South Carolina Department of Transportation

On Behalf of the Federal Highway Administration - South Carolina Division Office

PROCESSING FORM FOR PROGRAMMATIC CATEGORICAL EXCLUSIONS
NON MAJOR FEDERAL ACTIONS

Project ID P041172 Route S-46-998 County York

Part 1 - Project Description

Include the Project Name/Description

S-46-998 (Robertson Road) Bridge Replacement over Wildcat Creek

South Carolina Department of Transportation (SCDOT) proposes to replace the S-46-998 (Robertson Road) Bridge over Wildcat Creek in York County.
The purpose of this project is to correct the load restriction placed on the bridge and restore all components to good condition. The existing bridge is posted for load restrictions and has one or more components in poor condition. The bridge was built in 1969. According to the SCDOT Structure Inventory and Appraisal Report from August 2022, the bridge has a sufficiency rating of 36.5. An off-site detour may be utilized during construction. The bridge is currently open to traffic.

NEPA studies revealed no significant impacts or effects to resources within the project study area.

Part 2 - PCE Type

Select the appropriate Categorical Exclusion from 23 CFR Part 771.117 that best fits the entire project from the drop-down menu. **Reference Appendix A of the PCE Agreement for a more detailed description of each CE contained in 23 CFR 771.117.**

23 CFR 771.117(c) Bridge rehabilitation, reconstruction, or replacement or railroad crossing improvements

23 CFR 771.117(d)

Part 3 - Thresholds

To be processed as a Programmatic Categorical Exclusion (PCE) the following conditions must be met in addition to the General Criteria (as outlined in the PCE Agreement between FHWA-SC and SCDOT). Place a "X" in the appropriate box below. If the answer is "Yes" to any of the below criteria, SCDOT will consult with FHWA-SC to determine the appropriate level of NEPA documentation required and forward to FHWA-SC for approval. ***Reference Part 4 of the Processing form or Section IV of the PCE Agreement for more details and definitions regarding each threshold.**

1.	Involves any unusual circumstances as described in *23 CFR Part 771.117(b)	☐ Yes	☒ No
2.	The acquisition of more than *minor amounts of temporary or permanent strips of right-of-way	☐ Yes	☒ No
3.	Involves acquisitions that result in residential or non-residential displacements	☐ Yes	☒ No
4.	Involves any adverse impacts to EJ populations	☐ Yes	☒ No

PCE Processing Form Continued:

Part 3 - Thresholds Continued			
5.	Results in capacity expansion of a roadway by adding through lanes	☐ Yes	☒ No
6.	Involves construction that would result in *major traffic disruptions	☐ Yes	☒ No
7.	Involves *changes in access control requiring FHWA approval	☐ Yes	☒ No
8.	An adverse effect determination under Section 106 of the National Historic Preservation Act.	☐ Yes	☒ No
9.	Use of Section 4(f) property that cannot be documented with a FHWA *de minimis* determination or a programmatic Section 4(f) other than the programmatic evaluation for the use of historic bridges	☐ Yes	☒ No
10.	Any use of a Section 6(f) property	☐ Yes	☒ No
11.	Requires an Individual USACE 404 Permit	☐ Yes	☒ No
12.	Requires an Individual U.S. Coast Guard Permit.	☐ Yes	☒ No
13.	Work encroaching in a regulatory floodway, adversely affecting the base floodplain (100 yr.) pursuant to E.O. 11988 and 23 CFR Part 650 Subpart A	☐ Yes	☒ No
14.	Construction in, across, or adjacent to a river designated as a National Wild and Scenic River	☐ Yes	☒ No
15.	Involves an increase of 15 dBA or greater on any noise receptor or abatement measures are found to be feasible and reasonable due to noise impacts	☐ Yes	☒ No
16.	May affect and is likely to adversely affect a Federally listed species or designated critical habitat or projects with impacts subject to the BGEPA	☐ Yes	☒ No
17.	Involves acquisition of land for hardship, protective purposes, or early acquisition	☐ Yes	☒ No
18.	Does not meet the latest Conformity Determination for air quality non-attainment areas (if applicable).	☐ Yes	☒ No
19.	Any known or potential major hazardous waste sites within the right-of-way.	☐ Yes	☒ No
20.	Is not included in or is inconsistent with the STIP and/or TIP	☐ Yes	☒ No

Part 3 Continued - Additional criteria to be completed for disposal of excess right-of-way PCE		
1. Is the parcel part of a SCDOT environmental mitigation effort or could it be used for environmental mitigation?	☐ Yes	☐ No
2. Is there a formal plan to use this parcel for a future transportation project (is it part of an approved LRTP)?	☐ Yes	☐ No

Part 4 - Threshold Definitions

Unusual Circumstances (23 CFR Part 771.117) - Unusual circumstances are defined as:

a. Significant environmental impacts;
b. Substantial controversy on environmental grounds;
c. Significant impact on properties protected by Section 4(f) of the DOT ACT or Section 106 of the National Historic Preservation Act; or
d. Inconsistencies with any Federal, State, or local law, requirement, or administrative determination relating to the environmental aspects of the action.

Minor Amount of Right-of-Way (ROW):

A minor amount of ROW is defined as less than 3 acres per linear mile for linear projects or less than 10 acres of impacts for non-linear projects (eg: intersections, bridges), and no removal of major property improvements. Examples of major improvements include residential and business structures, or the removal of other features which would change the functional utility of the property. Removal of minor improvements, such as fencing, landscaping, sprinkler systems, and mailboxes would be allowed.

Major Traffic Disruptions:

A major traffic disruption is defined as an action that would result in: a) adverse effects to through-traffic businesses or schools, b) substantial change in environmental impacts, or c) public controversy associated with the use of the temporary road, detour, or ramp closure.

Changes in Access Control:

Requires approval from FHWA for changes in access control on the Interstate system (eg: Interchange Modification Reports or Interchange Justification Reports).

Environmental Commitments: (Check all that apply)

☒ USTs/Hazardous Materials	☒ General Permit	☐ Right of Way
☒ Water Quaility	☐ Individual Permit	☒ Floodplains
☒ Migratory Bird Treaty Act	☐ Essential Fish Habitat	☐ Lead Based Paint
☒ Stormwater	☒ Cultural Resources	
☐ Coast Guard Permit Exclusion	☐ Noise	☒ Non-Standard Commitment (see below)

Non-Standard Commitments: General Permit, Tri-colored Bat, Schweinitz's Sunflower, and Unmarked Graves.

Relevant field studies and environmental reviews have been completed to determine that the project meets the criteria set forth in the Programmatic Categorical Exclusion Agreement signed by FHWA-SC and SCDOT. It is understood that any additions/deletions to the project may void environmentally processing the project as presently classified; consequently, any engineering changes must be bought to the attention of SCDOT Environmental Services Office immediately. A copy of this form is included in the project file and one (1) copy has been provided to FHWA.

Approved By: Will McGoldrick Digitally signed by Will McGoldrick Date: 2023.08.28 10:26:49 -04'00' Date

Primavera: ☒ Yes ☐ No NEPA Start Date: 8-8-23

Does the project contain additional commitments?: (if Yes attach to form) ☒ Yes ☐ No

Date: 07/18/2023

NEPA ENVIRONMENTAL COMMITMENTS FORM

Project ID : P041172 County : York District : District 4 Doc Type: PCE Total # of Commitments: 10

Project Name: S-46-998 (Robertson Road)

The Environmental Commitment **Contractor Responsible** measures listed below **are to be included in the contract and must be implemented**. It is the responsibility of the Program Manager to make sure the Environmental Commitment **SCDOT Responsible** measures are adhered to. If there are questions regarding the commitments listed please contact:

CONTACT NAME: Michael Pitts **PHONE #:** (803) 737-2566

ENVIRONMENTAL COMMITMENTS FOR THE PROJECT

USTs/Hazardous Materials NEPA Doc Ref: Responsibility: CONTRACTOR

If avoidance of hazardous materials is not a viable alternative and soils that appear to be contaminated are encountered during construction, the South Carolina Department of Health and Environmental Control (SCDHEC) will be informed. Hazardous materials will be tested and removed and/or treated in accordance with the United States Environmental Protection Agency and the SCDHEC requirements, if necessary.

☐ Special Provision

Water Quality NEPA Doc Ref: Responsibility: CONTRACTOR

The contractor will be required to minimize possible water quality impacts through implementation of BMPs, reflecting policies contained in 23 CFR 650B and the Department's Supplemental Specification on Erosion Control Measures (latest edition) and Supplemental Technical Specifications on Seeding (latest edition). Other measures including seeding, silt fences, sediment basins, etc. as appropriate will be implemented during construction to minimize impacts to water quality.

☐ Special Provision

Migratory Bird Treaty Act NEPA Doc Ref: Responsibility: CONTRACTOR

The federal Migratory Bird Treaty Act, 16 USC § 703-711, states that it is unlawful to pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product, manufactured or not. The South Carolina Department of Transportation (SCDOT) will comply with the Migratory Bird Treaty Act of 1918 in regard to the avoidance of taking of individual migratory birds and the destruction of their active nests.

The contractor shall notify the Resident Construction Engineer (RCE) at least four (4) weeks prior to construction/demolition/maintenance of bridges and box culverts. The RCE will coordinate with SCDOT Environmental Services Office (ESO), Compliance Division, to determine if there are any active birds using the structure. After this coordination, it will be determined when construction/demolition/maintenance can begin. If a nest is observed that was not discovered after construction/demolition/maintenance has begun, the contractor will cease work and immediately notify the RCE, who will notify the ESO Compliance Division. The ESO Compliance Division will determine the next course of action.

The use of any deterrents by the contractor designed to prevent birds from nesting, shall be approved by the RCE with coordination from the ESO Compliance Division. The cost for any contractor provided deterrents will be provided at no additional cost to SCDOT.

☐ Special Provision

Project ID : P041172	SCDOT NEPA ENVIRONMENTAL COMMITMENTS FORM	SCDOT ENVIRONMENTAL SERVICES

ENVIRONMENTAL COMMITMENTS FOR THE PROJECT

Stormwater	NEPA Doc Ref:		Responsibility:	CONTRACTOR

Stormwater control measures, both during construction and post-construction, are required for SCDOT projects with land disturbance and/or constructed in the vicinity of 303(d), TMDL, ORW, tidal, and other sensitive waters in accordance with the SCDOT's MS4 Permit. The selected contractor would be required to minimize potential stormwater impacts through implementation of construction best management practices, reflecting policies contained in 23 CFR 650 B and SCDOT's Supplemental Specifications on Seed and Erosion Control Measures (latest edition).

☐ Special Provision

General Permit	NEPA Doc Ref:		Responsibility:	CONTRACTOR

Based on the preliminary project design, impacts to jurisdictional waters are not anticipated. In the event that impacts to jurisdictional waters are necessary, impacts will be permitted under SCDOT's General Permit (GP) from the U.S. Army Corps of Engineers (USACE). Mitigation, if required, will be determined through consultation with the USACE and other resource agencies.

☐ Special Provision

Cultural Resources	NEPA Doc Ref:		Responsibility:	CONTRACTOR

The contractor and subcontractors must notify their workers to watch for the presence of any prehistoric or historic remains, including but not limited to arrowheads, pottery, ceramics,flakes, bones, graves, gravestones, or brick concentrations during the construction phase of the project, if any such remains are encountered, the Resident Construction Engineer (RCE) will be immediately notified and all work in the vicinity of the discovered materials and site work shall cease until the SCDOT Archaeologist directs otherwise.

☐ Special Provision

Project ID : P041172	SCDOT NEPA ENVIRONMENTAL COMMITMENTS FORM	

ENVIRONMENTAL COMMITMENTS FOR THE PROJECT

Floodplains	NEPA Doc Ref:		Responsibility:	CONTRACTOR

The Engineer of Record will send a set of final plans and request for floodplain management compliance to the local

County Floodplain Administrator.

☐ Special Provision

Tri-colored Bat	NEPA Doc Ref:		Responsibility:	CONTRACTOR

The contractor will evaluate the project's effect on tri-colored bat at the time the species is formally listed per published guidance by the US Fish and Wildlife Service (FWS) in compliance with Section 7 of the Endangered Species Act. Any consultation will be coordinated through SCDOT.

☐ Special Provision

Schweinitz's Sunflower	NEPA Doc Ref:		Responsibility:	SCDOT

The SCDOT will conduct surveys for Schweinitz’s sunflower during the 2023 survey window to confirm absence or presence of the species. An updated Biological Evaluation will be provided to USFWS with the findings of the survey and a final effect determination. If the species is observed within the anticipated limits of construction, the updated Biological Evaluation will include appropriate avoidance and minimization measures and/or a plan to address how the species would be protected if impacts could not be avoided (e.g. a relocation plan).

☐ Special Provision

Project ID : P041172	SCDOT NEPA ENVIRONMENTAL COMMITMENTS FORM	SCDOT ENVIRONMENTAL SERVICES

ENVIRONMENTAL COMMITMENTS FOR THE PROJECT

Unmarked Graves	NEPA Doc Ref:		Responsibility:	CONTRACTOR

Although not eligible for the NRHP, the cemetery is protected by South Carolina state law. The older portion of the cemetery does not fall within the construction zone of the project. Construction will be occurring adjacent to the newer portion of the cemetery, but efforts to protect and prevent damage to this resource will be taken into account during the project design and construction process. This portion of the cemetery is separated from the existing roadway by a drainage ditch and road berm. A 10-foot buffer will be established around the known cemetery boundary and temporary barrier fencing will be installed along this buffer prior to construction. No construction, ground disturbing activities, or heavy equipment will be permitted within the 10-foot buffer. Coordination with the owner of the cemetery, the Nazareth Baptist Church of Rock Hill, will be required as part of this project's public involvement plan.

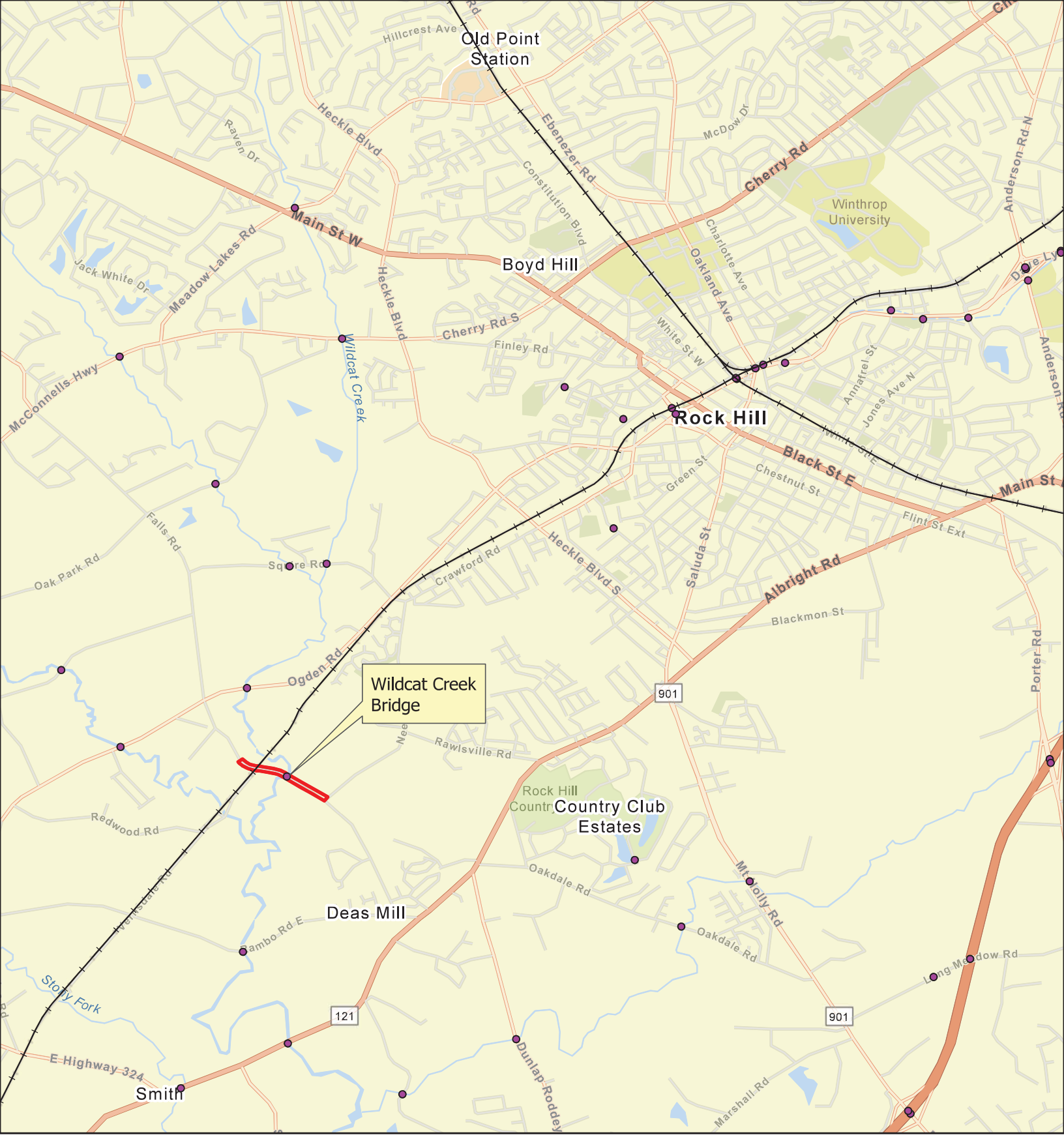
☐ Special Provision

	NEPA Doc Ref:		Responsibility:	

☐ Special Provision

	NEPA Doc Ref:		Responsibility:	

☐ Special Provision



Legend

- Study Area
- County Border
- Norfolk Southern Railroad
- Bridge

N

0 0.5 1 Mile

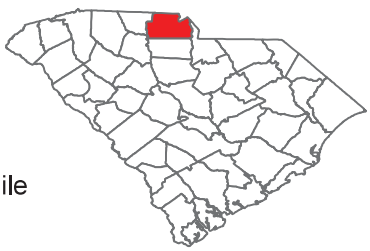


Figure 1.
Vicinity Map
Replacement of SC Bridge S-998 (Robertson Rd) over Wildcat Creek in York County, SC

HNTB

Date: 6/15/2023
Sources: SCDOT, ArcGIS Esri Basemap. 2023.

Legend

- Study Area
- Road
- Norfolk Southern Railroad
- Stream
- Bridge

N

0 250 500 Feet

Figure 2.
Study Area Map
Replacement of SC Bridge S-998 (Robertson Rd) over Wildcat Creek in York County, SC

HNTB

Date: 6/16/2023
Sources: SCDOT, ArcGIS Esri Basemap. 2023.