

Type III Categorical Exclusion Action Classification Form

STIP Project No.	U-6103
WBS Element	48136.1.1
Federal Project No.	TBD

A. Project Description:

The North Carolina Department of Transportation (NCDOT), in cooperation with the Federal Highway Administration (FHWA), proposes to convert the existing bus lanes in the median of US 74 (Independence Boulevard) from I-277 (Brookshire Freeway/Belk Freeway) to west of SR 3143 (Idlewild Road) to allow for two-way express lanes operations in Charlotte, Mecklenburg County. This project is superseding former State Transportation Improvement Program (STIP) Project No. U-5526A (which proposed a single reversible express lane) and will connect with STIP Project No. U-2509 to the east.

The project proposes to convert the existing bus lanes in the median of US 74 to two-way express lanes (one in each direction) and provide a direct connection at the Albemarle Road (NC 27) interchange. The project length is approximately five miles. The project limits and study area are shown in **Figure 1** (Project Vicinity Map) and **Figure 2** (Project Study Area Map).

B. Description of Need and Purpose:

The purpose of the U-6103 project is to provide an option for reliable travel time and improve mobility through the project corridor.

US 74 through the project limits experiences highly variable travel times and low travel speeds during peak periods. Based on existing traffic estimates (2019 No-Build), this segment of US 74 carries between approximately 76,000 and 129,000 vehicles per day (vpd) and experiences congestion on a regular basis. Design year (2045 No-Build) traffic volumes are projected to increase, ranging from 106,000 to 168,000 vpd within the project limits ([U-6103 Traffic Forecast](#), September 2020).

Without the proposed improvements to the US 74 corridor, future peak period travel speeds are expected to continue to deteriorate. During the AM peak hour, average travel speeds for US 74 westbound from west of Idlewild Road to I-277 are projected to decrease from approximately 39 mph in 2019 to 17 mph in 2045 if no improvements are made. During the PM peak hour in both directions and the AM peak hour eastbound, average travel speeds for US 74 from I-277 to west of Idlewild Road are projected to decrease by up to 4 mph from 2019 to 2045.

C. Categorical Exclusion Action Classification:

Type III

D. Proposed Improvements:

N/A

E. Special Project Information:

PROJECT DETAILS

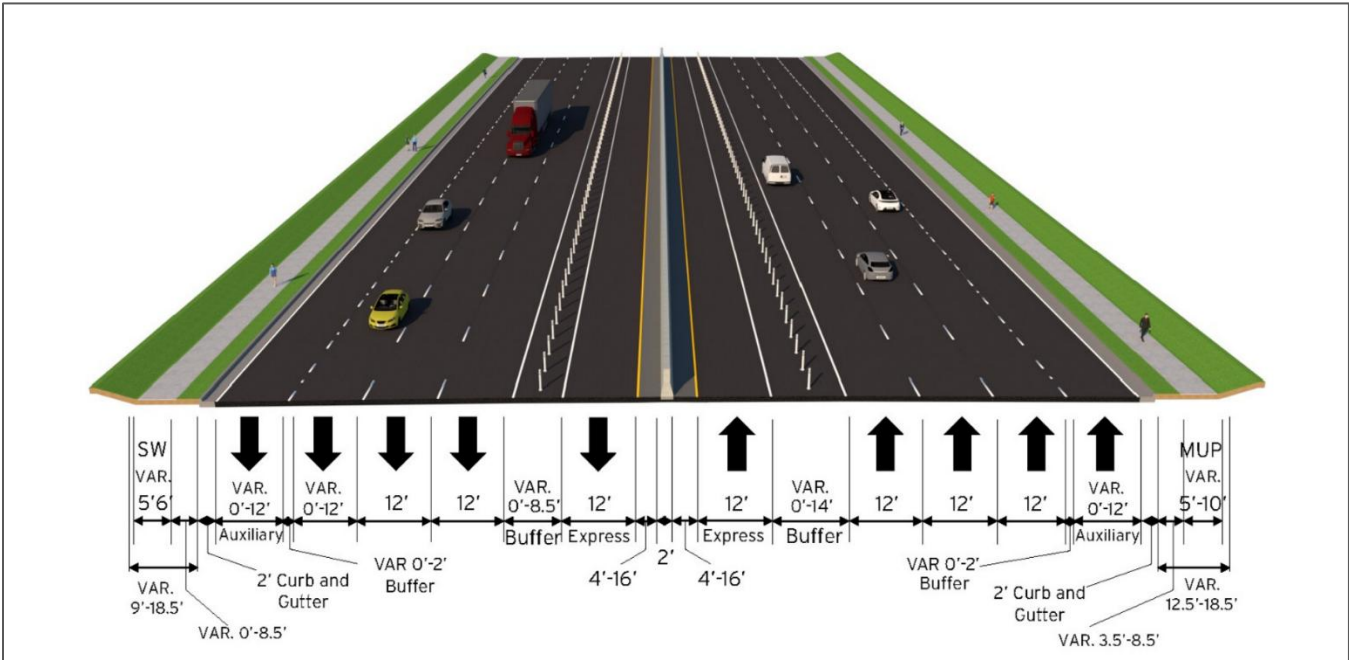
The Preferred Alternative will improve US 74 from I-277 to just west of Idlewild Road by converting approximately five miles of bus lanes to one express lane in each direction on US 74. The [current Design Recommendation Plan Set](#) (DRPS) is available for review on the project SharePoint site.

At the western end of the corridor, the eastbound express lane begins to the east of Pecan Avenue and allows adequate distance for traffic from the Charlotetowne Avenue on-ramp to access the express lane. In the westbound direction, the express lane ends just west of the ramp to I-277 (Brookshire Freeway) and continues as a general purpose lane onto I-277 (Belk Freeway). For westbound express lane traffic wanting to use I-277 (Brookshire Freeway), a westbound egress from the express lane is provided to the east of the Pecan Avenue overpass.

The Preferred Alternative will make improvements to the existing Albemarle Road interchange to add a new flyover structure carrying the eastbound express lane. The existing bridge carrying eastbound US 74 over Pierson Avenue will be widened slightly on the south side. A direct connector is provided between the express lanes to/from the west and Albemarle Road to/from the north. An additional at-grade access point between the general purpose lanes and the express lanes is provided near Sharon Amity Road. At the eastern end of the project, the express lanes begin and end to the west of Idlewild Road. The U-2509 project is immediately adjacent to the east end of this project. The U-2509 project includes extending the express lanes to I-485. The [U-2509 Environmental Assessment](#) was approved in January 2020 and the [Finding of No Significant Impact \(FONSI\)](#) was approved in January 2025.

The typical section includes a 12-foot express lane in each direction, three 12-foot general purpose lanes in each direction, and auxiliary lanes and turn lanes as needed. A three to four-foot separation (with flexible delineators) is provided between the express lane and general purpose lanes. Opposing directions of traffic are separated by a concrete median barrier with a four-foot minimum median shoulder width. The outside shoulder width varies as the western portion of the corridor (generally west of Briar Creek Road) has expressway gutter and the eastern portion has curb and gutter with sidewalk.

Exhibit 1. US 74 (Independence Boulevard) Proposed Typical Section from July 2024 Public Meeting



The project has been designed to minimize right-of-way acquisition and hold the existing curb where feasible. However, where the curb line is impacted, improvements to curb ramps, pedestrian crossings, sidewalks, and planting strips are included. The existing culverts at Briar Creek will be extended and a new box will be added to carry a planned Mecklenburg County greenway. The existing culvert through the Wendover Road/Eastway Drive interchange will be supplemented with large diameter jack and bore pipes to alleviate flooding issues upstream of the crossing.

The project also crosses Little Sugar Creek, an impaired water listed on the 2022 Final 303(d) list for benthos and fish, in the I-277 interchange; however, no impacts are anticipated. The existing bridge is a third level structure and completely spans the creek and other ramps to/from I-277. Some widening work, approximately four feet on average, is necessary on the structure to maintain three lanes through the interchange and avoid a lane drop which negatively impacts traffic operations. The existing bridge deck is proposed to be widened with no change to the substructure, and all work is anticipated to occur from above. Containment systems will be used consistent with the [NCDOT Standard Specifications for Roads and Structures](#) (January 2024). Standard notes on the bridge plans will include the following: "Removal of the existing bridge shall be performed in a manner that prevents debris from falling into the water. The Contractor shall submit demolition plans for review and remove the bridge in accordance with Article 402-2 of the Standard Specifications."

PREVIOUS STIP PROJECT NO. U-5526A

The former U-5526A project proposed to convert the existing bus lanes in the median of US 74 to a single reversible express lane from I-277 to Albemarle Road and two-way express lanes from Albemarle Road to Wallace Lane. The [U-2256A Categorical Exclusion](#) was completed in August 2015.

The Charlotte Regional Transportation Planning Organization's (CRTPO) 2045 Metropolitan Transportation Plan (MTP) included the current U-6103 project which proposes two-way express lanes for the entire project length starting at I-277. The 2020-2029 NCDOT STIP was updated to include the U-6103 project to supersede and replace the U-5526A project.

ALTERNATIVES EVALUATION

When studies began for the U-6103 project, an additional alternatives evaluation was conducted to determine express lane configurations, begin/end points, access points, and direct connectors. The Project Team (NCDOT, NCTA, and RS&H) met bi-weekly to review the project status and discuss project development. Key meetings occurred from October 2019 through June 2020 where decisions were made on initial concepts, direct connectors and interchange options at Albemarle Road, project termini, and adjacent projects (U-2509 and CATS Silver Line). Stakeholder meetings with local representatives (Charlotte Area Transit System (CATS), Charlotte DOT (CDOT), CRTPO, and Mecklenburg County) also occurred during this time frame and extended through the end of 2020 which further influenced alternatives development. Additional information is available in the [U-6103 Concept Screening Report](#) (April 2021).

Key components of the preferred alternative, and rationale for its selection:

- For the western termini of the express lanes, the eastbound express lane begins east of Pecan Avenue; this location was preferred because it maximizes available space under the existing Hawthorne Lane bridge, provides access to the express lane from Charlottetowne Avenue, and does not increase traffic turbulence near I-277.
- The westbound express lane ends on the ramp to I-277 (John Belk Freeway) and is preferred because it carries the express lane through the portion of the corridor with the highest demand and also extends a third lane on the I-277 (John Belk Freeway) ramp bridge, which benefits traffic operations.
- For the Albemarle Road Direct Connector, the new eastbound express lane flyover option was preferred because it has lower right-of-way impacts and lowest cost compared to other direct connector concepts. In addition, the CATS provided a letter of support for this configuration at

Albemarle Road since it does not conflict with the preferred alternative for the Silver Line (light rail) through this area.

PUBLIC INVOLVEMENT & STAKEHOLDER COORDINATION

Several Public Meetings have been held since the initiation of the U-6103 project, as follows:

- Summer 2019 – I-485 Express Lanes (STIP Project No. I-5507) Public Meeting where project information for U-6103 (study area map and general project information) was also available.
- January 2020 – Public Meeting for the adjacent U-2509 project where U-6103 was also made available ([U-6103 Handout](#)).
- July 2024 – Combined Public Meeting for U-2509 and U-6103 where the [U-6103 preferred alternative](#) was presented. Also see [U-2509/U-6103 Handout](#).

The Project Team has maintained communication with the public via NCDOT Contact Us pages, the [US 74 Express Lanes Public Input Portal](#), and a phone hotline. A total of 13 comments were received related to U-6103 at the July 2024 Public Meeting. Concerns noted at Public Meetings generally focused on right-of-way acquisition, transit, noise, and the project schedule. No notable opposition to the proposed project has been identified.

The Project Team has coordinated extensively with local stakeholders, including CRTPO, CDOT, CATS, Charlotte Planning, and Mecklenburg County Parks and Recreation. These stakeholder meetings have focused on proposed improvements (access points and direct connections to the express lanes, traffic information, etc.), other area projects, the proposed light rail (CATS Silver Line) and synchronizing plans, and other multimodal accommodations. Key stakeholder coordination dates are as follows:

- July 21, 2020 – Review how the CATS Silver Line interacts with U-6103 and the Hawthorne Lane bridge.
- September 24, 2020 – Review analyses to-date and gather feedback on alternatives to carry forward for additional study.
- October 31, 2021 – Provide traffic analysis results, design updates, alternatives analysis, and future coordination activities.
- July 12, 2024 – Provide design and schedule updates and review future coordination activities.

Over a dozen meetings between the Project Team and CATS have been held to date to discuss coordination between the U-6103 project design and the proposed CATS Silver Line light rail project (see additional information under the following [Transit Involvement](#) subsection). The Project Team has also coordinated extensively with Mecklenburg County Park and Recreation on proposed greenway plans (see additional information under the following [Multimodal Coordination](#) subsection). There has also been close coordination with various NCDOT Units and the U-2509 Project Team. Coordination meetings are ongoing as the proposed designs are further refined.

TRANSIT INVOLVEMENT

The NCDOT U-6103 and U-2509 Project Teams have been coordinating with CATS regarding the Silver Line Project, and NCDOT commits to continuing coordination with CATS throughout the U-6103 design and construction process. NCDOT will work in consultation with CATS to retain the viability of the Silver Line, or other adopted transit plans, within the Southeast Corridor; NCDOT does not commit to making specific transit investments as part of U-6103 or U-2509.

Since the existing bus lanes will be closed during construction and converted to express lanes, these lanes will not be available to transit for the duration of construction. Temporary delays are expected to routes utilizing the existing bus lanes and include:

- Route 40X – Lawyers Road Express
- Route 46X – Harrisburg Road Express
- Route 52X – Idlewild Road Express
- Route 64X – Independence Boulevard Express
- Route 74X – Union County Express

Long-term impacts are expected to be positive due to improved mobility as transit services are expected to be able to use the express lanes free of charge. Routes and schedules can be viewed on the [CATS Bus Routes and Schedules webpage](#).

MULTIMODAL COORDINATION

Multimodal improvements have been coordinated with the City of Charlotte and NCDOT Integrated Mobility Division (IMD). Facilities are being maintained or replaced/upgraded where they currently exist along the project corridor, mainly east of Briar Creek Road where the corridor is partially controlled access. To minimize disruption to traffic and reduce the right-of-way impacts to the community, the Project Team has maintained the existing curb and sidewalk wherever feasible. Curb ramps and substandard facilities are also being brought up to current Americans with Disability Act (ADA) standards following the US Access Board's *Public Right of Way Accessibility Guidelines* (PROWAG) from the [Charlotte Land Development Standards Manual](#).

The future Briar Creek Greenway crossing under US 74 at Briar Creek is currently being coordinated with Mecklenburg County. Based on coordination to date, the County will construct the greenway crossing using the westernmost box of the existing culvert. When the U-6103 project is constructed, it will extend the three boxes of the existing culvert as needed to address the hydraulic needs of the project and add a permanent pedestrian culvert to the west of the existing boxes. Following U-6103 construction, the greenway crossing will be permanently relocated to the new pedestrian culvert.

SECTION 4(F) AND HISTORIC RESOURCES

Review of HPO quad maps, relevant background reports, historic designations roster, and indexes was undertaken August 19, 2020. Eleven (11) historic properties or districts were identified in the project's Area of Potential Effects. An Effects Assessment meeting was held on March 19, 2026 and a No Adverse Effects finding was established for Elizabeth Historic District (MK0866) and the Chantilly Neighborhood (MK2199). The project was found to have No Effects on the remaining nine historic resources. The project will not convert any land within any historic district boundaries to a transportation use and will not indirectly use these resources in such a way that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. Therefore, no 4(f) use is expected. This project was evaluated to comply with Section 106 of the National Historic Preservation Act and NC GS 121 (12)a. As of May 21, 2026, these conditions have not changed and the results of the screenings are still valid.

Additional information is available in the U-6103 Effects Form linked in Section F3, Question 13, and Section G.

ARCHAEOLOGICAL RESOURCES

Tribal coordination with the Cherokee Nation and Catawba Indian Nation was completed in February 2020. Responses were received on March 18 and February 12, 2020, respectively. No immediate concerns or impacts on tribal resources were noted.

Based on review of the APE, the NCDOT Archaeology Group concluded that no archaeological survey is required (September 9, 2019), and no further archaeological work is recommended at this time. If design plans change prior to construction, additional consultation will be required. If archaeological materials are uncovered during construction activities, then such resources will be dealt with according to the procedures set forth for "unanticipated discoveries," to include notification of NCDOT's Archaeology Group. Compliance with Section 106 of the National Historic Preservation Act for archaeology is complete, and no further action is necessary.

MAINTENANCE OF TRAFFIC

Traffic on US 74 will be maintained as much as possible during construction. The intent of the project is to convert the existing bus lanes to express lanes, while minimizing impacts to the existing lanes and surrounding properties. The existing bus lanes will be closed for the duration of construction and this space will be used for construction activities to minimize disruptions to mainline traffic. No offsite detours are anticipated.

COST ESTIMATES

The current total project cost estimate included in the 2026-2035 STIP is \$268.6 Million.

- Right-of-Way Acquisition \$12.0 Million
 - Utility Relocations \$8.1 Million
 - Construction \$248.5 Million
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F. Project Impact Criteria Checklists:

F3. Type III Actions			
For proposed improvement(s) that fit Type III Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix C), answer the questions below. • Qualified NCDOT staff will certify the Categorical Exclusion for FHWA review/approval. • If any questions are marked “Yes” then additional information will be required for those questions in Section G.			
		Yes	No
1	Does the project involve potential effects to Threatened or Endangered species listed by the US Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)? (Source: U-6103 Natural Resources Technical Report [U-6103 NRTR.pdf , 2019], U-6103 Freshwater Mussel Survey Report [U-6103 AquaticSpeciesSurveyReport.pdf , 2021], [U-6103 IPaC Review , 2026])	☒	☐
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)? (Source: U-6103 Natural Resources Technical Report [U-6103 NRTR.pdf , 2019])	☐	☒
3	Does the project generate substantial controversy or public opposition regarding human or natural environment impacts, on environmental grounds, following appropriate public involvement? (Source: Comment Summary and NCDOT Responses to Public Comments – July 2024 Public Meeting [U-6103/U-2509 Comment Response.pdf , 2019])	☐	☒
4	[REDACTED]		
5	Does the project involve substantial residential or commercial displacements, or substantial right of way acquisition? (Source: U-6103 ROW Cost Estimates [U-6103 CostEstimateWorksheet_Apr2024.xlsx , 2024])	☒	☐
6	Does the project “use” Section 4(f) property, and/or result in a <i>de minimis</i> determination? (Source: U-6103 Historic Architecture and Landscapes Assessment of Effects Form [19-07-0021 EffectsSigned.pdf , 2026])	☐	☒
7	Does the proposed project require a Land Use Scenario Assessment (LUSA) based on the NCDOT community studies screening tool? (Source: U-6103 Community Impact Assessment [U-6103 Final CIA Update Memo 20260612.pdf , 2026])	☐	☒
8	Does the project impact anadromous fish spawning waters? (Source: U-6103 Natural Resources Technical Report [U-6103 NRTR.pdf , 2019])	☐	☒
9	Does the project impact waters classified as Outstanding Resource Waters (ORW), High Quality Waters (HQW), Water Supply Watershed Critical Areas, 303(d)-listed impaired water bodies, buffer rules, or submerged aquatic vegetation (SAV)? (Source: U-6103 Natural Resources Technical Report [U-6103 NRTR.pdf , 2019])	☐	☒
10	Does the project impact waters of the United States in any of the designated mountain trout streams? (Source: U-6103 Natural Resources Technical Report [U-6103 NRTR.pdf , 2019])	☐	☒
11	Does the project require a US Army Corps of Engineers (USACE) Individual Section 404 Permit? (Source: U-6103 Hydraulic Planning Report [U-6103 Hydraulic Planning Report.pdf , 2021])	☒	☐
12	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility? (Source: Hydropower eLibrary [Dam Map , 2026])	☐	☒
13	Does the project include Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains? No matter the effects determination detailed in Appendix G, list commitments (conditions) for the determination in Appendix I. (Source: U-6103 Historic Architecture and Landscapes Assessment of Effects Form [19-07-0021 EffectsSigned.pdf , 2026], U-6103	☒	☐

	Historic Resources Handout [U-6103_Historic Resources Effects Memo_20260319.pdf , 2026], U-6103 No Archaeological Survey Required Form [US 74 (Mecklenburg) No Survey Form.pdf , 2019])		
14	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.? (Source: U-6103 GeoEnvironmental Phase I Report [U-6103_PhIReport_20221222.pdf , 2022])	☒	☐
15	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? (Source: U-6103 Hydraulic Planning Report [U-6103_Hydraulic Planning Report.pdf , 2021])	☐	☒
16	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Areas of Environmental Concern (AEC)? (Source: NC Coastal Management Map Viewer [DCM Interactive Map Viewer , 2026])	☐	☒
17	Does the project require a US Coast Guard (USCG) permit? (Source: U-6103 DRPS [U-6103 Draft DRPS for CE Reference , 2026])	☐	☒
18	Does the project involve Coastal Barrier Resource Act (CBRA) resources? (Source: NC Coastal Management Map Viewer [DCM Interactive Map Viewer , 2026])	☐	☒
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River? (Source: US Fish and Wildlife Service National Wild and Scenic River System [North Carolina River System , 2026])	☐	☒
20	Does the project impact federal lands (e.g., US Forest Service (USFS), US Fish and Wildlife Service (USFWS), etc.) or Tribal Lands? (Source: USGS National Map Viewer [National Boundary Dataset , 2026])	☐	☒
21	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate? Source: U-6103 DRPS [U-6103 Draft DRPS for CE Reference , 2026])	☐	☒
22	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness? (Source: U-6103 Community Impact Assessment [U-6103 Final CIA Update Memo_20260612 , 2026])	☐	☒
23	Will maintenance of traffic or detours cause substantial disruption? (Source: U-6103 DRPS Traffic Narrative on PDF p. 42 [U-6103 Draft DRPS for CE Reference , 2026])	☐	☒
24	Is the project inconsistent with the NCDOT's federally approved 4-year STIP or NCDOT's BMIP, and where applicable, the Metropolitan Planning Organization's (MPO) Transportation Improvement Program (TIP)? (Source: NCDOT 2026-2035 Current STIP [NCDOT 2026-2035 Current STIP (January 2026) , 2026], CRTPO 2055 MTP [2055 MTP Fiscally Constrained Projects Map , 2026])	☐	☒
25	Does the project require the acquisition of lands under the protection 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 assessment with public-use money and have deed restrictions or covenants on the property? (Source: U-6103 ROW Cost Estimates [U-6103_CostEstimateWorksheet_Apr2024.xlsx , 2024])	☐	☒
26	Does the project involve Federal Emergency Management Act (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)? (Source: Mecklenburg County Parks and Recreation Open GIS [Park Parcels Feature Layer , 2024])	☒	☐
27	Is the project considered a Type I under the NCDOT's Noise Policy? (Source: U-6103 Traffic Noise Report [U-6103_TNR.pdf , 2025])	☒	☐
28	Does the project impact VAD-enrolled property, or prime or important farmland soil, as defined by the Farmland Protection Policy Act (FPPA)? (Source: U-5526 CIA ICE Tech Memo [U-5526 FINAL CIA-sICE tech memo.pdf , 2014])	☐	☒

- G. Additional documentation as required from Section F; documentation should address the context and intensity (or severity) of the impact. (Required for all questions marked ‘Yes.’)

1. Does the project involve potential effects to Threatened or Endangered species listed by the US Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?

As documented in the *U-6103 Natural Resources Technical Report* (November 2019) and the *U-6103 Aquatic Species Survey Report* (July 2021), the United States Fish and Wildlife (USFWS) listed six federally protected species under the Endangered Species Act (ESA) for Mecklenburg County (Table 1). Two additional species were identified during a review of IPaC data for the project area in May 2026 and five of the six species originally listed are no longer recorded as possibly occurring within the project area. For each species currently listed in IPaC for the project area, a discussion of the presence or absence of habitat is included below.

Note: Per standard NCDOT procedure, protected species information will be reviewed and updated prior to construction, including surveys and updates for Unresolved species.

Table 1. Threatened & Endangered Species

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Myotis septentrionalis</i>	Northern long-eared bat	Threatened	Unknown	Unresolved
<i>Lasmigona decorata</i>	Carolina heelsplitter	Endangered	Unknown	No Effect
<i>Bombus affinis</i>	Rusty-patched bumble bee	Endangered	N/A	N/A
<i>Rhus michauxii</i>	Michaux's sumac	Endangered	Yes	No Effect
<i>Helianthus schweinitzii</i>	Schweinitz's sunflower	Endangered	Yes	No Effect
<i>Echinacea laevigata</i>	Smooth coneflower	Endangered	Yes	No Effect
<i>Perimyotis subflavus</i>	Tricolored bat	Proposed Endangered	Unknown	Unresolved
<i>Danaus plexippus</i>	Monarch butterfly	Proposed Threatened	Unknown	Not Required

Note: The Rusty-patched bumble bee was last observed in the county more than 50 years ago and the USFWS does not and will not require surveys for this species in North Carolina because USFWS assumes the state is unoccupied by the Rusty-patched bumble bee. The Northern long-eared bat, Carolina heelsplitter, Rusty-patched bumble bee, Michaux's sumac, and Smooth coneflower were identified in the 2019 NRTR but are no longer included based on the 2026 IPaC analysis.

Requests for Section 7 surveys were submitted to the NCDOT Biological Surveys Group (BSG) in 2020; however, the Northern long-eared bat, Carolina heelsplitter, Rusty-patched bumblebee, Michaux's sumac, and Smooth coneflower are no longer listed by USFWS in [IPaC for the project area in Mecklenburg County](#). The Tricolored bat and Monarch butterfly were not included in the 2019 NRTR but are now listed by the USFWS in IPaC for the project area.

Schweinitz's sunflower

USFWS optimal survey window: late August – October

Biological Conclusion: No Effect

Suitable habitat for Schweinitz's sunflower is present within the study area in the form of wood edges, roadsides, and around margins of regularly maintained clearings. A survey was conducted by Three Oaks staff on August 27, 2019. No individuals were identified. A review of the July 2019 NCNHP dataset indicates no known occurrences within 1.0 mile of the study area.

Tricolored bat

USFWS Optimal Survey Window: May 15 – August 15 (Structure Checks in Divisions 9-14)

Biological Conclusion: Unresolved

The USFWS, in partnership with the Federal Highway Administration (FHWA), US Army Corps of Engineers (USACE), and NCDOT, has issued a combined Programmatic Biological Opinion (PBO) and Programmatic Conference Opinion (PCO) for the following bat species: Indiana bat (*Myotis sodalis*, MYSO), gray bat (*M. grisescens*, MYGR), northern long-eared bat (*M. septentrionalis*, MYSE), tricolored bat (*Perimyotis subflavus*, PESU), and little brown bat (*M. lucifugus*, MYLU).

The proposed biological conclusion for bats is unknown at this stage in project planning and will be rendered prior to let as appropriate. After sufficient design has been completed, the project will be evaluated for potential usage of the PBO/PCO. The PBO/PCO will ensure compliance with Section 7 of the Endangered Species Act for five years (effective through April 1, 2030) for all NCDOT projects with a federal nexus in Divisions 9-14, which includes Mecklenburg County, where U-6103 is located.

Monarch butterfly

USFWS Optimal Survey Window: Unknown

Biological Conclusion: Not Required

The USFWS proposed to list the monarch butterfly as a threatened species under the Endangered Species Act (ESA) in December 2024. However, as of December 2025 the final decision has been delayed, and the status has been moved to "long-term action," meaning no final ruling is expected for at least another year. No regulatory protections will take effect until the listing is finalized. Until that time, proposed species do not receive formal ESA protections, though federal action agencies are still required to ensure that their actions do not jeopardize the continued existence of the species. Action agencies may initiate consultation with the 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 relevant new information has emerged and no substantial changes to the proposed action have occurred.

5. Does the project involve substantial residential or commercial displacements, or substantial right of way acquisition?

Right-of-Way Cost Estimates for the U-6103 project were completed in April 2024. A total of 84 parcels along the project corridor may be impacted, totaling approximately \$11.9 million in right-of-way costs.

Designs updated following the initial estimates include two potential commercial relocations due to grade differences (mainline versus driveway grade) and the inability to maintain driveway access along US 74 – Agora Greek Market (5122 E Independence Boulevard) and Castro Automotive (5208 E Independence Boulevard). The Project Team will continue to refine project designs and investigate options to avoid/minimize impacts to the best extent possible. If relocations are still anticipated following design refinement, the Project Team will coordinate with the NCDOT Right-of-Way Unit regarding next steps.

NCDOT will adhere to the *Relocation Assistance and Real Property Acquisition Policies Act* of 1970 (*Uniform Act*) with regard to proposed relocations. Federally-funded programs or projects which are designed to benefit the public often need to acquire private property in order to be developed – which sometimes results in the displacement of individuals from their homes, businesses, or farms. To ensure property owners and tenants are treated fairly, equitably and receive relocation assistance, the *Uniform Act* provides important protections and assistance for people affected by federally-funded projects governmentwide.

11. Does the project require a US Army Corps of Engineers (USACE) Individual Section 404 Permit?

Per the *U-6103 Hydraulic Planning Report*, an Individual Section 404 Permit is anticipated due to potential stream impacts. Based on review of current DRPS design plans (using slope stakes plus 25 feet), the project would impact approximately 100 linear feet of Briar Creek (outside of existing culvert) and approximately 87 linear feet of Edwards Branch.

Coordination with the Federal Emergency Management Agency (FEMA) is anticipated on Sites 4, 5, and 6. A Memorandum of Agreement (MOA) will be required for sites 4, 5, and 6 with a “no-rise”, Type 1 determination anticipated at all 3 sites. Site 4 is the US 74 crossing of Briar Creek near Rockway Drive. Site 5 is the US 74 crossing of Edwards Branch near Briar Creek Road. Site 6 is the US 74 on/off ramps crossing of Edwards Branch near N Wendover Rd.

Note: The information in the Hydraulic Planning Report is based on the preliminary design as shown at the 2024 public meeting. Since that time, the design has been updated to further reduce impacts as shown in the current DRPS. Based on these design updates, stream impacts will be reduced and may no longer require an Individual Section 404 Permit.

13. Does the project include Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?

A “No Adverse Effect” finding was determined for Elizabeth Historic District (MK0866) and Chantilly Neighborhood (MK2199).

- Elizabeth Historic District – all work is anticipated to occur within the existing right-of-way and no changes to noise walls are anticipated near contributing resources.
- Chantilly Neighborhood – no new noise walls are proposed along the neighborhood boundary and there are no impacted receptors within the historic resource. No right-of-way or easements are anticipated.

A “No Effect” finding was also determined at the Charlotte Merchandise Mart (MK4410). The chain link fence along the sidewalk adjacent to US 74 will be replaced; however, no right-of-way acquisition or easements are anticipated on this resource and no changes to the Visual Environment are expected.

The NCDOT Archaeology Group concluded that no archaeological survey is required (September 9, 2019), and no further archaeological work is recommended at this time.

14. Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?

A GeoEnvironmental Phase I Report was completed in December 2022. The Phase I Report identified 92 sites of concern within the study area. Low to moderate monetary and scheduling impacts are anticipated to result from these sites. Due to the nature of development along US 74, these sites are located throughout the project limits directly abutting the highway. Based on final design plans, further review is needed to determine any direct impacts to a site of concern if right-of-way acquisition is required.

26. Does the project involve Federal Emergency Management Act (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?

One parcel along the project corridor is included in the Mecklenburg County Stormwater Buyout Program (additional coordination is needed to determine if FEMA funds were used) and is anticipated to be impacted by the U-6103 project. This parcel (PID 12910170) is located on the north side of US 74 south of Briar Creek Road. The temporary construction easement may encroach on the parcel approximately 10 to 15 feet (the TCE would total approximately 2,800 square feet based on the current DRPS design).

No permanent acquisition by NCDOT or changes to the right-of-way limits are expected. The Project Team will continue to refine project designs and investigate options to avoid/minimize impacts.

27. Is the project considered a Type I under the NCDOT's Noise Policy?

The source of this traffic noise information is the [Traffic Noise Report for the US 74 Express Lanes from I-277 to West of Idlewild Road](#), approved on April 25th, 2025. The document was authored by Jim Mykytko.

Traffic Noise Impacts

The maximum number of receptors in each project alternative predicted to become impacted by future traffic noise is shown in the table below. The table includes those receptors expected to experience traffic noise impacts by either approaching or exceeding the FHWA Noise Abatement Criteria or by a substantial increase in exterior noise levels as defined in the NCDOT Traffic Noise Policy.

Table 2. Predicted Traffic Noise Impacts by Alternative (per TNM 2.5 and in accordance with 23 CFR Part 772)

Traffic Noise Impacts				
Alternative	Residential (NAC B)	Places of Worship/Schools, Parks, etc. (NAC C & D)	Businesses (NAC E)	Total
Build	293	1	1	295

Traffic Noise Abatement Measures

Measures for reducing or eliminating the traffic noise impacts, including noise barriers, were considered for all impacted receptors in each alternative. Noise barriers include two basic types: earthen berms and noise walls. These structures act to diffract, absorb, and reflect highway traffic noise.

Noise Barriers

A noise barrier evaluation was conducted for this project utilizing the Traffic Noise Model (TNM 2.5) software developed by the FHWA. Table 3 summarizes the results of the evaluation including the location of the noise barriers relative to US 74 westbound (WB) and eastbound (EB) lanes as well as average wall height (actual height at any given location may be higher or lower).

A traffic noise evaluation was performed that identified nine (9) noise barriers that preliminarily meet feasibility and reasonableness criteria found in the NCDOT Traffic Noise Policy. A more detailed analysis will be completed during project final design. Noise barriers preliminarily found to be feasible and reasonable during the preliminary noise analysis may not be found to be feasible and reasonable during the final design noise analysis due to changes in proposed project alignment and other design considerations, surrounding land use development, or utility conflicts, among other factors. Conversely, noise barriers that preliminarily were not considered feasible and reasonable may meet the established criteria and be recommended for construction. This evaluation was conducted in accordance with the highway traffic noise requirements of Title 23 CFR Part 772.

In accordance with NCDOT Traffic Noise Policy, the Federal/State governments are not responsible for providing noise abatement measures for new development for which building permits are issued after the Date of Public Knowledge. The Date of Public Knowledge of the proposed highway project will be the approval date of the Categorical Exclusion (CE). NCDOT strongly advocates the planning, design and construction of noise-compatible development and encourages its practice among planners, building officials, developers and others.

Table 3. Preliminary Noise Barrier Evaluation Results

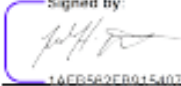
NSA	Noise Barrier (Location)	Length / Height (feet)	Square Footage	Number of Benefited Receptors	Square Feet per Benefited Receptor / Allowable Square Feet per Benefited Receptor	Preliminarily Feasible and Reasonable ("Likely") for Construction
NSA 3	NW3 (US 74 westbound off-ramp to I-277 northbound lanes and north of Central Avenue)	480 / 17	7,920	6	1,320 / 1,500	Yes
NSA 6	NW6 (US 74 eastbound on-ramp northeast of East 7 th Street)	240 / 13	2,990	2	1,495 / 1,500	Yes
NSA 7	NW7 (US 74 westbound lanes between east of Hawthorne Lane and west of Pecan Avenue)	1,140 / 22	24,710	99	250 / 1,500	Yes
NSA 9	NW9 (US 74 westbound lanes in the vicinity of Pecan Avenue and south of Commonwealth Avenue)	600 / 14	8,392	23	365 / 1,500	Yes
NSA 10	NW10 (US 74 eastbound lanes north of Rockaway Drive at the east end of Shenandoah Avenue)	750 / 15	11,105	14	793 / 1,500	Yes
NSA 12	NW12 (US 74 westbound lanes south of Commonwealth Avenue between The Plaza and St. Julien Street)	1,110 / 24	26,386	30	880 / 1,500	Yes
NSA 13	NW13 (US 74 eastbound lanes northwest of Briar Creek Road and southwest of Chesterfield Avenue)	300 / 10	3,000	3	1,000 / 1,500	Yes
NSA 14	NW14.1 (US 74 westbound lanes east of Morningside Drive and west of Rockaway Drive)	600 / 22	13,200	20	660 / 1,500	Yes
NSA 14	NW14.2 (US 74 westbound on-ramp lanes from Briar Creek Road and south of Shenandoah Avenue)	450 / 14	6,310	5	1,262 / 1,500	Yes
NSA 15	NW15 (US 74 westbound lanes east of Briar Creek Road)	560 / 20	11,365	3	3,788 / 1,500	No

Note: The potential barrier associated with NSA 15 was not reasonable since the quantity per benefited receptor (square footage of wall) exceeds the allowable quantity per benefited receptor.

H. Categorical Exclusion Approval:

STIP Project No.	<u>U-6103</u>
WBS Element	<u>48136.1.1</u>
Federal Project No.	<u>TBD</u>

Prepared By:

6/24/2026	Signed by:  14CE582CE015407
<u>Date</u>	<u>Ford Tanner, PE</u> <u>RS&H Architects-Engineers-Planners, Inc.</u>

Prepared For:

Bryan Key, Team Lead,
Project Management Unit (Divisions 7, 9, 10), NCDOT

Reviewed By:

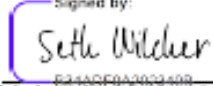
6/24/2026	Signed by:  826820CE02A1F02
<u>Date</u>	<u>Jennifer Harris, PE, Project Manager for NCTA</u> <u>North Carolina Department of Transportation</u>

☐ **Approved**

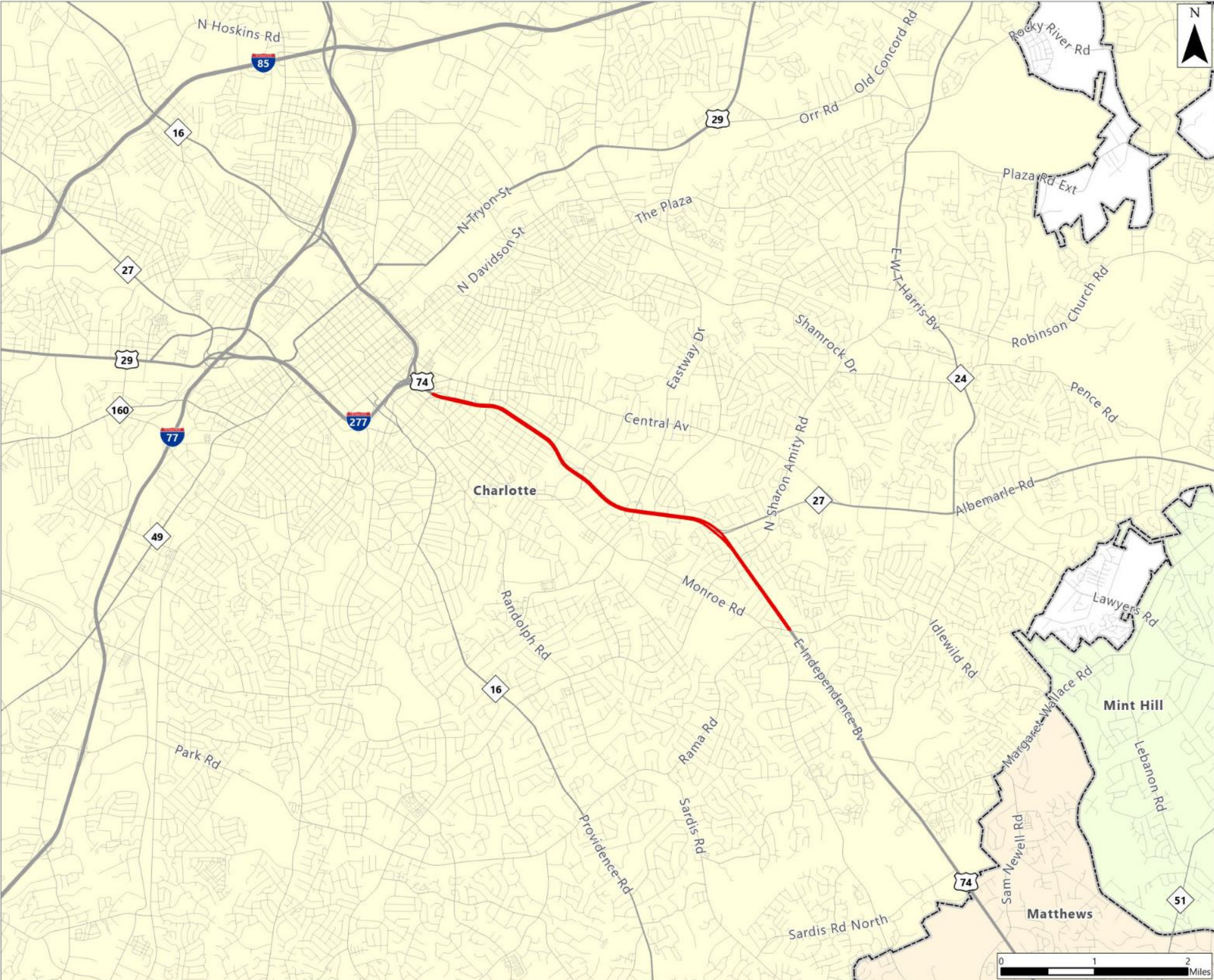
☒ **Certified** • If classified as Type III Categorical Exclusion.

6/24/2026	Signed by:  0598D843CE54C4
<u>Date</u>	<u>Marissa Cox, CPM, Environmental Policy Unit Western Regional Team Lead</u> <u>North Carolina Department of Transportation</u>

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

6/25/2026	Signed by:  6244CE0A2002498
<u>Date</u>	<u>for Yolonda K. Jordan, Division Administrator</u> <u>Federal Highway Administration</u>

Note: Prior to ROW or Construction authorization, a [consultation](#) may be required (please see Section VIII of the NCDOT-FHWA CE Programmatic Agreement for more details). Upload final documentation to ATLAS workbench and add commitments to the green sheet and Commitments dashboard.



Mecklenburg County

Mecklenburg County

US 74 Express Lanes

Widen US 74 from I-277 to west of Idlewild Road to allow for two-way express lanes.

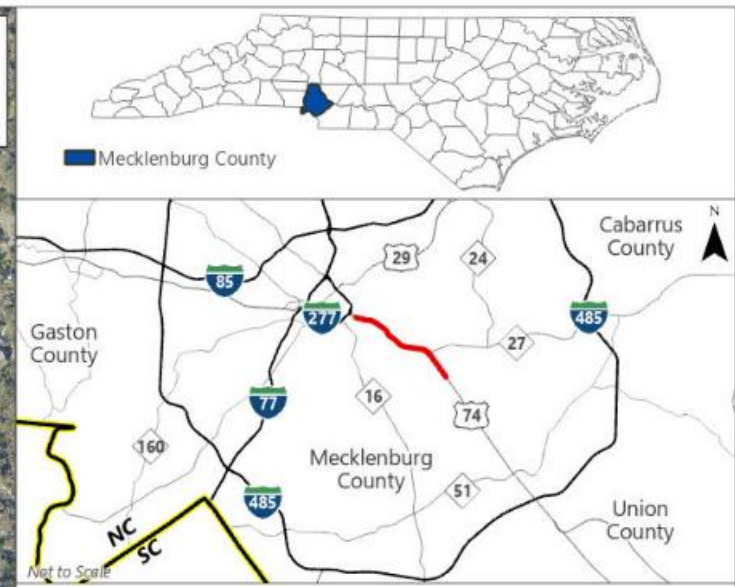
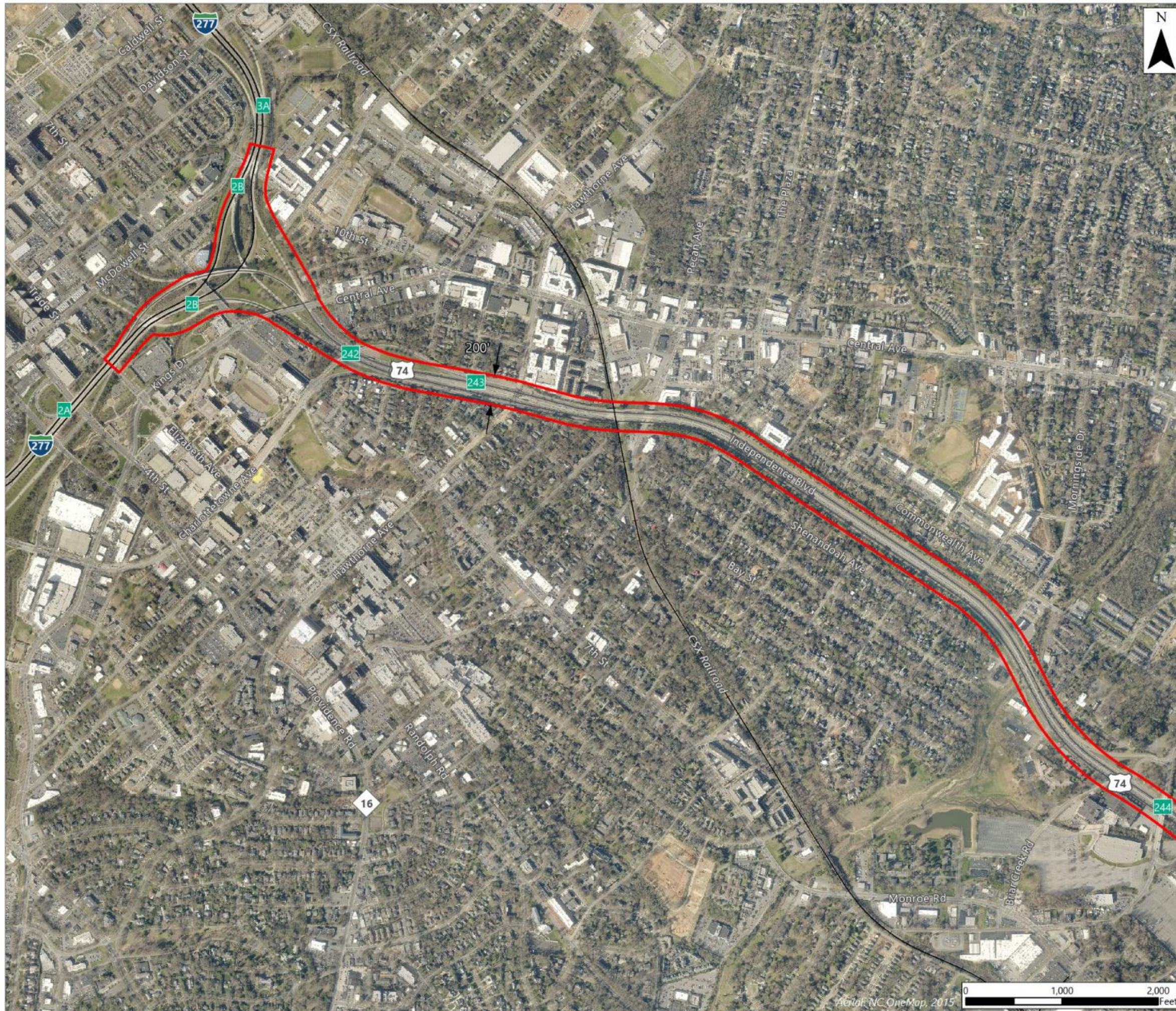
Legend

- U-6103 Project Limits
- Municipal Boundary

STIP: U-6103 WBS: 48136.1.1 Division: 10

Figure 1. Project Vicinity Map

June 2026



US 74 Express Lanes

Widen US 74 from I-277 to west of Idlewild Road to allow for two-way express lanes.

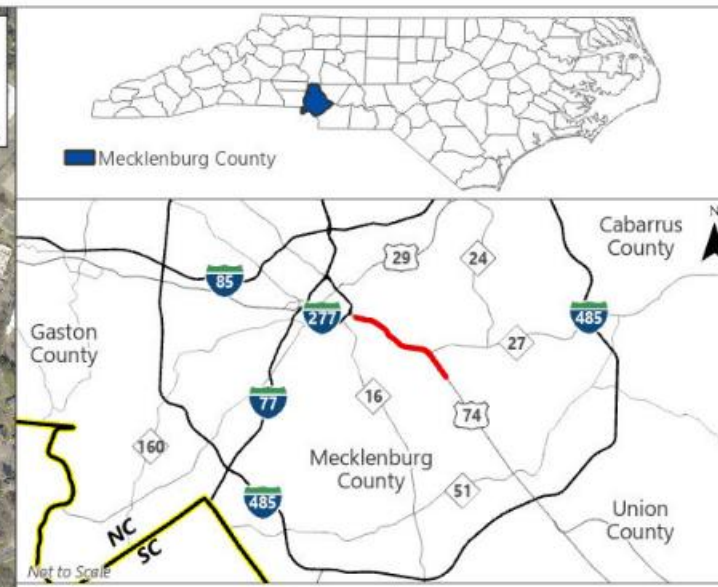
Legend

- Project Study Area
- Railroad
- Exit No.

STIP: U-6103 WBS: 48136.1.1 Division: 10



Figure 2. Project Study Area Map
Sheet 1 of 2
June 2026



US 74 Express Lanes

Widen US 74 from I-277 to west of Idlewild Road to allow for two-way express lanes.

Legend

- Project Study Area
- Railroad
- Exit No.

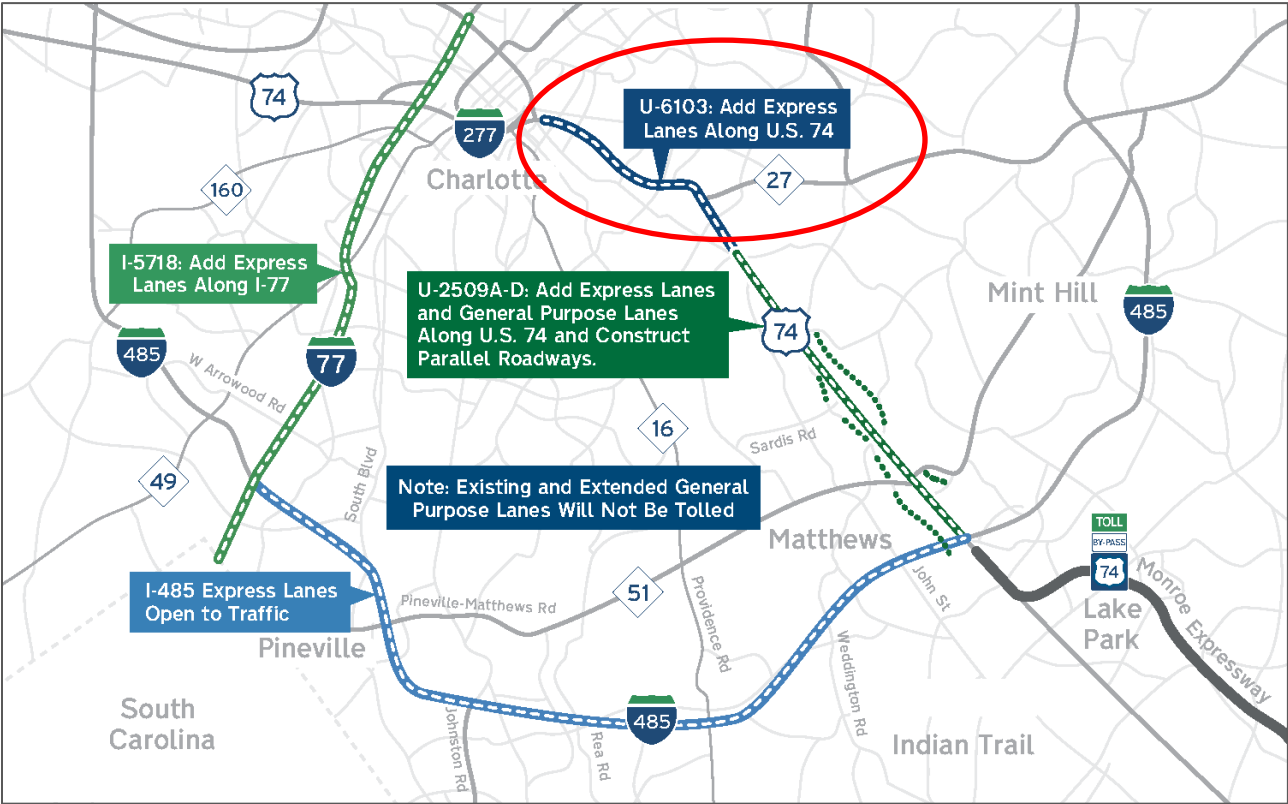
STIP: U-6103 WBS: 48136.1.1 Division: 10



RS&H

Figure 2: Project Study Area Map
Sheet 2 of 2
June 2026

Figure 3. Charlotte Region Express Lanes Network (existing & future)



PROJECT COMMITMENTS

**US 74 (INDEPENDENCE BOULEVARD) FROM I-277 TO WEST OF IDLEWILD ROAD. WIDEN
ROADWAY TO ALLOW FOR TWO-WAY EXPRESS LANE OPERATIONS**

TIP Number: U-6103

County: Mecklenburg

WBS: 48136.1.1

COMMITMENTS FROM PROJECT DEVELOPMENT AND DESIGN

Division Office - Historic Resources

Replace chain link fence adjacent to the sidewalk at Charlotte Merchandise Mart (Park Expo) (MK0866) if removed during construction. Add protective fencing along the right-of-way line at the intersection of US 74 (Independence Boulevard) and Paul Buck Boulevard just east of Ovens Auditorium (MK1779) to protect tree roots during the replacement of the sidewalk curb ramp.

Division Office - GeoEnvironmental Sites of Concern

Coordinate Phase II investigations with NCDOT GeoEnvironmental Unit prior to right-of-way acquisition.

Roadside Environmental Unit - Riparian Area Restoration

Replant riparian areas with native, fast-growing tree and shrub species such as American sycamore (*Platanus occidentalis*), river birch (*Betula nigra*), silky dogwood (*Cornus amomum*), and black willow (*Salix nigra*) where vegetation has been removed. Riparian plantings will not occur in utility, drainage, and construction easements. If excess property is available outside normal maintenance limits at bridge locations, riparian plantings will be installed where safety requirements allow.

Roadside Environmental Unit - Tree Clearing and/or structure removal reporting

For each project involving tree clearing or structure removal, submit final numbers of tree clearing and/or number of structures demolished and the date(s) that these activities actually occurred. This will ensure accurate payments and submittal to USFWS in the required annual report. Numbers must be reported using the link to the PBO Reporting Requirement Form on the Biological Surveys Group (BSG) Connect site here <https://forms.cloud.microsoft/g/iiEeEtHFU4>.

Project Management (PMU/SMU/Division) - Stormwater (FEMA) Buyout Properties

Continue to minimize impacts to Parcel 12910170.

Project Management (PMU/SMU/Division) - Charlotte Area Transit System (CATS) Coordination

Continue to coordinate with CATS regarding U-6103's impact on the future Silver Line light rail project.

COMMITMENTS FROM PERMITTING

No permitting commitments developed to date.

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

U-6103

48136.1.1

**US 74 (INDEPENDENCE BOULEVARD) FROM I-277 TO WEST OF IDLEWILD ROAD. WIDEN
ROADWAY TO ALLOW FOR TWO-WAY EXPRESS LANE OPERATIONS**

Last Modified Date: 06/09/2026