NORTH CAROLINA
Department of Transportation

Training for Categorical Exclusions

March 2017

Throughout this presentation, subjects for which training materials are available or where help is on the way will have this symbol:

Purpose

- Shift CE Management from Central Units to Divisions
- Programmatic Agreement

Federal Highway Administration
North Carolina Division

NON-MERGER PROJECTS

Planning & Program Development			
George Hoops, P.E.	Planning & Program Development Manager	Statewide	919-747-7022
Bill Marley	Planning & Environment Specialist	Divisions 1, 2, & 4	919-747-7028
Eddie Dancausse	Air Quality, Planning, & Environment Engineer	Division 5	919-747-7026
Ron Lucas, P.E.	Environment Engineer	Divisions 3, 6, & 8	919-747-7019
Joe Geigle, P.E.	Congestion/ITS Management, Planning, & Environment Engineer	Divisions 7 & 9	919-747-7007
Loretta Barren	Planning & Environment Specialist	Divisions 10, 11, & 12	919-747-7025
George Hoops (P&PD Manager until position is filled)	Planning & Environment Specialist	Division 13 & 14	919-747-7022

Federal Highway Administration
North Carolina Division

MERGER PROJECTS

Preconstruction & Environment			
Clarence Coleman, P.E.	Preconstruction & Environment Director	Statewide	919-747-7014
Ron Lucas, P.E.	Environment Engineer	Divisions 1-8	919-747-7019
Donnie Brew	Preconstruction & Environment Engineer	Divisions 9 - 14	919-747-7017
Felix Davila, P.E.	Environmental Compliance Coordinator	Statewide	919-747-7021
Mike Dawson	Realty Officer	Statewide	919-747-7009

Agenda

- NEPA 101
- Programmatic Agreement between FHWA and NCDOT
  - CE Checklist: Non-Ground Disturbing Type I Projects
  - CE Checklist: Ground Disturbing Type I and II Projects
  - CE Checklist: Type III Projects
- Project Documentation and Supplemental Information
  - Electronic Project Files
  - Document Distribution
  - Consultations
- Resources

NEPA 101

NEPA 101

- What is NEPA?
  - National Environmental Policy Act (NEPA)
- What triggers NEPA?
  - Any federal nexus (e.g. FHWA funds, federal permit, etc.) requires the implementation of the “NEPA Process”.
  - For the purposes of the CE Agreement we are dealing specifically with **FHWA funds** or an **Interchange Access Report** being triggers
- FHWA NEPA Training Materials are available

NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

(Public Law 91–190)

[As Amended Through Dec. 31, 2000]

AN ACT To establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969".

[42 U.S.C. 4321 note]

PURPOSE

SEC. 2. The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

[42 U.S.C. 4321]

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

SEC. 101. (a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and maintenance of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of

December 31, 2000

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NEPA 101

Under NEPA, there are three classes of action:

- Environmental Impact Statement (EIS)
- Environmental Assessment (EA)
- Categorical Exclusion (CE)
  - There are three Types of CE's: I, II, and III where we'll spend our time today

NEPA 101

Type I and II are activities that are defined in two lists drawn from 23 CFR 771.117(c), which FHWA defined as not involving significant impacts

Appendix A: Type I(A) Actions classified as Categorical Exclusions in 23 CFR 771.117(c)

Actions determined by CEQ & FHWA to be classified as Categorical Exclusions:
Type I Actions
These actions (23 CFR 771.117(c) and other similar actions) were pre-approved by the FHWA because they are minor and, based on past experience with similar actions, do not involve significant impacts. They normally do not require any further NEPA approval by the FHWA. No further NEPA documentation is required except for completion of the Categorical Exclusion Action Classification included in Appendix E.

1. Activities which do not involve or lead directly to construction (program activities), such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths, and facilities.
4. Activities included in the State's "highway safety plan" under 23 USC 402.
5. Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.
6. The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7. Landscaping.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. The following actions for transportation facilities damaged by an incident resulting in an emergency declared by the Governor of the State and concurred in by the Secretary, or a disaster or emergency declared by the President pursuant to the Robert T. Stafford Act (42 U.S.C. 5121):
   a) Emergency repairs under 23 U.S.C. 125; and
   b) The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation or under construction when damaged and the action:
      i) Occurs within the existing right-of-way and in a manner that substantially conforms to the preexisting design, function, and location as the original (which may include upgrades to meet existing codes and standards as well as upgrades warranted to address conditions that have changed since the original construction); and
      ii) Is commenced within a 2-year period beginning on the date of the declaration.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR Part 480 for property previously acquired with Federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations.
13. Ridesharing activities.
14. Bus and rail car rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

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Appendix B: Type II(A) Actions classified as Categorical Exclusions in 23 CFR 771.117(d)

Actions determined by CEQ & FHWA to be classified as Categorical Exclusions:
Type II Actions

Type II actions (23 CFR 771.117(d) and other similar actions) may be designated as CEs and are approved by NCDOT. Documentation, which demonstrates that the specific conditions or criteria for these CEs are satisfied and that significant environmental effects will not result, is required (23 CFR 771.117 (a) and (b)). Type II actions include:

1-3. [Reserved]
4. Transportation corridor fringe parking facilities.
5. Construction of new truck weigh stations or rest areas.
6. Approvals for disposal of excess right-of-way or for joint or limited use of right-of-way, where the proposed use does not have significant adverse impacts.
7. Approvals for changes in access control.
8. Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
9. Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where only minor amounts of additional land are required and there is not a substantial increase in the number of users.
10. Construction of bus transfer facilities (an open area consisting of passenger shelters, boarding areas, kiosks and related street improvements) when located in a commercial area or other high activity center in which there is adequate street capacity for projected bus traffic.
11. Construction of rail storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and where there is no significant noise impact on the surrounding community.
12. Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels. These types of land acquisition qualify for a CE only where the acquisition will not limit the evaluation of alternatives, including shifts in alignment for planned construction projects, which may be required in the NEPA process. No project development on such land may proceed until the NEPA process has been completed.
    a) Hardship acquisition is early acquisition of property by the applicant at the property owner's request to alleviate particular hardship to the owner, in contrast to others, because of an inability to sell his property. This is justified when the property owner can document on the basis of health, safety or financial reasons that remaining in the property poses an undue hardship compared to others.
    b) Protective acquisition is done to prevent imminent development of a parcel which may be needed for a proposed transportation corridor or site. Documentation must clearly demonstrate that development of the land would preclude future transportation use and that such development is imminent. Advance acquisition is not permitted for the sole purpose of reducing the cost of property for a proposed project.
13. Actions described in paragraphs 26, 27, and 28 of Appendix A that do not meet the constraints in 23 CFR 771.117(e)(1-6).

NEPA 101

Type I CEs include things like:

- bridge replacements
- construction of bike/pedestrian lanes
- purchasing of scenic easements

Type II CE's include things like:

- construction of weigh stations/rest areas
- fringe parking facilities

Type III CEs are projects such as widenings. It's any project not fitting the first two lists but where you are certain of No Significant Impact

Programmatic Agreement

Programmatic Agreement between FHWA and NCDOT

The agreement does the following:

- NCDOT has continued responsibility for verifying a project qualifies as a CE.
- Previously, FHWA often signed CE's. Now, in <u>most</u> cases NCDOT will be making the final approval of Type I and Type II projects (FHWA does not approve).
- For these Type I and II actions, the agreement also defines threshold criteria when FHWA approval would be required.
- Type III CEs, approval by FHWA is still required.
- The list of approved Type I and Type II activities is updated (expanded).
- Previously minor widening projects, bridge replacements on new alignment or onsite detours were in long written form. Now they are also checklists. No more documented CE's.
- NCDOT/FHWA annual compliance review.

Effective Date

Upon the signature date of the Agreement,

January 27, 2017, NCDOT can use this format for any CE.

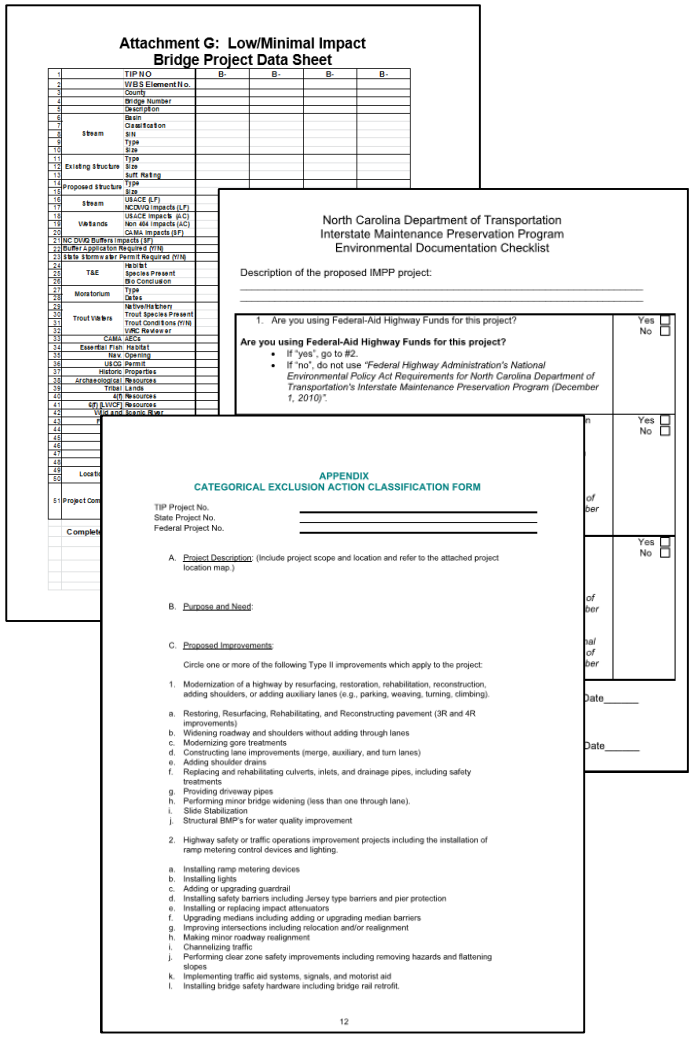
This format MUST be used for all CEs completed after April 27, 2017.

CE Checklist Basics

CE Checklist Form Basics

Current Forms

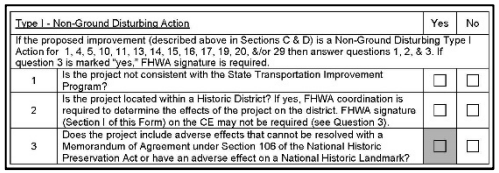
(many lists, different for each project type)



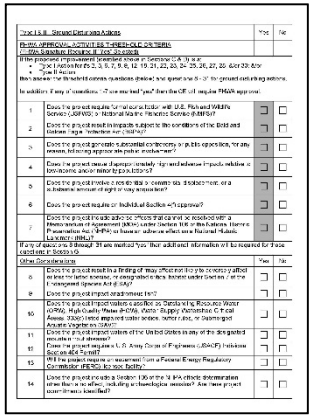
New Checklists

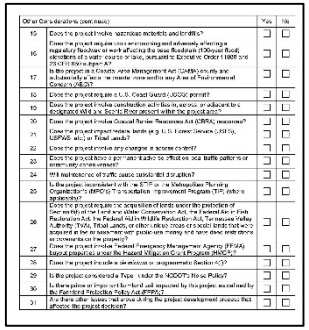
(three lists, applies to many different project types)

Type I - Non Ground Disturbing

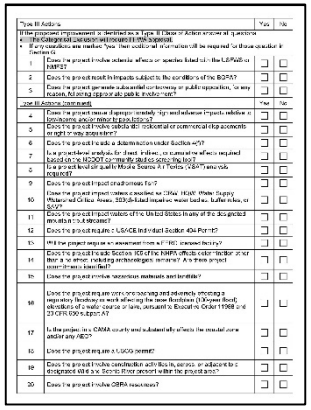


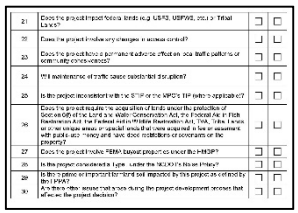
Type I & II Ground Disturbing





Type III





CE Checklist Format

Section A: Project Description

STIP Project No. _____
WBS Element _____
Federal Project No. _____

A. Project Description: **(Include project scope and location, including municipality and county. Refer to the attached project location map and photos.) Note: The project description should match the approved project description in the STIP.**

CE Checklist Format

Section B: Description of Need and Purpose

B. Description of Need and Purpose

- For most Type I and Type II Projects, this can be a simple description (i.e., need to install guardrail for safety).
- For a Type III project, this is a more complex discussion covered by future training.

CE Checklist Format

Section C: Categorical Exclusion Action Classification

C. Categorical Exclusion Action Classification– Indicate:

- Type I, II or III
- A or B
  - A if NCDOT Approves
  - B if FHWA Approves

We'll talk more about this later

CE Checklist Format

Section C: Categorical Exclusion Action Classification

Incidentally, the corresponding STaRS milestones from the previous slides are:

CE Type I-A (CE-IA)	M0160
CE Type I-B (CE-IB)	M0161
CE Type II-A (CE-IIA)	M0162
CE Type II-B (CE-IIB)	M0163
CE Type III (CE-III)	M0164

Section 4(f) de minimus	M0157
Section 4(f) programmatic	M0158
Section 4(f) individual	M0159

CE Checklist Form Basics

Section D: Proposed Improvements

D. Proposed Improvements –

Example: For a Bridge Rehabilitation you may select:

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

CE Checklist Form Basics

Section E: Special Project Information

E. Special Project Information:

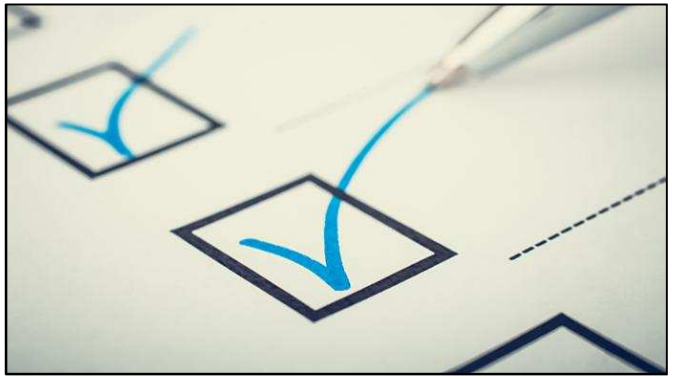
Anything that drove your project decision or drove a project commitment should be summarized here, for example:

- Costs
- Traffic
- Public Input
- Resource Agency Input
- Impact Summary
- Site conditions
- Etc.

CE Checklist Form Basics

Section F: Project Impact Criteria Checklists

- This section is the heart of the form and is here to verify that we've considered a number of federal laws and in particular to identify any issues which might require FHWA approval.
- A "Yes" check mark will require discussion in Section G.



CE Checklist Form Basics

Section G: Additional Documentation

G. Additional Documentation Required for Unfavorable ("Yes" box checked) Responses in Section G

Discussion regarding all unfavorable responses in Section F should be provided below. Additional supporting documentation may be attached, as described in the checklist slides. This includes a summary of coordination activities, as well as avoidance and minimization efforts.

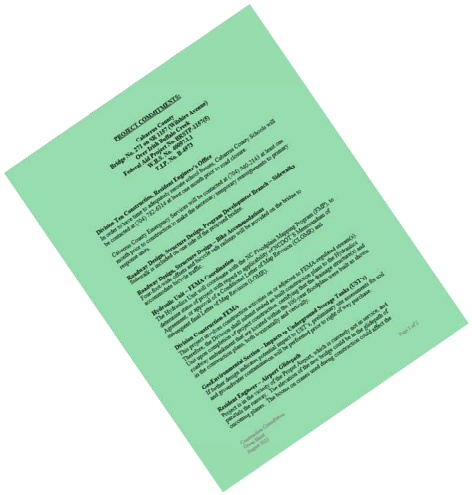
CE Checklist Form Basics

Section H: Project Commitments

H. Project Commitments

Project Commitments "Greensheet" (Section H) is a tool for passing along and following through with commitments made at various stages of a project. They can be things like a trout or anadromous fish moratorium.

If no commitments, include the Greensheet with the comment "no project commitments."



Roadway Design, Structure Design – Bike Accommodations
Four-foot-wide offsets and bicycle safe railings will be provided on the bridge to accommodate bicycle traffic.

Hydraulic Unit – FEMA Coordination
The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

CE Checklist Form Basics

Section I: Signature Page

I. Certify versus Approved

- Under the Agreement, NCDOT has two potential actions. For the vast majority of projects, NCDOT will approve the CE.
- For Type III CEs, or if Type I and II where a threshold question is answered “yes” (as will be discussed later), NCDOT will certify to FHWA that they have decided a CE is the appropriate action, and FHWA will approve the CE.

CE Checklist Form Basics

Section I: Signature Page

I. Categorical Exclusion Approval

STIP Project No.	B-4973
WBS Element	40097.1.1
Federal Project No.	BRSTP 1157(5)

Prepared By:

5/05/11 — John D. Bridges
Date — John D. Bridges, Project Manager
ABC Engineering Company

Prepared For: North Carolina Department of Transportation

Reviewed By:

5-05-11 — Jane S. Doe
Date — Jane S. Doe, Project Development Engineer
North Carolina Department of Transportation

☒ **Approved** — If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.

☐ **Certified** — If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.

5/06/11 — Jane S. Temple
Date — for John Hancock, Division Engineer
North Carolina Department of Transportation

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

N/A
Date — John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

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CE Checklist Form Basics

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North Carolina Department of Transportation

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CE Checklist Form Basics

What to add to a CE as an attachment

It is <u>required</u> to add the following to a CE:

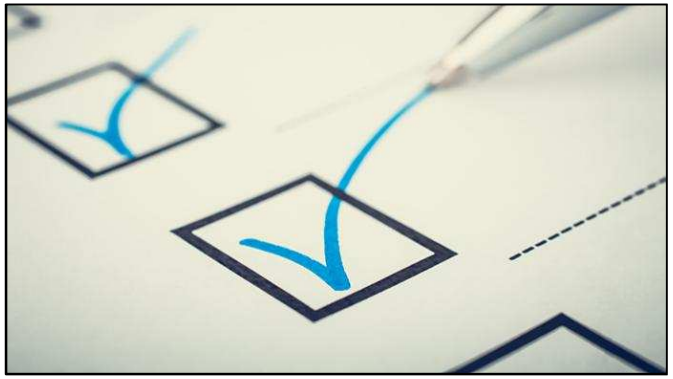
- Vicinity map
- Any concurrence letters from resource agencies saying they agree with the project effects and may have associated commitments Section 106, Section 7, Merger
- If relocatees are involved, include the summary sheet from the relocation report

At your discretion you might add an Environmental Features Map showing a plan view of the design footprint and right of way.

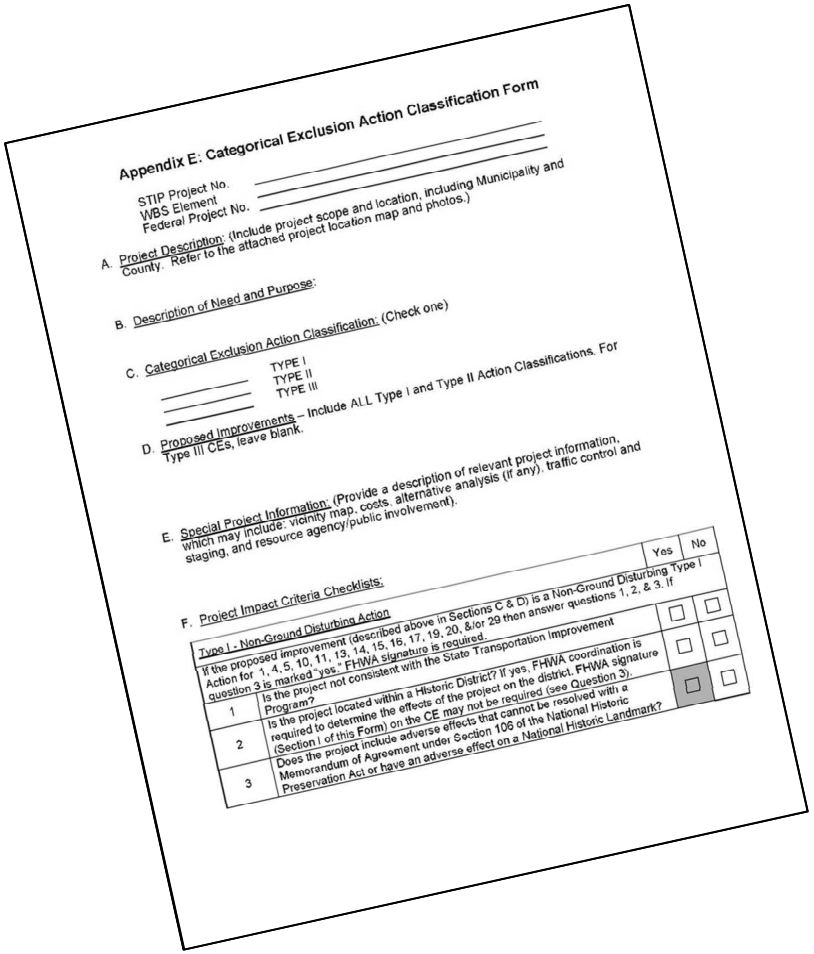
No More 90 -200 page long CE's!

For the Upcoming Slides on the Questions

- The slides on the checklist will include:
  - How to document your response for a “Yes” or a “No”
  - Legal basis for the question
  - Available resources to help answer the question if applicable
- If a threshold question is checked as “Yes,” FHWA signature will be required.



Section F: Non-Ground Disturbing Projects



Appendix E: Categorical Exclusion Action Classification Form

STIP Project No. _____
WBS Element _____
Federal Project No. _____

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

B. Description of Need and Purpose:

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.

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).

F. Project Impact Criteria Checklists:

Type I - Non-Ground Disturbing Action		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?	☐	☐
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).	☐	☐
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?	☐	☐

Non-Ground Disturbing Type I Activities

The following Type I Actions qualify as Non-Ground Disturbing:

1. Activities which do not involve or lead directly to construction (program activities), such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.

4. Activities included in the State's "highway safety plan" under 23 USC 402.

5. Transfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.

10. Acquisition of scenic easements.

11. Determination of payback under 23 CFR Part 480 for property previously acquired with Federal-aid participation.

13. Ridesharing activities.

14. Bus and rail car rehabilitation.

15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.

Non-Ground Disturbing Type I Actions (cont.)

The following Type I Actions qualify as Non-Ground Disturbing

16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.

19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.

20. Promulgation of rules, regulations, and directives (Not applicable to NCDOT).

29. Purchase, construction, replacement, or rehabilitation of ferry vessels (including improvements to ferry vessel safety, navigation, and security systems) that would not require a change in the function of the ferry terminals and can be accommodated by existing facilities or by new facilities which themselves are within a CE.

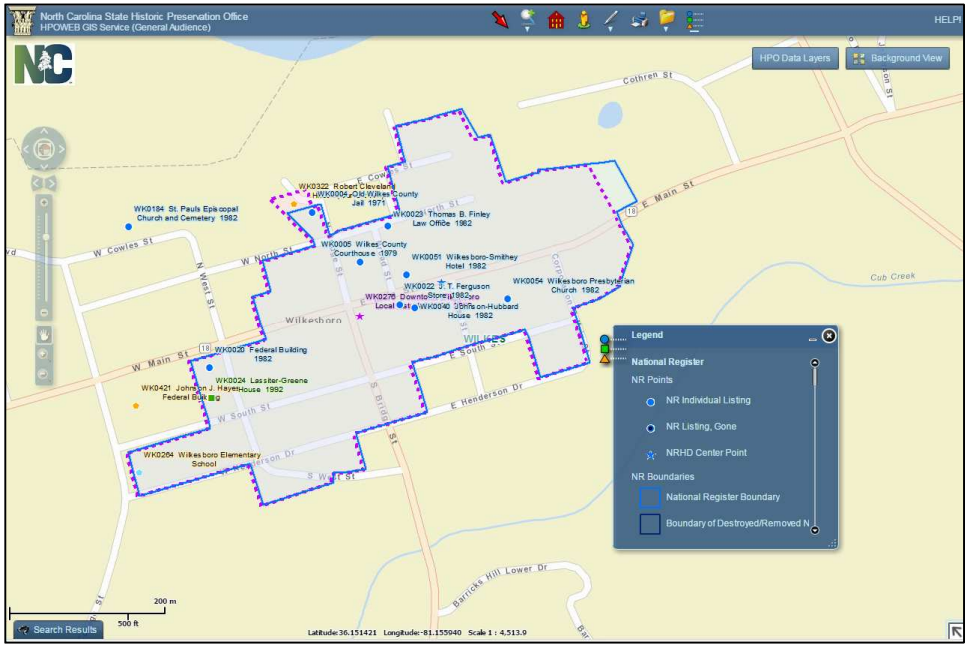
Non-ground Disturbing Projects		Yes	No
1	Is the project inconsistent with the State Transportation Improvement Program (STIP)?	☐	☐

- How to Document: No documentation required.
- Legal Basis: To ensure compliance with air quality conformity. **Also, if a project is not included in the STIP, it is not eligible for Federal-Aid reimbursement.**
- Available Resources: Live STIP –

https://connect.ncdot.gov/projects/planning/STIPDocuments1/LIVE_STIP.pdf

Non-ground Disturbing Projects		Yes	No
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 (in Section I) on the CE may not be required (see Question 3).	☐	☐

- How to Identify Historic Districts
  - NC Historic Preservation Office HPOWEB mapping application: http://gis.ncdcr.gov/hpoweb/



Non-ground Disturbing Projects		Yes	No
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 (in Section I) on the CE may not be required (see Question 3).	☐	☐

- How to Document:
  - "No" – In the project file, plot project on HPO map with project limits illustrating no historic districts.
  - "Yes – As attachment to checklist, include effects form if "No Adverse Effect". If adverse effect, see Question 3.
- Legal Basis: Section 4(f) of the USDOT Act of 1966
- Available Resources:
  - NC Historic Preservation Office HPOWEB mapping application: http://gis.ncdcr.gov/hpoweb/
  - NCDOT Human Environment Section via the ETRACS System: https://apps.ncdot.gov/PDEA/etracs/hes/

Non-ground Disturbing Projects		Yes	No
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?	☐	☐

- How to Document:
  - "No" – Enclose "No Adverse Effect" determination form or if Adverse Effect that could be resolved with MOA, attach MOA.
  - "Yes" - If adverse effect, check for coming training on Section 106 or contact NCDOT HES or FHWA.
- Legal Basis: Section 4(f) of the USDOT Act of 1966
- Available Resources: NCDOT HES and FHWA will participate and concur in the effects determination
- Note: If a gray "Yes" box is checked, FHWA approval will be required.

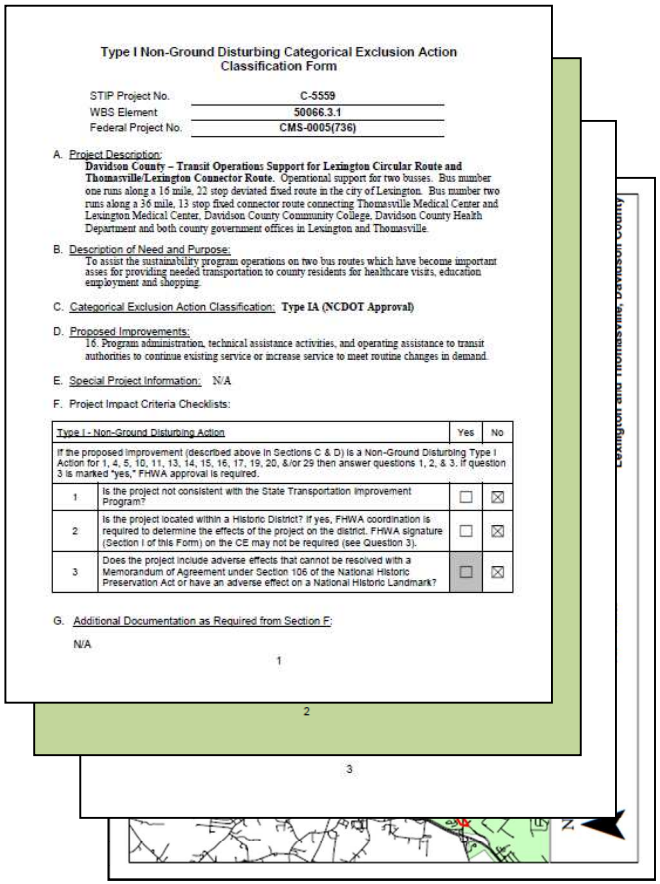
Non Ground Disturbing Example

Under the previous agreement a Type I Project documentation ranged from:

- Nothing at all
- Memo in the file
- 8 Page PCE

Using New Format and Attachment Rules

4 Pages



Type I Non-Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No. C-5559
WBS Element 50066.3.1
Federal Project No. CMS-0005(736)

A. Project Description:
Davidson County – Transit Operations Support for Lexington Circular Route and Thomasville/Lexington Connector Route. Operational support for two busses. Bus number one runs along a 16 mile, 22 stop deviated fixed route in the city of Lexington. Bus number two runs along a 36 mile, 13 stop fixed connector route connecting Thomasville Medical Center and Lexington Medical Center, Davidson County Community College, Davidson County Health Department and both county government offices in Lexington and Thomasville.

B. Description of Need and Purpose:
To assist the sustainability program operations on two bus routes which have become important asses for providing needed transportation to county residents for healthcare visits, education employment and shopping.

C. Categorical Exclusion Action Classification: **Type IA (NCDOT Approval)**

D. Proposed Improvements:
16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

E. Special Project Information: N/A

F. Project Impact Criteria Checklists:

Type I - Non-Ground Disturbing Action		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 approval is required.			
1	Is the project not consistent with the State Transportation Improvement Program?	☐	☒
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).	☐	☒
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?	☐	☒

G. Additional Documentation as Required from Section F:
N/A

1

2

3

Lexington and Thomasville, Davidson County

Type I Non-Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	**C-5559**
WBS Element	**50066.3.1**
Federal Project No.	**CMS-0005(736)**

A. Project Description:

Davidson County – Transit Operations Support for Lexington Circular Route and Thomasville/Lexington Connector Route. Operational support for two busses. Bus number one runs along a 16 mile, 22 stop deviated fixed route in the city of Lexington. Bus number two runs along a 36 mile, 13 stop fixed connector route connecting Thomasville Medical Center and Lexington Medical Center, Davidson County Community College, Davidson County Health Department and both county government offices in Lexington and Thomasville.

B. Description of Need and Purpose:

To assist the sustainability program operations on two bus routes which have become important asses for providing needed transportation to county residents for healthcare visits, education employment and shopping.

C. Categorical Exclusion Action Classification: **Type IA (NCDOT Approval)**

D. Proposed Improvements:

16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

E. Special Project Information: N/A

F. Project Impact Criteria Checklists:

Type I - Non-Ground Disturbing Action		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 approval is required.			
1	Is the project not consistent with the State Transportation Improvement Program?	☐	☒
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).	☐	☒
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?	☐	☒

G. Additional Documentation as Required from Section F:

N/A

1

H. Project Commitments

No Special Project Commitments

I. Categorical Exclusion Approval

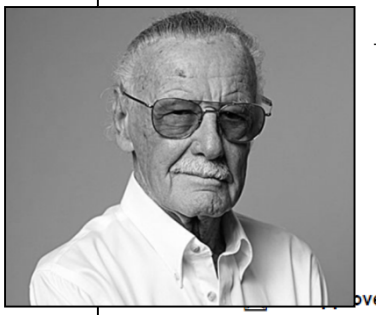
STIP Project No.	**C-5559**
WBS Element	**50066.3.1**
Federal Project No.	**CMS-0005(736)**

Prepared By:

7/30/14
Date

Caryn Johnson
Project Manager
ABC Engineering

Davidson County



Stan Lieber
Project Development Engineer
NCDOT – Division 4

☐ **Approved** — If the answer to question 3 in Section F is "no," NCDOT approves this Categorical Exclusion.

☐ **Certified** — If the answer to question 3 in Section F is "yes," NCDOT certifies this Categorical Exclusion.

8-02-14
Date

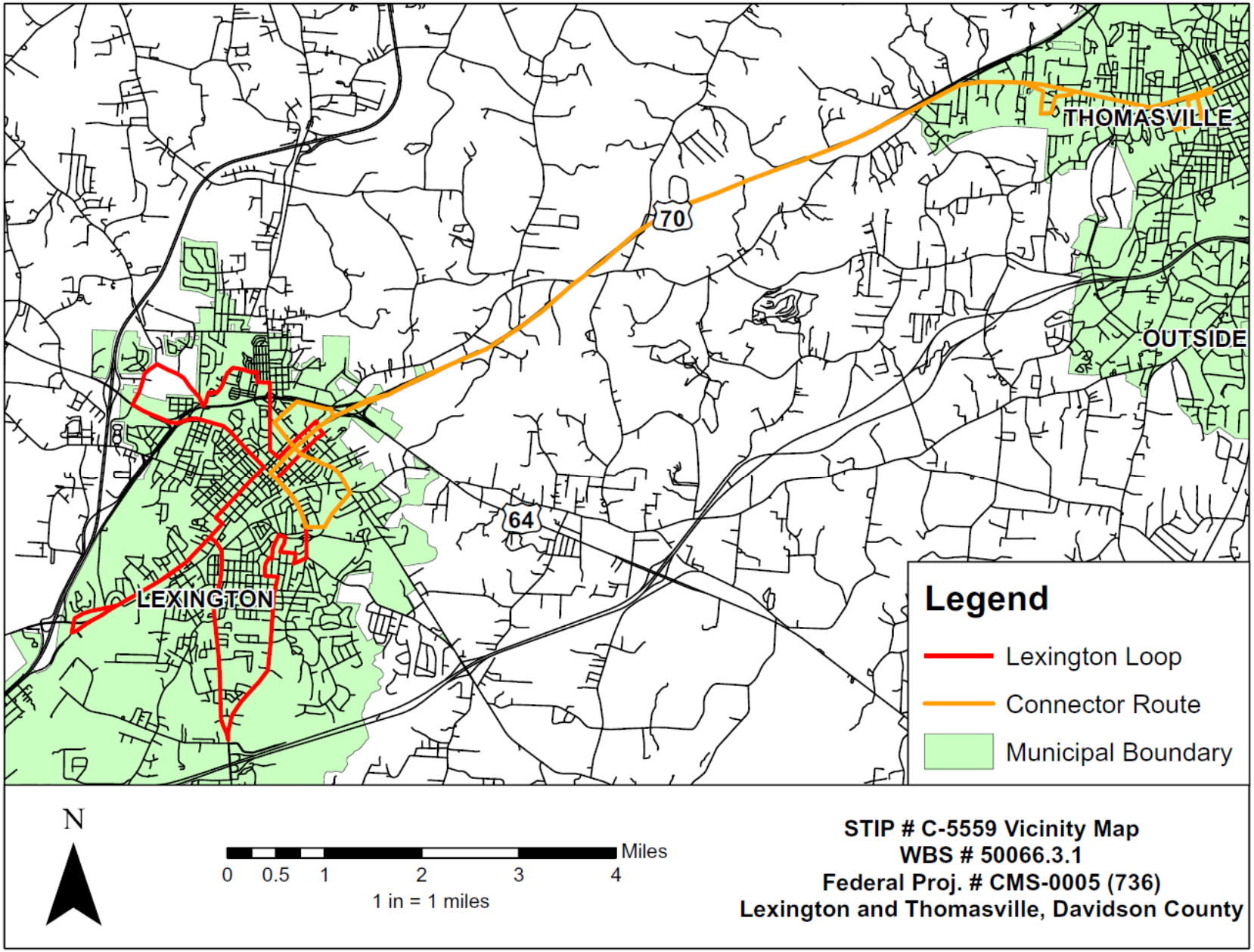
for Archie Leach
John Hancock, PE, Division Engineer
North Carolina Department of Transportation

FHWA Approved:

Date

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

3


THOMASVILLE
70
OUTSIDE
64
LEXINGTON
Legend
Lexington Loop
Connector Route
Municipal Boundary
N
Miles
0 0.5 1 2 3 4
1 in = 1 miles
STIP # C-5559 Vicinity Map
WBS # 50066.3.1
Federal Proj. # CMS-0005 (736)
Lexington and Thomasville, Davidson County

Type I and II Ground Disturbing Projects

This checklist determines if FHWA should sign your CE document and what other information may be necessary.

Type I & II - Ground Disturbing Actions		Yes	No
FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA (FHWA Signature Required If "Yes" Selected)			
If the proposed improvement (identified above in Sections C & D) is a: • 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)?	☐	☐
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?	☐	☐
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☐
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☐
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	☐	☐
6	Does the project require an Individual Section 4(f) approval?	☐	☐
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)?	☐	☐
If any of questions 8 through 31 are marked "yes" then additional information will be required for those questions in Section G.			
Other Considerations		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)?	☐	☐
9	Does the project impact anadromous fish?	☐	☐
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)?	☐	☐
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	☐	☐
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?	☐	☐
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	☐	☐
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?	☐	☐

Other Considerations (continued)		Yes	No
15	Does the project involve hazardous materials and landfills?	☐	☐
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?	☐	☐
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)?	☐	☐
18	Does the project require a U.S. Coast Guard (USCG) permit?	☐	☐
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☐
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?	☐	☐
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	☐	☐
22	Does the project involve any changes in access control?	☐	☐
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☐
24	Will maintenance of traffic cause substantial disruption?	☐	☐
25	Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?	☐	☐
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?	☐	☐
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	☐	☐
28	Does the project include a *de minimis* or programmatic Section 4(f)?	☐	☐
29	Is the project considered a Type I under the NCDOT's Noise Policy?	☐	☐
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	☐	☐
31	Are there other issues that arose during the project development process that affected the project decision?	☐	☐

CE Checklist: Type I and II Ground Disturbing Projects

Ground Disturbing Projects: FHWA Threshold Criteria Questions

If any of these are marked "Yes," NCDOT Certifies the document and FHWA Approves it.

If any are marked "yes", FHWA signature is required

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA (FHWA Signature Required If "Yes" Selected)		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	☐	☐
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?	☐	☐
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☐
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☐
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	☐	☐
6	Does the project require an Individual Section 4(f) approval?	☐	☐
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)?	☐	☐

UNDERSTANDING AND ANSWERING THE QUESTIONS

DON’T PANIC

What is Substantial?

A few questions in the checklist mention “substantial.” Substantial relates to context and intensity.

- Losing something unique, like the only grocery store in an area, may be a substantial impact.
- Losing the largest employer in an area may be a substantial impact, even if there are many neighborhood businesses.
- Substantial could also be used if there a greater than usual controversy associated with the project.

If in doubt, contact NCDOT Community Studies group or FHWA.

ECOLOGICAL QUESTIONS
(answered using the NRTR)

- Questions 1, 2, 8-12, and 17 are all ecology based
  - For every project, the Division Environmental Officer (DEO), or their designee, will providing a memo or report to address the questions listed above.
  - This document, the Natural Resource Technical Report (NRTR) can be scaled to the needs of the project. It could be as short as a paragraph or two to a multipage document that addresses stream and wetland impacts, potential impacts to endangered species, or habitat. In some cases, specialized surveys may be required (mussels, bats, etc.).
  - Regardless of the form of the NRTR, it should be stored in the project file.

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	☐	☐

- Trigger: Adverse Effect on an Endangered Species or on Critical Habitat
- How to Document:
  - "No" – See Question 8
  - "Yes" – In Section G, include a brief summary of coordination with USFWS including a reference to the Biological Assessment (BA) and Biological Opinion (BO) and any other relevant correspondence. With the DEO's assistance, identify any project commitments belonging in the Greensheet (Section H). Attach the BO (concurrence) from USFWS to the CE.
- Legal Basis: Endangered Species Act of 1973
  - Protects endangered species and their habitats
- Other Agencies Involved: USFWS, NMFS, FHWA

Ecological Questions		Yes	No
8	Does the project result in a finding of “may affect not likely to adversely affect” for listed species, or designated critical habitat under Section 7 of the Endangered Species Act (ESA)?	☐	☐

- Change In Language – The original form was incorrect adding “or less.” The new form will modify this accordingly.
- Trigger: Any effect on an Endangered Species or on Designated Critical Habitat that does not require formal Section 7 consultation.
- How to Document:
  - “No” – NRTR in project file should include listed species for the county(ies) and a biological conclusion for each species.
  - “Yes” – In Section G, Include a brief description referencing the NRTR and summarizing coordination with USFWS. Attach the concurrence letter from USFWS to the CE. Include any required minimization/mitigation measures as project commitments in the Greensheet (Section H).
- Legal Basis: Endangered Species Act of 1973
- Other Agencies Involved: USFWS, NMFS, FHWA

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act?	☐	☐

- Trigger: The NRTR identified Bald or Golden Eagle impact from the project.
- How to Document:
  - "No" – NRTR in the project file should note habitat or lack of habitat and conclusion.
  - "Yes" – In Section G, describe coordination efforts with USFWS referencing any correspondence and include any project commitments in the Greensheet (Section H).
- Legal Basis: Bald and Golden Eagle Protection Act of 1940
  - Controls the taking, possession, and transportation within the US of bald and golden eagles. Also covers disturbing eagle nests.
- Other Agencies Involved: USFWS, FWHA

Ecological Questions		Yes	No
9	Does the project impact anadromous fish?	☐	☐

- How to Document:
  - If “No” – NRTR in the project file,
  - If “Yes” – In addition to the NRTR in the file, in Section G reference coordination with appropriate agency and include any appropriate project commitments in the Greensheet (Section H).
- Legal Basis: Anadromous Fish Conservation Act of 1965
  - Protects fish that are born in fresh water, spend most of their life at sea and return to fresh water to spawn.
- Other Agencies Involved: NC Division of Marine Fisheries (NCDMF), NC Wildlife Resources Commission (NCWRC)

Ecological Questions		Yes	No
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) impaired water bodies list, buffer rules, or submerged aquatic vegetation (SAV)?	☐	☐

- How to Document:
  - If "No" – NRTR in the project file.
  - If "Yes" – NRTR will document, summary any coordination in Section G and include any appropriate project commitments in the Greensheet (Section H).
- Legal Basis: The Clean Water Act of 1972
  - Regulates pollutant loads and establishes water quality standards.
- Other Agencies: NC Division of Water Resources (NCDWR), USFWS

Ecological Questions		Yes	No
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	☐	☐

- How to Document:
  - If “No” – NRTR in the project file.
  - If “Yes” – NRTR in project file. In Section G briefly summarize any coordination with the Wildlife Resources Commission (WRC) and include any appropriate project commitments on the Greensheet (Section H).
- Legal Basis: The Clean Water Act of 1972
  - Regulates pollutant loads and establishes water quality standards. Construction moratoria may be applicable for projects crossing listed trout streams.
- Other Agencies Involved: NCWRC

Ecological Questions		Yes	No
12	Does the project require a U.S. Army Corps of Engineers Individual Section 404 Permit?	☐	☐

- How to Document:
  - If "No" – NRTR in the project file. If not addressed by the NRTR, ask the DEO to provide an e-mail/memo that the project is under the threshold for an Individual Permit (IP).
  - If "Yes" – Summarize coordination (in Section G) with the US Army Corps of Engineers (USACE) to determine whether project needs to go through the Merger Process and/or related steps such as finding the Least Environmentally Damaging Practicable Alternative (LEDPA).
- Legal Basis: Section 404 of the Clean Water Act
  - Established a program to regulate the discharge of dredged or fill material into "waters of the US", including wetlands.
- Other Agencies Involved: FHWA, US Army Corps of Engineers ("The Corps" or USACE).
- Note: An IP does not necessarily mean a project will need to follow the Section 404 Merger Process.

Ecological Questions		Yes	No
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)?	☐	☐

- How to Document:
  - If "No" – NRTR in the project file.
  - If "Yes" –NRTR in the project file. In Section G summarize any coordination with the Division of Coastal Management and include any appropriate project commitments on the Greensheet (Section H).
- Legal Basis: Coastal Area Management Act (CAMA) in North Carolina implements the federal Coastal Zone Management Act (CZMA).
  - The goal of the CZMA is to "Preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone."
- Other Agencies Involved: Division of Coastal Management (NCDCM)

Archaeological and Historic Architecture

Sections 106 and 4(f)

Archaeological and Historic Architecture

Sections 106 and 4(f)

Questions 7 and 14: Based on Section 106, the National Historic Preservation Act, the person making the decision on these issues must be a person with a degree in Architectural History or a trained Archaeologist.

For every CE level project involving ground disturbing activities you will:

- Request a PA Screening through ETRACS. https://apps.ncdot.gov/PDEA/etracs/hes/ This will result in two forms (archeology and historic architecture) indicating that you either do or do not need surveys.
- If a survey is required, there are potential Section 106 resources in the area. Many steps of coordination and documentation will be required, both in the project file and as a summary in the checklist, in addition to possible project commitments on the Greensheet (Section H).

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
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 or have an adverse effect on a National Historic Landmark?	☐	☐

- How to Document:
  - If "No" –see Question 14.
  - If "Yes" – Include all Section 106 related correspondence in project file, In Section G, Summarize coordination with the NC Historic Preservation Office (HPO) and FHWA. With the historian's or archaeologist's assistance, identify any project commitments belonging in the Greensheet (Section H). Attach the 106 Concurrence to CE.
- Legal Basis: Section 106 of the National Historic Preservation Act of 1966
  - Requires federal agencies take into account the effects of their actions on historic properties and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on the project.
  - A historic property is any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in National Register of NRHP.
- Other Agencies Involved: FHWA, State Historic Preservation Office, Office of State Archeology

Archaeological and Historic Architecture		Yes	No
14	Does the project include a Section 106 of the National Historic Preservation Act effects determination other than a no effect, including archaeological remains?	☐	☐

- Trigger: State Historic Preservation Office concurrence of "No Adverse Effect"
- How to Document:
  - If "No" – In project file include either a "Programmatic Agreement Cultural Resources Screening Checklist" or both Programmatic Agreement forms stating "No Survey Required" or "No Effect". Include form(s) as an attachment.
  - If "Yes" – In project file include all relevant correspondence and forms. In Section G, summarize coordination with HPO and FHWA including dates and references to forms or correspondence. Include any project commitments on the Greensheet (Section H). Include concurrence forms as an attachment.
- Legal Basis: Section 106 of the National Historic Preservation Act
- Other Agencies Involved: FHWA, State Historic Preservation Office and Office of State Archaeology

Archaeological and Historic Architecture		Yes	No
14	Does the project include a Section 106 of the National Historic Preservation Act effects determination other than a no effect, including archaeological remains?	☐	☐

Note: For Locally Administered Projects (LAP), do not send requests through the PA Tracker with NCDOT HES. The town should request the North Carolina Historic Preservation Office to screen the project. If the resulting letter indicates “no surveys” for either architecture or archaeology, then that would serve as concurrence for Section 106 and should be attached to the document.

If “Yes” – process in the same way as any other CE. Include all Section 106 related correspondence in project file, In Section G, summarize coordination with the NC Historic Preservation Office (HPO) and FHWA. With the historian’s or archaeologist’s assistance, identify any project commitments belonging in the Greensheet (Section H). Attach the 106 Concurrence to CE.

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
6	Does the project require an Individual Section 4(f) approval?	☐	☐

- Legal Basis: Section 4(f) of the USDOT Act of 1966
  - Protects publicly-owned parks, recreation areas, wildlife refuges, waterfowl refuges, and historic sites on or eligible for the National Register of Historic Places (NRHP). These are considered 4(f) resources.
- Trigger: Any Adverse Effect as determined by the authority with jurisdiction on any of the resources listed above will result in an Individual 4(f).
  - An Individual 4(f) is stand alone documentation which requires FHWA approval.
- How to Document:
  - If "No" – Section 106 requirements were addressed in previous questions. For the other 4(f) resources, in the project file include a map illustrating project study area with any identified 4(f) resources or lack thereof. This same map can be used to address multiple resources, whatever is most expedient for your situation.
  - If "Yes" – Rely on FHWA to direct this activity.
- Other Agencies Involved: FHWA, Official with Jurisdiction, State Historic Preservation Office, Office of State Archaeology

QUESTIONS ON ACCESS AND PARCELS

Questions 3, 5, 22, and 24-29 require some training and knowledge of the project and involve access and parcel-level impacts.

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☐

- How to Document:
  - If “No” - Project file should include summary of appropriate public involvement efforts and a summary of any comments received.
  - If “Yes” – In Section G, summarize efforts in public involvement and the nature of the issue. You will want to talk this issue over with FHWA as soon as it becomes a concern.
- Legal Basis: According to 23 CFR 771
  - If a project would normally be classified as a CE, but has substantial controversy on environmental grounds, additional environmental studies are required to determine if a CE is the appropriate document type.
- Other Agencies Involved: FHWA

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	☐	☐

- How to Document:
  - If "No" – If no right of way (RW) is required, simply note it in an e-mail or memo to file. If RW is required, include a figure in the project file demonstrating of any right of way needed.
  - If "Yes" – In Section G, document all public involvement and efforts to mitigate concerns. If relocatees are involved, include RW Relocation summary sheet as an attachment.
- Legal Basis: U.S. Code, Title 23 (Highways), Section 109 (h)
  - FHWA guidelines must "Assure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project."
- Available Resources: Determination of "substantial" is site-specific and is mainly learned by experience. Support may be provided by Division Engineer, NCDOT Human Environment Section (HES), or FHWA.
- Other Agencies Involved: FHWA

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	☐	☐

REQUEST FOR R/W COST ESTIMATE / RELOCATION EIS

COST ESTIMATE REQUEST ☒ RELOCATION EIS REPORT ☒

NEW REQUEST: ☒ UPDATE REQUEST: ☐ Update to ____ Estimate REVISION REQUEST: ☐ Revision to ____ Estimate Revision No.: ____

DATE RECEIVED: 04/26/16 DATE ASSIGNED: 05/06/16 # of Alternates Requested: 2

DATE DUE: 06/08/16

TIP NUMBER R-5703 DESCRIPTION: C.F. Harvey Parkway Extension (NC 148) in Lenoir Co., from NC 58 to NC 11, North of Kinston

WBS ELEMENT: 46375.1.1 COUNTY: Lenoir DIV: 2 APPRAISAL OFFICE: 1

REQUESTOR: Maria Rogerson DEPT: Div 2 DDC

TYPE OF PLANS PROVIDED: Functional

BASED ON PAST PROJECT HISTORICAL DATA, THE LAND AND DAMAGE FIGURES HAVE BEEN ADJUSTED TO INCLUDE CONDEMNATION AND ADMINISTRATIVE INCREASES THAT OCCUR DURING SETTLEMENT OF ALL PARCELS.

APPRAISER: Tellis: Taylor Keith/Ed Welborn COMPLETED: 06/08/16 # of Alternates Completed: 2

	Alt 1 Southern Alternative		Alt 2 Northern Alternative	
TYPE OF ACCESS:	NONE: ☐	PARTIAL: ☐	NONE: ☐	PARTIAL: ☐
	LIMITED: ☐	FULL: ☒	LIMITED: ☐	FULL: ☒
ESTIMATED NO. OF PARCELS:	77		67	
RESIDENTIAL RELOCATEES:	9	$360,000	14	$560,000
BUSINESS RELOCATEES:	1	$75,000	3	$225,000
GRAVES:	-	$-	-	$-
CHURCH / NON – PROFIT: -	-	$-	-	$-
MISC: -	-	$-	-	$-
SIGNS:	-	$-	-	$-
LAND, IMPROVEMENTS, AND DAMAGES:	$4,475,000		$5,570,000	
ACQUISTION:	$385,000		$335,000	
TOTAL ESTIMATED R/W COST:	$5,295,000		$6,690,000	

THE ESTIMATED NUMBER OF ABOVE RELOCATEES INCLUDES THOSE PARCELS WHERE THE PROPOSED ACQUISITION AREAS INVOLVE RELOCATION OF LIVABLE OR BUSINESS UNITS ONLY.

NOTES: ____

Questions on Access and Parcels		Yes	No
22	Does the project involve any changes in access control?	☐	☐

- Access Control –means change from or to no control, partial control or full control access.
- This question does not address access management issues such as addition of median.
- How to Document:
  - If “No” – This could be illustrated with a plan sheet if there is one. If not, Include a memo/e-mail in the project file indicating no change in access control.
  - If “Yes” - Include community studies screening and any required coordination in project file. In Section G, document any coordination with appropriate Division staff supporting how the decision was reached to change access control and whether any mitigation might be appropriate to offset impacts

- Legal Basis: Potential issue for Environmental Justice, also could be a flag for potential controversy if there is a reduction in access.

Questions on Access and Parcels		Yes	No
24	Will maintenance of traffic cause substantial disruption?	☐	☐

- How to Document:
  - If “No” – Include a note in the project file addressing any traffic disruption and your plan for handling it. If an offsite detour is required, address things like: the detour length relative to the normal, emergency services or school bus impacts, condition of offsite detour roads and bridge, etc. If you take an action to make this a “no” such as shoring up the bridge, this should be described in Section E and should be considered in your environmental screenings as well as when as you address each question in the checklist in your various screenings.
  - If “Yes” – Include the same information discussed above in Section G and include any major mitigating items such as shoring up an offsite detour bridge or resurfacing a road in the project description.
- Legal Basis: This is based on NCDOT practice, not policy nor law. The Central Unit has practiced in the past under a guideline for off site detours for bridge projects but this was not uniform throughout the Department.

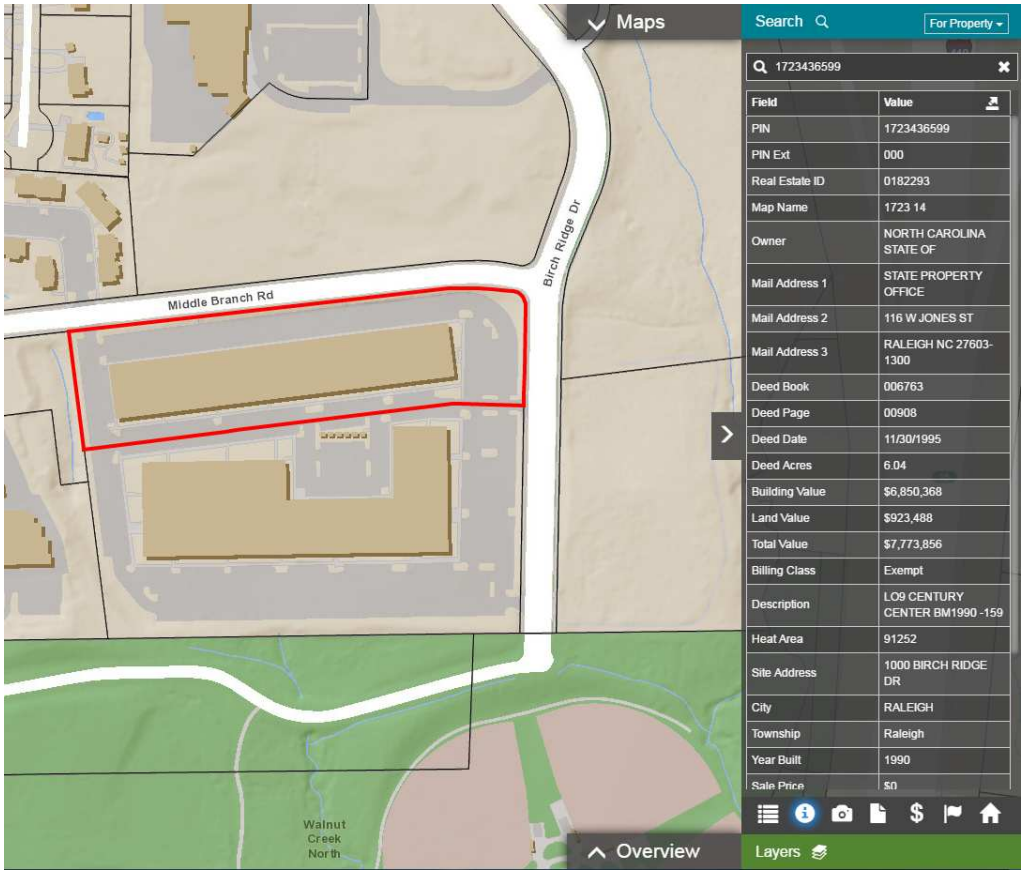
Questions on Access and Parcels		Yes	No
25	Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?	☐	☐

- How to Document:
  - If "No" – No documentation required.
  - If "Yes" – You don't have a project.

    Get it programmed!
- Legal Basis: Clean Air Act of 1970
  - Ensures compliance with air quality conformity. A conformity determination demonstrates that the total emissions projected for a plan or program are within the emissions limits ("budgets") established by the air quality plan or State Implementation Plan (SIP). The requirement for transportation conformity is established in the United States Code of Federal Regulations (40 CFR 93.104). **Conformity is required** for all or parts of Cabarrus, Catawba, Davidson, Gaston, Guilford, Iredell, Lincoln, Mecklenburg, Rowan, and Union Counties.
- Available Resources: STIP and/or MPO TIP

If you are acquiring RW
Always Screen Parcel Data

Many of the upcoming questions are flagged by ownership. If you are acquiring right of way with your project, always screen for who owns the property. If the owner is a city, county, state or federal government you will almost certainly have additional hoops to jump through.



Field	Value
PIN	1723436599
PIN Ext	000
Real Estate ID	0182293
Map Name	1723 14
Owner	NORTH CAROLINA STATE OF
Mail Address 1	STATE PROPERTY OFFICE
Mail Address 2	116 W JONES ST
Mail Address 3	RALEIGH NC 27603-1300
Deed Book	006763
Deed Page	00908
Deed Date	11/30/1995
Deed Acres	6.04
Building Value	$6,850,368
Land Value	$923,488
Total Value	$7,773,856
Billing Class	Exempt
Description	LO9 CENTURY CENTER BM1990 -159
Heat Area	91252
Site Address	1000 BIRCH RIDGE DR
City	RALEIGH
Township	Raleigh
Year Built	1990
Sale Price	$0

Questions on Access and Parcels		Yes	No
26	Does the project impact 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, 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?	☐	☐

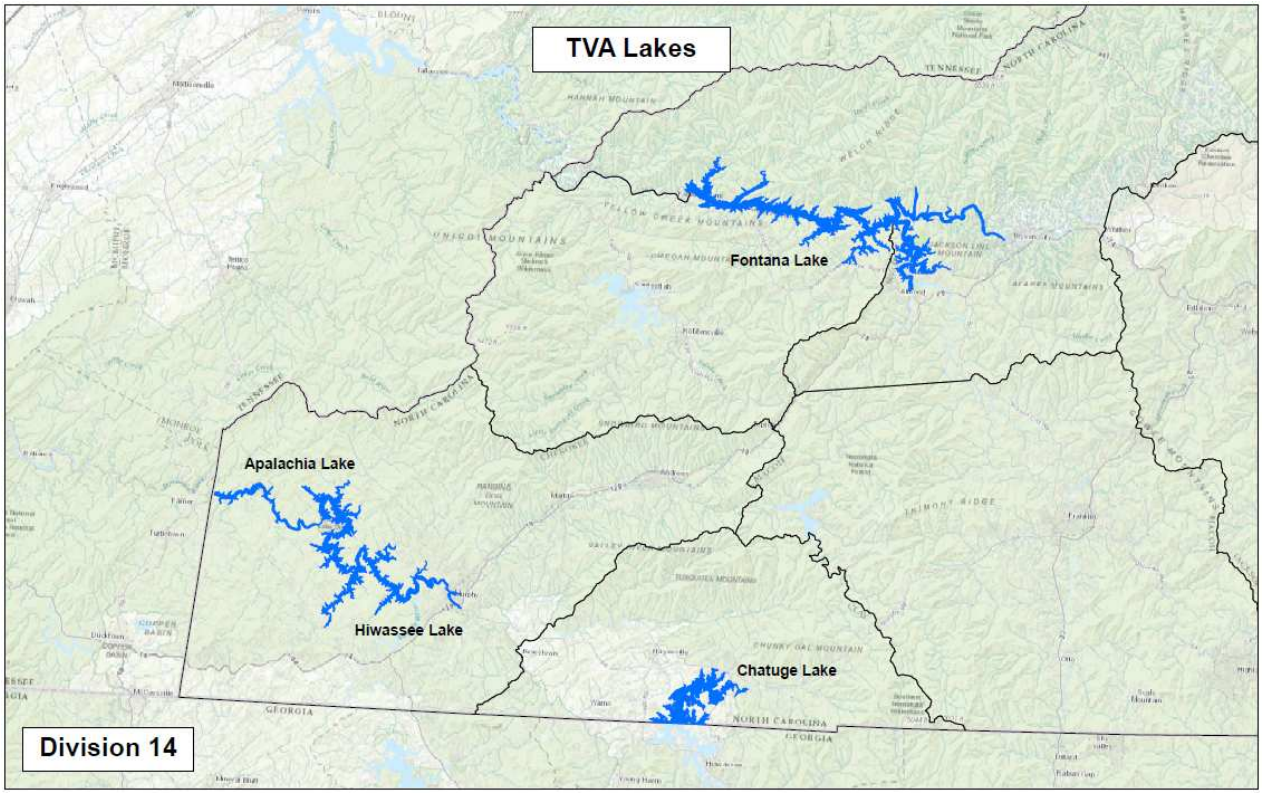
- What's a 6(f) Resource? It is a park or public recreation facility that was funded, at least in part, by the Land and Water Conservation Fund.
- How to Document:
  - If "No" – Email from Parks and Rec to the project file.
  - If "Yes" – Extensive coordination will be required. Examine all alternatives to avoid the resource. This will cause substantial project delays.
- Legal Basis: Lands under Section 6(f) must remain in a recreational use. Land swaps are time-consuming to develop.
- Available Resources:
  - LWCF projects http://waso-lwcf.ncrc.nps.gov/public/index.cfm
  - Map Review, county parcel data

Questions on Access and Parcels (continued)		Yes	No
26	Does the project impact 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, 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?	☐	☐

- How to Document:
  - If "No" – In the project file, include a list or map of parcel holders.
  - If "Yes" – In the project file, same as above and include any coordination in Section G.
- Legal Basis: Fish and wildlife restoration lands are under local jurisdiction through the NC Natural Heritage Program (NCNHP).
- Available Resources:
  - Review county parcel data. Look for undeveloped lands owned by the state. If found along the project, contact NCNHP Land Acquisition and Grants Manager.

Questions on Access and Parcels (continued)		Yes	No
26	Does the project impact 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, 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?	☐	☐

Trigger: Impact to TVA lake as identified on Division Resource Map.



Questions on Access and Parcels (continued)		Yes	No
26	Does the project impact 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, 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?	☐	☐

- How to Document:
  - If “No” – Not in a county with a TVA lake, no action. If a TVA lake is in the county, included a map in the project file showing no effect.
  - If “Yes” – In the project file, same as above and include any coordination in Section G. TVA coordination will be required.
- Legal Basis: Fish and wildlife restoration lands are under local jurisdiction through the NC Natural Heritage Program (NCNHP).

Questions on Access and Parcels (continued)		Yes	No
26	Does the project impact 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, 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?	☐	☐

- How to Document:
  - If "No" –included a map in the project file showing no effect.
  - If "Yes" – In the project file, include a map and summarize any coordination in Section G. Include any project commitments on the Greensheet (Section H).
- Legal Basis: Example - Stream mitigation sites under jurisdiction of the NCDENR, Department of Mitigation Services (DMS)
- Available Resources:
  - Look for undeveloped lands owned by state or municipality. Review county parcel data.

Questions on Access and Parcels		Yes	No
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program?	☐	☐

- How to Document:
  - If "No" – Your study area overlaid on parcel (tax map) data should be sufficient.
  - If "Yes" – Documentation if any ground disturbing activities or placing of fill in floodplain areas are required on FEMA buyout properties should be discussed in Section G. Include any project commitments on the Greensheet (Section H).
- Legal Basis – To comply with FHWA policy, and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (which established FEMA).
  - "To encourage a broad and unified effort to prevent uneconomic, hazardous or incompatible use and development of the Nation's flood plains..."
- Available Resources: FEMA buy-out properties are often purchased through Emergency Management Performance Grants or the Hazard Mitigation Grant Program often in coordination with the County Floodplain Administrator. They are often shown as municipality-owned properties in tax records.
- Other Agencies Involved: FEMA, County Floodplain Administrator

Questions on Access and Parcels		Yes	No
28	Does the project include a *de minimis* or programmatic Section 4(f)?	☐	☐

- *De minimis* is Latin for small, minimal. So a de minimis impact is a small transportation use of a 4(f) resource that does not require an individual 4(f).
- Note: FHWA and the entity with jurisdiction over the resource must be involved.
- How to Document:
  - If "No" – The project file should include an environmental features map showing the study area, footprint of your project, and properties labeled within the study area such as single family dwelling, business, greenway, park, etc.
  - If "Yes" – Call FHWA for assistance.
- Legal Basis: Section 4(f) of the Department of Transportation Act of 1966.
  - Unlike the Individual 4(f) findings in Question 7, this question addresses specific types of 4(f)s that should be noted, but don't rise to the significance of an individual 4(f).
- Available Resources: NCDOT HES, FHWA

Questions on Access and Parcels		Yes	No
29	Is the project considered a Type I under the NCDOT's noise policy?	☐	☐

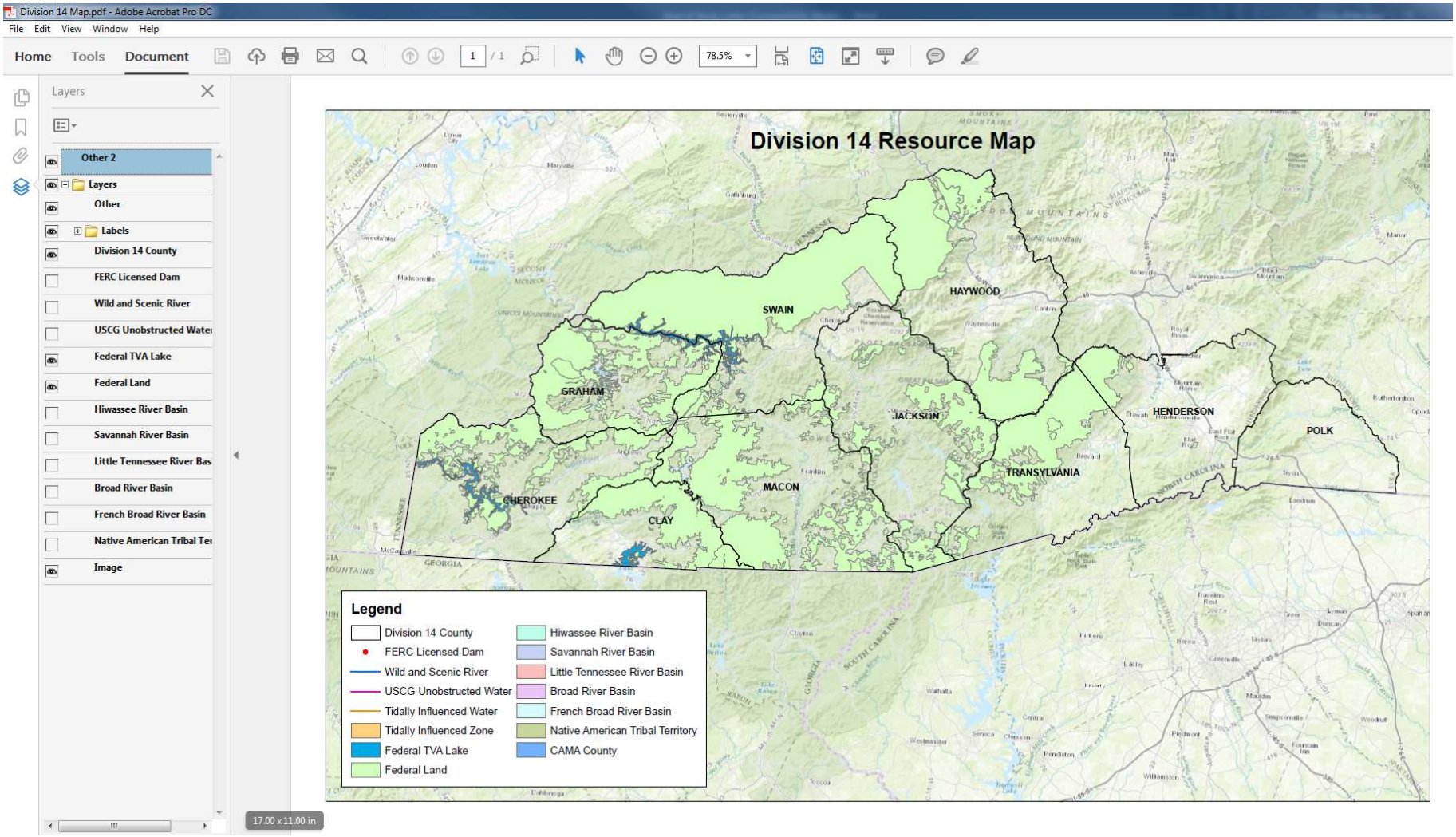
- There has been a recent Division training on NCDOT's Noise Policy. Please refer to it to assist in answering this question. Basically, a Type I project is one that has the potential to increase the noise levels for receptors, parks, homes, etc.
- Legal Basis: NEPA Implementation, 23 CFR 772. Procedures of Abatement of Highway Traffic Noise and Construction Noise. NCDOT's noise policy only applies to "Type 1" state, federal, or federal-aid highway projects.
- Available Resources: NCDOT HES

QUESTIONS ADDRESSED BY DIVISION RESOURCE MAP

Questions 13, 18, 19, 20, and 21 share:

- How to Identify: Division Resource Map
- How to Document:
  - If “No” – If no resources in the county, no documentation required. If resources are in the county, save Division Resource Map showing project does not impact resource.
  - If “Yes” - Include all of the above in the file, note any coordination in Section G, and include a project commitment on the Greensheet (Section H).

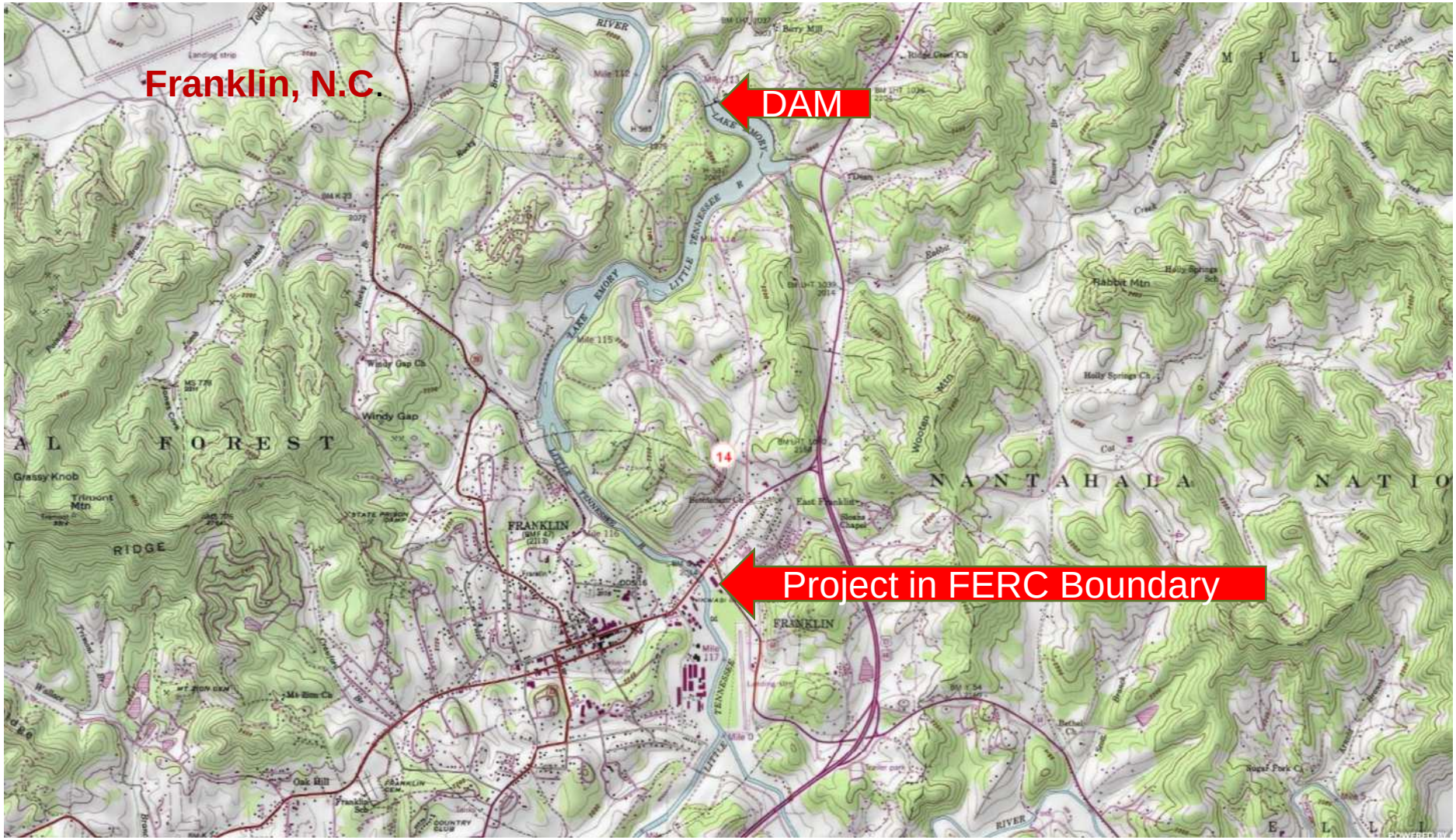
Division Resource Map



Questions Answered with Division Resource Map		Yes	No
13	Will the project require easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	☐	☐

- Procedures are under development for this topic. If “yes,” heavy coordination is required, contact NES for assistance.
- Resources: List of Licensed Facilities, the dams for these facilities are currently plotted on the Division Resources Map. If you are within two miles upstream of a lake formed by a dam, call the facility to verify its limits.
- Legal Basis: FERC is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil. They license and inspect private, municipal, and state hydroelectric projects. Structures over waters in the area of influence of FERC dams will require easements from the FERC facility. Identification of an area of influence is not always obvious.
- Other Agencies Involved: Power Company, FERC

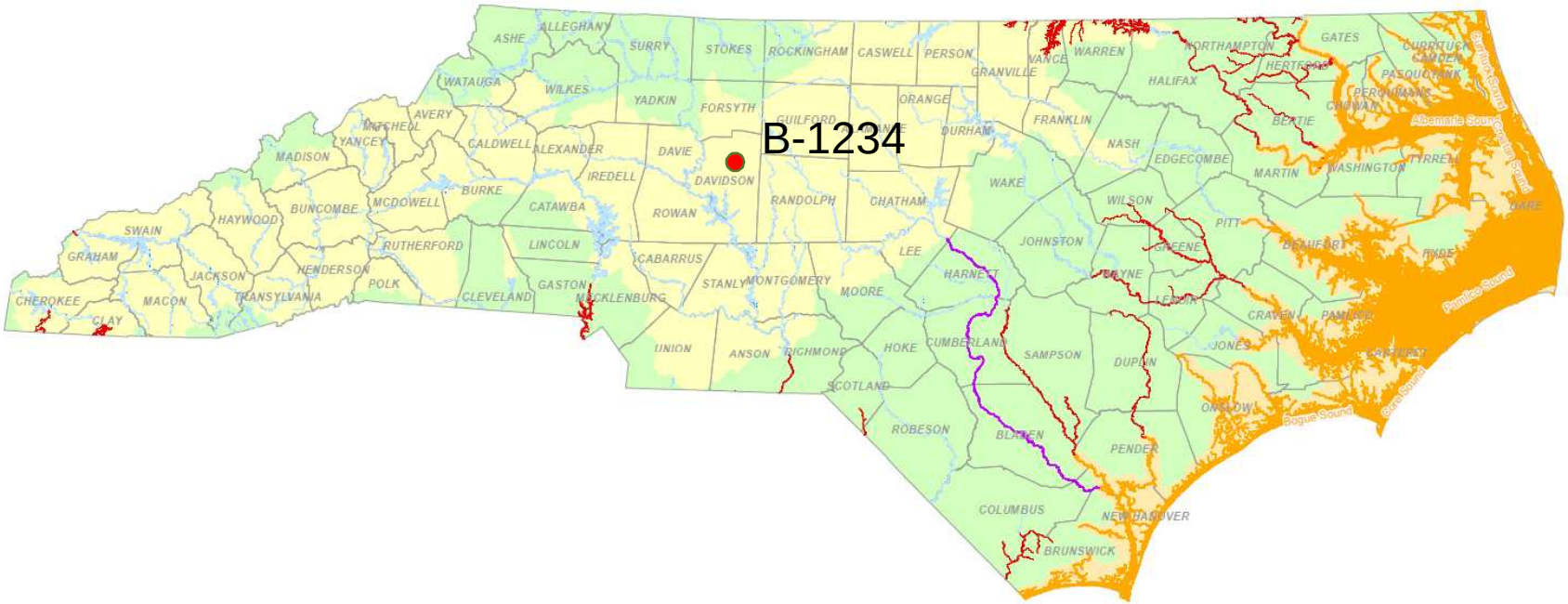
Lake Emory, Franklin, NC



Questions Answered with Division Resource Map		Yes	No
18	Does the project require a U. S. Coast Guard permit?	☐	☐

- Trigger: If a bridge crossing occurs over tidally influenced or deep unobstructed water, then Coast Guard coordination and possibly a permit may be required.
- Legal Basis: Section 9 of the Rivers and Harbors Act
  - Prohibits the construction of any bridge, dam, dike, or causeway over or in navigable waterways of the US without congressional approval. This responsibility has been delegated to the US Coast Guard (USCG).
- Available Resources: USCG Coordination Map, Federal Aid USCG Procedure (under development)
- Other Agencies Involved: USCG

USCG Stream Coordination Map



Legend

- Cape Fear Main Stem
- USCG Streams Unobstructed Waters
- USCG Streams (MajorRiver)
- Tidally Influenced Waters
- Unobstructed Waters with Depth of 5 Feet or More
- Major River
- County Boundary
- Tidally Influenced Zone
- Dam Limited Area
- Depth Limited Area

Questions Answered with Division Resource Map		Yes	No
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☐

- Legal Basis: Wild and Scenic Rivers Act of 1968
  - Seeks to preserve and protect wild and scenic rivers and their immediate environments for the benefit of future generations.
- Additional Resources – Division Resources Map review, procedure for Wild & Scenic Rivers Act (WSR)
- Other Agencies Involved: NC Parks and Recreation (NCDPR), US Department of Interior (USDOI)

Questions Answered with Division Resource Map		Yes	No
20	Does the project involve Coastal Barrier Resources Act resources?	☐	☐

- If “Yes” – This may mean you cannot do this with Federal Aid.
- Legal Basis: Coastal Barrier Resources Act
  - Designated relatively undeveloped coastal barriers along the Atlantic and Gulf coasts as part of the John H. Chafee Coastal Barrier Resources System. These areas are ineligible for most new federal expenditures or financial development assistance.
  - Private developers or other non-federal parties must bear all development costs.
- Available Resources: Division Resources Map

Questions Answered with Division Resource Map		Yes	No
21	Does the project impact federal lands (e.g. USFS, USFWS, etc.) or Tribal Lands?	☐	☐

- Legal Basis:
  - American Antiquities Act, 1906 (historic or prehistoric remains on federal lands);
  - Executive Order 13007, 1996 (Native American Sacred Sites);
  - Archaeological Resources Protection Act, 1979 (archaeological sites on federal lands);
  - Native American Grave Protection and Repatriation Act,1990 (burials on federal or tribal lands); and
  - Wilderness Act, 1964 (undeveloped federal lands).
- Available Resources: Division Resources Map, county parcel data –usually available through online GIS
- Other Agencies Involved: Any Federal agency or Tribe that owns land

QUESTIONS ANSWERED BY COMMUNITY SCREENING

Questions 4, 23, and 30

- How to Document:
  - If “No” – Include appropriate screening form or memo to file in project file.
  - If “Yes” – In addition to documentation in the project file, include a summary of the issues in Section G and list any mitigating measures as project commitments on the Greensheet (Section H).

FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA		Yes	No
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☐

- Trigger: Community Studies screening would identify potential impacts.
- Legal Basis: Executive Order 12898
- Available Resources: NCDOT HES
- Other Agencies Involved: FHWA

Questions answered by Community Screening		Yes	No
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☐

- Trigger: Does the project reduce access to resources (churches, parks, stores) used by communities?
- Legal Basis: Executive Order 12898 on Environmental Justice
- Future training will be available

Questions answered by Community Screening		Yes	No
30	Is there prime or important farmland impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	☐	☐

- Trigger: ROW acquired
- Legal Basis: FPPA, 1981. It states that Prime farmland is land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is available for these uses.
- Available Resources:
  - Natural Resources Conservation Web Soil Survey: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm
  - AD-1006 form: https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1045394.pdf
  - CPA-106 form (corridor type projects): https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/16/stelprdb1045395.pdf
- Other Agencies Involved: Natural Resource Conservation Service (NRCS)

QUESTIONS ANSWERED USING HYDRAULICS REPORT

Question 16

Questions answered by Hydraulics Report		Yes	No
16	Does the project require work encroaching and adversely affecting a 100 year FEMA regulated floodplain?	☐	☐

- How to Document:
  - If “No” – If your project does not encroach into a FEMA regulated floodplain, no documentation is required.
  - If “Yes” - include Hydraulics Report in the project file and include the two appropriate project commitments from the Greensheet Template in Section H (Greensheet).
- Legal Basis: To comply with FHWA policy, as published in December 1994
  - “To encourage a broad and unified effort to prevent uneconomic, hazardous or incompatible use and development of the Nation's flood plains...”
- Available Resources: NC Floodplain Mapping Program http://www.ncfloodmaps.com/
- Other Agencies Involved: FEMA

GEO-ENVIRONMENTAL QUESTION

Question 15

NCDOT Geo-environmental Question		Yes	No
15	Does the project involve hazardous materials and/or landfills?	☐	☐

- Required Documentation:
  - If “No” – If no right of way acquisition, then no documentation required. Otherwise, include Geo-Environmental Screening in project file.
  - If “Yes” - Phase I Study from pre-qualified consultant or report from NCDOT Geo-Environmental Unit should be included in project file. Section G will summarize the results of this study and any follow-up steps may result in project commitments on the Greensheet (Section H).
- Legal Basis: Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). If acquired property is contaminated, it becomes the owner’s (NCDOT’s) responsibility.
- Available Resources: See attached references for request form. The guidelines for an effective screening are listed here.
- Note: It is highly desirable for each division to develop a map of Superfund sites within their area to assist in avoiding these sites.

BE AWARE OF
OTHER ISSUES NOT ADDRESSED ABOVE

Other Issues		Yes	No
31	Are there other issues that arose during the project development process that affected the project decision?	☐	☐

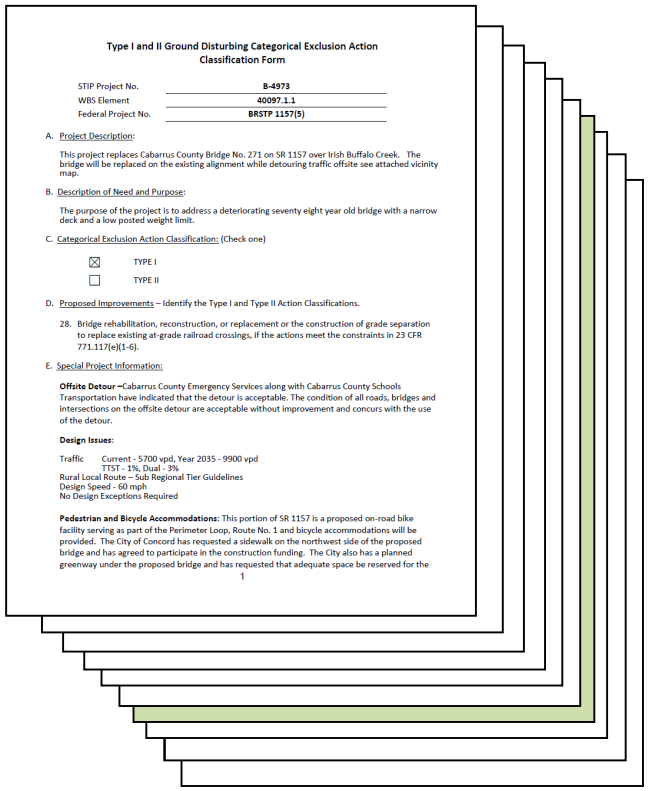
- Required Documentation:
  - If “No” – No other action needed.
  - If “Yes” - Section G will summarize the issue or law, any required study and any follow-up steps that resulted in project commitments on the Greensheet (Section H).
- Legal Basis: There are other federal and state environmental laws that may be applicable to specific projects.
- Available Resources: This question isn’t asking you to know everything. It’s used to document only specific issues that arose during project development that influenced a decision for the CE.

Example of a Question 31 Issue

Projects that are entirely within existing right of way that add through lanes would be classified as a Type I CE (No. 22).

- Because the project is adding capacity, additional studies or screenings may required:
  - Air quality report (this will be discussed in Type III projects).
  - Indirect and cumulative effects screening (this will be discussed in Type III projects).

Ground Disturbing Example



Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No.	**B-4973**
WBS Element	**40097.1.1**
Federal Project No.	**BRSTP 1157(5)**

A. Project Description:

This project replaces Cabarrus County Bridge No. 271 on SR 1157 over Irish Buffalo Creek. The bridge will be replaced on the existing alignment while detouring traffic offsite see attached vicinity map.

B. Description of Need and Purpose:

The purpose of the project is to address a deteriorating seventy eight year old bridge with a narrow deck and a low posted weight limit.

C. Categorical Exclusion Action Classification: (Check one)

☒ TYPE I

☐ TYPE II

D. Proposed Improvements – Identify the Type I and Type II Action Classifications.

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Offsite Detour –Cabarrus County Emergency Services along with Cabarrus County Schools Transportation have indicated that the detour is acceptable. The condition of all roads, bridges and intersections on the offsite detour are acceptable without improvement and concurs with the use of the detour.

Design Issues:

Traffic Current - 5700 vpd, Year 2035 - 9900 vpd
TTST - 1%, Dual - 3%
Rural Local Route – Sub Regional Tier Guidelines
Design Speed - 60 mph
No Design Exceptions Required

Pedestrian and Bicycle Accommodations: This portion of SR 1157 is a proposed on-road bike facility serving as part of the Perimeter Loop, Route No. 1 and bicycle accomodations will be provided. The City of Concord has requested a sidewalk on the northwest side of the proposed bridge and has agreed to participate in the construction funding. The City also has a planned greenway under the proposed bridge and has requested that adequate space be reserved for the

1

Original PCE

22 Pages

Using New Format and Attachment Rules

9 Pages

Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

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B. Description of Need and Purpose:

The purpose of the project is to address a deteriorating seventy eight year old bridge with a narrow deck and a low posted weight limit.

C. Categorical Exclusion Action Classification: **Type IA**

D. Proposed Improvements – Identify the item from the Type I and Type II List

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Offsite Detour –Cabarrus County Emergency Services along with Cabarrus County Schools Transportation have indicated that the detour is acceptable. The condition of all roads, bridges and intersections on the offsite detour are acceptable without improvement and concurs with the use of the detour.

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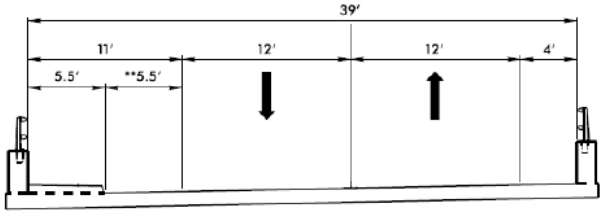
Design Speed - 60 mph
No Design Exceptions Required

Pedestrian and Bicycle Accommodations: This portion of SR 1157 is a proposed on-road bike facility serving as part of the Perimeter Loop, Route No. 1 and bicycle accommodations will be provided. The City of Concord has requested a sidewalk on the northwest side of the proposed bridge and has agreed to participate in the construction funding. The City also has a planned greenway under the proposed bridge and has requested that adequate space be reserved for the crossing. The City has guaranteed construction of the greenway by including it in their local capital improvements program. The proposed bridge has sufficient vertical and horizontal clearance for

1

the planned greenway. Based on discussion with Division and City, temporary pedestrian accommodations are not needed during construction in the work zone.

Typical Section for Bridge:



Public Involvement:

A newsletter has been sent to all those living along SR 1157 between the intersection with NC 3 and the intersection with US 601. A few comments have been received to date.

Based on involvement with the City of Concord, a Citizen's Informational Workshop was determined necessary. It was held on January 25, 2011 where 11 Local Officials, 9 citizens and 6 NCDOT employees attended. The two main concerns were taking parking spaces from a business along the SR 1157 and shutting down the road for construction that would hinder supply trucks from reaching the businesses.

NCDOT will try to minimize any impact on businesses along SR 1157 during construction and will try to expedite the construction time.

F. Project Impact Criteria Checklists:

Type I & II - Ground Disturbing Actions			
FHWA APPROVAL ACTIVITIES THRESHOLD CRITERIA			
If any of questions 1-7 are marked "yes" then the CE will require FHWA approval.		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	☐	☒
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGPA)?	☐	☒
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☒
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☒

2

5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	☐	☒
6	Does the project require an Individual Section 4(f) approval?	☐	☒
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)?	☐	☒
If any of questions 8 through 31 are marked "yes" then additional information will be required for those questions in Section G.			
Other Considerations		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)?	☒	☐
9	Does the project impact anadromous fish?	☐	☒
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)?	☐	☒
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	☐	☒
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?	☐	☒
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	☐	☒
14	Does the project include a Section 106 of the NHPA effects determination other than a no effect, including archaeological remains?	☐	☒
Other Considerations (continued)		Yes	No
15	Does the project involve hazardous materials and landfills?	☒	☐
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?	☐	☒
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)?	☐	☒
18	Does the project require a U.S. Coast Guard (USCG) permit?	☐	☒
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☒
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?	☐	☒
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	☐	☒
22	Does the project involve any changes in access control?	☐	☒

3

23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☒
24	Will maintenance of traffic cause substantial disruption?	☐	☒
25	Is the project inconsistent with the STIP or the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP) (where applicable)?	☐	☒
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), 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?	☐	☒
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	☐	☒
28	Does the project include a *de minimis* or programmatic Section 4(f)?	☐	☒
29	Is the project considered a Type I under the NCDOT's Noise Policy?	☐	☒
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	☐	☒
31	Are there other issues that arose during the project development process that affected the project decision?	☐	☒

G. Additional Documentation as Required from Section F

Question 8 - Endangered Species: Habitat for the Schweinitz's sunflower is does exist in the project study area and was identified throughout the majority of the project study area in the form of maintained roadsides and disturbed areas. A plant survey was conducted on August 30, 2007 for a total of 3 man hours was conducted in all areas that contained suitable habitat for the target species. A review of NCNHP records, updated February 13, 2008, indicates no known Schweinitz's sunflower occurrence within 1.0 mile of the study area. Therefore, a biological conclusion of NO EFFECT was rendered.

Question 15 - Hazardous Materials: The Geotechnical Engineering Unit will provide soil and groundwater assessments on each of the properties after identification of the selected alternative and before right of way acquisition. The potential site is Dryers Garage and operates as an auto repair shop.

H. Project Commitments

See Attached Project Commitments Greensheet

4

I. Categorical Exclusion Approval

STIP Project No.	**B-4973**
WBS Element	**40097.1.1**
Federal Project No.	**BRSTP 1157(5)**

Prepared By:

5/05/11 — John D. Bridges
Date — John D. Bridges, Project Manager
ABC Engineering Company

Prepared For: North Carolina Department of Transportation

Reviewed By:

5-05-11 — Jane S. Doe
Date — Jane S. Doe, Project Development Engineer
North Carolina Department of Transportation

☒ **Approved** — If all of the threshold questions (1 through 7) of Section F are answered "no," NCDOT approves this Categorical Exclusion.

☐ **Certified** — If any of the threshold questions (1 through 7) of Section F are answered "yes," NCDOT certifies this Categorical Exclusion.

5/06/11 — for Jane S. Temple
Date — John Hancock, Division Engineer
North Carolina Department of Transportation

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

N/A
Date — John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

5

PROJECT COMMITTMENTS
TIP No. B-4973

Division Ten Construction, Resident Engineer's Office
In order to have time to adequately reroute school busses, Cabarrus County Schools will be contacted at (704) 782-6314 at least one month prior to road closure.

Cabarrus County Emergency Services will be contacted at (704) 940-2143 at least one month prior to construction to make the necessary temporary reassignments to primary response units.

Roadway Design, Structure Design, Program Development Branch – Sidewalks Sidewalk is included on one side of the proposed bridge.

Roadway Design, Structure Design – Bike Accommodations
Four-foot-wide offsets and bicycle safe railings will be provided on the bridge to accommodate bicycle traffic.

Hydraulic Unit – FEMA Coordination
The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of project with regard to applicability of NCDOT'S Memorandum of Agreement, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

Division Construction-FEMA
This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

GeoEnvironmental Section – Impacts to Underground Storage Tanks (UST's)
If further design indicates potential impact to UST's, preliminary site assessments for soil and groundwater contamination will be performed prior to right of way purchase.

Resident Engineer – Airport Glidepath
Project is in the vicinity of the Propst Airport, which is currently not in service, and parallels the runway. The elevation of the new bridge could be in the glidepath of oncoming planes. The booms on cranes used during construction could affect the glidepath. For this reason, NCDOT will keep appropriate flagging attached to the cranes at all times.

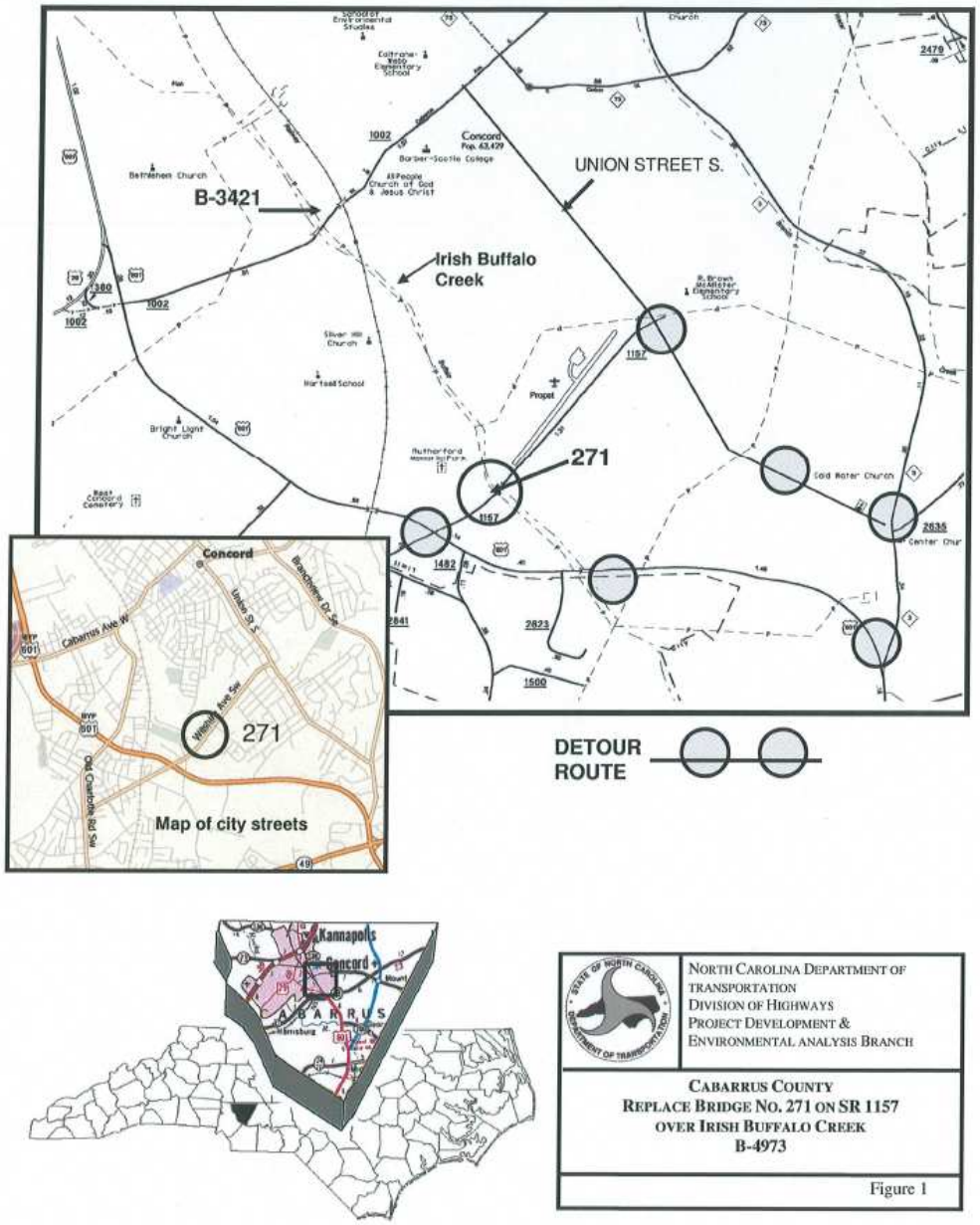
The resident engineer will alert the Propst Airport Manager of its plans to construct well in advance of the availability date.

If possible, no construction will take place at night. However, if any construction is to be performed at night, this activity will be carefully coordinated with the Propst Airport.

Roadside Environmental Unit, Division Resident Engineer – Sensitive Watersheds
Irish Buffalo Creek is included on the 2010 Final 303(d) List as impaired for turbidity. Therefore, the Design Standards in Sensitive Watershed will apply.

Program Development, Division, Roadway Design – Scheduling
B-4973 will have to be coordinated with TIP B-3421 that is scheduled to be Let February 2012.

Project Commitments March 2011 Page **1** of **1**


B-3421
UNION STREET S.
Irish Buffalo Creek
271
Concord
Pop. 63,429
Barber-Scotia College
Bethlehem Church
Silver Hill Church
Hartsell School
Bright Light Church
Rutherford Mansion Park
Propst
Cold Water Church
Center Chur
Concord
Cabarrus Ave W
Union St S
Branchview Dr Se
Wilmont Ave Se
Old Charlotte Rd Sw
271
Map of city streets
DETOUR ROUTE
Kannapolis
Concord
CABARRUS
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
PROJECT DEVELOPMENT & ENVIRONMENTAL ANALYSIS BRANCH
CABARRUS COUNTY
REPLACE BRIDGE NO. 271 ON SR 1157
OVER IRISH BUFFALO CREEK
B-4973
Figure 1

RECEIVED
Division of Highways

OCT 2 8 2008

Preconstruction
Project Development and
Environmental Analysis Branch

North Carolina Department of Cultural Resources
State Historic Preservation Office
Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

October 24, 2008

MEMORANDUM

TO: Pamela Williams
Project Development and Environmental Analysis Branch
NCDOT Division of Highways

FROM: Peter Sandbeck PBS for Peter Sandbeck

SUBJECT: Bridge 271 on SR 1157 over Irish Buffalo Creek, B-4973, Cabarrus County, ER 08-2450

Thank you for your letter of October 17, 2008, concerning the above project. Based on the topographic and hydrological situation, we have determined that there is a very high probability that archaeological sites exists in the project area. We therefore recommend that if any earth moving activities are scheduled to take place, that a comprehensive archaeological survey be conducted by an experienced archaeologist to identify and evaluate the significance of any archaeological remains that may be damaged or destroyed by the proposed project. *Please note that our office now requests consultation with the Office of State Archaeology to discuss appropriate field methodology prior to the archaeological field investigation.*

If an archaeological field investigation is conducted, two copies of the resulting archaeological survey report, as well as one copy of the appropriate site forms should be forwarded to us for review and comment as soon as they are available and well in advance of any earth moving activities.

We have determined that the project as proposed will not have an effect on any historic structures.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and considerations. If you have any questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919.807.6579. In all future communication concerning this project, please cite the above referenced tracking number.

Location: 109 East Jones Street, Raleigh NC 27601 **Mailing Address:** 4617 Mail Service Center, Raleigh NC 27699-4617 **Telephone/Fax:** (919) 807-6570/807-6599

North Carolina Department of Cultural Resources
State Historic Preservation Office
Peter B. Sandbeck, Administrator

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

March 18, 2009

MEMORANDUM

TO: Matt Wilkerson
Office of Human Environment
NCDOT Division of Highways

FROM: Peter Sandbeck PBS for Peter Sandbeck

SUBJECT: Bridge 271 on SR 1157 over Irish Buffalo Creek, B-4973, Cabarrus County, ER 08-2450

Thank you for letter of March 4, 2009, transmitting the above referenced report.

We found the report to be extremely informative, well written, and concise. Mr. Halvorsen should be commended for his attention to detail and his knowledge of the extant archaeological database. For purposes of compliance with Section 106 of the National Historic Preservation Act, we concur with the report author that no further archaeological investigations are necessary and that no significant archaeological properties will be adversely affected.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number.

cc: Scott Halvorsen, NCDOT

Location: 109 East Jones Street, Raleigh NC 27601 Mailing Address: 4617 Mail Service Center, Raleigh NC 27699-4617 Telephone/Fax: (919) 807-6570/807-6599

Type III Projects

Actions not previously described above that do not individually or cumulatively have a significant affect on the human or natural environment.

Type III are actions not identified as Type I or II as described above. Projects include, but are not limited to:

- Highway widening projects that add an additional through lane (automobile capacity increases) and require right of way acquisition;
- Projects that add or modify an interchange while changing capacity (projects that require an Interchange Access Report (IAR)).

FHWA Signature Required, No Threshold Questions

Type III Actions		Yes	No
If the proposed improvement is identified as a Type III Class of Action answer all questions. • 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?	☐	☐
2	Does the project result in impacts subject to the conditions of the BGPA?	☐	☐
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☐
Type III Actions (continued)		Yes	No
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☐
5	Does the project involve substantial residential or commercial displacements or right of way acquisition?	☐	☐
6	Does the project include a determination under Section 4(f)?	☐	☐
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	☐	☐
8	Is a project level air quality Mobile Source Air Toxics (MSAT) analysis required?	☐	☐
9	Does the project impact anadromous fish?	☐	☐
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?	☐	☐
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	☐	☐
12	Does the project require a USACE Individual Section 404 Permit?	☐	☐
13	Will the project require an easement from a FERC licensed facility?	☐	☐
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?	☐	☐
15	Does the project involve hazardous materials and landfills?	☐	☐
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?	☐	☐
17	Is the project in a CAMA county and substantially affects the coastal zone and/or any AEC?	☐	☐
18	Does the project require a USCG permit?	☐	☐
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☐
20	Does the project involve CBRA resources?	☐	☐

21	Does the project impact federal lands (e.g. USFS, USFWS, etc.) or Tribal Lands?	☐	☐
22	Does the project involve any changes in access control?	☐	☐
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☐
24	Will maintenance of traffic cause substantial disruption?	☐	☐
25	Is the project inconsistent with the STIP or the MPO's TIP (where applicable)?	☐	☐
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?	☐	☐
27	Does the project involve FEMA buyout properties under the HMGP?	☐	☐
28	Is the project considered a Type I under the NCDOT's Noise Policy?	☐	☐
29	Is there prime or important farmland soil impacted by this project as defined by the FPPA?	☐	☐
30	Are there other issues that arose during the project development process that effected the project decision?	☐	☐

Checklist Questions Unique to Type III Projects

Questions answered by Community Screening		Yes	No
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	☐	☐

A project can have three types of effects:

- Direct impacts are caused by the project.
- Indirect impacts are land use changes that may be induced by the project.
- Cumulative impacts are the incremental impacts of this project in addition to other past, present, and reasonably foreseeable actions.

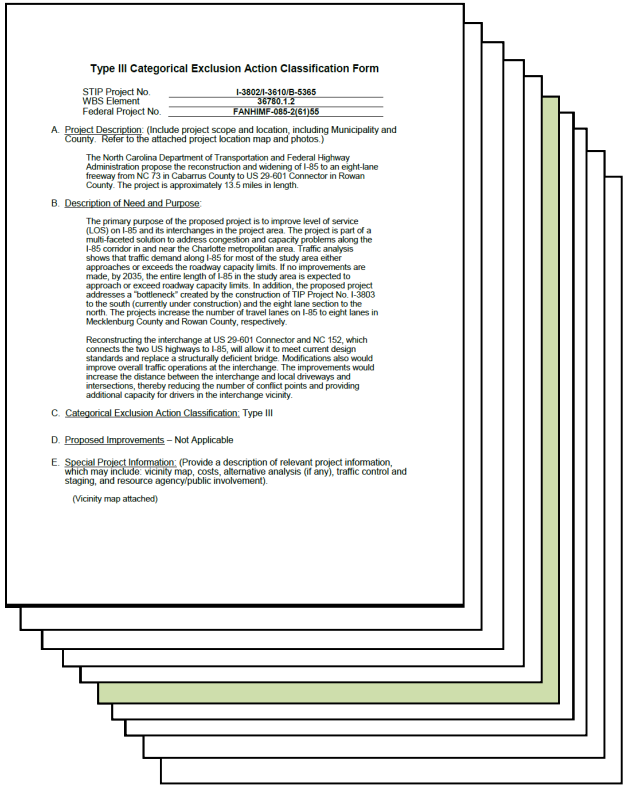
Questions answered by Community Screening		Yes	No
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	☐	☐

- How to Document:
  - If “No” – Include appropriate screening form or report from Community Studies personnel in project file.
  - If “Yes” – In addition to documentation in the project file, include a summary of the issues in Section G and list any mitigating measures as project commitments on the Greensheet (Section H).
- Legal Basis: CEQ regulations (40 CFR §§ 1500 -1508) define the impacts and effects that must be addressed and considered by Federal agencies in satisfying the requirements of the NEPA process. This includes direct, indirect and cumulative impacts.
- Future training will be available.

Questions answered by Air Quality Report		Yes	No
8	Is a project level air quality Mobile Source Air Toxics (MSAT) analysis required?	☐	☐

- May require a “Qualitative” analysis or a “Quantitative” analysis based on design year annual average daily traffic (AADT).
  - Projects with 140,000 AADT or more require a quantitative analysis.
  - Projects with less than 140,000 AADT require a qualitative analysis.
- How to Document:
  - If “No” – Include a memo in the project file explaining why.
  - If “Yes” – Include copy of Air Quality Report in project file. Copy conclusion statement into Section G.
- Legal Basis:
  - Required under FHWA *Interim Guidance on Air Toxics Analysis* if the project has the potential for MSAT effects. Air toxics include benzene and other hydrocarbons such as 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, and naphthalene.

Type III EXAMPLE



Type III Categorical Exclusion Action Classification Form

STIP Project No. I-3802/I-3610/B-5365
WBS Element 36780.1.2
Federal Project No. FANHIMF-085-2(61)55

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

The North Carolina Department of Transportation and Federal Highway Administration propose the reconstruction and widening of I-85 to an eight-lane freeway from NC 73 in Cabarrus County to US 29-601 Connector in Rowan County. The project is approximately 13.5 miles in length.

B. Description of Need and Purpose:

The primary purpose of the proposed project is to improve level of service (LOS) on I-85 and its interchanges in the project area. The project is part of a multi-faceted solution to address congestion and capacity problems along the I-85 corridor in and near the Charlotte metropolitan area. Traffic analysis shows that traffic demand along I-85 for most of the study area either approaches or exceeds the roadway capacity limits. If no improvements are made, by 2035, the entire length of I-85 in the study area is expected to approach or exceed roadway capacity limits. In addition, the proposed project addresses a "bottleneck" created by the construction of TIP Project No. I-3803 to the south (currently under construction) and the eight lane section to the north. The projects increase the number of travel lanes on I-85 to eight lanes in Mecklenburg County and Rowan County, respectively.

Reconstructing the interchange at US 29-601 Connector and NC 152, which connects the two US highways to I-85, will allow it to meet current design standards and replace a structurally deficient bridge. Modifications also would improve overall traffic operations at the interchange. The improvements would increase the distance between the interchange and local driveways and intersections, thereby reducing the number of conflict points and providing additional capacity for drivers in the interchange vicinity.

C. Categorical Exclusion Action Classification: Type III

D. Proposed Improvements – Not Applicable

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).

(Vicinity map attached)

Using Original Format and Attachment Rules

241 Pages

Using New Format and Attachment Rules

24 Pages

Type III Categorical Exclusion Action Classification Form

STIP Project No.	I-3802/I-3610/B-5365
WBS Element	36780.1.2
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Reconstructing the interchange at US 29-601 Connector and NC 152, which connects the two US highways to I-85, will allow it to meet current design standards and replace a structurally deficient bridge. Modifications also would improve overall traffic operations at the interchange. The improvements would increase the distance between the interchange and local driveways and intersections, thereby reducing the number of conflict points and providing additional capacity for drivers in the interchange vicinity.

C. Categorical Exclusion Action Classification: Type III

D. Proposed Improvements:

For I-3802, NCDOT proposes to add four additional travel lanes (two in each direction) to I-85 from north of NC 73 in Cabarrus County to US 29-601 Connector in Rowan County. The project is approximately 13.5 miles long. The project involves widening the existing four-lane freeway to eight lanes, matching TIP project I-3803 at NC 73 to the south, and the recently widened freeway to the north. The majority of the I-85 widening will occur within the existing right-of-way. Interchange improvements, including reconstruction of existing structures to meet current design standards for

1

vertical clearance, are proposed at US 29-601, SR 2126 (Dale Earnhardt Boulevard) and SR 2180 (Lane Street). In addition, a new bridge carrying Winecoff School Road over the railroad tracks, S. Ridge Avenue, and S. Main Street will be constructed. The existing at-grade crossing will be closed and the S. Ridge Avenue bridge over I-85 will be removed. Winecoff School Road is located near the US 29-601interchange. The project is divided into two sections for construction phasing – Section A extends from NC 73 to Lane Street and Section B extends from Lane Street to US 29-601 Connector. Additional structures may need to be improved to meet current design standards.

For TIP Project Number I-3610, NCDOT proposes to reconstruct the existing cloverleaf interchange at NC 152 and US 29-601, reconstruct the interchange at NC 152 and I-85, and improve existing NC 152, which provides access to I-85 between the two interchanges.

For TIP Project Number B-5365, NCDOT proposes to replace Bridge No. 21 and Bridge No. 34 over the Norfolk Southern Railroad and US 29 in China Grove.

E. Special Project Information:

Alternatives

In addition to the NCDOT-preferred improvements (Improve Existing Facility), the following alternatives to the proposed widening of I-85 were considered:

- No-Build Alternative
- Alternate Modes of Transportation
- Transportation Management Alternative
- New Location Alternatives

The No-Build Alternative would not reduce congestion along I-85 and would not provide lane continuity with the eight-lane cross sections south of US 29-601 in Concord and north of US 29-601 Connector in China Grove.

The Alternate Modes of Transportation and Transportation Management alternatives could help reduce congestion on I-85 but they would not provide the level of benefit of the recommended alternative nor would they provide the lane continuity between the eight-lane sections north and south of the proposed project.

Traffic Control/Construction Phasing

During project construction, four lanes of traffic on I-85 will be maintained as much as possible. Some lane closures and traffic shifts will be required. For the replacement of Bridge No. 139 on Centergrove Road, an offsite detour will be used (see Figure 7). Construction for NC 152/I-85/US 601 is proposed to be done in four phases, some of which will require detouring some local traffic to other local roads (see Figure 8). Appropriate signing will be provided for the detours. Changeable message signs and dynamic message signs will be used to notify motorists of construction activities and lane shifts. Other methods to notify motorists of changing traffic conditions may also be used as part of the public information efforts. Efforts will be made to provide continuous access to businesses and residences, while ensuring work zone safety and efficiency.

Public Involvement Summary

Local officials meetings were held in the Kannapolis Train Station on January 8, 2008, November 27, 2012, and February 26, 2013. Officials expressed various concerns such as project funding, schedule, emergency response, roundabouts, accommodations on Lane St. for tractor trailers, improved access along Dale Earnhardt Boulevard and Lane Street. In a fourth meeting on November 4, 2013 at Winecoff Elementary School, NCDOT discussed improvements to Winecoff School Road and introduced Alternate 2A which was added to avoid and minimize impacts to Barrier House property that HPO recommended eligible for the National Register of Historic Places.

A Citizens Informational Workshop was held was held on January 29, 2008. Comments were generally supportive of the project. Over half of the concerns were about noise impacts and requests for noise walls. Commenters also expressed a desire for landscaping along interchange ramps. A few comments mentioned the impact of this project on US 29 access.

Design Public Meetings were held on November 27 and November 29, 2012. Additional Public Meetings were held on February 26, 2013 and November 4, 2013. A summary of Concerns are listed below.

- Right-of-way impacts to property. Many property owners whose property would be purchased as a result of the project had questions about the right-of-way acquisition and relocation process.
- Changes in access or loss of multiple access points as a result of proposed medians on cross streets.
- Local officials in Kannapolis expressed a desire for a connection between Winecoff School Road and Mt. Olivet Road in lieu of replacing the bridge on S. Ridge Avenue.
- Impacts to the Rider Transit Center of the proposed right-in/right-out access from S. Ridge Avenue to S. Main Street.
- Redesigned interchange at Dale Earnhardt Boulevard. Some residents of the Forest Brook neighborhood expressed opposition over the proposed relocation of the southbound ramp to Jaycee Boulevard. They indicated concern about noise and visual impacts and a reduction in property values. Other residents whose homes would be directly affected by the relocated ramp expressed support for the project.
- Lack of interchange at Old Beatty Ford Road. Some local officials commented that not having an area where emergency vehicles could turn around in the median of I-85, combined with the lack of an interchange for five miles, will create a safety hazard. Others believe the interchange would foster economic development in southern Rowan County.
- Roundabouts on Lane Street. Some commenters expressed concern over impacts of the roundabout to businesses in that area, including the truck stop.
- Project schedule. Some officials in Rowan County requested that the schedule for the "B" section of the project be moved up to coincide with the "A" section.

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- Some residents and local officials expressed concern about modified access on US 29 in China Grove.
- Some comments expressed concern over a perceived lack of coordination between NCDOT and local municipalities.
- The need for a service road to provide access to businesses along Dale Earnhardt Boulevard between the existing ramp and Jaycee Road. Existing access on Jaycee Road will be terminated with the proposed improvements and the proposed median will alter access from Dale Earnhardt Boulevard. NCDOT is recommending a service road to address this issue.

F. Project Impact Criteria Checklists:

Type III Actions		Yes	No
If the proposed improvement is identified as a Type III Class of Action answer all questions. • 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?	☐	☒
2	Does the project result in impacts subject to the conditions of the BGPA?	☐	☒
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	☐	☒
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	☐	☒
5	Does the project involve substantial residential or commercial displacements or right of way acquisition?	☒	☐
6	Does the project include a determination under Section 4(f)?	☐	☒
7	Is a project-level analysis for direct, indirect, or cumulative effects required based on the NCDOT community studies screening tool?	☒	☐
8	Is a project level air quality Mobile Source Air Toxics (MSAT) analysis required?	☒	☐
9	Does the project impact anadromous fish?	☐	☒
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?	☒	☐
11	Does the project impact waters of the United States in any of the designated mountain trout streams?	☐	☒
12	Does the project require a USACE Individual Section 404 Permit?	☒	☐
13	Will the project require an easement from a FERC licensed facility?	☐	☒
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?	☐	☒
15	Does the project involve hazardous materials and landfills?	☒	☐

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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?	☒	☐
17	Is the project in a CAMA county and substantially affects the coastal zone and/or any AEC?	☐	☒
18	Does the project require a USCG permit?	☐	☒
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	☐	☒
20	Does the project involve CBRA resources?	☐	☒
Type III Actions (continued)		Yes	No
21	Does the project impact federal lands (e.g. USFS, USFWS, etc.) or Tribal Lands?	☐	☒
22	Does the project involve any changes in access control?	☒	☐
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	☐	☒
24	Will maintenance of traffic cause substantial disruption?	☐	☒
25	Is the project inconsistent with the STIP or the MPO's TIP (where applicable)?	☐	☒
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?	☐	☒
27	Does the project involve FEMA buyout properties under the HMGP?	☐	☒
28	Is the project considered a Type I under the NCDOT's Noise Policy?	☒	☐
29	Is there prime or important farmland soil impacted by this project as defined by the FPPA?	☐	☒
30	Are there other issues that arose during the project development process that effected the project decision?	☐	☒

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G. Additional Documentation as Required from Section F

Question 5 – Displacements/Right of Way Acquisition:

Based on preliminary design, 34 residences, 14 businesses, and one church will be displaced.

Sufficient right-of-way and easements will be acquired to accommodate the proposed improvements. Most improvements will occur within the existing I-85 right-of-way. Minor amounts of additional right-of-way will be required at some sections along I-85 to accommodate the widening. Additional right-of-way will be required along some of the cross streets to accommodate widening or other improvements associated with interchange reconstruction.

Question 7 – Direct, Indirect, and Cumulative Effects

Water resources in the study area, including a drinking water supply, could incur indirect and cumulative effects. Some protection will be provided from development restrictions within the Critical Area of the Water Supply Watershed, and to a lesser extent, in the Protected Area.

Reduced congestion on I-85 and improvements to existing interchanges will likely contribute to travel time savings in the study area.

An increase in development interests in the more rural portions of the study area could eventually result in some of those areas transitioning to residential and business land use. Local ordinances regulating development and designed to preserve agricultural lands will guide this development.

Question 8 – MSAT:

Vehicles are a major contributor to decreased air quality because they emit a variety of pollutants into the air. Changing traffic patterns are a primary concern when determining the impact of a new highway facility or the improvement of an existing highway facility. New highways or the widening of existing highways increase localized levels of vehicle emissions, but these increases could be offset due to increases in speeds from reductions in congestion and because vehicle emissions will decrease in areas where traffic shifts to the new roadway. Significant progress has been made in reducing criteria pollutant emissions from motor vehicles and improving air quality, even as vehicle travel has increased rapidly.

The project is located in Cabarrus and Rowan Counties, which comply with the National Ambient Air Quality Standards. This project will not add substantial new capacity or creating a facility that is likely to meaningfully increase emissions. Therefore, it is not anticipated to create any adverse effects on the air quality of this nonattainment area.

This project falls under MSAT Analysis Category Three (3) because AADT is projected to be in the range of 140,000 to 150,000 or greater by the design year. Therefore, this project requires a quantitative MSAT analysis. Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow us to reasonably predict relative emissions changes between alternatives for larger projects, the amount of MSAT emissions from each of the project alternatives and MSAT

concentrations or exposures created by each of the project alternatives cannot be predicted with enough accuracy to be useful in estimating health impacts. (As noted above, the current emissions model is not capable of serving as a meaningful emissions analysis tool for smaller projects.) Therefore, it is not possible to make a determination of whether any of the alternatives would have "significant adverse impacts on the human environment.

Question 10 – Impacted Waters

Town Creek and Irish Buffalo Creek are 303(d) streams. No special commitments required.

Question 12 – USACE Permit

Under the current Section 404 permitting requirements, it is expected the project will require an Individual Permit (IP). In general, the USACE Wilmington District issues an IP for projects that result in 0.5 acre or more of fill to Waters of the US or 300 linear feet or more of stream impacts or if the project is considered by the agency to be a major action. This permit requires a full public interest review, including public notices and coordination with involved agencies, interested parties, and the general public.

Question 15 - Hazardous Materials:

Based on a hazardous materials evaluation prepared by NCDOT in August 2011, thirteen sites presently or formerly containing petroleum underground storage tanks (USTs) were identified within the project limits. These sites are listed in Table 16 and shown on Figure 4. No hazardous waste sites or landfills were noted. Four other geoenvironmental concerns were identified within the project limits: three automotive repair facilities and one automotive salvage yard. Soil and groundwater assessments will be conducted at each of the UST sites prior to right-of-way acquisition.

Question 16 – Floodplain

The proposed project crosses approximately 21 acres of 100-year floodplain. Appropriate commitments are located in the greensheet.

Question 22 - Access Control

Full control of access will be maintained along I-85. For intersecting streets, controlled access will be utilized at the following locations:

- US 29-601 from just south of Cloverleaf Plaza to just north of the new intersection with S. Main Street.
- Concord Lake Road/Lake Concord Road from just south of Cloverleaf Parkway to Country Club Drive.
- Main Street/Kannapolis Highway from south of Stewart Street to north of Mills Avenue.
- S. Ridge Avenue, approximately 200 feet on either side of the bridge over I-85.
- Dale Earnhardt Boulevard from north of Coldwater Ridge Drive to south of the Denwood Street, and from Roxie Street to Dickens Place.
- Along both sides of Centergrove Road, approximately 150 feet on either side of the proposed bridge.
- Brantley Road, approximately 250 feet on either side of the proposed bridge.
- From approximately 950 feet west of the proposed Lane Street bridge to approximately 1,300 feet east of the proposed bridge.
- Pine Ridge Road, from approximately 200 feet west of the proposed bridge over

I-85 to approximately 100 feet east of the bridge. On the east side of I-85, an additional 100 feet of controlled access will be purchased to maintain an existing driveway.

- Approximately 300 feet west of the proposed bridge on Lentz Road over I-85 to approximately 150 feet east of the proposed bridge.
- NC 152 from the intersection of the newly aligned Power Street to Hitachi Metals Drive. A break in the control of access is provided, just east of Ketchie Estates Road to maintain an existing driveway.
- US 29/NC 152 from south of N. Main Street (US 29A) to west of realigned Power Street (through the current interchange area).

Question 28 - Noise

Based on the preliminary Traffic Noise Analysis, traffic noise abatement is recommended and noise abatement measures are proposed at five of eleven noise study areas analyzed for this project. This evaluation partially completes the highway traffic noise requirements of 23 CFR 772. These are preliminary findings only, for use in the project environmental document. An additional noise analysis (Design Noise Report) will be performed during final design of this project to develop more detailed locations and dimensions of the recommended noise barriers.

H. Project Commitments

Roadway Design Unit, Hydraulics Unit, Structure Design Unit, Division Office - Provisions for Greenway
The proposed new I-85 bridges over Irish Buffalo Creek will be designed with adequate vertical and horizontal clearance to accommodate the future Irish Buffalo Creek greenway crossing under I-85. Coordination with the local municipality will be performed during design of those bridges to ensure they are compatible with the future greenway crossing.

Project Development and Environmental Analysis Unit, Division 10, Roadway Design – Blake House and Goodman Farm
Blake House and Goodman Farm, both National Register-eligible properties, are within the project's Area for Potential Effects. Currently, the proposed project will have No Effect on either of these properties. If design plans change near either of the properties, impacts will be re-evaluated and appropriate coordination with the Department of Cultural Resources will be undertaken.

Project Development and Environmental Analysis Unit, Division 10, Roadway Design – North Cabarrus Park
North Cabarrus Park, owned and managed by Cabarrus County, is located on the west side of I-85 near Irish Buffalo Creek. No additional right-of-way or easements are proposed along I-85 on park property; thus, the project will not impact North Cabarrus Park. If design plans change in this vicinity, a Section 4(f) evaluation will be prepared.

Hydraulics Unit – Floodplain Mapping Program Coordination
The NCDOT Hydraulics Unit will coordinate with the North Carolina Floodplain Mapping Program (FMP), the delegated state agency for administering FEMA's National Flood Insurance Program, to determine the status of the project with regard to the applicability of NCDOT's Memorandum of Agreement with the FMP or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

Divisions 9 and 10 – As-Built Construction Plans
The Divisions shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

Division 10 and Roadside Environmental Unit- Landscaping
NCDOT will provide vegetative screening along the Dale Earnhardt Boulevard southbound off-ramp, which utilizes Jaycee Road.

Congestion Management Unit – Interchange Modification Report
Due to the proposed improvements at the I-85 interchanges in the study area, an interchange modification report is being prepared and will be submitted to the Federal Highway Administration for approval following completion of the final environmental document.

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Design-Build Unit

- During Final Design, NCDOT will investigate the feasibility of a roundabout at Vinehaven Drive and Copperfield Boulevard.
- NCDOT will provide a leftover from northbound US 29-601 (Cannon Boulevard) to Ridge Avenue, and will provide access from Ridge Avenue to the Rider Transit Center. The proposed roundabout on S. Main Street will be removed from the design.
- NCDOT will connect S. Ridge Avenue to US 29-601 (Cannon Boulevard) with right-in/right-out access.
- NCDOT will provide full access at the intersection of Old Earnhardt Road and Dale Earnhardt Boulevard.
- NCDOT will coordinate with representatives of F&M Bank to minimize impacts.
- NCDOT will modify the proposed service road at the Dale Earnhardt Boulevard interchange to provide improved access to F&M Bank, the Chamber of Commerce Building, and Lowe's.
- NCDOT will provide a leftover into the Pilot Truck Stop on Lane Street.
- NCDOT will provide right-in/right-out access to Motel 6, Waffle House, and Brantley property on Lane Street. The proposed service road will be removed.
- NCDOT will coordinate, on a case-by-case basis, the location of bus stops, sidewalks, and pedestrian controls with the City of Concord, City of Kannapolis, and Rider Transit.
- NCDOT will coordinate with local officials regarding emergency access in the NC 152/US 29 interchange area.

I. Categorical Exclusion Approval

STIP Project No.	I-3802/I-3610/B-5365
WBS Element	36780.1.2
Federal Project No.	FANHIMF-085-2(61)55

Prepared By:

12/20/13 — John D. Bridges
Date — John D. Bridges, P.E., Project Manager
ABC Engineering

Prepared For: North Carolina Department of Transportation

Reviewed By:

12-30-13 — Jane S. Doe
Date — Jane S. Doe, Project Development Engineer
NCDOT

NCDOT certifies that the proposed action qualifies as a Type III Categorical Exclusion

1/04/14 — Jane S. Temple
Date — for John Hancock, Division Engineer
North Carolina Department of Transportation

FHWA Approval:

1/04/14 — John W. Smith
Date — for John F. Sullivan, III, PE, Division Administrator
Federal Highway Administration

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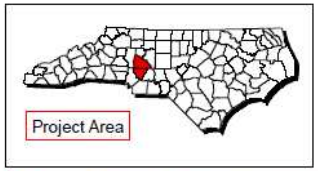


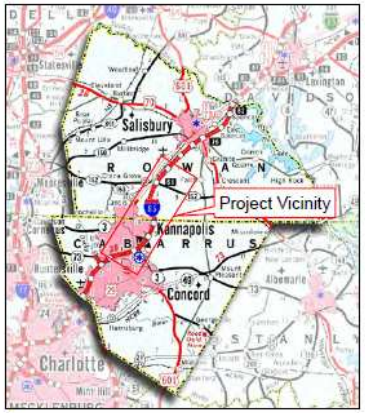
Figure 1

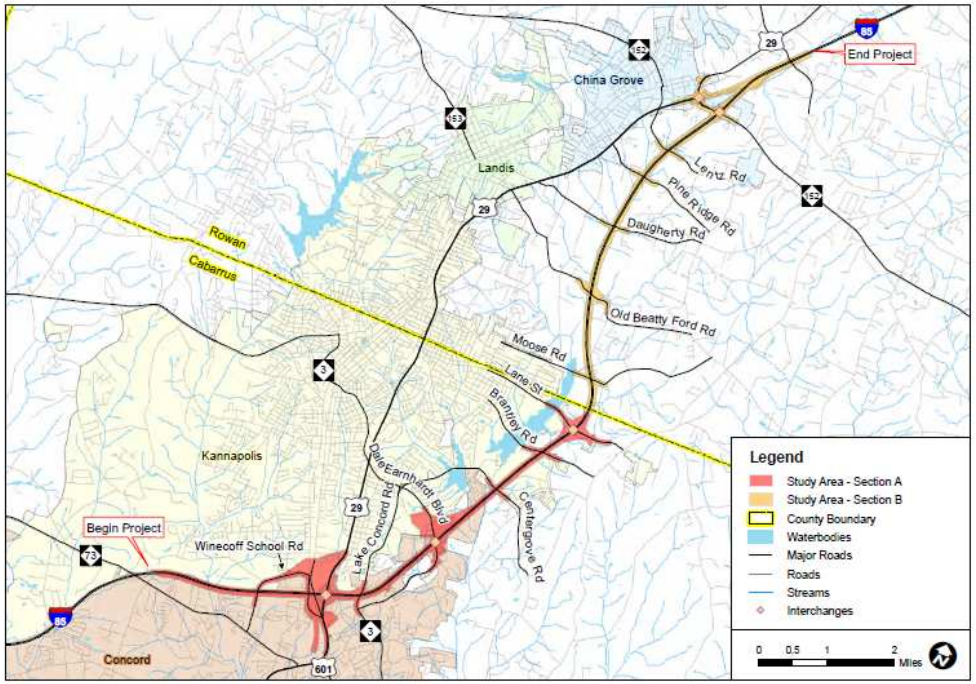
Project Vicinity

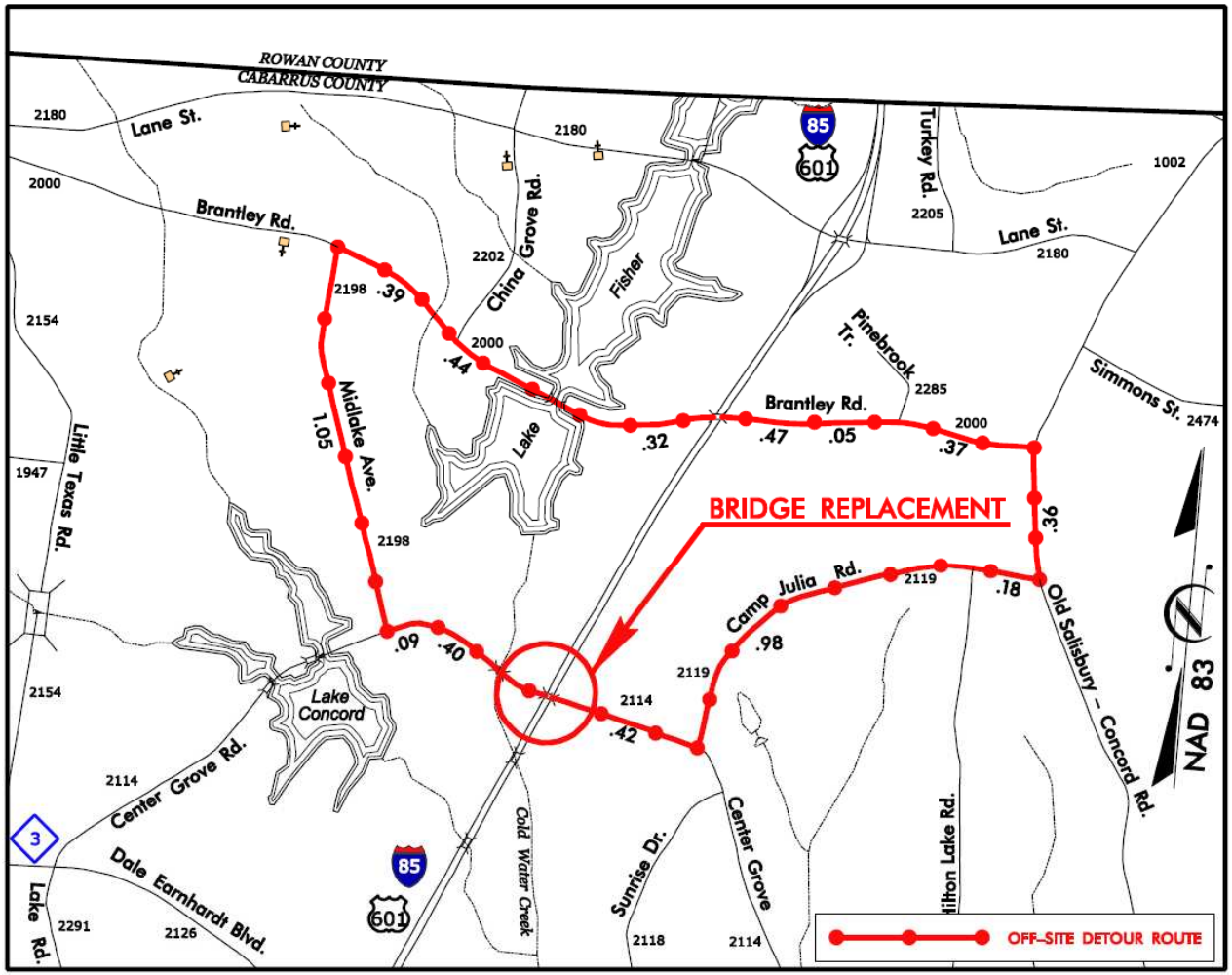
I-85 Widening and Interchange Improvements From North of NC 73 to US 29-601 Connector (I-3802/I-3610/B-5365)

Rowan and Cabarrus Counties, North Carolina

North Carolina
Department of Transportation







MULKEY

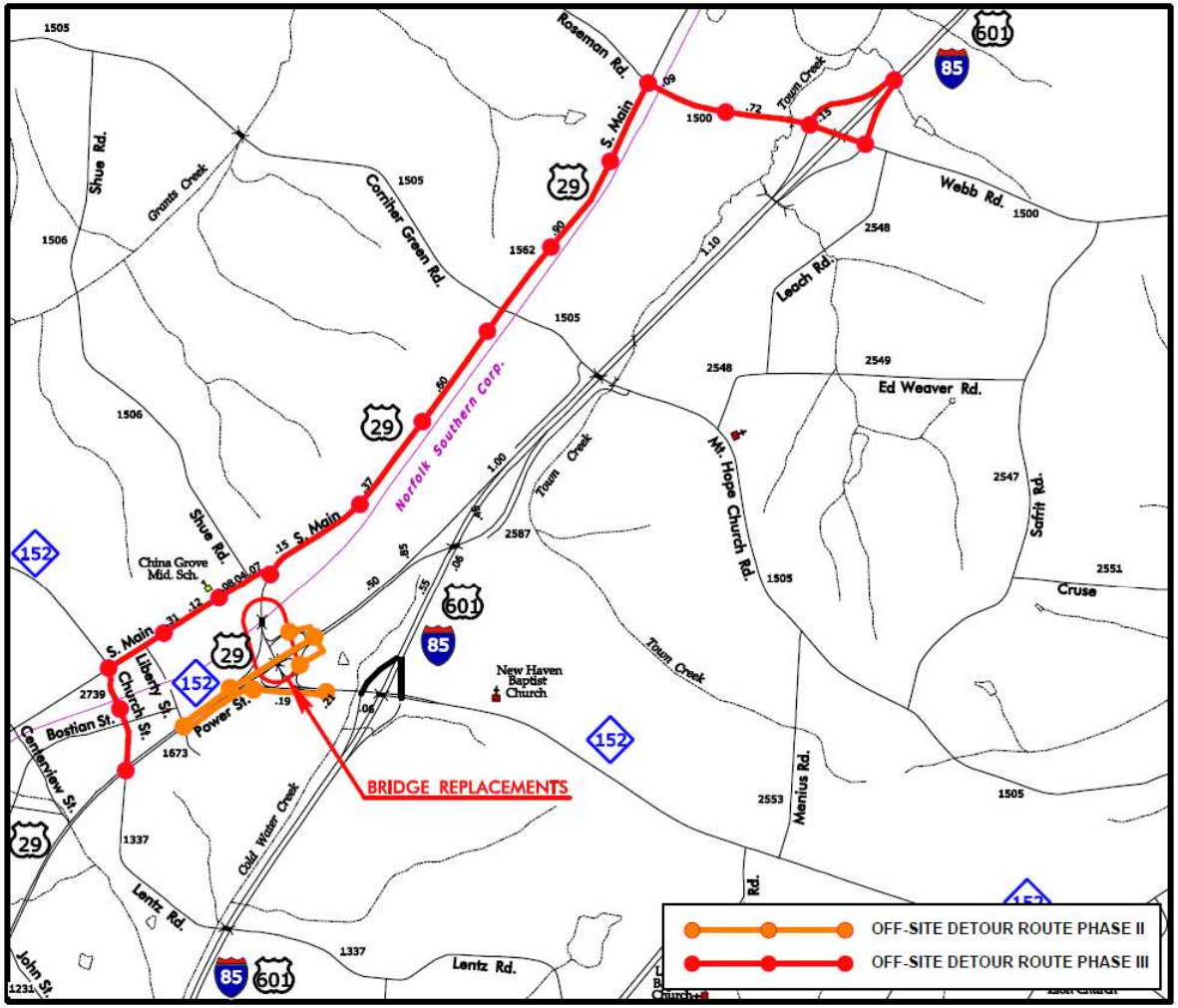
Prepared For:

Proposed Improvements - Centergrove Road Detour

I-85 Widening and Interchange Improvements From North of NC 73 to
US 29-601 Connector (I-3802/I-3610)
Rowan and Cabarrus Counties, North Carolina

Map Date: 3/21/2013

Figure 7



MULKEY

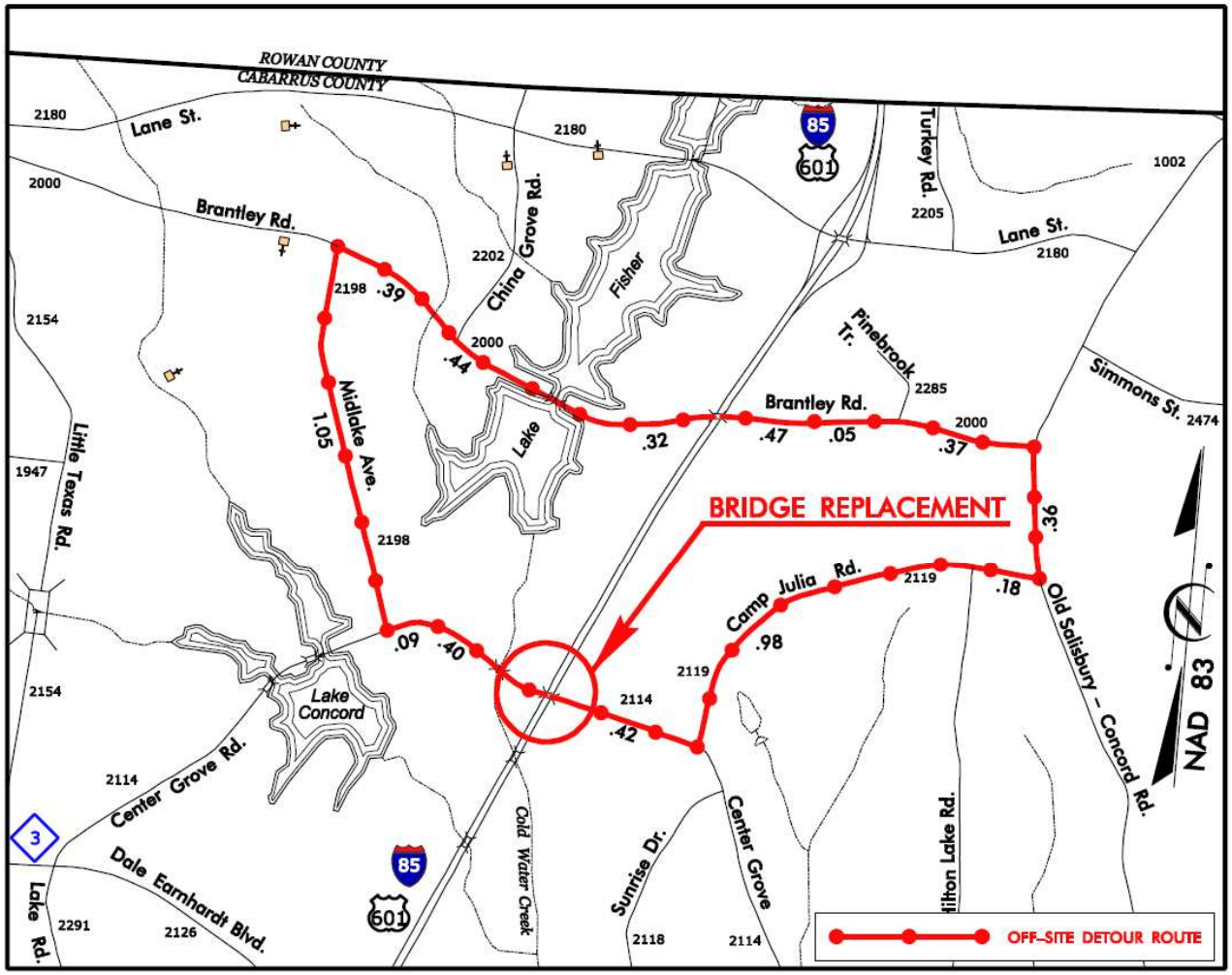
Prepared For:

Proposed Improvements – NC 152/I-85/US 601 Detour

I-85 Widening and Interchange Improvements From North of NC 73 to
US 29-601 Connector (I-3802/I-3610)
Rowan and Cabarrus Counties, North Carolina

Map Date: 3/21/2013

Figure 8



MULKEY

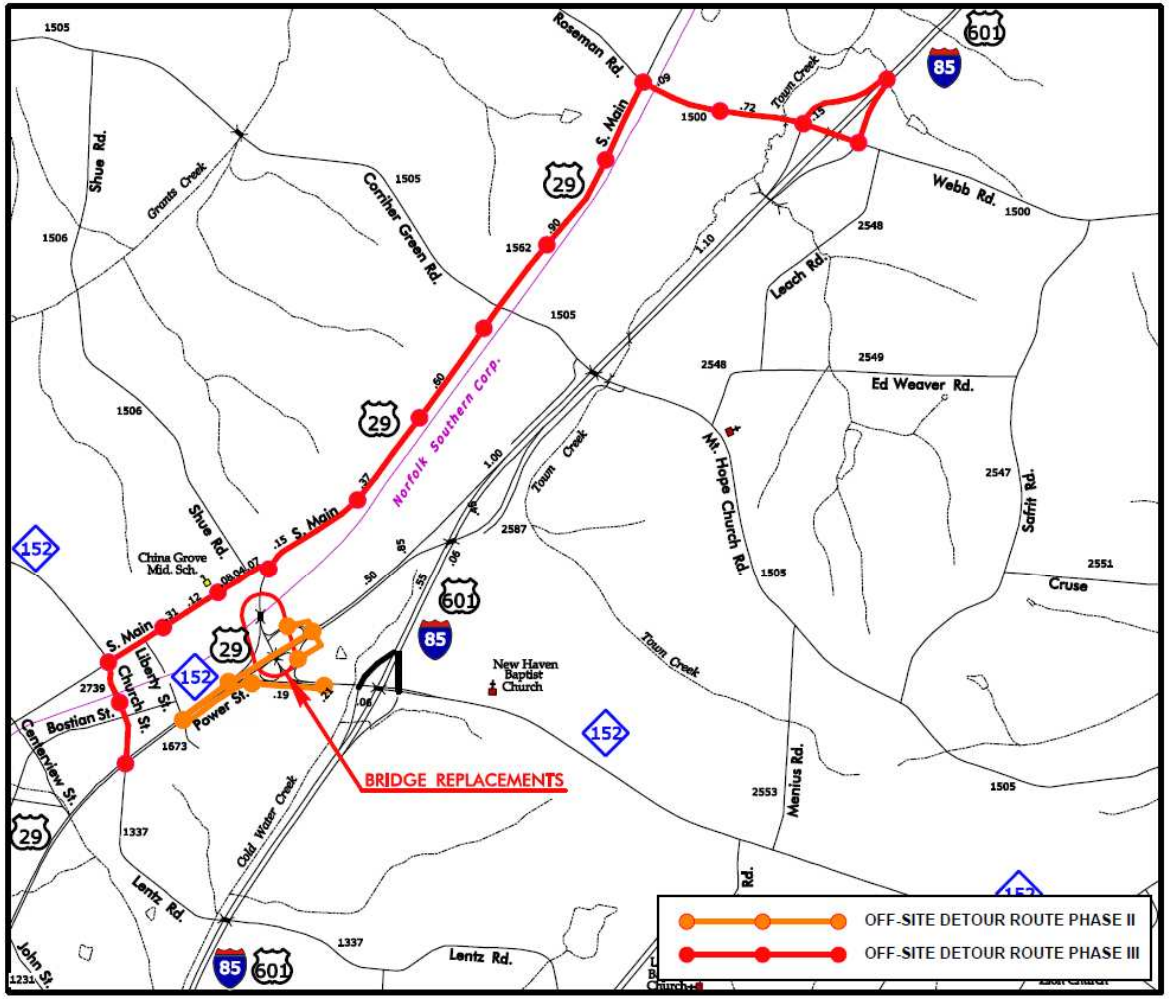
Prepared For:

Proposed Improvements - Centergrove Road Detour

I-85 Widening and Interchange Improvements From North of NC 73 to
US 29-601 Connector (I-3802/I-3610)
Rowan and Cabarrus Counties, North Carolina

Map Date: 3/21/2013

Figure 7



MULKEY

Prepared For:

Proposed Improvements – NC 152/I-85/US 601 Detour

I-85 Widening and Interchange Improvements From North of NC 73 to
US 29-601 Connector (I-3802/I-3610)
Rowan and Cabarrus Counties, North Carolina

Map Date: 3/21/2013

Figure

8

North Carolina Department of Cultural Resources
State Historic Preservation Office
Ramona M. Bartos, Administrator

Beverly Eaves Perdue, Governor
Linda A. Carlisle, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

May 9, 2012

MEMORANDUM

TO: Matt Wilkerson
Office of Human Environment
NCDOT Division of Highways

FROM: Ramona M. Bartos RBB for Ramona M. Bartos

SUBJECT: Amendment for Widening I-85 Between China Grove and Kannapolis, I-3802, Rowan and Cabarrus Counties, ER 05-0376

Thank you for your letter of April 25, 2012, concerning the above project.

There are no known archaeological sites within the proposed project area. Based on our knowledge of the area, it is unlikely that any archaeological resources that may be eligible for inclusion in the National Register of Historic Places will be affected by the project. We, therefore, recommend that no archaeological investigation be conducted in connection with this project.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above referenced tracking number.

Location: 109 East Jones Street, Raleigh NC 27601 **Mailing Address:** 4617 Mail Service Center, Raleigh NC 27699-4617 **Telephone/Fax:** (919) 807-6570/807-6599

Federal Aid #: NHIMF-85-2 (61) 55 *TIP#:* I-3802 *County*: Cabarrus

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: Widen I-85 from NC 73 to the US 29/601 Connector in Cabarrus County

On July 26, 2011, representatives of the

- ☒ North Carolina Department of Transportation (NCDOT)
- ☒ Federal Highway Administration (FHWA)
- ☒ North Carolina State Historic Preservation Office (HPO)
- ☐ Other

Reviewed the subject project and agreed on the effects findings listed within the table on the reverse of this signature page.

Signed:

Shelby L Spillers — 7/26/2011
Representative, NCDOT — Date

Dale W Bruns — 7-26-11
FHWA, for the Division Administrator, or other Federal Agency — Date

Representative, HPO — Date

for Renee Gledhill-Earley — 7-26-11
State Historic Preservation Officer — Date

Federal Aid #: NHIMF-85-2 (61) 55 *TIP #:* I-3802 *County:* Cabarrus

Property and Status	Alternative	Effect Finding	Reasons
Goodman Farm (DOE) Criteria A & C	best fit	no effect	not within ROW and no changes to Winecoff Rd.
Blake House (DOE)	best fit	no effect	inside ~~the~~ APE but outside the project area.

Initialed: NCDOT SLS FHWA DB HPO RBL

Federal Aid #: NHIMF-85-2 (61) 55 *TIP#:* I-3802 *County*: Cabarrus

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: Widen I-85 from NC 73 to the US 29/601 Connector in Cabarrus County

On July 26, 2011, representatives of the

- ☒ North Carolina Department of Transportation (NCDOT)
- ☒ Federal Highway Administration (FHWA)
- ☒ North Carolina State Historic Preservation Office (HPO)
- ☐ Other

Reviewed the subject project and agreed on the effects findings listed within the table on the reverse of this signature page.

Signed:

Shelbyl Spillers 7/26/2011
Representative, NCDOT Date

Dale W Bruns 7-26-11
FHWA, for the Division Administrator, or other Federal Agency Date

Representative, HPO Date

for Renee Gledhill-Earley 7-26-11
State Historic Preservation Officer Date

Federal Aid #: NHIMF-85-2 (61) 55 *TIP #:* I-3802 *County:* Cabarrus

Property and Status	Alternative	Effect Finding	Reasons
Goodman Farm (DOE) Criteria A & C	best fit	no effect	not within ROW and no changes to Winecoff Rd.
Blake House (DOE)	best fit	no effect	inside ~~the~~ APE but outside the project area.

Initialed: NCDOT SLS FHWA DB HPO RSL

Federal Aid # FANHIMF-085-2(61)55 *TIP #* I-3802/I-3610 *County*: Rowan/Cabarrus

CONCURRENCE FORM FOR PROPERTIES NOT ELIGIBLE FOR THE NATIONAL REGISTER OF HISTORIC PLACES

Project Description:

On December 21, 2010, representatives of the

- ☒ North Carolina Department of Transportation (NCDOT)
- ☒ Federal Highway Administration (FHWA)
- ☒ North Carolina State Historic Preservation Office (HPO)
- ☐ Other

Reviewed the subject project at historic architectural resources photograph review session/consultation and

All parties present agreed

- ☐ There are no properties over fifty years old within the project's Area of Potential Effects (APE).
- ☒ There are no properties less than fifty years old which are considered to meet Criteria Consideration G within the project's APE.
- ☒ There are properties over fifty years old within the project's APE, but based on the historical information available and the photographs of each property, the properties identified as 1-43 are considered not eligible for the National Register and no further evaluation of them is necessary. Photographs of these properties are attached.
- ☒ There are no National Register-listed or Study Listed properties within the project's APE.
- ☒ All properties greater than 50 years of age located in the APE have been considered at this consultation, and based upon the above concurrence, all compliance for historic architecture with Section 106 of the National Historic Preservation Act and GS 121-12(a) has been completed for this project.
- ☐ More information is requested on properties _____.

Signed:

Shelby L Spillers — 12/21/2010
Representative, NCDOT — Date

FHWA, for the Division Administrator, or other Federal Agency — Date

Representative, HPO — Date

Renee Gledhill-Early — 12/21/10
State Historic Preservation Officer — Date

If a survey report is prepared, a final copy of this form and the attached list will be included.

Federal Aid # *TIP#* I-3802 *County:* Rowan/Cabarrus

CONCURRENCE FORM FOR PROPERTIES NOT ELIGIBLE FOR THE NATIONAL REGISTER OF HISTORIC PLACES

Project Description: **Widen I-85 and improve interchanges**

On **March 24, 2008** representatives of the

- ☒ North Carolina Department of Transportation (NCDOT)
- ☐ Federal Highway Administration (FHWA)
- ☒ North Carolina State Historic Preservation Office (HPO)
- ☐ Other

Reviewed the subject project at

- ☐ Scoping meeting
- ☒ Historic architectural resources photograph review session/consultation
- ☐ Other

All parties present agreed

- ☐ There are no properties over fifty years old within the project's area of potential effects.
- ☒ There are no properties less than fifty years old which are considered to meet Criteria Consideration G within the project's area of potential effects.
- ☒ There are properties over fifty years old within the project's Area of Potential Effects (APE), but based on the historical information available and the photographs of each property, the properties identified as 1-10 are considered not eligible for the National Register and no further evaluation of them is necessary.
- ☒ There are no National Register-listed or Study Listed properties within the project's area of potential effects.
- ☒ All properties greater than 50 years of age located in the APE have been considered at this consultation, and based upon the above concurrence, all compliance for historic architecture with Section 106 of the National Historic Preservation Act and GS 121-12(a) has been completed for this project.
- ☐ There are no historic properties affected by this project. (*Attach any notes or documents as needed*)

Signed:

Representative, NCDOT — Date: 3/24/2008

FHWA, for the Division Administrator, or other Federal Agency — Date

Representative, HPO — Date

State Historic Preservation Officer — Date: 3.24.08

If a survey report is prepared, a final copy of this form and the attached list will be included.

Section 404/NEPA Interagency Agreement

Concurrence Point No. 1
Purpose and Need and Study Area Defined

Project Title: I-85 Widening and Interchange Improvements from North of NC 73 to US 29-601 Connector; Rowan and Cabarrus Counties; TIP Project Numbers I-3802/I-3610; Federal Project Number FANHIMF-085-2(61)55; WBS Number 36780.1.1

Purpose and Need of Proposed Project: The purposes of the proposed project are as follows:

- To address congestion and capacity problems along the I-85 corridor in the project area by improving the level of service (LOS) on I-85 and its interchanges by 2035. Another desirable outcome is to eliminate vertical clearance deficiencies for structures over I-85 within the project study area in order to meet current design standards.

- To reduce operational deficiencies at the interchange of US 29-601 Connector and NC 152.

Study Area: The project study area begins approximately 1,000 feet north of NC 73 and ends at approximately 2,000 feet north of US 29-601 Connector. It consists of a 600-foot wide corridor centered on I-85. At intersections and interchanges, corridors are 400 feet wide and approximately 2,000 feet long. At the US 29-601 interchange, the study area extends 2,600 feet north along Kannapolis Highway and the railroad corridor and approximately 5,000 feet to the south down US 29-601/Concord Parkway. It extends approximately 3,000 feet along Lane Street on each side of I-85. Along SR 1221 (Old Beatty Ford Road), the corridor extends approximately 1,200 feet west of I-85 and approximately 2,000 feet to the east of I-85. At NC 152, the corridor along I-85 is widened to approximately 2,000 feet to the west (from the I-85 centerline) to include the US 29-601/NC 152 interchange, Main Street and the NC 152 interchange with I-85. It extends approximately 1,500 feet along NC 152 on both sides of I-85.

The project team has concurred on this date of January 19, 2011, with the purpose and need for the proposed project as described above.

USACE _____ FHWA _____

USEPA _____ NCDOT _____

USFWS _____ NCDCR _____

NCDWQ _____ NCWRC _____

CRMPO _____

Section 404/NEPA Interagency Agreement

Concurrence Point No. 2
Design Options for Detailed Study

Project Title: I-85 Widening and Interchange Improvements from North of NC 73 to US 29-601 Connector; Rowan and Cabarrus Counties; TIP Project Numbers I-3802/I-3610; Federal Project Number FANHIMF-085-2(61)55; WBS Number 36780.1.1

Design Option to Study in Detail:

1. No Build
2. Widen to the Inside of I-85
3. I-85/US 29-601: Diverging Diamond Interchange (DDI)
4. I-85/Dale Earnhardt Blvd: Diamond with Slip Ramp
5. I-85/Lane Street: Diamond with Roundabouts
6. I-85/NC 152: Diamond with Roundabouts
7. US 29-601 Connector/NC 152: Half diamond

The project team has concurred on this day, December 16, 2010, with the design options to study in detail for the proposed project as indicated above.

USACE		FHWA	
USEPA		NCDOT	
USFWS		NCDCR	Renee Gledhill-Earley
NCDWQ		NCWRC	
CRMPO			

SECTION 404/NEPA INTERAGENCY AGREEMENT

UPDATED CONCURRENCE POINT NO. 2
DESIGN OPTIONS FOR DETAILED STUDY

Project Title: I-85 Widening and Interchange Improvements from North of NC 73 to US 29-601 Connector; Rowan and Cabarrus Counties; TIP Project Numbers I-3802/I-3610; Federal Project Number FANHIMF-085-2(61)55; WBS Number 36780.1.1

Design Option for the Detailed Study:

1. No Build
2. Widen to the Inside of I-85
3. I-85/US 29-601: Diverging Diamond Interchange (DDI)
4. I-85/Dale Earnhardt Blvd: Diamond with Slip Ramp
5. I-85/Lane Street: Diamond with Roundabouts
6. I-85/NC 152: Diamond with Roundabouts
7. US 29-601 Connector/NC 152: Half diamond
8. I-85/Dale Earnhardt Blvd: Diamond with Elongated Loop

The project team has concurred on this day, January 16, 2013, with the design options to study in detail for the proposed project as indicated above.

USACE _____ FHWA _____

USEPA _____ NCDOT _____

USFWS _____ NCDCR _____

NCDWQ _____ NCWRC _____

CRMPO _____

Project Documentation/Supplemental Information

Project Documentation

- Includes ALL electronic or paper project records maintained by NCDOT including:
  - Checklist form(s), technical reports, e-mails documenting decisions (avoid e-mail chains), project maps/photos, as appropriate
  - Key Documents should be identified
- Provide to FHWA at their request.

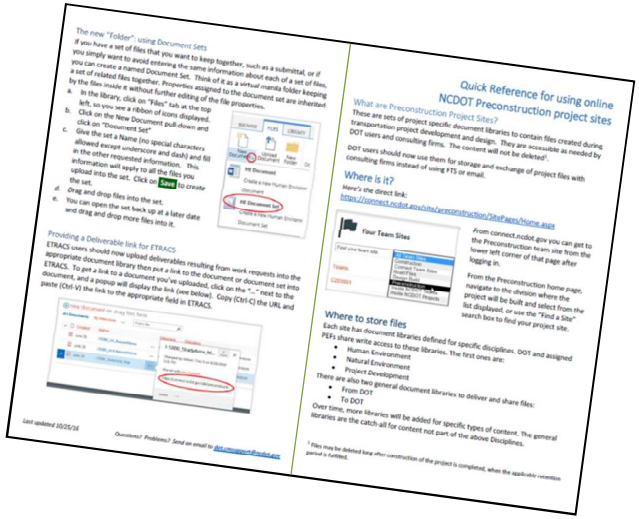
Project File Storage

- Hard copy files allowable, but
- Electronic files required on Preconstruction site making for easier review, reporting and later retrieval, especially if the project manager leaves the Division.

Electronic Project Files are to be stored on NCDOT Preconstruction Project Sites

The following is a web address to a quick reference guide:

https://connect.ncdot.gov/site/preconstruction/SitePages/Home.aspx



Quick Reference for using online NCDOT Preconstruction project sites

What are Preconstruction Project Sites?

These are sets of project specific document libraries to contain files created during transportation project development and design. They are accessible as needed by DOT users and consulting firms. The content will not be deleted[1].

DOT users should now use them for storage and exchange of project files with consulting firms instead of using FTS or email.

Where is it?

Here's the direct link:
https://connect.ncdot.gov/site/preconstruction/SitePages/Home.aspx

From connect.ncdot.gov you can get to the Preconstruction team site from the lower left corner of that page after logging in.

From the Preconstruction home page, navigate to the division where the project will be built and select from the list displayed, or use the "Find a Site" search box to find your project site.

Where to store files

Each site has document libraries defined for specific disciplines. DOT and assigned PEFs share write access to these libraries. The first ones are:

- Human Environment
- Natural Environment
- Project Development

There are also two general document libraries to deliver and share files:

- From DOT
- To DOT

Over time, more libraries will be added for specific types of content. The general libraries are the catch all for content not part of the above Disciplines.

[1] Files may be deleted long after construction of the project is completed, when the applicable retention period is fulfilled.

The new "Folder": using Document Sets

If you have a set of files that you want to keep together, such as a submittal, or if you simply want to avoid entering the same information about each of a set of files, you can create a named Document Set. Think of it as a virtual manila folder keeping a set of related files together. Properties assigned to the document set are inherited by the files inside it without further editing of the file properties.

a. In the library, click on "Files" tab at the top left, so you see a ribbon of icons displayed.
b. Click on the New Document pull-down and click on "Document Set"
c. Give the set a Name (no special characters allowed except underscore and dash) and fill in the other requested information. This information will apply to all the files you upload into the set. Click on Save to create the set.
d. Drag and drop files into the set.
e. You can open the set back up at a later date and drag and drop more files into it.

Providing a Deliverable link for ETRACS

ETRACS users should now upload deliverables resulting from work requests into the appropriate document library then put a link to the document or document set into ETRACS. To get a link to a document you've uploaded, click on the "..." next to the document, and a popup will display the link (see below). Copy (Ctrl-C) the URL and paste (Ctrl-V) the link to the appropriate field in ETRACS.

Last updated 10/25/16

Questions? Problems? Send an email to dot.connsupport@outlook.com

More in depth information is available at the following site:

https://connect.ncdot.gov/site/preconstruction/Pages/Preconstruction-Help.aspx

Document Distribution

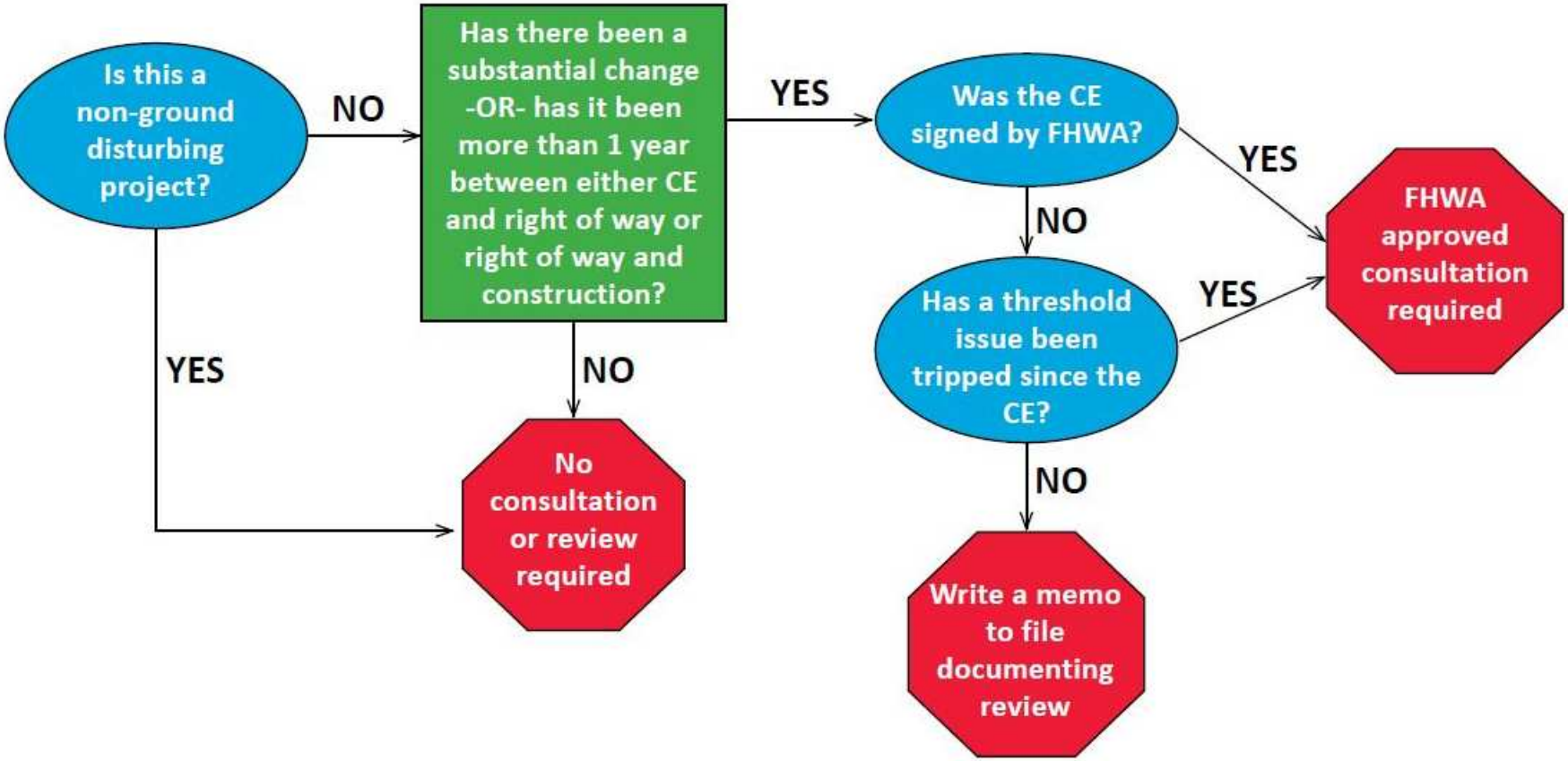
For Raleigh based projects, distribution will continue as it has in the past.

For Division based projects, the process will continue as it has in the past with one addition. NCDOT will send a notification to FHWA alerting them of the date the document was completed and a hyperlink to the location on the Pre-Construction SharePoint Site.

Consultation

A consultation is a brief review of the CE to determine if it is still valid or if additional analysis is required. It is not always required. You determine when one is required by….

Consultations & Reviews



What's in a Consultation or Review

- A verification that the contents of the original CE is still valid.
- Things to consider in answering that question:
  - Verify No Substantial Changes for example:
    - Major Design Change
    - Project went beyond original study area
  - Have any new endangered species been added to your county?
  - Verify that any preconstruction project commitments have been fulfilled
  - Are there any new project commitments?

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
I. D. No. ____

I. GENERAL INFORMATION

a. Consultation Phase: ***choose* Right of Way *or* Construction**

b. Project Description: ***Insert Description from STIP***

c. State Project: ***Insert WBS #***
Federal Project: ***Insert FA #***

d. Document Type: ***e.g. Type IIA CE - and- date of document***
Date

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 Administration Action remains valid.

III. CHANGES IN PROPOSED ACTION AND ENVIRONMENTAL CONSEQUENCES

Address Major Design Changes
Address changes of Study Area
Address new Endangered Species

IV. LIST OF ENVIRONMENTAL COMMITMENTS

See Attached Project Commitments Greensheet

- 1 -

North Carolina Department of Transportation
PROJECT ENVIRONMENTAL CONSULTATION FORM
I. D. No. ____

V. COORDINATION

The current project proposals have been discussed
who was coordinated with and the date. This sect
project manager and does not require signatures.

Design Engineer: _____

FHWA Engineer: _____ _____
Date

NEU-PM: _____ _____
(Construction Consultations only) Date

VI. NCDOT CONCURRENCE or CERTIFICATION

_____ _____
Project Planning Engineer Date

_____
Division Engineer –or- NCDOT Unit Head

VII. FHWA CONCURRENCE

_____ _____
Federal Highway Administration Date
Division Administrator

- 2 -

Touch Base with these folks by phone, e-mail or face to face

Change the title based on who prepares it (DEO, Planner, PM, etc.)

Same Person who Approves Document for NCDOT

Reference Materials (hyperlinks)

- Air quality manual
- Bald Eagle
- Census data
- Demographic tool (EJ)
- Docusign
- Endangered species by county
- FHWA 4(f)/de minimus
- Geoenvironmental Request for Input
- HPO
- NEPA
- Noise policy
- Noise manual
- Right-of-way Request Form
- Section 106

Greensheet Template

Delete all comments or commitments that do not apply and modify or add any as appropriate.

PROJECT COM
B-2905

Airport Glidepath
Project is less than 0.8 kilometers (0.5 mi
and directly in line with the runway. The
in the glidepath of oncoming planes. Hov
construction could affect the glidepath. F
appropriate flagging attached to the crane

The resident engineer will alert the Sanfo
plans to construct well in advance of the a

If possible, no construction will take place
is to be performed at night, this activity w
Sanford Municipal Airport.

Anadromous Fish
A moratorium on in-water construction w
_____ of any given year.

Stream Crossing Guidelines for Anadrom
design and construction of this project.

Archaeological Site
The proposed project is located adjacent t
eligible for the National Register of Histo
activities outside the existing roadway lim
area should be done prior to recovery. If
prior to recovery then the PDEA-Archaeo
1609) should be contacted.

Burial Site
The proposed project involves the remova
burial located in the Northwest quadrant o
paralleling SR 1101. The Right-of-Way a
Group [Matt Wilkerson (919-715-1561) a
least 48 hours in advance of the removal a

Buffer Rules
The Tar-Pamlico or Neuse River Basin Ru

Categorical Exclusion
Green Sheet
April 2017

FEMA Coordination
The Hydraulics Unit will coordin
(FMP), to determine status of pro
Memorandum of Agreement, or a
(CLOMR) and subsequent final L

This project involves construction
stream(s). Therefore, the Division
to the Hydraulics Unit upon comp
drainage structure(s) and roadway
year floodplain were built as show
and vertically.

Greenway
Allowance will be made for a futu
the east side of the Eno River.

Geodetic Markers
There is a Geodetic survey marke
that will be impacted by this proje
one month prior to the start of con

High Quality Waters
Buffalo Creek/River is located in
There NCDOT will implement D

Historic Bridge
Bridge No. 39 must be photograp
MOA

USGS Gaging Station
A USGS Gauging Station is prese
with the person listed below:
Jerald "Boo" Rob
USGS, Water Res
Charlotte, NC
(704) 344-6272 E
jbrobins@usgs.go

Underground Storage Tanks (UST's)
If further design indicates potenti
for soil and groundwater contami
purchase.

Categorical Exclusion
Green Sheet
April 2017

School Bus Turn Around
The Director of School Transportation has requested a temporary bus turn around at a driveway located about 1 mile north of the bridge on SR 1507. The existing driveway will be suitable with the addition of gravel and possible pipe replacement. This can be included as a part of the special provisions of the construction contract.

Sidewalks
Sidewalks are included on both sides for the entire length of the project. This should be included in the municipal agreement with the Town of Cary

Trout Waters
NCWRC has identified creek as supporting a trout population. Therefore a moratorium on all in water work will be in place from to of any given year.

NCDOT will implement Guidelines for Construction of Highway Improvements Adjacent to or Crossing Trout Waters in North Carolina in the design and construction of this project.

TVA Permit
The proposed project is located on the Fontana Lake Reservoir managed by the Tennessee Valley Authority (TVA). The project will require approval under Section 26a of the TVA Act.

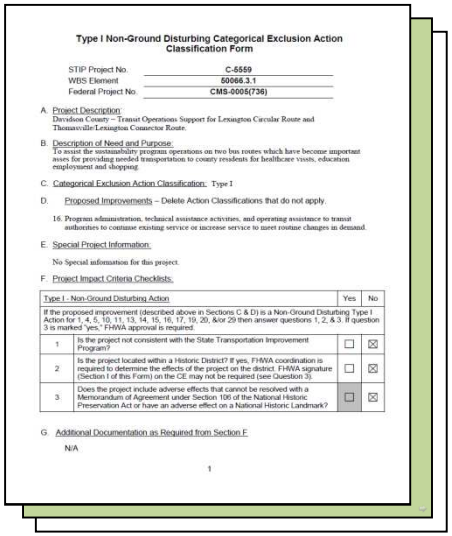
Voluntary Agricultural District (VAD)
This project is located **within** a VAD. If any property holders refuse settlement, before pursuing condemnation, the Right of Way Branch must contact Project Development in order to pursue a public meeting with the VAD. This does not mean that the Department cannot condemn but is a procedural requirement prior to condemnation.

Categorical Exclusion
Green Sheet
April 2017

Page 3 of 3

CE Examples

Non-Ground Disturbing



Type I Non-Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No. C-5559
WBS Element 50066.3.1
Federal Project No. CMS-0005(736)

A. Project Description:
Davidson County – Transit Operations Support for Lexington Circular Route and Thomasville/Lexington Connector Route.

B. Description of Need and Purpose:
To assist the sustainability program operations on two bus routes which have become important assets for providing needed transportation to county residents for healthcare visits, education employment and shopping.

C. Categorical Exclusion Action Classification: Type I

D. Proposed Improvements – Delete Action Classifications that do not apply.

16. Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.

E. Special Project Information:

No Special information for this project.

F. Project Impact Criteria Checklists:

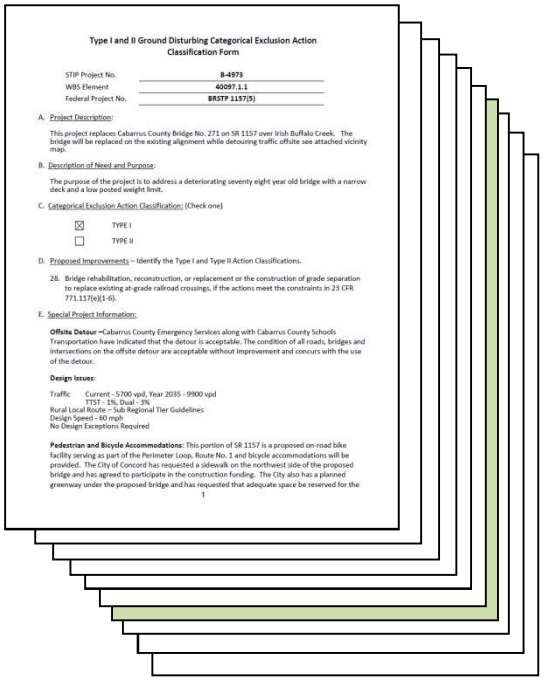
Type I - Non-Ground Disturbing Action		Yes	No
If the proposed improvement (described above in Sections C & D) is a Non-Ground Disturbing Type I Action for 1, 4, 5, 10, 11, 13, 14, 15, 16, 17, 19, 20, &/or 29 then answer questions 1, 2, & 3. If question 3 is marked "yes," FHWA approval is required.			
1	Is the project not consistent with the State Transportation Improvement Program?	☐	☒
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).	☐	☒
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?	☐	☒

G. Additional Documentation as Required from Section F

N/A

1

Ground Disturbing



Type I and II Ground Disturbing Categorical Exclusion Action Classification Form

STIP Project No. B-4973
WBS Element 40097.1.1
Federal Project No. BRSTP 1157(5)

A. Project Description:

This project replaces Cabarrus County Bridge No. 271 on SR 1157 over Irish Buffalo Creek. The bridge will be replaced on the existing alignment while detouring traffic offsite see attached vicinity map.

B. Description of Need and Purpose:

The purpose of the project is to address a deteriorating seventy eight year old bridge with a narrow deck and a low posted weight limit.

C. Categorical Exclusion Action Classification: (Check one)

☒ TYPE I
☐ TYPE II

D. Proposed Improvements – Identify the Type I and Type II Action Classifications.

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

E. Special Project Information:

Offsite Detour –Cabarrus County Emergency Services along with Cabarrus County Schools Transportation have indicated that the detour is acceptable. The condition of all roads, bridges and intersections on the offsite detour are acceptable without improvement and concurs with the use of the detour.

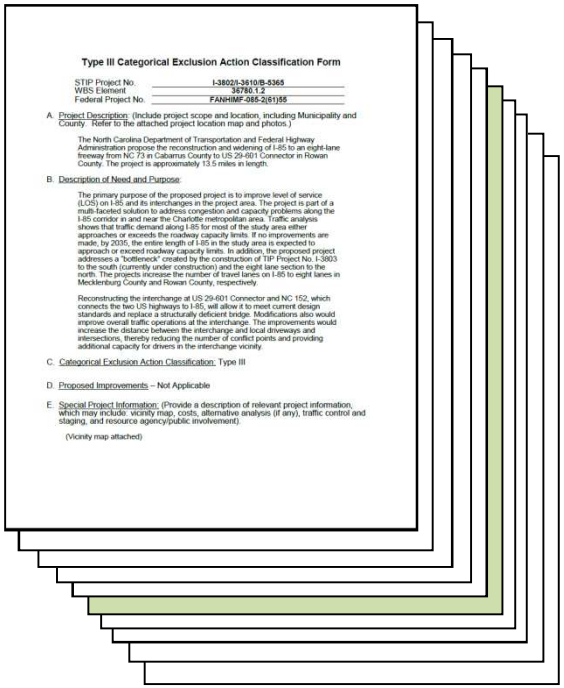
Design Issues:

Traffic: Current - 5700 vpd, Year 2035 - 9900 vpd
TTST - 1%, Dual - 3%
Rural Local Route – Sub Regional Tier Guidelines
Design Speed - 60 mph
No Design Exceptions Required

Pedestrian and Bicycle Accommodations: This portion of SR 1157 is a proposed on-road bike facility serving as part of the Perimeter Loop, Route No. 1 and bicycle accommodations will be provided. The City of Concord has requested a sidewalk on the northwest side of the proposed bridge and has agreed to participate in the construction funding. The City also has a planned greenway under the proposed bridge and has requested that adequate space be reserved for the

1

Type III



Type III Categorical Exclusion Action Classification Form

STIP Project No. I-3802/I-3510/B-5365
WBS Element 36780.1.2
Federal Project No. FANHIMF-085-2(61)55

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

The North Carolina Department of Transportation and Federal Highway Administration propose the reconstruction and widening of I-85 to an eight-lane freeway from NC 73 in Cabarrus County to US 29-601 Connector in Rowan County. The project is approximately 13.5 miles in length.

B. Description of Need and Purpose:

The primary purpose of the proposed project is to improve level of service (LOS) on I-85 and its interchanges in the project area. The project is part of a multi-faceted solution to address congestion and capacity problems along the I-85 corridor in and near the Charlotte metropolitan area. Traffic analysis shows that traffic demand along I-85 for most of the study area either approaches or exceeds the roadway capacity limits. If no improvements are made, by 2035, the entire length of I-85 in the study area is expected to approach or exceed roadway capacity limits. In addition, the proposed project addresses a "bottleneck" created by the construction of TIP Project No. I-3803 to the south (currently under construction) and the eight lane section to the north. The projects increase the number of travel lanes on I-85 to eight lanes in Mecklenburg County and Rowan County, respectively.

Reconstructing the interchange at US 29-601 Connector and NC 152, which connects the two US highways to I-85, will allow it to meet current design standards and replace a structurally deficient bridge. Modifications also would improve overall traffic operations at the interchange. The improvements would increase the distance between the interchange and local driveways and intersections, thereby reducing the number of conflict points and providing additional capacity for drivers in the interchange vicinity.

C. Categorical Exclusion Action Classification: Type III

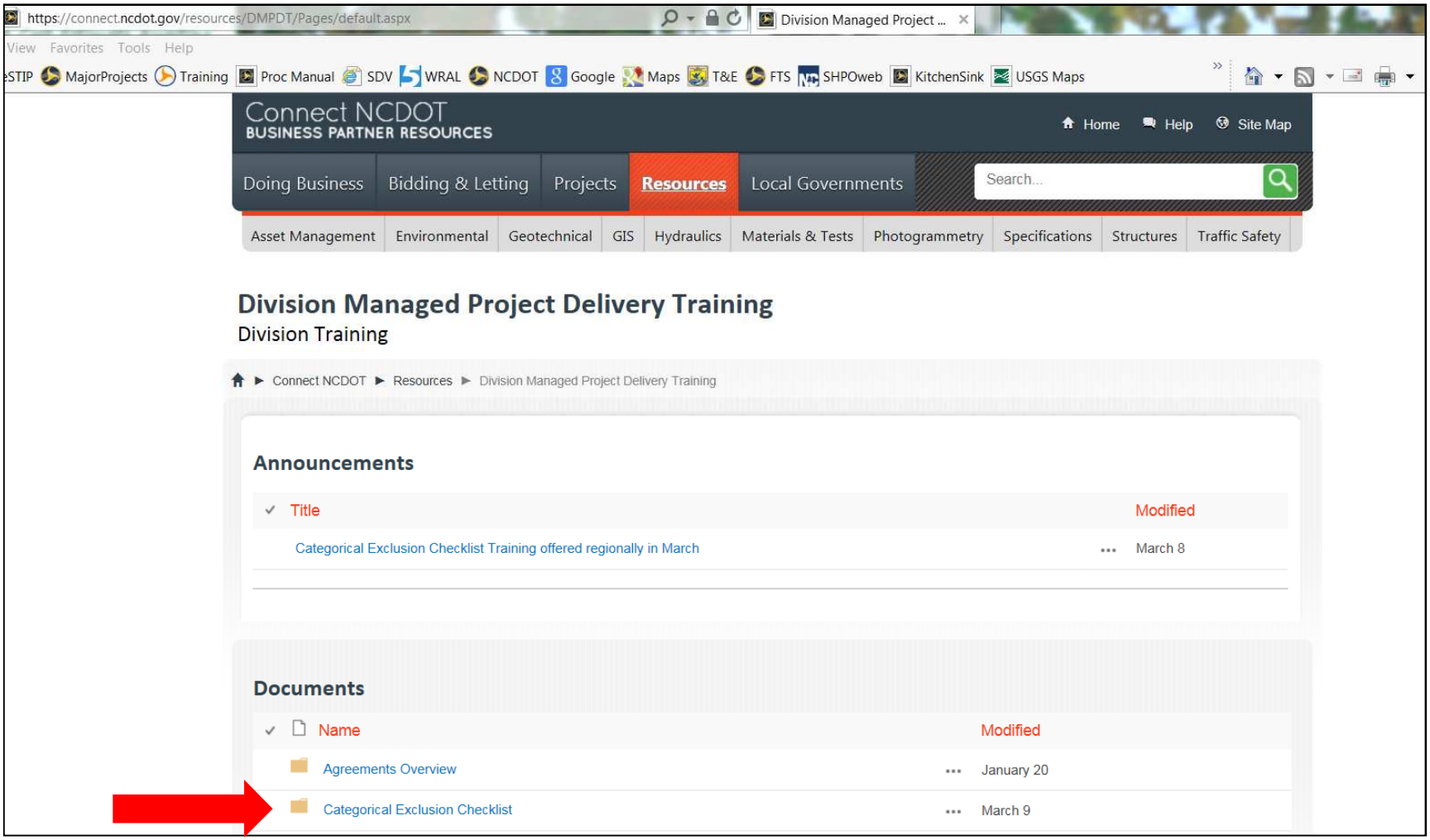
D. Proposed Improvements – Not Applicable

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).

(Vicinity map attached)

All Resources are Available on the Connect Site at:

https://connect.ncdot.gov/resources/DMPDT/Pages/default.aspx



WHO YOU GONNA CALL?

Federal Highway Administration
North Carolina Division

NON-MERGER PROJECTS

Planning & Program Development			
George Hoops, P.E.	Planning & Program Development Manager	Statewide	919-747-7022
Bill Marley	Planning & Environment Specialist	Divisions 1, 2, & 4	919-747-7028
Eddie Dancausse	Air Quality, Planning, & Environment Engineer	Division 5	919-747-7026
Ron Lucas, P.E.	Environment Engineer	Divisions 3, 6, & 8	919-747-7019
Joe Geigle, P.E.	Congestion/ITS Management, Planning, & Environment Engineer	Divisions 7 & 9	919-747-7007
Loretta Barren	Planning & Environment Specialist	Divisions 10, 11, & 12	919-747-7025
George Hoops (P&PD Manager until position is filled)	Planning & Environment Specialist	Division 13 & 14	919-747-7022

Federal Highway Administration
North Carolina Division

MERGER PROJECTS

Preconstruction & Environment			
Clarence Coleman, P.E.	Preconstruction & Environment Director	Statewide	919-747-7014
Ron Lucas, P.E.	Environment Engineer	Divisions 1-8	919-747-7019
Donnie Brew	Preconstruction & Environment Engineer	Divisions 9 - 14	919-747-7017
Felix Davila, P.E.	Environmental Compliance Coordinator	Statewide	919-747-7021
Mike Dawson	Realty Officer	Statewide	919-747-7009

jlwilliams@ncdot.gov

-or-

919-707-6178