



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

State ID P038307

Fed Project # P038307

Route S-37

County Saluda

### Part 1 - Project Description

#### Include the Project Name/Description

S-37 (Rocky Creek Road) over Rocky Creek Bridge Replacement

The purpose of this project is to replace the bridge to eliminate the load restriction placed on it. The existing bridge is posted for load restrictions due to being substandard. It has a sufficiency rating of 44.4. The proposed repair involves replacing the current 42' long bridge with a new bridge on the same alignment utilizing the low volume design criteria.

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

It is not anticipated that new right of way will be required for the replacement of these structures. Should additional right of way be needed, it will be minor temporary or permanent strips. Existing right of way for most locations is 33'. Given the rural locations and field studies conducted, new acquisitions are not anticipated to have negative effects to resources or landowners and will be located within the existing 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 <u>*23 CFR Part 771.117(b)</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2.	The acquisition of more than <u>*minor amounts</u> of temporary or permanent strips of right-of-way	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Part 3 - Thresholds Continued

3.	Involves acquisitions that result in residential or non-residential displacements	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4.	Results in capacity expansion of a roadway by adding through lanes	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5.	Involves construction that would result in <u>*major traffic disruptions</u>	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6.	Involves <u>*changes in access control</u> requiring FHWA approval	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7.	An adverse effect determination under Section 106 of the National Historic Preservation Act.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8.	Use of Section 4(f) property that cannot be documented with a FHWA <i>de minimis</i> determination or a programmatic Section 4(f) other than the programmatic evaluation for the use of historic bridges	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
9.	Any use of a Section 6(f) property	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
10.	Requires an Individual USACE 404 Permit	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11.	Requires an Individual U.S. Coast Guard Permit.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
12.	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	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
13.	Construction in, across, or adjacent to a river designated as a National Wild and Scenic River	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
14.	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	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
15.	May affect and is likely to adversely affect a Federally listed species or designated critical habitat or projects with impacts subject to the BGEPA	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
16.	Involves acquisition of land for hardship, protective purposes, or early acquisition	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
17.	Does not meet the latest Conformity Determination for air quality non-attainment areas (if applicable).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
18.	Any known or potential <u>major</u> hazardous waste sites within the right-of-way.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
19.	Is not included in or is inconsistent with the STIP and/or TIP	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
2. Is there a formal plan to use this parcel for a future transportation project (is it part of an approved LRTP)?	<input type="checkbox"/> Yes	<input type="checkbox"/> 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).

**Additional Comments if Needed:**

Part of CLRB 2020-1 DB package

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 brought 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.

Prepared By:

WILL MCGOLDRICK

Date

May 13, 2019



Will McGoldrick  
 on=Will McGoldrick, o=SCDOT, ou=Environmental Services  
 Office, email=mcgoldrick@scdot.org, c=US  
 2019.05.15 08:33:13 -0400

Primavera:

☐

Yes

☐

No

P2S Date:

Does the project contain

commitments?: (if Yes attach to form)

☒

Yes

☐

No

Date: 10/30/2019

**SCDOT**  
NEPA ENVIRONMENTAL COMMITMENTS FORM



Project ID : P038307 County : Saluda District : District 2 Doc Type: PCE Total # of Commitments: 5

Project Name: S-37 (Rocky Creek Road) over Rocky Creek Bridge Replacement

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:** WILL MCGOLDRICK

**PHONE #:** 803-737-1326

**ENVIRONMENTAL COMMITMENTS FOR THE PROJECT**

**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.

**Non-Standard Commitment**

NEPA Doc Ref:

Responsibility:

CONTRACTOR

**MIGRATORY BIRDS**

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 will 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. SCDOT will be responsible for the removal/management of any active bird nests.


**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).

Project ID : <input type="text" value="P038307"/>	SCDOT NEPA ENVIRONMENTAL COMMITMENTS FORM	
<b>ENVIRONMENTAL COMMITMENTS FOR THE PROJECT</b>		

<b>Cultural Resources</b>	NEPA Doc Ref: <input type="text"/>	Responsibility: <input type="text" value="CONTRACTOR"/>
<p>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.</p>		

<b>Non-Standard Commitment</b>	NEPA Doc Ref: <input type="text"/>	Responsibility: <input type="text" value="CONTRACTOR"/>
<div>Cemetery Avoidance</div> <div>No land disturbance will be allowed at the cemetery near the Rocky Creek Bridge. The cemetery shall be clearly identified in the field and avoided.</div>		

<input type="text"/>	NEPA Doc Ref: <input type="text"/>	Responsibility: <input type="text"/>
<div></div>		



# Cultural Resources Project Screening Form

File Number:  PIN:  Route:  County:

Project Name:

Type 1: Resurfacing, installation of fencing, signs, pavement markings, traffic signals, passenger shelters, railroad warning devices, installation of rumble strips, and landscaping

Project Type

Type 2: Bridge replacements on alignment, construction of bicycle/pedestrian facilities, and intersection improvements

Type 3: Projects that do not fall into Type 1 and Type 2 categories (e.g. road widening)

## Comments

This project replaces the load restricted bridge carrying S-37 over Rocky Creek. The study area consisted of a 100 ft wide corridor straddling S-37 for a distance of 700 ft on either side of the bridge, widening to 200 ft at the bridge. Background review indicated no previously recorded cultural resources were present within the study area. The current bridge (Asset No. 2414) carrying S-37 over Rocky Creek is recommended not eligible for the National Register of Historic Places (NRHP). A cultural resources survey was done 4/30/2019. It consisted of a pedestrian reconnaissance augmented by the excavation of shovel test pits (STP). A total of 21 STPs were excavated. Seven potential STP locations were examined but not excavated due to ground disturbance. All of the STPs were negative. Rocky Creek Church and Cemetery were adjacent to the study area. The church and cemetery were recorded as Site Nos. 30 and 30.01, the cemetery as archaeological site 38SA261. All are recommend not eligible for the NRHP. Although no disturbance to the cemetery is expected, as a precaution a commitment will be placed on the project environmental document prohibiting ground disturbing activities within the cemetery. There are no other cultural resources concerns for this project.

Effect Determination:

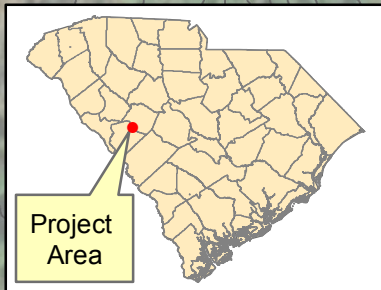
\*SHPO consultation is required for all Type 3 projects and any project with a No Adverse or Adverse Effect Determination.

This screening form was developed to satisfy documentation requirements for Type I and Type II projects under a Programmatic Agreement between the Federal Highway Administration, the South Carolina State Historic Preservation Office, the US Army Corps of Engineers, and the South Carolina Department of Transportation. For Type I and Type II projects that have no effect on historic properties, the completion of this screening form with supporting documentation (e.g. ArchSite Map) provides evidence of FHWA and SCDOT's compliance with Section 106 of the National Historic Preservation Act.

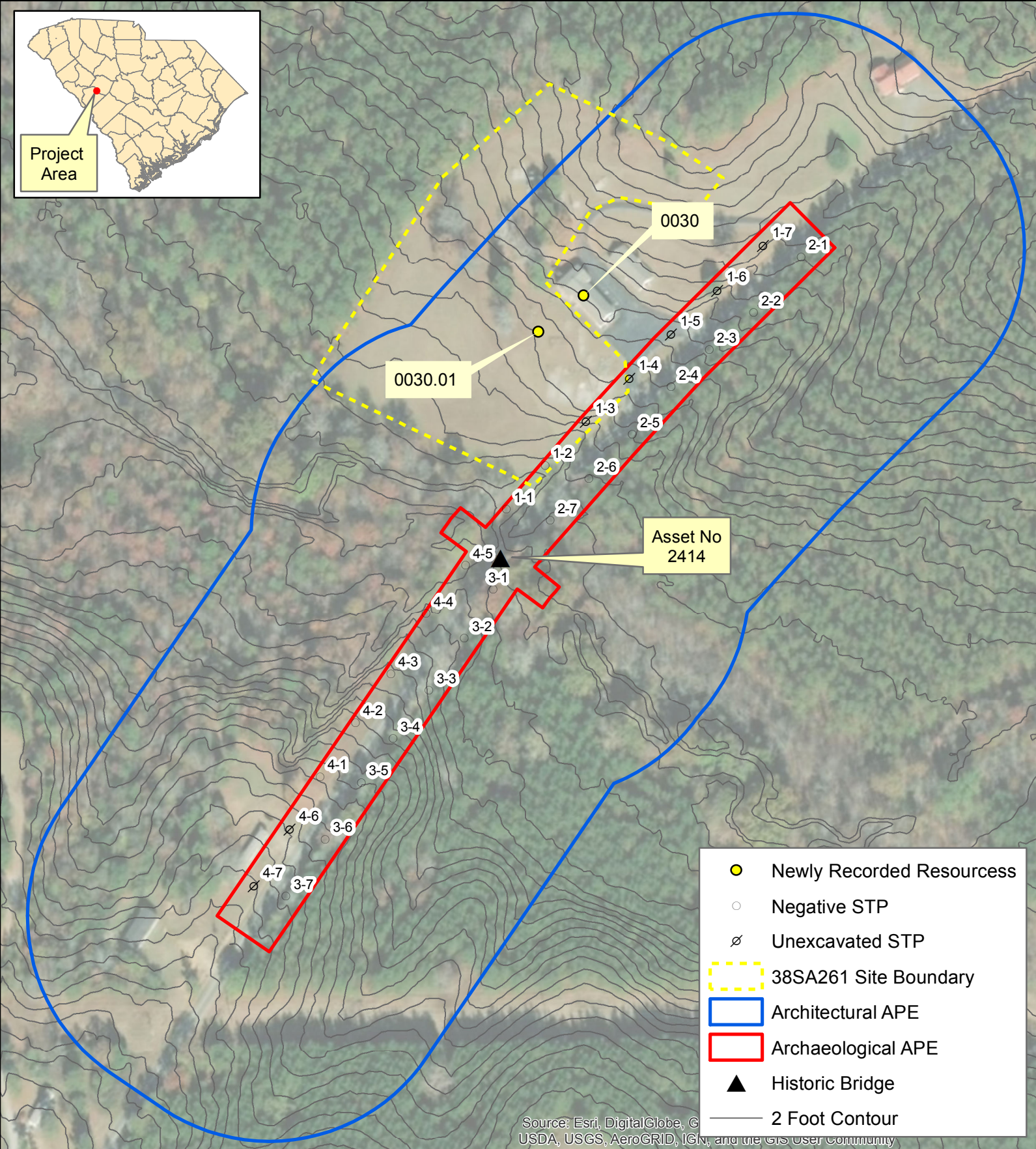
Prepared by:

Review Date:





Project Area



- Newly Recorded Resources
- Negative STP
- ∅ Unexcavated STP
- 38SA261 Site Boundary
- Architectural APE
- Archaeological APE
- ▲ Historic Bridge
- 2 Foot Contour

Source: Esri, DigitalGlobe, GeoEye, USDA, USGS, AeroGRID, IGN, and the GIS User Community

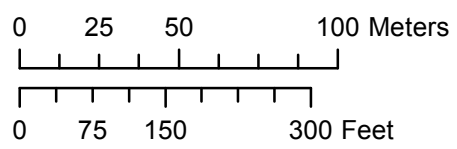
Date:  
May 6, 2019

**Saluda County**  
**Load Restricted Bridges**

**S-37 over Rocky**  
**Creek**



Project ID: P038307



Biological Survey of S-37 Bridge Replacement over Rocky Creek  
Saluda County, SC  
3/26/2019

Pursuant to Section 7 of the Endangered Species Act a field survey was conducted on the proposed new right of way. The following list of threatened (T) and endangered (E) species was obtained from the U.S. Fish and Wildlife Service:

**Animals**

Red-cockaded woodpecker (*Picoides borealis*) - E  
Carolina heelsplitter (*Lasmigona decorata*) – E  
Bald eagle (*Haliaeetus leucocephalus*) – BGEPA

**Plants**

Harperella (*Ptilimnium nodosum*) – E  
Little amphianthus or Pool sprite (*Amphianthus pusillus*) - T

**Methods**

The project area was examined in the field on February 27, 2019. Habitats surveyed were determined by each species' ecological requirements.

**Results**

This project involves replacing a load restricted bridge. The project corridor is very rural with a few nearby residences.

According to the Heritage Trust database of endangered, threatened and rare species, there have been no recorded observations of any of the listed species within a 2 mile radius of the project area. The project area is within the slate belt. The creek was clear with shifty sands that does not provide ideal habitat for the Carolina heelsplitter. A few mussels were found but they were not Carolina heelsplitters. The project area is within the white nose syndrome zone for the Northern long-eared bat but not within 0.25 miles of a known hibernaculum and not near any known maternity roost trees. Based on lack of suitable habitat and/or no observations of the listed species during field surveys, results of the threatened and endangered species study indicate that the proposed action will have no effect upon any threatened or endangered species or critical habitats currently listed by the USFWS.

*Ann-Marie Altman*



Date: 4/8/2019

## PERMIT DETERMINATION

FROM Chris Beckham COMPANY SCDOT

CONTACT INFO (phone and/or email) 803-609-9464

SCDOT PROJECT ENGINEER Design Build

TO Will McGoldrick - Design Build Coordinator

Project Description Replace the S-37 bridge over Rocky Creek

Route or Road No. S-37 County Saluda

CONST. PIN P038299 OTHER PINS or STRUCTURE # \_\_\_\_\_

RESPONSE:

☒ It has been determined that no permits are required because:  
Based on the project scope, no WOUS will be impacted.

☐ The following permit(s) is/are necessary:  
(Please check which type(s) of permit the project will need)

USACE Permit ☐ GP ☐ IP ☐ 401 ☐ JD

OCRM Permit ☐ CAP ☐ CZC

Navigable ☐ SCDHEC NAVGP — if checked a USCG and/or USACE navigable permit may also be required, but will be determined during the NEPA and Permitting stages.

Other \_\_\_\_\_

Water Classification: FW *Print and attach the SCDHEC water quality report*

303(d) listed ☒ no ☐ yes, for \* \_\_\_\_\_

TMDL developed ☐ no ☒ yes, for \* E. coli

\*List all that apply using the SCDHEC abbreviations

Comments: \_\_\_\_\_

The determination above was based on the most recently available information at the time. This is a preliminary determination and is subject to change if the design of the project is modified.

**Chris Beckham**  
Digitally signed by Chris Beckham  
DN: cn=Chris Beckham, o=SCDOT, ou=ESO,  
email=beckhamjc@scdot.org, c=US  
Date: 2019.04.08 11:51:35 -0400  
Biologist, SCDOT/Consultant

**4/8/19**  
Date



Bridge over Rocky Ck

S-37 Saluda

Legend

0170009600100

Rocky Creek

4170003700100

520

500

Rocky Creek Rd

Boulder Rd

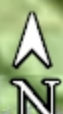
Seebell Ln

Wetland Types

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Status Map

- Digital Data
- No Data



Earth Point

900 ft





2/4/2019

## Watershed and Water Quality Information

### General Information

Applicant Name: SCDOT

Permit Type: MS4

Latitude: 33.891685

Longitude: -81.851603

MS4 Designation: Not in designated area

Monitoring Station: SV-352

Within Coastal Critical Area:

Water Classification (Provisional): FW

Waterbody Name: ROCKY CREEK

Entered Waterbody Name:

### Parameter Descriptions

NH3N	Ammonia	FC	Fecal Coliform
CR	Chromium	FCB	Fecal Coliform (Shellfish)
CU	Copper	BIO	Macroinvertebrates (Bio)
HG	Mercury	TP	(Lakes) Phosphorus
NI	Nickel	TN	(Lakes) Nitrogen
PB	Lead	CHLA	(Lakes) Chlorophyll a
ZN	Zinc	ENTERO	(Beach) Enterococcus
DO	Dissolved Oxygen	HGF	Mercury (Fish)
PH	pH	PCB	PCB (Fish)

### Impaired Status (downstream sites)

Station	NH3N	CR	CU	HG	NI	PB	ZN	DO	PH	TURBIDITY	ECOLI	FCB	BIO	TP	TN	CHLA	ENTERO	HGF	PCB
SV-352	F	F	F	F	F	X	F	F	F	F	T	A	X	X	X	X	X	X	X
SV-063	A	A	A	A	A	X	A	A	A	A	A	A	F	X	X	X	X	X	X

F = Standards Fully Supported

A = Assessed at Upstream Station

T = Within TMDL Approved Watershed

N = Standards Not Supported

X = Parameter Not Assessed at Station

### Parameters to be addressed (those not supporting standards)

ECOLI

### Fish Consumption Advisory

### TMDL Information - TMDL Parameters to be addressed

In TMDL Watershed: Yes

TMDL Site: SV-352

TMDL Report No: 0406-17

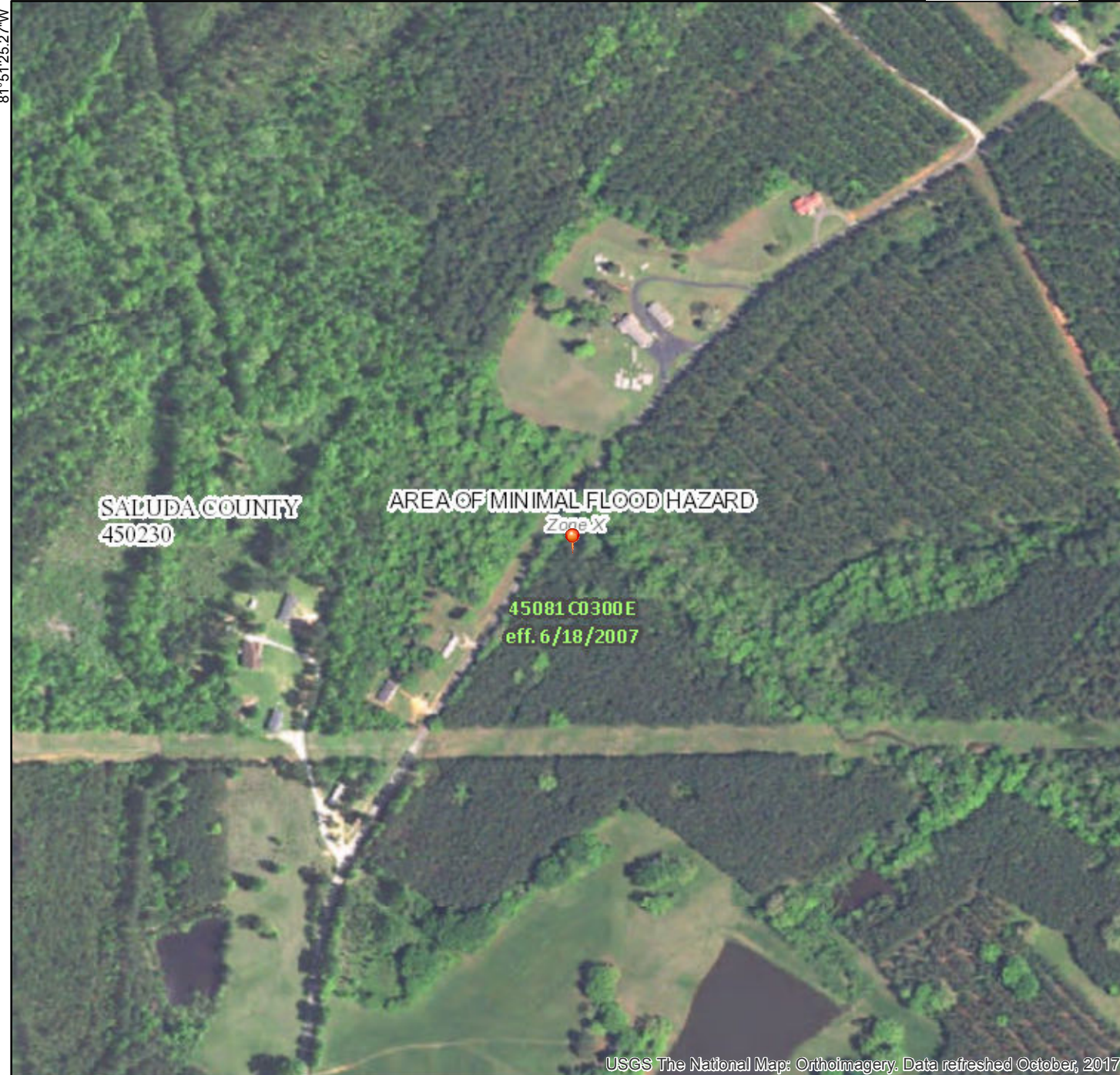
TMDL Parameter: Ecoli

TMDL Document Link: [http://www.scdhec.gov/HomeAndEnvironment/Docs/Turkey\\_Creek\\_FC\\_ECOLI\\_TMDL.pdf](http://www.scdhec.gov/HomeAndEnvironment/Docs/Turkey_Creek_FC_ECOLI_TMDL.pdf)

# National Flood Hazard Layer FIRMette



33°53'44.17"N



USGS The National Map: Orthoimagery. Data refreshed October, 2017.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/3/2019 at 2:03:06 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.