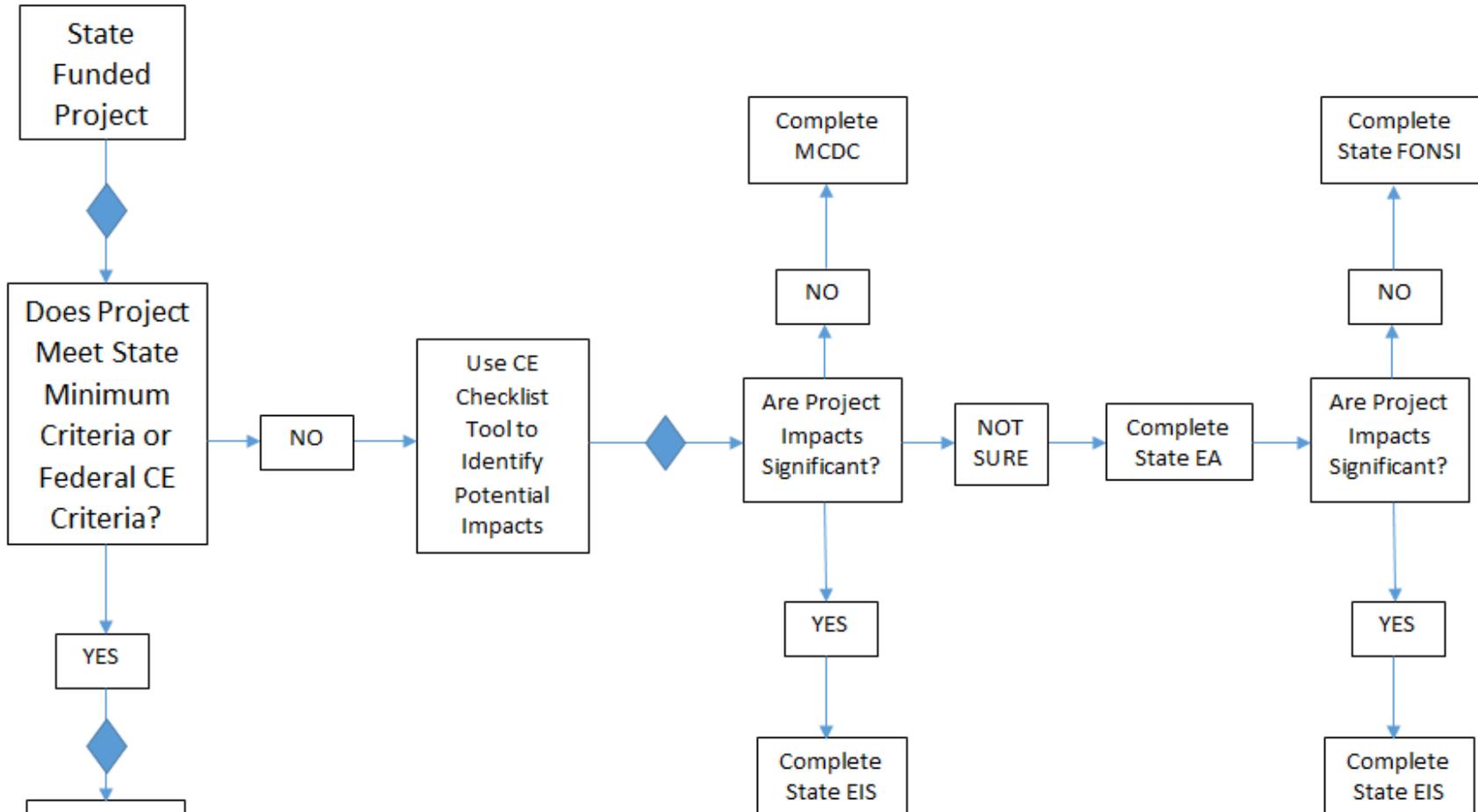
NORTH CAROLINA

Department of Transportation



Documentation for State-Funded Projects

May 8, 2018



MCDC – Minimum Criteria Determination Checklist
 EA – Environmental Assessment
 FONSI – Finding of No Significant Impact
 EIS – Environmental Impact Statement

◆ Determine & Coordinate with Lead Federal Agency

SEPA Documentation Requirements

Is project State-funded and clearly qualifies under any of the 29 defined minimum criteria as defined by [19A NCAC 02F .0102](#)?

If YES, then proceed with a Minimum Criteria Determination Checklist (MCDC)

SEPA Documentation Requirements

Many federal laws apply to State-funded projects

- Section 404 of Clean Water Act
- Section 408 Civil Works Program
- Section 106 of National Historic Preservation Act or GS 121.12A
- Section 6(f) of Land and Water Conservation Act
- Section 7 or 9 of Endangered Species Act
- Bald and Golden Eagle Protection Act
- Anadromous Fish Conservation Act
- Section 9 of Rivers and Harbors Appropriation Act
- TVA and FERC
- FEMA buy-out properties under HMGP
- **And many more.....**

SEPA Documentation Requirements

- Minimum Criteria Determination Checklist (MCDC) is located on Connect NCDOT website
<https://connect.ncdot.gov/resources/Environmental/Pages/Environmental-Compliance-Guides.aspx>
- Refer to Minimum Criteria list to answer Question 1 for Part A on MCDC
[19A NCAC 02F .0102](#)

SEPA Documentation Requirements

If it does not clearly qualify under any of the 29 defined minimum criteria, then look to see if qualifies as a Categorical Exclusion as defined by [23 CFR 771.117 \(c\) and \(d\)](#)?

If YES, then proceed with a Minimum Criteria Determination Checklist (MCDC), but it may require some additional work.

SEPA Documentation Requirements

If project qualifies as a CE, but State funds are being used, then according to [01 NCAC 25 .0402](#) - SEPA is satisfied

01 NCAC 25 .0402 DOCUMENT UNDER NEPA DEEMED ADEQUATE

If an environmental document is prepared under the provisions of the National Environmental Policy Act (NEPA) for a specific activity, and if that document is reviewed through the Clearinghouse process, then this review shall constitute compliance with the requirements of this Chapter for that activity. **If a specific activity has been designated as categorically excluded from the provisions of the National Environmental Policy Act, then the requirements of this Chapter shall have been met for that activity.**

History Note: Authority G.S. 113A-11;
 Eff. February 1, 1986;
 Amended Eff. April 1, 1999;
 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.

NEPA Documentation Requirements

- [23 CFR 771.115](#) established the level of documentation required under NEPA for FHWA
- [23 CFR 771.117](#) defined CE's
- Several federal bills have since passed updating the (c) and (d) lists

SEPA Documentation Requirements

Project qualifies as a State Minimum Criteria under [19A NCAC 02F .0102](#) if it meets any of the 29 types and classes of threshold of activities listed.

- (26) Implementation of any project which qualifies as a "categorical exclusion" under the National Environmental Policy Act by one of the Agencies of the U.S. Department of Transportation;

SEPA Documentation Requirements

Is project State-funded and clearly qualifies under any of the 29 defined minimum criteria as defined by [19A NCAC 02F .0102](#), or by [23 CFR 771.117 \(c\) and \(d\)](#)?

If NO, or still not sure,

then start with no assumptions for level of environmental documentation and document type needed

SEPA Documentation Requirements

Determination of Lead Federal Agency

- Usually determined based on funding or permitting
- FHWA is generally the lead for Federally-funded projects
- USACE is generally the lead for State-funded projects requiring a Section 404 permit
- Lead Federal Agency could be another federal agency such as the US Coast Guard

When Does SEPA Apply? (<https://deq.nc.gov/permits-regulations/sepa>)

For any project that meets all three of the following criteria, an environmental document must be prepared:

- An expenditure of \$10 million in funds provided by the state of North Carolina for a single project or action or related group of projects or action

Or

land-disturbing activity of equal to or greater than 10 acres of public lands resulting in substantial, permanent changes in the natural cover or topography of those lands (or waters)

- An action by a state agency, and
- Has a potential detrimental environmental effect upon natural resources, public health and safety, natural beauty, or historical or cultural elements, of the state's common inheritance.

Need help in determining the level of environmental impact or detrimental environmental effect? DEQ has developed [minimum criteria](#)  to identify those projects requiring an environmental document (scroll to page 7).

If federal funds are involved, the National Environmental Policy Act (NEPA) may apply.

SEPA Documentation Requirements

Use CE Type III Checklist as an environmental checklist tool to determine coordination and documentation requirements

Both NEPA and SEPA require taking a hard look at every project to ensure it does not have **significant effects** on the environment



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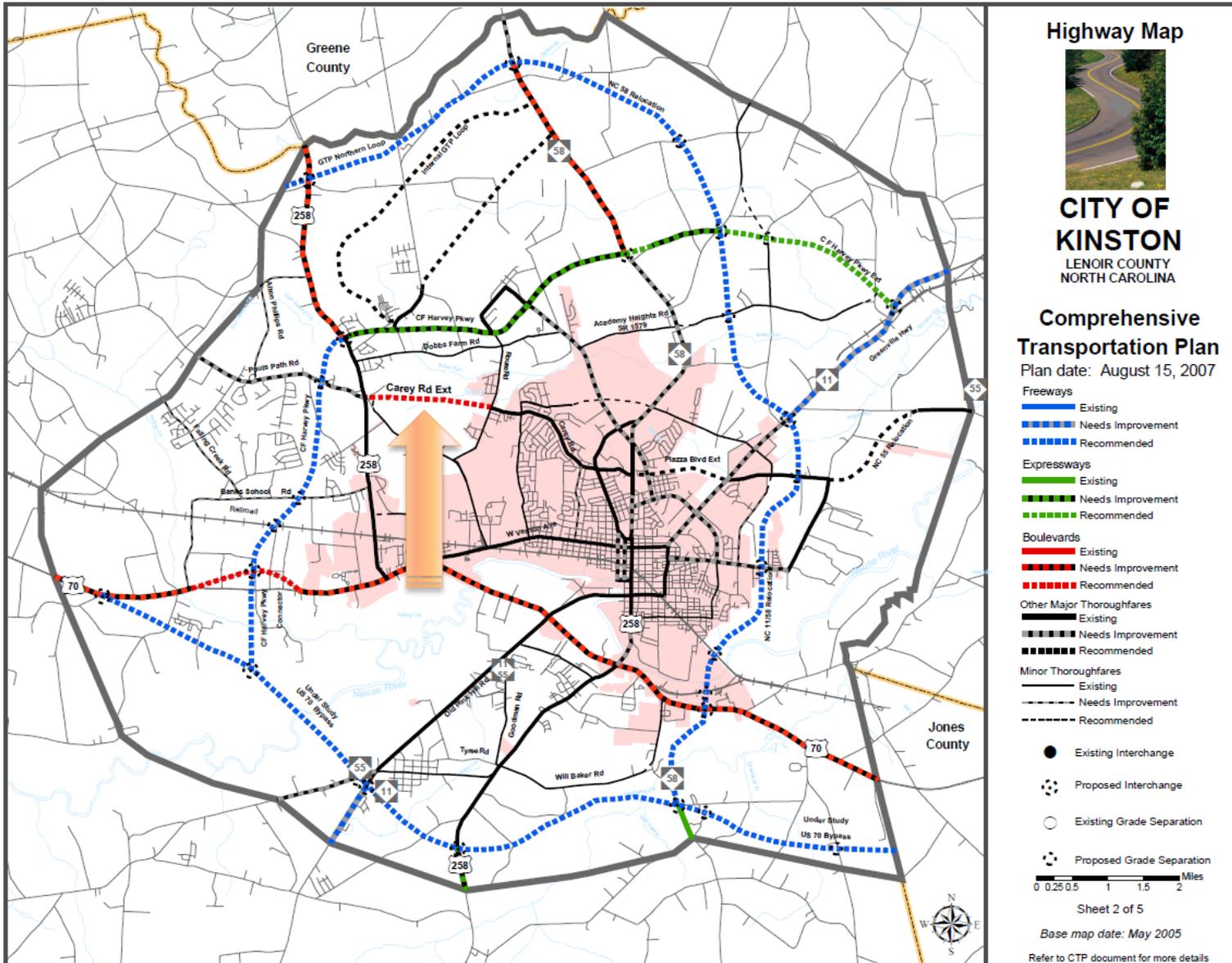
Carey Road Extension

Kinston, Lenoir County, NC

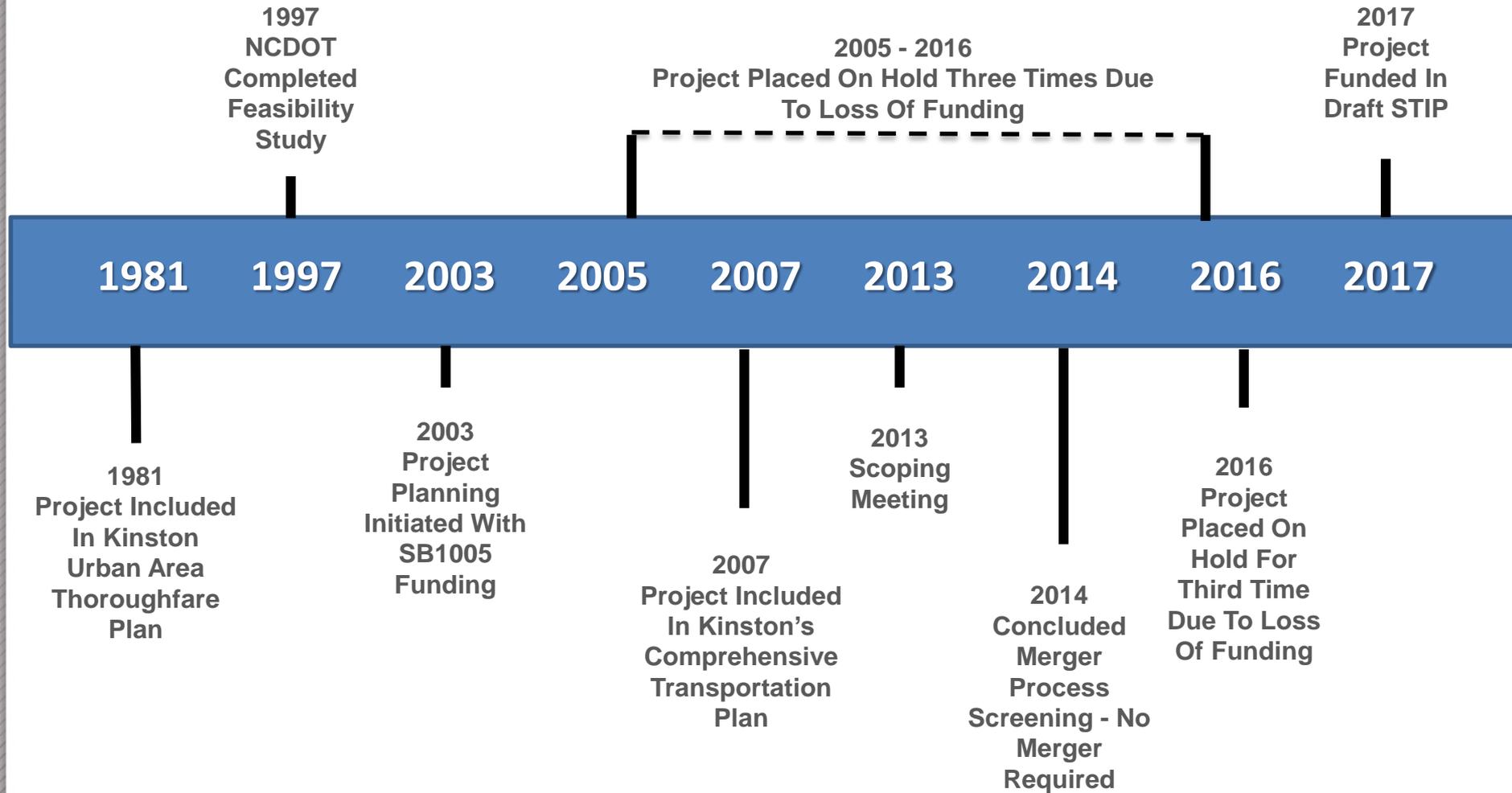
STIP Project No. U-3618

Karen Taylor, PE, AECOM

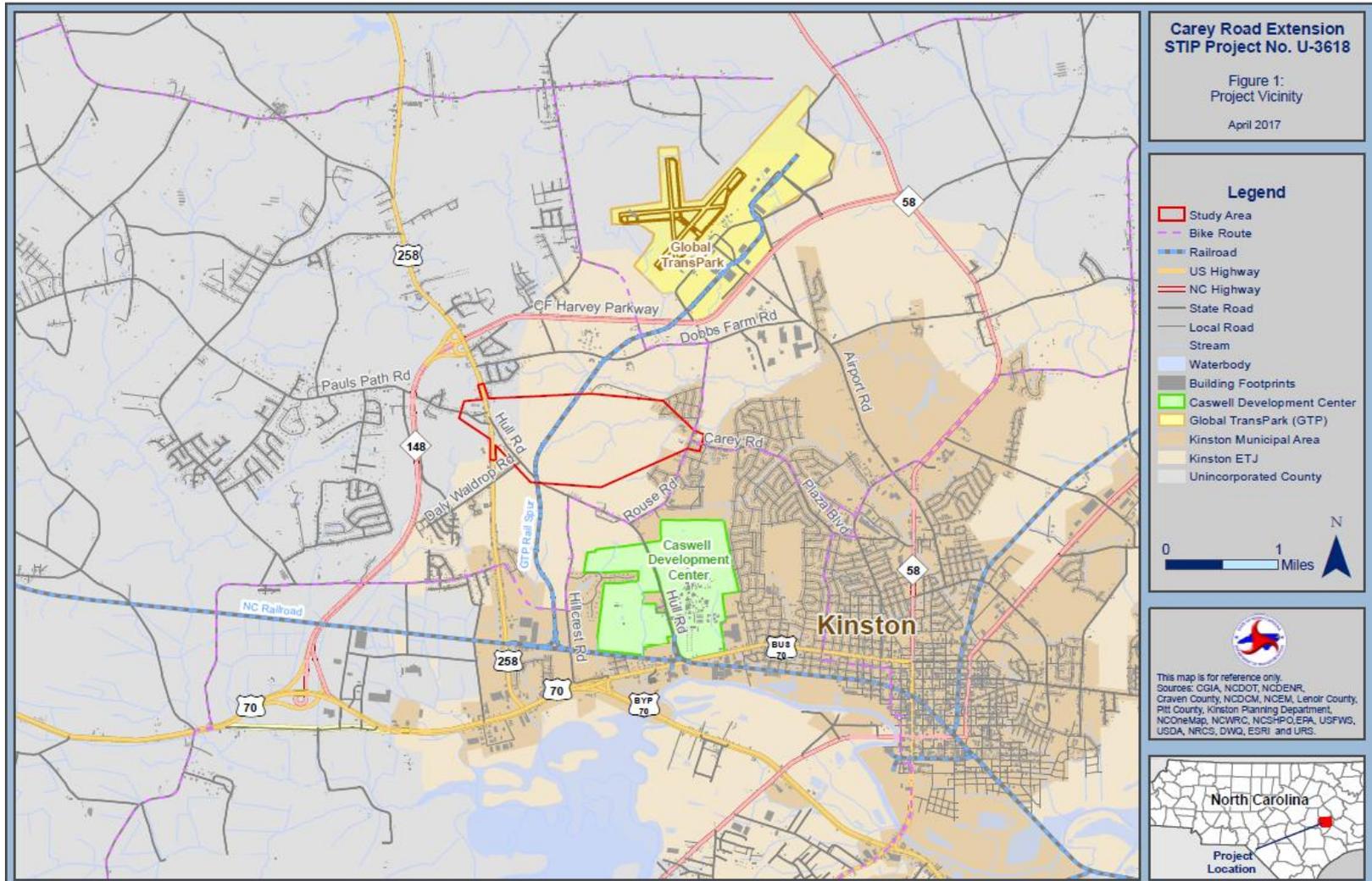
May 8, 2018



Project History



Project Study Area



Purpose & Need

- Purpose of Project

Provide a direct local link between US 258 and the northern portion of downtown Kinston.

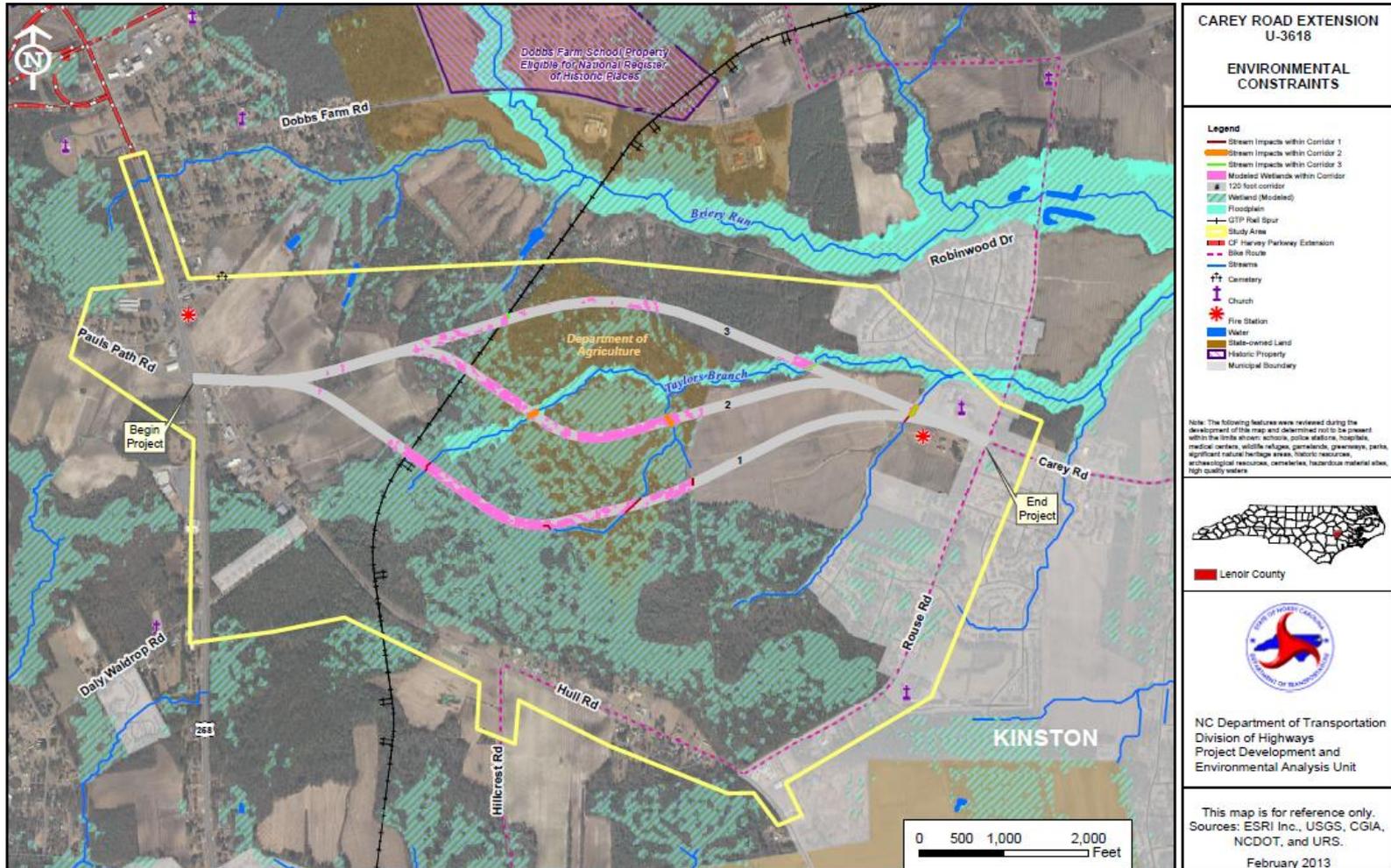
- Need for Project

No direct local east/west link exists between US 258 and areas to the west and the northern portion of downtown Kinston.

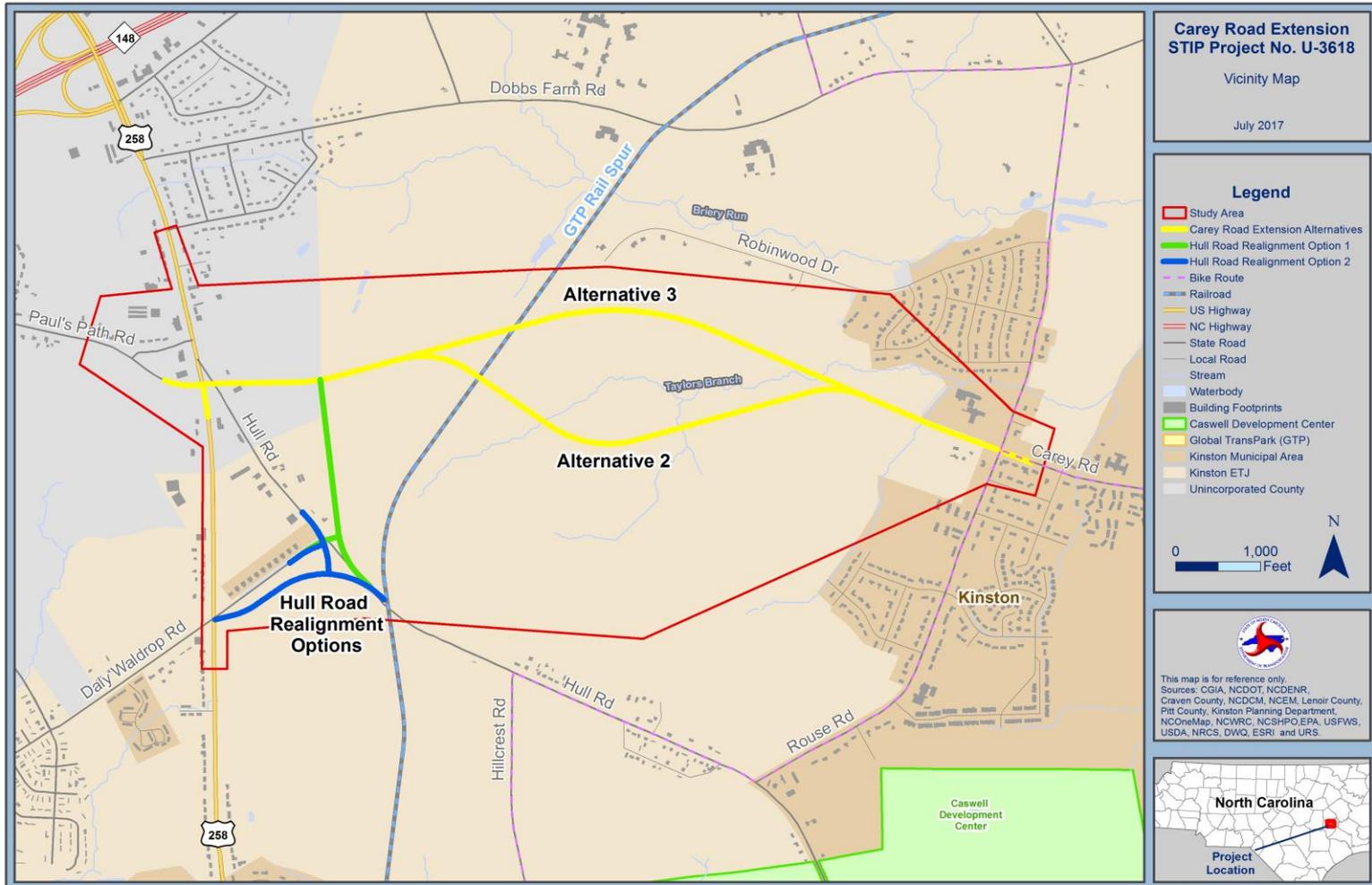
Project Description

- 2.0 miles on new location
- 4 lanes, median-divided
- Partial control of access
- 120' proposed right of way width
- Hull Road relocation
- GTP rail spur crossing

Preliminary Study Alternatives



Detailed Study Alternatives



Reports and Technical Studies

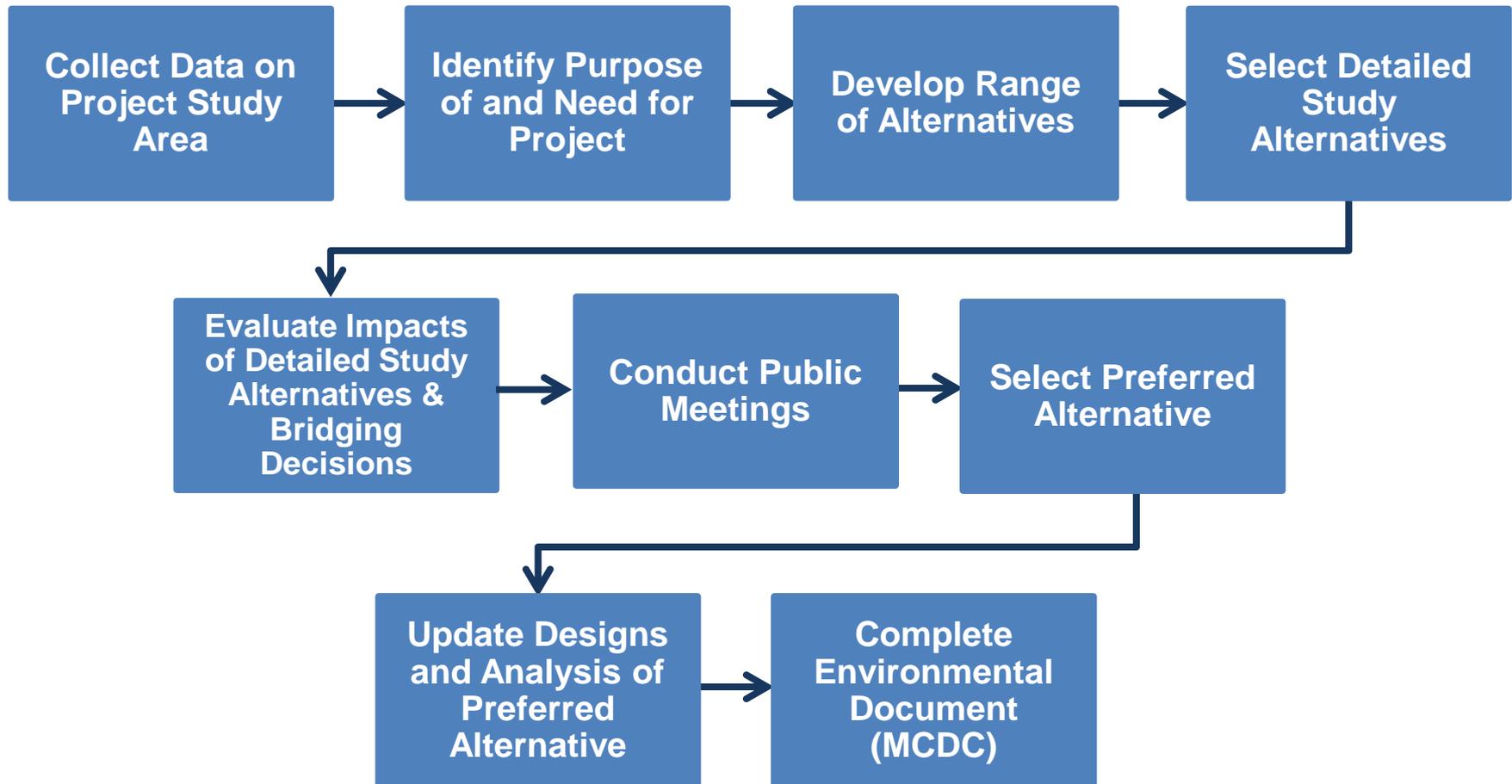
- Community Characteristics Report (CCR)
- Indirect & Cumulative Effects Screening Report (sICE)
- Traffic Forecast
- Traffic Operations Analysis
- Traffic Safety Report
- Hazardous Materials Report
- Natural Resources Technical Report (NRTR)
- Hydraulic Aspects Report
- Community Impact Assessment (CIA)
- Traffic Noise Analysis & Air Quality Analysis
- Land Use Scenario Assessment (LUSA)

Impact Type		Alternative 2 (Middle Alignment)			Alternative 3 (Northern Alignment)		
		A	B	C	A	B	C
Project Length (miles)		2.6	2.4	2.6	2.5	2.4	2.5
Schools		0	0	0	0	0	0
Churches		0	0	0	0	0	0
Cemeteries		0	0	0	0	0	0
Relocations	Residential	0	0	0	0	0	0
	Businesses	3	3	3	3	3	3
Traffic Noise Impacts	Receptors approaching or exceeding FHWA criteria	7-10	10-12	7-10	7-10	10-12	7-10
	Substantial Noise Level Increase	1	1	1	1	1	1
	Total Impacts	8-11	11-13	8-11	8-11	11-13	8-11
Historic Properties (Listed on or Eligible for the National Register)		0	0	0	0	0	0
Section 4(f)/6(f) Properties		0	0	0	0	0	0
Terrestrial Communities (acres)	Maintained/Disturbed	4.6	5.1	6.9	6.9	7.4	6.9
	Agriculture	23.5	19.9	23.7	18.7	15.1	18.7
	Pine Plantation	11.5	15.1	10.1	22.3	26	17.6
	Forested Upland	8.7	8.6	7.9	7.4	7.3	7.1
	Palustrine Wetland	10.2	9.7	7.9	6.3	5.8	5.9
	Total	58.5	58.5	56.5	61.6	61.6	56.2
Wetlands (acres)	Riparian Wetlands	1.3	1.3	1.2	1.1	1.1	1.0
	Non-Riparian Wetlands	0.4	0.3	0.2	1.6	1.5	1.4
	Total	1.6	1.6	1.4	2.7	2.7	2.4
Streams	Crossings	1	1	1	2	2	2
	Linear Feet	244	244	244	894	894	894
Floodplains (acres)	100-year Floodplain	0.76	0.76	0.69	1.7	1.7	1.7
	500-year Floodplain	0	0	0	0	0	0
	Floodway	0	0	0	0	0	0
	Total	0.76	0.76	0.69	1.7	1.7	1.7
Hazardous Material Sites		2	2	2	2	2	2
Adverse/Disproportionate Impacts to Minority/Low Income Populations		No	No	No	No	No	No
Right of Way Cost		\$ 3,490,000	\$ 3,535,000	\$ 2,780,000	\$ 2,385,000	\$ 2,155,000	\$ 2,380,000
Utility Relocation Cost		\$ 435,680	\$ 475,680	\$ 435,680	\$ 435,680	\$ 475,680	\$ 435,680
Construction Cost		\$ 21,700,000	\$ 21,700,000	\$ 17,000,000	\$ 23,200,000	\$ 23,200,000	\$ 16,800,000
Total Cost		\$ 25,625,680	\$ 25,710,680	\$ 20,215,680	\$ 26,020,680	\$ 25,830,680	\$ 19,615,680

Project Impacts

- 1.48 Ac. wetland impacts
- 244 LF of stream impacts
- 36 Ac. of disturbed ground surface
- 3 business relocations
- No cultural resource impacts
- \$25.6 Million total cost

NEPA/SEPA Process Overview



MCDC Content

3 pages including signature sheet

1 page Green Sheet

2 pages for description & special information

1 page Vicinity/Detour Map

1 page Plansheet

Purpose and Need: NCDOT Bridge Management Unit records indicate Bridge No. 386 has a sufficiency rating of 37.42 out of a possible 100 for a new structure. The bridge is considered structurally deficient due to a substructure condition appraisal of 4 out of 9 according to Federal Highway Administration (FHWA) standards. The bridge also meets the criteria for functionally obsolete due to a structural appraisal of 3 out of 9.

The superstructure and substructure of Bridge 386 have timber elements that are 62 years old. Timber components have a typical life expectancy between 40 to 50 years due to the natural deterioration rate of wood. Rehabilitation of a timber structure is generally practical only when a few elements are damaged or prematurely deteriorated. However, past a certain degree of deterioration, most timber elements become impractical to maintain and upon eligibility are programmed for replacement. Timber components of Bridge No. 386 are experiencing an increasing degree of deterioration that can no longer be addressed by reasonable maintenance activities; therefore, the bridge is approaching the end of its useful life.

Bridge No. 386 carries approximately 120 vehicles per day, with fewer than 200 vehicles per day projected for the future. The substandard deck width is becoming increasingly unacceptable, and replacement of the bridge will result in safer traffic operations. Components of both the timber/I-beam superstructure and timber substructure have experienced an increasing degree of deterioration that can no longer be addressed by maintenance activities. The posted weight limit on the bridge is down to 15 tons for all vehicles. The bridge is approaching the end of its useful life. Replacement of the bridge will result in safer traffic operations.

Alternatives Considered:

No Build – The no build alternative would result in eventually closing the road. Given the volume of traffic served by SR 1003, this is not acceptable.

Rehabilitation – Rehabilitation of the old bridge is not practical due to its age and deteriorated condition.

Onsite Detour – One citizen comment was received that requested an onsite detour due to the length of the offsite detour. A temporary onsite detour was investigated, but was not recommended due to cost and increased impacts. A temporary onsite detour will add approximately \$600,000 to the construction cost of the project, which would increase the project cost by over fifty percent. The onsite detour would also increase wetland impacts of the project from 0.3 acre to 0.7 acre.

Staged Construction – Staged construction was not considered because of the availability of an acceptable offsite detour.

New Alignment – Given that the alignment for SR 1003 is acceptable, a new alignment was not considered as an alternative.

Offsite Detour – Bridge No. 120 will be replaced on the existing alignment. Traffic will be detoured offsite (see Figure 1) during the construction period. The offsite detour for this project will include NC 125-903 and SR 1117 (Mary Chapel Road). The majority of traffic on the road is through traffic. The detour for the average road user would result in 9.3 miles of additional travel and approximately ten minutes additional travel time. School bus service in the area will be maintained by utilizing existing driveways for turnarounds.

Public Involvement:

A landowner notification letter was sent to all property owners affected directly by this project in February 2015. Property owners were invited to comment. One comment was received requesting the replacement bridge be built on new location just north of the existing bridge. The commenter stated “this would allow for a much improved sight distance for slow-moving, 18'+ wide farm equipment” and “would permit traffic to stay on the old roadway until construction was completed.” An onsite detour alignment was investigated to address this concern, but is not recommended due to the cost and impacts.

Anticipated Permit or Consultation Requirements: A Nationwide Permit (NWP) 3 (maintenance) and NC Water Quality Certification No. 3883 will likely be required for impacts to “Waters of the United States” resulting from this project. Other permits that may apply include a NWP No. 33 for temporary construction activities such as stream dewatering, work bridges, or temporary causeways that are often used during bridge demolition. The corresponding Water Quality Certifications (likely 4085 and 4094) will also be required.

The US Army Corps of Engineers holds the final discretion as to what permit will be required for the project.

Authorization from the NC Division of Water Resources will be required under the Tar-Pamlico River Basin Buffer Rules for project impacts to riparian buffer along the branch to Deep Creek.

Environmental Commitments: The list of project commitments is located at the end of the checklist.

Pedestrian and Bicycle Accommodations: This portion of SR 1003 is not a part of a designated bicycle route nor is a bicycle project listed in the STIP along SR 1003. No temporary bicycle or pedestrian accommodations are required for this project.

Just because its not in the
submitted MCDC
documentation it does not mean
its not in the Project file.

QUESTIONS ?