

# North Carolina Department of Transportation

## NEPA/SEPA Consultation Form

STIP Project No.	<b>U-5710</b>
WBS Element	<b>50115.1.FS1</b>
Federal Aid Project No.	<b>NHPP-0074228</b>

**A. Project Description, Location, and Purpose:**

The North Carolina Department of Transportation (NCDOT) proposes to upgrade the at-grade intersection of Eastwood Road (US 74) and Military Cutoff Road (US 17/ US 76/ SR 1409) in Wilmington, New Hanover County to an interchange (see **Figure 1**). The project is included in the NCDOT 2024-2033 State Transportation Improvement Program (STIP) as Project No. U-5710. The improvements and surrounding area for U-5710 that were evaluated in the Categorical Exclusion (CE) are referred to as the study corridor or project study area. The proposed project is included in the Wilmington Metropolitan Planning Organization (WMPO) *Cape Fear Moving Forward 2045 Metropolitan Transportation Plan* (MTP) (November 2020). The upcoming *Cape Fear Navigating Change 2050* will update the 2045 MTP. A draft of the 2050 plan was released in June 2025 for public comment with plan adoption expected in November 2025. Project U-5710 is expected to be included in the final plan.

U-5710A is the portion of the project from Military Cutoff Road (US 17) at Drysdale Drive to Eastwood Road (US 74) on new location and referred to as the Drysdale Extension. U-5710A opened to traffic in May 2025. Right of way is in progress for U-5710 with construction scheduled to begin in 2027.

**B. Consultation Phase: (Check one)**

- ☐ Right-of-Way
- ☐ Construction
- ☒ Other: Utility

**C. NEPA/SEPA Class of Action Initially Approved as: (Check one)**

- ☒ FHWA Class III (CE) 10/30/2018

Additional Notes: U-5710A Construction Consultation 11/25/2019 and 11/15/2021. Right of Way Consultation 4/24/2023.

## D. Changes in Proposed Action & Environmental Consequences:

### **Design Changes**

Since the signing of the CE document in October 2018, NCDOT has divided the project into two phases. Phase A, referred to as U-5710A, is the 0.25-mile portion of roadway on new location northwest of the Military Cutoff Road/Eastwood Road intersection that provides a connection from US 17 (Military Cutoff Road) at Drysdale Drive to US 74 (Eastwood Road). The U-5710A portion is open to traffic. U-5710 is the remaining portion of the original 2-mile project.

Since the right-of-way consultation was completed in 2023, a couple of design changes have been made to the project. The design for Eastwood Road bridging over Military Cutoff Road has been revised with the median width reduced to ten feet in the area surrounding the bridge and ramps. An eastbound auxiliary lane was added for southbound Military Cutoff Road traffic, and westbound auxiliary lane added for northbound Military Cutoff Road.

Under Eastwood Road, the Military Cutoff Road typical extends the median and adds bridge supports while the roadway configuration remains the same. Sidewalks remain along the outside travel lanes as does the proposed design elements to accommodate the Texas U-turn design on the eastern side of Military Cutoff Road. A five-foot sidewalk is proposed along the south side of Eastwood Road from Military Cutoff Road to Lions Gate Drive. Dual left turns are proposed: from Drysdale Drive onto southbound Military Cutoff Road, from southbound Military Cutoff Road onto Drysdale Drive, and from northbound Military Cutoff Road to Drysdale Drive Extension.

At Commonwealth Drive the proposed design widens the intersection with Military Cutoff Road, adds a five to six-foot-wide sidewalk along both sides of the roadway, and includes a traffic signal on Military Cutoff Road. The northern portion of Commonwealth Drive at Eastwood Road is proposed to be a cul-de-sac, with all access provided from Military Cutoff Road.

Viking Lane is proposed to become right-in/right-out only along southbound Military Cutoff Road. Across from Viking Lane, Landfall Center pavement is proposed for removal from the median thereby widening travel lanes. Access at Galleon Lane from Eastwood Road will be removed to allow for the bridge design. Viking Lane will continue to provide access to the Eastport subdivision.

Additional minor design changes include shortening/extending various raised medians, realigning subdivision driveways for safer access, proposed mechanically stabilized earth (MSE) walls along both directions of Eastwood Road to support the grade-separated bridge design, a safety rail on both sides of Eastwood Road and other pedestrian safety improvements along Military Cutoff Road at the grade-separated intersection, extension of sidewalks and the Cross City Trail (constructed by others) along Military Cutoff Road. In addition to the new traffic signal at Commonwealth Drive/Military Cutoff new signals are proposed at Allens Lane/Military Cutoff Road and at the turn lane from eastbound Eastwood Road onto southbound Military Cutoff Road.

Also, the u-turn bulb for southbound Military Cutoff Road located just north of Wrightsville Avenue was eliminated from the project. The limits of the third northbound through lane on Military Cutoff Road was reduced to avoid impacts to the Duke transmission easement.

### **Protected Species**

Federally protected species were addressed in the Categorical Exclusion completed in October 2018. The northern long-eared bat US Fish and Wildlife (USFWS) programmatic biological opinion (PBO) was summarized in the 2021 construction consultation, and proposed tricolored bat listing noted in the 2023 right-of-way consultation.

As of June 16, 2025, there are 11 listed or proposed species under USFWS jurisdiction within the study area according to USFWS Information and Planning Consultation (IPaC) database.

**Table 1. Federally Protected Species**

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Perimyotis subflavus</i>	Tricolored bat	PE	Yes	MA-LAA
<i>Charadrius melodus</i>	Piping plover	T	No	No Effect
<i>Picoides borealis</i>	Red-cockaded woodpecker	T	Yes	No Effect
<i>Calidris canutus rufa</i>	Rufa Red knot	T	No	No Effect
<i>Alligator mississippiensis</i>	American alligator	T(S/A)	No	No Effect
<i>Chelonia mydas</i>	Green sea turtle	T	No	No Effect
<i>Lepidochelys kempi</i>	Kemp's ridley sea turtle	E	No	No Effect
<i>Planorbella magnifica</i>	Magnificent ramshorn	E	No	No Effect
<i>Danaus plexippus</i>	Monarch butterfly	PT	TBD	TBD
<i>Thalictrum cooley</i>	Cooley's meadowrue	E	Yes	No Effect
<i>Lysimachia asperulaefolia</i>	Rough-leaved loosestrife	E	Yes	No Effect

PE – Proposed Endangered, T – Threatened, T(S/A) – Threatened due to similarity of appearance, PT – Proposed Threatened

MA-LAA – May Affect - Likely to Adversely Affect, TBD – To Be Determined

### **Tricolored bat**

On September 13, 2022, USFWS announced a proposal to list the Tricolored bat (*Perimyotis subflavus* - PESU) as endangered under the Endangered Species Act. Given the proposal to list PESU as Federally Endangered, The USFWS has issued a programmatic conference opinion (PCO) in conjunction with the Federal Highway Administration (FHWA), the US Army Corps of Engineers (USACE), and NCDOT for the tricolored bat (TCB) in eastern North Carolina. The PCO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. NCDOT, FHWA, and USACE have agreed to conservation measures which will avoid/minimize take to TCBs. These conservation measures apply to all counties in Divisions 1-8. The programmatic determination for TCB for the NCDOT program is **May Affect, Likely to Adversely Affect**. Once the TCB is officially listed, the PCO will become the programmatic biological opinion (PBO) by formal request from FHWA and USACE. The PBO will ensure compliance with Section 7 of the ESA for approximately five years (effective through December 31, 2028) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes New Hanover County, where U-5710 is located.

### **Monarch Butterfly**

The Monarch Butterfly was proposed for federal listing under the Endangered Species Act (ESA) in December 2024. However, no regulatory protections will take effect until the listing is finalized, which is anticipated in late 2025 or early 2026. Until that time, proposed

species do not receive formal ESA protections. However, federal action agencies are still required to ensure that their actions do not jeopardize the continued existence of the species. Federal action agencies may initiate consultation with the U.S. Fish and Wildlife Service (USFWS) to obtain a conference opinion. If and when the listing is finalized, and at the agency's request, the Service may adopt the conference opinion as a biological opinion—provided no significant new information has emerged and no substantial changes to the proposed action have occurred.

### Northern long-eared bat

The US Fish and Wildlife Service has issued a programmatic biological opinion (PBO) in conjunction with FHWA, USACE, and NCDOT for the northern long-eared bat (NLEB) (*Myotis septentrionalis*) in eastern North Carolina. The PBO covers the entire NCDOT program in Divisions 1-8, including all NCDOT projects and activities. Although this programmatic covers Divisions 1-8, The USFWS only considers NLEBs to be known or potentially found in 30 counties within Divisions 1-8 (Figure 2, PBO). NCDOT, FHWA, and USACE have agreed to conservation measures which will avoid/minimize mortality of NLEBs. The programmatic determination for NLEB for the NCDOT program is **May Affect, Likely to Adversely Affect**. The PBO will ensure compliance with Section 7 of the Endangered Species Act for ten years (effective through December 31, 2030) for all NCDOT projects with a federal nexus in Divisions 1-8, which includes New Hanover County, where U-5710 is located.

### Environmental Impacts

Design refinements since the 2023 consultation have resulted in changes to environmental impacts. As there were no previous major design changes resulting in changes to environmental impacts in previous consultations, the table below depicts the change in environmental impacts between 2018 and 2025.

**Table 2. Impact Matrix**

Resources	Impacts (2018)	Impacts (2025)
Historic Properties (Adverse Effects)	0	0
Community Facilities Impacted	0	0
Section 4(f) Resources	0	0
Noise Receptor Impacts	60 residential / 1 commercial	56 residential / 1 commercial <sup>1</sup>
Right of Way (acres)	8.4	2.1
Easements (acres)	6.1	6
Streams (Linear feet) <sup>2</sup>	60 temporary/ 485 permanent	191 permanent
Wetlands (acres)	0.07 temporary/ 0.07 permanent	0.013
Hazardous Material Sites (including USTs)	3	3
Federally Protected Species		
Red-cockaded woodpecker	Unresolved	No Effect
Northern long-eared bat	May Affect, Likely to Adversely Affect	May Affect, Likely to Adversely Affect
Cooley's meadowrue	Unresolved	No Effect
Rough-leaved loosestrife	Unresolved	No Effect

**NOTES:**

1. According to 2019 Final Traffic Noise Report. The project's Design Noise Report is currently underway.
2. Based on a 25-foot buffer of the slope stakes.

E. Conclusion:

The above NEPA/SEPA documentation has been reevaluated (as required by either 23 CFR 771 or by NC General Statute Chapter 113A Article 1). It has been determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted in Section D. 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.

# F. Coordination

Appropriate personnel have discussed the current project parameters with qualified agency representatives and NCDOT/FHWA (where applicable). The NCDOT Division 3 Assistant Project Development Engineer, David Leonard, PE hereby verifies the involvement of the following staff and the incorporation of their technical input:

Design Engineer:	Phillip Rogers, PE
Environmental Specialist:	Sara Easterly
FHWA (if applicable):	Seth Wilcher
Other:	T. Mason Herndon

# G. Consultation Approval for NCDOT Project U-5710

## **Prepared By:**

<u>7/3/2025</u>	<u>Jeffrey Dayton</u>
Date	Jeffrey Dayton, PE HDR Engineering, Inc. of the Carolinas

## **Prepared For:**

NCDOT Division 3

## **Reviewed By:**

<u>7/7/2025</u>	<u>David Leonard</u>
Date	David Leonard, PE, Assistant Project Development Engineer NCDOT Division 3

☐ **Approved** In adherence with 23 CFR 771 (NEPA) or NC General Statute Chapter 113A Article 1 (SEPA), NCDOT approves this Consultation.

or

☒ **Certified** NCDOT staff certifies if FHWA signature was previously required or where changes have resulted in FHWA signature being required.

<u>7/7/2025</u>	<u>T. Mason Herndon</u>
Date	for Trevor K Carroll, PE, Division 3 Engineer North Carolina Department of Transportation

FHWA Approved: FHWA signature required for Type I or II CE with Substantial Changes, Type III CE, FONSI or ROD.

<u>7/7/2025</u>	<u>Seth Wilcher</u>
Date	for Yolanda K Jordan, Division Administrator Federal Highway Administration

# PROJECT COMMITMENTS

## CONVERT AT-GRADE INTERSECTION TO AN INTERCHANGE

TIP Number: U-5710

County: New Hanover

WBS: 50115.1.FS1

## COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

### Division Office - Aesthetic Coordination

The Division 3 Project Manager will coordinate with the Wilmington Urban Area MPO and City of Wilmington on including design features to enhance the aesthetic quality and visual appearance of the project. Municipal agreements will be prepared, as applicable, prior to project construction.

### Division Office - Bicycle and Pedestrian Accommodations

Bicycle and pedestrian accommodations will be further coordinated with the City during final design.

The Division 3 Project Manager will coordinate with the NCDOT Integrated Mobility Division and with the City regarding the type and location of bicycle/ pedestrian crossings at major intersections.

### Hydraulics - Drainage Structures

The Division 3 Project Manager will submit sealed as-built construction plans to the NCDOT Hydraulics Unit upon completion of project construction, certifying that the drainage structures were built as shown in the construction plans, both horizontally and vertically.

## COMMITMENTS FROM PERMITTING

No permitting commitments developed to date.

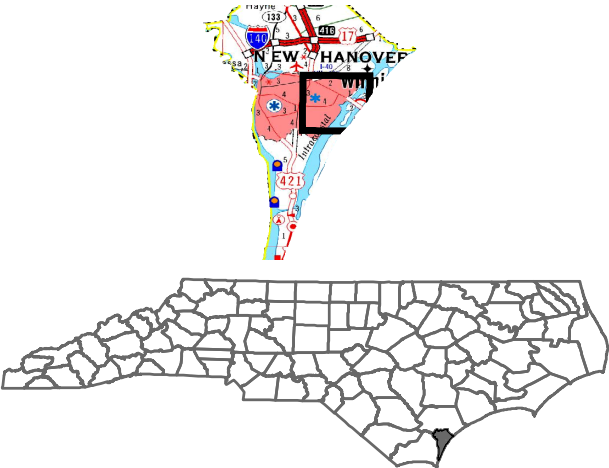
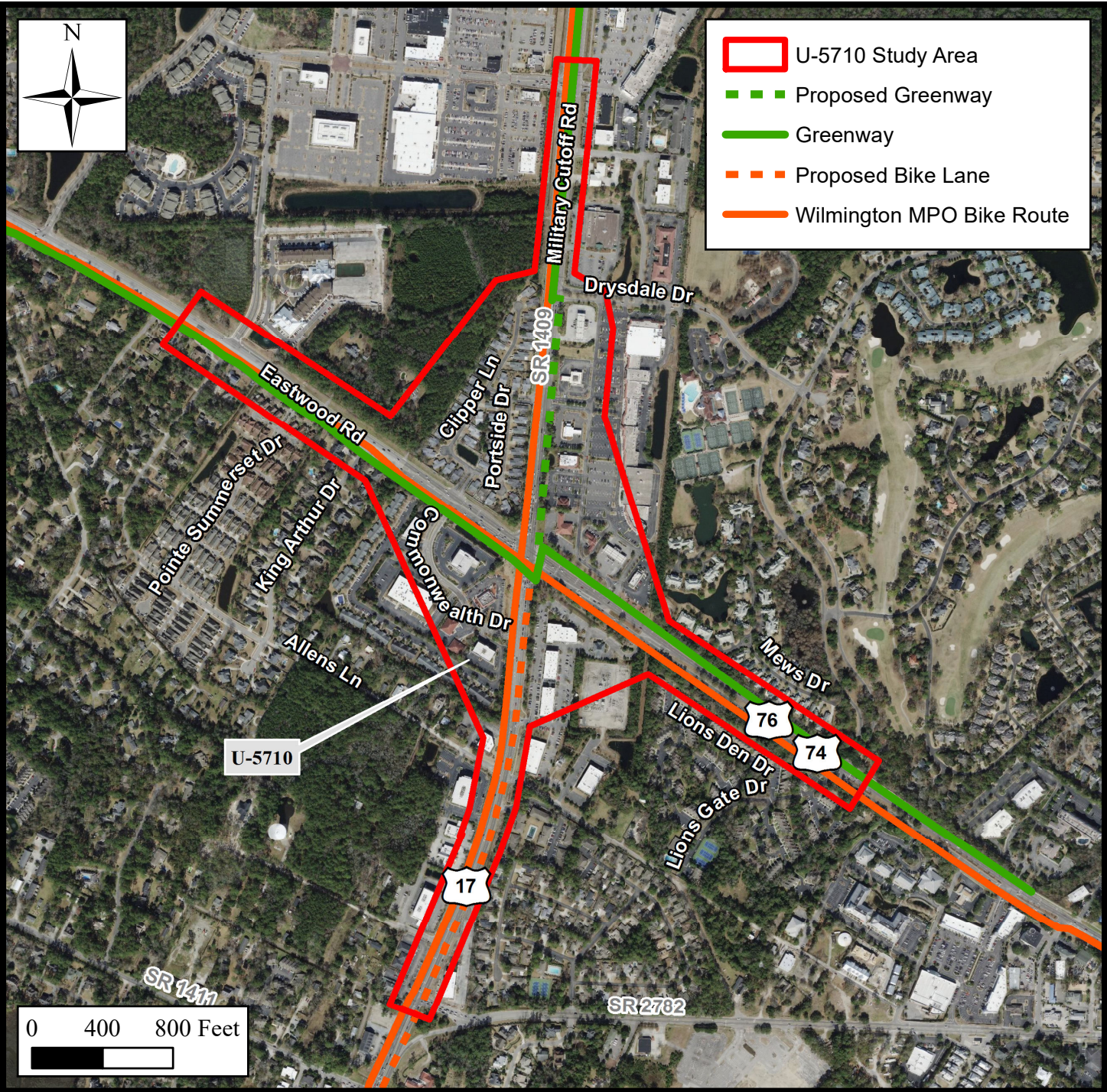
\*\*\*\*\*END OF PROJECT COMMITMENTS\*\*\*\*\*


## CONVERT AT-GRADE INTERSECTION TO AN INTERCHANGE

50115.1.FS1

Last Modified Date: 07/02/2025





	<p>NORTH CAROLINA DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS PROJECT DEVELOPMENT &amp; ENVIRONMENTAL ANALYSIS UNIT</p>
<p><b>WILMINGTON INTERSECTION OF US 74/ US 76 (EASTWOOD RD) AND US 17 (MILITARY CUTOFF RD) NEW HANOVER COUNTY STIP PROJECT U-5710</b></p>	
<p>Figure 1</p>	