

Appendix E

FHWA and Oregon DOT

Categorical Exclusion (CE)

Closeout

OR38: Scottsburg Bridge Replacement

Project- U.S. Coast Guard Permit

Application

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This project cannot be approved by ODOT because the project does not meet the provisions of the 2015 ODOT FHWA Programmatic Categorical Exclusion Agreement due to the following circumstances:

Require a U.S. Coast Guard permit.		
Result in a determination of "Adverse Effect" on historic properties under Section 106 of the National Historic Preservation Act.		
Require the acquisition of more than minor amounts of right-of-way or displacement of owners and/or tenants.		
Project Name: OR38: Umpqua River (Scottsburg) Bridge Replacement		Region: 3
Federal Aid #: S045(054)	ODOT Key #: 18578	
City / County: Douglas County	FHWA Nexus: PE & CON funding	
Project Sponsor: ODOT		
<p>Project Description: The Umpqua River (Scottsburg) Bridge, located on OR38 between mile points 16.35 and 16.52, is showing significant signs of deterioration, including damaged steel, significant rust and paint loss on the truss, concrete spalling, deck damage, and damaged bearings. The bridge is also extremely narrow with sharp curves at each end, resulting in frequent minor vehicle contact and more severe bridge strikes and vehicle crashes. The bridge will be replaced with a new structure on a new alignment just west of its current location. The new alignment will also lessen the degree of the curves on each end of the bridge. Tying the new bridge into the existing highway will expand the project limits to being between mile points 16.1 and 16.8. The project also includes realigning the connections to local roads within the project limits.</p>		
<p>Required Attachments: Prospectus Part 3: <input checked="" type="checkbox"/> Project Area Map <input checked="" type="checkbox"/></p>		
Discipline / Resource	Required Compliance / Status Information	Required Attachments
Right-of-Way	<p>This project includes eight Right of Way files, totaling 14.65 acres. Of this, 6.0 acres will be acquired in Fee, 3.28 acres will be obtained as Permanent Easements, and 5.37 acres will be obtained as Temporary Easements.</p> <p>There will be two displacements on the NW side of the existing bridge as a result of this project. One is a residential occupant in a stick built house on a 1.04 acre parcel. The other one is a part-time resident in a recreational vehicle on a 0.54 acre parcel.</p> <p>In addition, ODOT is obtaining an easement from the Oregon Department of State Lands, since this project is being built over the Umpqua River (which is a Navigable waterway).</p>	None
Land Use	<p>This project required a Conditional Use Permit from the Douglas County Planning Department for impacts to the Estuarine Conservation Zone. That permit was issued to ODOT by the Douglas County Planning Department on 12/13/2018. In addition, this project required a "No Rise" Certificate and subsequent approval from the Douglas County Planning Department. That approval was issued to ODOT by the Douglas County Planning Department on 02/19/2019.</p>	None
Socioeconomics	<p>Since the new bridge will be built on a slightly different alignment, there will be displacements on two properties. These properties (described in the Right-of-Way Section above) are located on the NW quadrant of the project.</p> <p>Traffic impacts during construction will be minimal. The proposed bridge will be built on a slightly different alignment (west of the current alignment). Thus, traffic will remain on the existing bridge while the new bridge is being constructed. Then, when the new bridge (and associated roadway alignment) has been completed, traffic flow will then be diverted onto the new structure while the "older" structure is removed. This section of OR38 had an Average Daily Traffic (ADT) count of 3700 in 2016. This project will benefit the traveling public by providing a wider, safer bridge with a better alignment that should reduce the frequency and severity of vehicle collisions with the bridge.</p>	None
	<p>According to the EPA's EJ Screen website, the statewide averages for minority and low-income residents are 23% and 36%, respectively. This website also indicates that approximately 8% of residents within 0.5 mile of the area surrounding the</p>	

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Environmental Justice	<p>project are minority residents and that 29% are from low-income households. In addition, field visits have verified that no minority or low-income populations would be adversely impacted by the proposed project. Therefore, in accordance with the provisions of E.O. 12898 and FHWA Order 6640.23, no further EJ analysis is required.</p>	None
CWA Section 404 / Wetlands / Waters	<p>This project requires permits from the Oregon Department of State Lands (DSL), the U.S. Coast Guard (USCG), and the U.S. Army Corps of Engineers (USACE). Since the Umpqua River is a Navigable Waterway, the bridge-related components of this project are under the jurisdiction of the USCG. A USCG Bridge Permit Application is currently being completed. The USCG will provide the federal permit for bridge-related impacts resulting from this project. The new bridge will be a fixed steel girder bridge that is 1280 feet long and 47.08 feet wide. The bottom of the bridge deck will be placed at an elevation of 54.6 feet, which is 15.5 feet above the 100-year floodplain. The new bridge will place a bent at each edge of the Umpqua River, and two additional bents in the midst of the river. The Umpqua River is 554 feet wide at this location. A temporary work bridge will also be installed. This temporary work bridge will be 725 feet long and 25 feet wide. The vertical clearance for the temporary structure will be at least 12 feet above Mean High Tide and have a horizontal clearance (span length) of at least 40 feet.</p> <p>This project will have no impacts to Wetlands. There will, however, be impacts to one jurisdictional ditch located on the north side of the bridge. Impacts to the jurisdictional ditch will be mitigated by construction of the new ditch and the installation of water quality swales on the north end of the bridge. These ditch impacts fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE). Thus, we are obtaining a permit from the USACE for these impacts under Nationwide 14.</p> <p>In addition, ODOT received approval from the Oregon State Marine Board in regards to their Navigable clearance standards via email on December 13, 2016.</p>	None
Water Quality	<p>Replacing the bridge and realigning this section of roadway triggered the need for stormwater treatment. This project will treat all contributing impervious surface with the installation of a bioswale and through on-site infiltration. The bioswale will be located on the north side of the river. It will be 165 feet long with a 7 ft wide flat bottom and 18 inches of amended soil. Stormwater treatment for the rest of the project area will be attained through infiltration.</p> <p>Section 401 Water Quality Certification was obtained from the Oregon Department of Environmental Quality on February 6, 2019.</p>	None
ESA / T&E Species	<p>To address this project's impacts to Federally threatened Oregon Coast Coho Salmon, Northern Spotted Owls, and Marbled Murrelets, a Federal Aid Highway Programmatic (FAHP) Notification Form was sent to the Federal Highway Administration (FHWA) on February 21, 2019. FHWA concurred with this document on February 22, 2019. Concurrence from the National Marine Fisheries Service (NMFS) or the US Fish & Wildlife Service (USFWS) was not required for this project. The signed FAHP Notification Form is attached.</p> <p>This project will have no impacts to ESA-listed plant species. Thus, ODOT Biologist Julie Worsley completed a "No Effect" Memo to clear this project for ESA-listed plants on August 13, 2018. That document is also attached.</p> <p>In addition, this bridge project required a Fish Passage Plan approved by the Oregon Department of Fish & Wildlife (ODFW). ODOT obtained concurrence from ODFW for the Fish Passage Plan on October 25, 2018.</p>	<p>FAHP Notification for impacts to ESA-listed fish and wildlife species</p> <p>"No Effect" Memo for ESA-listed plant species</p>

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<p>NHPA Section 106 (Cultural Resources)</p>	<p>The Section 106 Finding for this project is: "Historic Properties Adversely Affected".</p> <p>In regards to Section 106 Historic (Built) Resources, this project will replace the existing 1929 Scottsburg Bridge over the Umpqua River. SHPO agreed that this bridge was eligible for listing on the National Register on April 19, 2017 (See attached DOE). SHPO also concurred on April 19, 2017 that the replacement of the bridge will result in an "Adverse Effect" (See attached Finding of Effect form for the bridge).</p> <p>Between September 2016 and October 2017, archaeologists with the Oregon Museum of Natural and Cultural History (OMNCH) conducted pedestrian and subsurface surveys throughout the entire project area. For most of the project area, nothing was found to be eligible for the National Register of Historic Places. One resource was found. However, it was determined to be outside of the Area of Potential Effect (APE) and will easily be avoided. Thus, this project will have no impacts to Archaeological Resources.</p> <p>For the overall project, a Joint Finding of Effect (Historic and Archaeology) was submitted to SHPO on July 17, 2018. SHPO concurred with the Finding of "Historic Properties Adversely Affected" on July 26, 2018. That signed document is attached.</p> <p>To properly mitigate for the Adverse Effect resulting from this bridge replacement project, the Oregon Department of Transportation completed a Memorandum of Agreement (MOA) with the Federal Highway Administration (FHWA) and the State Historic Preservation Office (SHPO). Mitigation elements documented in the MOA include the construction of "monuments" at each of the four corners of the new bridge. These monuments will be similar to existing monuments on the US101: McCullough Bridge over Coos Bay and the US101: Siuslaw River Bridge in Florence. Other mitigation elements include installing interpretive panels adjacent to the new bridge that reference the old bridge and its Historic significance. The Memorandum of Agreement was signed by all parties on March 21, 2019. That document is also attached.</p>	<p>Section 106 Determination of Eligibility for the bridge</p> <p>Section 106 Finding of "Adverse Affect" for the bridge</p> <p>Section 106 Joint Finding of Adverse Effect for Archaeology and Historic (Built) Resources</p> <p>Section 106 Memorandum of Agreement</p>
<p>Visual Resources</p>	<p>OR38 is a part of a State-designated Scenic Byway. However, this project is not next to a Federally-designated Wild & Scenic River or State Scenic Waterway. Visual impacts that will result from this project will be negligible. Thus, a Visual Impact Assessment (VIA) Memorandum was completed for this project on June 29, 2018.</p>	<p>None</p>
	<p>The bridge, which is considered eligible for listing in the National Register of Historic Places, will be replaced by a new structure on a slightly different alignment. A Section 106 Finding of Effect, prepared for FHWA by ODOT, resulted in a finding of "Historic Properties Adversely Affected" for the project's effects to the Umpqua River (Scottsburg) Bridge (#01318). The Oregon SHPO concurred with that adverse effect finding on April 24, 2017. Consequently, the project impacts constitute a Section 4(f) use.</p> <p>Section 4(f) requires that ODOT "Market" the bridge. Thus, ODOT ran a Legal Notice in four Oregon newspapers during the month of July 2018 soliciting proposals for re-use of the bridge. ODOT received no proposals. ODOT Historic Resources Specialist Larissa Rudnicki completed a Section 4(f) document for impacts related to the replacement of the Historic bridge. FHWA concurred with this document on March 21, 2019. That document is attached.</p>	<p>Section 4(f) document for impacts related to the replacement of the Historic bridge</p>

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Section 4(f)	<p>In addition, ODOT plans to purchase 3.67 acres of property owned by the Douglas County Parks Department on the south side of the Umpqua River for this bridge replacement project. This undeveloped piece of property is on the same tax lot as the Scottsburg Park (although roughly ½ mile away from the developed portion of the property).</p> <p>A Section 4(f) De Minimis document was completed to discuss the impacts and mitigation for these impacts. ODOT coordinated extensively with the Douglas County Parks Department regarding these impacts. ODOT is incorporating an access from OR38 and a crossing underneath the proposed bridge that will leave a 17 foot clearance and facilitate future park development in this currently undeveloped property. A Legal Notice ran in two Oregon newspapers for two weeks during late July and early August 2018 soliciting comments from the public regarding the impacts to the park property. Only one response was obtained, which was a request for project information.</p> <p>ODOT Historic Resources Specialist Larissa Rudnicki completed a Section 4(f) de minimis document for impacts to the Scottsburg Park property. Douglas County concurred with this document on October 1, 2018. FHWA concurred with this document on March 21, 2019. That document is also attached.</p>	Section 4(f) de minimis document for impacts to the Scottsburg Park property
Section 6(f)(3)	This project will have no impacts to Section 6(f) resources. There are no Section 6(f) resources in the project vicinity.	None
Air Quality	<p>1. Regional Conformity- This project is listed in the 2018-2021 STIP and is not located in an Air Quality "non-attainment" or "maintenance" area.</p> <p>2. Project-Level Conformity- According to ODOT's Air Quality Manual, this project is listed as a Table 2 project and is, therefore, exempt from project-level conformity and no analysis is needed.</p> <p>3. MSAT Considerations- Based on FHWA's guidance dated October 18, 2016, this project falls in the category of "Exempt or a Project with No Meaningful Potential MSAT Effects" because it qualifies as a categorical exclusion under 23 CFR 771.117(c)(28).</p>	None
Noise	The proposed alignment will move the bridge and associated roadway to the west. This, in turn, will "halve the distance" to two residences, making this project a Type 1 project. However, those residences will be directly impacted and ODOT is committed to acquiring those properties. Since those residences will no longer be there, a traffic noise study was not required for this project (Carole Newvine, ODOT Noise Program Manager, via email on March 15, 2017).	None
Hazardous Materials	Region 3 Hazardous Materials Coordinator Kenny Camp completed HazMat reports for this project on July 6, 2015 and May 9, 2017. Based on the results of those reports, Laboratory Data indicated that the painted metal portions (truss, etc.), of the Scottsburg Bridge contain elevated levels of Lead and Chromium. The paint removed from the metal portions of the bridge will need to be disposed of as a Hazardous Waste. Laboratory Data also indicated that the concrete coating portions of the Scottsburg Bridge contain elevated levels of Mercury, Arsenic, Barium, Cadmium, Chromium, and Lead. The concrete coatings are below the leachable standards and would be considered a Solid Waste. Special Provisions will be included for proper handling and disposal of these materials. No further HazMat Analysis is required for this project.	None
Tribal Coordination	See Attached	Tribal Coordination Summary
	<p>ODOT held two Public Meetings in Scottsburg regarding this bridge replacement project. The first meeting was an Open House held on the evening of January 11, 2017 and was attended by approximately 70 people. A presentation also was given to the Scottsburg Community Association on October 11, 2017, which was attended by approximately 40 members of the public.</p> <p>A Legal Notice was printed in four Oregon newspapers (the Eugene Register Guard, the Roseburg News Review, the Medford Mail Tribune, and the Coos Bay</p>	

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Public Outreach	<p>World) that ran twice weekly during the month of July 2018 soliciting proposals for the repurposing of the existing historic bridge.</p> <p>An additional Legal Notice was printed in the Roseburg News Review and the Coos Bay World that ran twice weekly for two weeks during July and August 2018. This Legal Notice solicited comments from the public in relation to project-related impacts to land owned by the Douglas County Parks Department.</p> <p>Prior to construction, Public Notice will be provided to both the nearby property owners and the general public. Project information will also be posted on the Tripcheck website.</p>	None
Other Federal Agency NEPA Approvals	United States Coast Guard	None
Environmental Commitments	Per the Section 106 Memorandum of Agreement, ODOT will research, design, and install interpretive signage highlighting the community of Scottsburg and their historic features. ODOT agrees to complete this work in the next five years and will provide yearly updates to SHPO and FHWA.	None
This project qualifies as a categorical exclusion as outlined in 23 CFR §771.117 under the following listed CEs:		
d-13		
This information demonstrates that the specific conditions/criteria for an FHWA categorical exclusion are satisfied and that neither significant environmental effects, as described in 23 CFR §771.117 (a) nor unusual circumstances, as described in 23 CFR §771.117 (b) will result.		
Sam Dunnivant <small>Digitally signed by Sam Dunnivant Date: 2019.03.21 14:00:01 -07'00'</small>	COLLINS James D <small>Digitally signed by COLLINS James D Date: 2019.03.21 14:52:16 -07'00'</small>	EMILY A CLINE <small>Digitally signed by EMILY A CLINE Date: 2019.03.21 14:59:07 -07'00'</small>
ODOT Region Environmental Coordinator	ODOT Environmental Manager	FHWA Official
Submit one electronically signed CE Closeout Document and attachments to the appropriate FHWA Oregon Division Office Environmental Program contact.		Return signed form and attachments to ODOTNEPAProgram@odot.state.or.us & REC
Upon FHWA Approval, submit this form (with required attachments) to GES via the NEPA Sharesite		
For detailed information regarding preparation of the CE Closeout Document, contact GES NEPA Program Staff .		