

Cairo Bridge Project Finding of No Significant Impact

Ritchie County, West Virginia

State Project: S343-31-9.82
Federal Project: STP-0031(037)D



U.S. Department of Transportation
Federal Highway Administration



West Virginia Department of Transportation
Division of Highways



April 2018

FEDERAL HIGHWAY ADMINISTRATION
FINDING OF NO SIGNIFICANT IMPACT: CAIRO BRIDGE PROJECT
RITCHIE COUNTY, WEST VIRGINIA

State Project No. S343-31-9.82
Federal Project No. STP-0031(037)D

The Federal Highway Administration (FHWA) and the West Virginia Department of Transportation, Division of Highways (WVDOH) have prepared an Environmental Assessment (EA) to identify and evaluate the potential environmental impacts as a result of the proposed Cairo Bridge Project, located in Ritchie County, West Virginia.

The EA analyzed the potential impacts of the proposed action on the natural, physical, and socioeconomic environments. In accordance with appropriate federal regulations (40 CFR 1502.14 [a]; 23 CFR 771.123 [c]) and FHWA Technical Advisory T 6640.8A, six alternatives were evaluated. They included the No-Build Alternative and five build-alternatives (Alternatives 1A, 2A, 2B, 3, and 4). All of the build alternatives would meet the purpose and need. Following a screening evaluation that included engineering design, environmental data, and public input, Alternative 1B was identified as the Preferred Alternative and carried forward for detailed analysis. All of the build alternatives would impact the Cairo Historic District in similar ways, but after completing a Section 4(f) Evaluation, Alternative 1B was shown to have the least overall harm to the use of the historic district.

Impacts from the Preferred Alternative are not anticipated to be significant on the natural, physical, social, or cultural environs. The combined effects of this project with foreseeable future projects are not anticipated to produce significant cumulative impacts to these resources.

This Finding of No Significant Impact (FONSI) was prepared pursuant to the Council on Environmental Quality Regulations (40 CFR, Parts 1500-1508). The FHWA has determined that the construction of the Preferred Alternative will have no significant impact on the human environment within the meaning of the *National Environmental Policy Act of 1969* (42 USC 4321 et seq.). This FONSI is based on an EA which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

5/4/18

Date



For FHWA

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1.0 Project Summary

The Federal Highway Administration (FHWA), in cooperation with the West Virginia Department of Transportation, Division of Highways (WVDOH), has prepared this Finding of No Significant Impact (FONSI) pursuant to the Council on Environmental Quality Regulations (40 CFR, Parts 1500-1508) for the proposed Cairo Bridge Project. The project is located in the Town of Cairo in Ritchie County, West Virginia.

The existing bridge is located on Main Street (WV 31) in Cairo, West Virginia, and carries traffic over the North Fork Hughes River. The bridge was built in 1925 and is a contributing structure to the Cairo Historic District. In accordance with the appropriate federal regulations (40 CFR 1502.14 [a]; 23 CFR 771.123 [c]) and FHWA Technical Advisory T 6640.8A, six alternatives were evaluated. They included the No-Build Alternative and five build-alternatives (Alternatives 1A, 2A, 2B, 3, and 4). All of the build-alternatives would meet the purpose and need as defined in the Environmental Assessment.

Following a screening evaluation that included engineering design, environmental data, and public input, Alternative 1B was identified as the Preferred Alternative and carried forward for detailed analysis. All of the build alternatives will impact the Cairo Historic District in similar ways, but after completing a Section 4(f) Evaluation, Alternative 1B would have the least overall harm to the use of the historic district. Subsequent to the preparation of the Environmental Assessment (EA), the FHWA determined that construction of the Preferred Alternative will have no significant impact on the human environment within the meaning of the *National Environmental Policy Act of 1969* (42 USC 4321 et seq.) (NEPA).

2.0 Proposed Mitigation

The following table identifies mitigation commitments for the project, as discussed in the EA.

**Proposed Mitigation Commitments
Cairo Bridge Project**

Resource or Element	Mitigation Measure
Property Acquisitions	All properties to be acquired, or used temporarily, will be purchased or utilized in accordance with the <i>Uniform Relocation and Real Property Acquisition Policies Act</i> , Title VI of the <i>Civil Rights Act</i> , and applicable West Virginia laws.

Resource or Element	Mitigation Measure
Land Cover	An approved Erosion and Sedimentation Control Plan will be implemented to minimize impacts to the water quality and habitat of the project area streams. All disturbed areas will be revegetated utilizing a native seed mixture and landscaped upon completion of construction.
Rare, Threatened and Endangered Species	<p>Mitigation for impacts to mussels include:</p> <ul style="list-style-type: none"> ➤ the systematic relocation during low water conditions in the autumn prior to construction; ➤ monitor recolonization sites for five years subsequent to relocation; and ➤ institute proper erosion and sediment control measures during construction.
Streams	<p>The following permits will be required for the project prior to construction: <i>Clean Water Act (CWA) Section 404 Permit</i> from the U.S. Corps of Engineers (USACE); <i>CWA Section 401 Certification</i> from the West Virginia Department of Environmental Protection (WVDEP); and a <i>National Pollutant Discharge Elimination System (NPDES) Permit</i> also from the WVDEP. In-stream work will be restricted from April 1 through June 30 due to warm water fish spawning.</p> <p>To avoid and/or minimize potential impacts to water quality, the following best management practices (BMPs) will be used, where appropriate, during construction:</p> <ul style="list-style-type: none"> ➤ Reduce the amount of disturbed aquatic habitat and riparian vegetation; ➤ revegetate all disturbed areas to prevent accelerated erosion; ➤ construct all cofferdams, causeways, and temporary crossings with large, clean, rock fill material and filter fabric on the downstream side to trap sediments; ➤ minimize the need for in-stream work; ➤ develop project sequencing to facilitate in-stream work during periods of seasonal low flow; ➤ designate equipment fueling and service areas away from aquatic habitats; ➤ designate and construct all stormwater management facilities to prevent runoff; ➤ minimize the amount of vegetative clearing and impervious surface; ➤ develop bridge demolition sequencing that avoids and/or minimizes impacts to stream resources; and ➤ coordinate stream mitigation activities with the natural resource agencies.
Air Quality	If it is necessary to burn land clearing debris in order to complete the project, approval by the WVDEP Secretary or an authorized representative is required to conduct such burning. If the project entails the renovation, remodeling, or demolition, either partially or totally, of a structure, building, or installation, irrespective of the presence or absence of asbestos-containing materials, and is subject to 45CSR15 (the asbestos NESHAP at 40 CFR 61, Subpart M), a

Resource or Element	Mitigation Measure
	<p>formal Notification of Abatement, Demolition, or Renovation must be completed and timely filed with the WVDEP Secretary's authorized representative and approval received before commencement of the activities addressed in the Notification. If the project involves demolition, and/or excavation and transportation of soil/aggregates or the handling of materials that can cause problems such as nuisance dust emissions or entrainment or creation of objectionable odors, adequate air pollution control measures must be applied to prevent statutory air pollution problems as addressed by 45CSR4 and 45CSR17. Backup or emergency electrical generators may be subject to federal and state requirements and require an air permit in accordance with 45CSR13.</p>
Noise	<p>Noise generating construction activities such as pile driving or jack hammering should be minimized and completed during daytime activities.</p>
Potentially Hazardous Wastes	<p>A lead-based paint inspection of the bridge should be completed prior to initiation of bridge demolition. The inspection should be carried out early so that inspection findings and mitigation recommendations can be incorporated into construction documents prior to contract bidding.</p>
Historic Resources	<p>A <i>Memorandum of Agreement</i> (MOA) has been developed to address adverse effects and mitigation. It contains the following stipulations to mitigate the adverse effect:</p> <ul style="list-style-type: none"> ➤ The Cairo Bridge will be documented in its present historic setting. The documentation package will include 5" x 7" black and white digital prints in accordance with the National Register of Historic Places (NRHP) and National Historic Landmarks Survey Photo Policy Expansion of January 2009. ➤ A brief history of the structure will be included along with fully completed West Virginia Historic Property Inventory forms and copies of any available plan sheets and drawings of the bridge from the WVDOH bridge files. ➤ The WVDOH will provide a sum of \$10,000 to the Ritchie County Historic Landmarks Commission who has requested interpretive signs, ornamental railing from the old bridge, and preservation work to the Veterans Memorial in Town Square. Funding will be provided once all projects have been identified. Any work completed on historic buildings must comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and must be submitted for review by the WV State Historic Preservation Office (SHPO) prior to commencement of work. Any interpretive material, such as signs and brochures, will be submitted to the WVDOH for review and approval by the SHPO and the WVDOH. The Ritchie County Historic Landmarks Commission will provide status reports summarizing progress and financial information in writing or via email to the WVDOH every six months. ➤ 500 color brochures of the Cairo Bridge will be developed by the WVDOH and distributed to the Town of Cairo and the Ritchie County Historic Landmarks Commission. The SHPO will be given the opportunity to review all educational materials developed for this

Resource or Element	Mitigation Measure
	<p>stipulation. A CD containing the brochure will also be given to the Town and Landmarks Commission to print brochures when the original total has been exhausted.</p> <ul style="list-style-type: none"> ➤ The Cairo Bridge will be documented on the West Virginia historic bridge website: <i>Highways through History</i>.
Utilities	<p>Coordination with the utility operators will be required throughout final design and construction of this project. Coordination meetings will be held to discuss the need for additional right-of-way, expansion, or relocation easements; impacts to schedules; construction requirements; and any other special issues. Utility relocations are typically required on most transportation projects and the WVDOH has detailed procedures for coordinating with impacted utilities. The relocation of affected utilities will be completed prior to the start of construction with limited inconvenience to the public.</p>
Section 4(f) Resources	<p>Project-specific mitigation for permanent impacts are listed above in this table under the “Historic Resources” mitigation section. For temporary impacts to the historic district, the following mitigation efforts apply:</p> <ul style="list-style-type: none"> ➤ A one-lane temporary bridge will minimize impacts on the district caused by the temporary structure and limit the restoration footprint removal. ➤ If necessary, property owned by the Town of Cairo along the banks of the North Fork Hughes River that was impacted by the temporary bridge will be enhanced. ➤ Minor, temporary construction easement and staging areas will be required adjacent to WV 31 and the existing Cairo Bridge. ➤ All construction staging areas and temporary work areas will be restored to their original condition. ➤ The parking lot and adjoining property of the Cairo United Methodist Church will be re-graded and restored.
Temporary Construction Impacts	<p>Construction activities affecting traffic will be coordinated with local municipalities, media outlets, the state park, and emergency services. Construction operations will be scheduled to minimize traffic delays. Any traffic disruptions will be temporary, localized, and of short duration, only occurring during the construction period.</p> <p>A detour will be provided with a single-lane temporary bridge utilizing a temporary easement slightly upstream of the existing bridge. Once the replacement bridge is open to traffic, the temporary bridge will be removed. Access to residences and businesses will be maintained during construction although temporary disruptions may occur.</p> <p>Construction will be performed to comply with all applicable federal, state, and local laws regarding safety, health, and sanitation. All contractors are required to adhere to Occupational Safety and Health Administration guidelines to protect the lives and health of employees, the safety of the public, and the integrity of adjacent properties.</p>

3.0 Public Participation

The public participation process utilized during the course of the project followed the public involvement procedures and policies of the WVDOH. These procedures and policies have been approved by FHWA and complied with the public involvement requirements of NEPA and Section 106 of the *National Historic Preservation Act*. A public informational meeting for the project was held on December 5, 2016, at the Cairo Community Center. Approximately 30 people attended. At the meeting, the WVDOH showed five potential alternatives for replacing the bridge and provided supporting documentation for the project. All information presented at the meeting was available online at the WVDOH project website (<http://go.wv.gov/dotcomment>).

Written comments were provided by eight people, with five people expressing a preference for Alternative 1B, one person expressing a preference for Alternative 1A, one person expressing a preference for Alternative 2B, and one person supporting the project but not expressing a preference for any particular alternative.

The EA for the project was posted on the WVDOH website in December 2017 and hard copies distributed to federal, state, and local agencies. Brochures summarizing the project were also distributed as handouts at the town hall and posted to the WVDOH website. Notices identifying the time and location of the public meeting were also posted on the WVDOH website and published in the local newspaper.

On Thursday, January 25, 2018, the WVDOH conducted an informational workshop and public meeting to review the EA with federal, state, and local agencies and the public, to answer any questions, to gather comments, and to take public testimony on the project. The public meeting was held at the Cairo Community Center. Each individual attending the meeting was provided with a brochure that summarized the project and offered a copy of the EA.

A total of 14 individuals, excluding WVDOH staff and its consultants, participated in the public meeting. No written comments were left at the meeting, but those people who attended the meeting that provided oral comments were in support of the project and the preferred alternative.

4.0 Comments on the EA

Comments were received from federal, tribal, state, and local agencies. No individual citizens provided written comments. All comment letters on the EA can be found in Section 9.0 of this FONSI.

4.1 Federal Agencies

U.S. Department of the Interior (USDO I)

Comment 1: The USDO I concurs that the signed Memorandum of Agreement developed in consultation with the West Virginia State Historic Preservation Office details appropriate mitigation measures to address the adverse effects.

Response 1: Comment noted.

U.S. Environmental Protection Agency (USEPA)

Comment 2: USEPA recommends additional clarifying information describing the height and width of the proposed bridge and temporary bridge. In addition, it would be helpful to state the distance anticipated between the spans. It is our understanding that piers will be located outside of the river channel; we suggest that be clarified.

Response 2: There will be three spans across the North Fork Hughes River. The first span will be 68 feet, the second (the main span) will be 122 feet, and the third will be 68 feet. The EA incorrectly stated that there would be three equidistant spans of 68 feet. All piers will be located outside the water. The bottom of the deck will be approximately 20 feet above ordinary high water mark (OHWM), which will result in two feet of freeboard above the 25-year storm. The completed structure will provide two 11'-0" lanes, two 4'-0" shoulders, one 5'-7 3/8" sidewalk, one 1'-0" combo rail, and one 1'-2 3/4" Type F Barrier. The roadway width will be 30'-0" with a 37'-10 3/8" out-to-out width. Temporary rock causeways on each bank will be constructed leaving the center of the channel open. These causeways will allow crane and equipment to access each side for normal demolition and erection procedures.

During construction, traffic will be maintained on a temporary detour bridge approximately 115 feet upstream of the existing span. Construction of this temporary bridge will require a temporary in-stream causeway extending from the south bank to the location of the temporary bridge pier. This temporary in-stream pier will remain in place until the temporary detour bridge is removed. It would have been preferable not to place a temporary causeway and pier bent in the water channel, but due to the temporary detour bridge's length of 130 feet, it was necessary. Again, all of the temporary works will be removed at the completion of the project

Comment 3: USEPA recommends additional information be provided describing the construction methods, schedule and demolition of the existing, temporary, and new bridges.

Response 3: Construction of the proposed roadway will require clearing trees along both banks and placing fill at the approaches. Stream banks at the proposed structure will be graded to a 2:1 slope at the abutments. All work done within the streambed will be during low flow conditions. Clearing of trees will be needed along the stream banks. Additional erosion control measures will be used on both banks to prevent siltation within the North Fork Hughes River.

Construction will consist of five phases and be completed over 432 days. Phase 1 will include the construction of the temporary in-stream causeway extending from the south bank to the location of the temporary bridge pier. The temporary pier will be constructed of driven steel piles and will not require a cofferdam. The causeway will be used to place the pier and for crane positioning during erection of the temporary bridge girders. Once the temporary bridge is erected, the causeway will be removed. Phase 1 is anticipated to last 55 calendar days.

Phase 2 will include the installation of in-stream temporary causeways extending from both banks just upstream of the existing bridge. The center of the channel will remain open. Demolition of the bridge will be done by setting charges along critical locations. In-stream clean-up of the fallen debris will be accessed from the causeway. This causeway will remain in place after the bridge demolition and used for crane placement during erection of the proposed bridge girders in Phase 3. Phase 2 is anticipated to last 25 days.

Phase 3 will include the construction of the proposed bridge on the same alignment as the existing bridge. Piers and abutments will be constructed out of the OHWM. No cofferdams are anticipated. Structural girders will be set on the bridge abutments and piers and steel decking

will be installed. The causeway will be in place through the muskellunge spawning season. Phase 3 is anticipated to last 282 days.

Phase 4 will begin once the muskellunge spawning season ends. The remaining portions of the causeway will be removed and concrete decking and rails, approach structures, and guard rails will be installed. Phase 4 is anticipated to last 45 days.

Phase 5 will begin after the new bridge is open to traffic. A temporary causeway from the south bank to the location of the temporary bridge pier (installed during Phase 1) will be reconstructed. The temporary bridge will be removed with cranes working from the causeway. Once the bridge is removed, the causeway will be removed, concluding in-stream work on this project. Phase 5 is anticipated to last 25 days.

Comment 4: USEPA suggests the study consider analyzing potential impacts of extreme weather on the proposed and temporary bridges and causeway.

Response 4: Temporary causeways are now designed for the surface elevation to be approximately 1 foot above ordinary OHWM. The gradation of rock is sized as permanent foundation protection with angular rock of equidimensional sides with each rock sized between 1 cubic foot and 1 cubic yard. These large rock sizes will stay in place during significant water surface elevation events. The Final Hydraulic Study for Cairo Bridge Design Study dated December 5, 2017 provides additional information, if needed. The report is located in the project's technical files.

Comment 5: Please share the causeway washout contingency plan, if available for review.

Response 5: The causeway washout contingency plan has not been developed yet. It will be prepared by the construction contractor in conjunction with WVDOH as part of an Erosion and Sedimentation Control Plan to be submitted to the U.S. Fish and Wildlife Service (USFWS) for approval before construction begins.

Comment 6: The EA indicates that "upstream alternatives keep the existing bridge in service longer than desired." It would be helpful to define the length of time and how it relates to the proposed schedule.

Response 6: Upstream alternatives would keep the existing bridge in service throughout construction of the new bridge. The preferred alternative, however, will take the existing bridge out of service within two months after the project starts. Thus, the existing bridge would remain open to traffic for an additional year if any of the upstream alternatives were built. Although the condition of the bridge is being routinely monitored by the WVDOH and is safe to use currently, the WVDOH prefers to remove it from service as soon as possible.

Comment 7: USEPA suggests the EA provide additional discussion and description of the existing roads and their ability to handle the heavier truck traffic that is indicated in the project needs.

Response 7: The primary road in and out of Cairo is WV 31. This road has a functional classification of Major Rural Collector. Generally, this type of road provides service to larger towns not directly served by roads of a higher classification and to other traffic generators of equivalent importance such as consolidated schools, shipping points, county parks, and important mining and agricultural areas. As such, the road should be able to handle heavier truck traffic.

Comment 8: USEPA recommends efforts be made to avoid direct discharge to the river.

Response 8: The new bridge will be built without drains to prevent any spills from entering the river. Runoff on the new bridge will be filtered through a grassy swale prior to discharge into the river.

An Erosion and Sedimentation Control Plan will be submitted to the USFWS prior to construction. Best management practices will be followed and silt fencing, turbidity curtains, and additional erosion control measures will be implemented during construction and demolition activities to prevent siltation within the North Fork Hughes River.

Comment 9: Coordination should continue related to historic resources and with the public as the project moves forward.

Response 9: Comment noted.

Comment 10: USEPA suggests that surveys for Eastern Hellbender (*Cryptobranchus alleganiensis alleganiensis*) be considered.

Response 10: Coordination with USFWS has been considerable throughout the course of the project. Although past surveys in the project area concentrated on mussel species, the area was examined closely by environmental scientists very familiar with the hellbender and its habitat. No evidence of hellbenders was encountered during the previous wildlife surveys.

4.2 Tribal Nations

Delaware Nation

Comment 11: Concurs with this EA and requests to be a consulting party.

Response 11: The Delaware Nation will be added to the list of consulting parties. Coordination will continue with it as necessary.

Osage Nation

Comment 12: The Osage Nation Historic Preservation Office requests a copy of the project's cultural resources survey reports.

Response 12: Copies of the requested reports have been sent the Osage Nation.

4.3 State Agencies

West Virginia Division of Natural Resources (WVDNR)

Comment 13: Given the pending status of the Eastern Hellbender, a survey for the species is recommended.

Response 13: The WVDOH recognizes that the Hellbender is a species of concern, but it is not yet listed as a Rare, Threatened, or Endangered (RTE) species. While the WVDOH understands the need to protect the species, rather than conduct a Hellbender survey now and

risk further deterioration of the bridge by delaying the advancement of the project, the WVDOH will forgo the survey. Although past surveys in the project area concentrated on mussel species, the area was examined closely by environmental scientists very familiar with the hellbender and its habitat. No evidence of hellbenders was encountered during the previous wildlife surveys.

Comment 14: The WVDNR requests that public access be provided to the river at the bridge's location.

Response 14: WVDOH will continue coordination with the WVDNR to determine if establishing a public access point adjacent to the new bridge is feasible.

Comment 15: If best management practices are followed during construction, all permit conditions are followed, and all attempts are made to minimize instream disturbance to the river, the WVDNR would not object to a finding of no significant impact for the project.

Response 15: Comment noted.

4.4 Local Agencies

Ritchie County Veterans Coordinator

Comment 16: The Ritchie County Veterans Group requests cut stones from the bridge to incorporate into a proposed memorial dedicated to local veterans.

Response 16: No cut stones were used in the construction of the existing bridge abutments.

5.0 Endangered Species Act Section 7 Consultation

Threatened and endangered wildlife and plant species are protected under Section 7 of the federal *Endangered Species Act of 1973* (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). Mussel surveys were conducted for the project in 2015 because the North Fork Hughes River is known to contain a historical population of federally endangered mussel species, including the clubshell (*Pleurobema clava*) and Northern Riffleshell (*Epioblasma torulosa rangiana*). The snuffbox (*Epioblasma triquetra*) is also known to occur about 1.6 miles

downstream. No RTE species were found during the surveys. Subsequently, on June 2, 2017, the WVDNR confirmed that there are no known occurrences of RTE species or natural trout streams in the study area.

Nonetheless, formal consultation with USFWS was initiated on June 15, 2017, due to the diversity of non-listed mussel species that populate the project area. The WVDOH prepared a Biological Assessment, indicating that erosion and sediment control and relocation of unionids prior to construction would reduce any potential negative effects on mussels. The FHWA transmitted a Biological Opinion (BO) to the USFWS confirming the conclusion on September 28, 2017. On October 3, 2017, the FHWA agreed to implement the reasonable and prudent measures identified in the BO to reduce impacts on mussels. As a result, no further Section 7 consultation is required.

6.0 National Historic Preservation Act Section 106 Consultation

The entire project area falls within the Cairo Historic District. The Cairo Historic District has been determined eligible for the National Register of Historic Places. The project will require removal of the existing bridge, which is a contributing element to the Cairo Historic District. It will also permanently impact 0.6 acres of the Cairo Historic District and temporarily impact 1.0 acres. The West Virginia Division of Culture and History's State Historic Preservation Office (SHPO) has determined that this will have an Adverse Effect on the historic district. FHWA, WVDOH, the SHPO, the Ritchie County Historic Landmarks Commission, and the Town of Cairo have entered into a Memorandum of Agreement to address these impacts.

Archaeological surveys were conducted in 2015. Although artifacts were recovered at one site that may be associated with the historic use of the site, the site lacks integrity. In a letter dated September 30, 2015, the SHPO concurred that no further archaeological investigations are necessary for the proposed project as currently designed.

7.0 Section 4(f) Evaluation

The proposed project will permanently impact 0.6 acres of the Cairo Historic District and temporarily impact 1.0 acres. Based on the Section 4(f) Evaluation prepared for the project and

presented in the EA, there are no feasible and prudent alternatives that avoid Section 4(f) use for the project. The USDOl concurred with this finding on February 26, 2018.

8.0 Incorporated Documents

Both the EA and Section 4(f) Evaluation are incorporated into this FONSI by reference. Copies of both are attached to this document as electronic files.

9.0 Correspondence

As noted previously, all comment letters on the EA can be found on the following pages. A copy of the MOA for historic resources and SHPO concurrence on it is found at the end of this FONSI.



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904

IN REPLY REFER TO:

February 26, 2018

9043.1
ER 17/0585

Mr. RJ Scites, P.E., Director
Engineering Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25301

Subject: Draft Section 4(f) Evaluation for the proposed Cairo Bridge Project, Ritchie County, WV.

Dear Mr. Scites:

The Department of the Interior (Department) has reviewed the Section 4(f) Evaluation for the proposed Cairo Bridge Project in the Town of Cairo, Ritchie County, West Virginia. The purpose of the project is to construct a new bridge that will replace the existing Cairo Bridge with a new crossing over the North Fork Hughes River that meets current design standards to assure safe and efficient transportation access; assure adequate emergency response times for ambulance, police, and fire services; and support economic development. We offer the following comments on this project for your consideration.

Section 4(f) Evaluation Comments

The Department concurs that there is no prudent and feasible alternative to the proposed use of 4(f) lands, which consists of the Cairo Historic District. Alternative 1B will remove the existing Cairo Bridge, a contributing feature of the district, thus resulting in an adverse effect which constitutes the Section 4(f) use.

The Department concurs that the signed Memorandum of Agreement developed in consultation with the West Virginia State Historic Preservation Office details appropriate mitigation measures to address the adverse effects.

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lindy Nelson", with a long, sweeping horizontal flourish extending to the right.

Lindy Nelson
Regional Environmental Officer

cc: SHPO-WV (susan.m.pierce@wv.go)

From: Okorn, Barbara [mailto:Okorn.Barbara@epa.gov]
Sent: Thursday, February 22, 2018 12:26 PM
To: Mullins, Sondra L <Sondra.L.Mullins@wv.gov>
Subject: Cairo Bridge Project Environmental Assessment

Ms. Mullins,

Thank you for the opportunity to review the Environmental Assessment (EA) for the Cairo Bridge Project in Ritchie County, West Virginia. The EA discusses the preferred alternative, replacing the existing bridge with a 3-span new bridge on the current alignment. We have reviewed the EA in accordance with the National Environmental Policy Act (NEPA) of 1969, Section 309 of the Clean Air Act and the Council on Environmental Quality (CEQ) regulations implementing NEPA (40 CFR 1500-1508). Based on our review, we have the following comments:

- We recommend the final document provide additional clarifying information describing the height and width of the proposed bridge and temporary bridge. The information on page 10 of the EA and Appendix B provide different widths for the new spans. In addition, it would be helpful to state the distance anticipated between the spans. It is our understanding that piers will be located outside of the river channel; we suggest that be clarified.
- We recommend additional information be provided describing the construction methods, schedule and demolition of the existing, temporary, and new bridges. Some of this information is provided in the Biological Assessment, but it would be helpful for the EA to clearly present the potential impacts and the associated activities.
- We suggest the study consider analyzing potential impacts of extreme weather on the proposed and temporary bridges and causeway, particularly in the design process. The Biological Assessment mentions a causeway washout contingency plan that will be part of the U.S. Fish and Wildlife Service (USFWS)- approved Erosion and Sedimentation Pollution Control Plan. Please share this plan, if available for review; and consider including in the EA.
- Page 12 indicates that “upstream alternatives keep the existing bridge in service longer than desired”. It would be helpful to define the length of time and how it relates to the proposed schedule.
- We suggest the EA provide additional discussion and description of the existing roads and their ability to handle the heavier truck traffic that is indicated in the project needs.
- It would be helpful if the EA described management of bridge runoff. We recommend efforts be made to avoid direct discharge to the river.
- Coordination should continue related to historic resources and with the public as the project moves forward.
- Based on the information provided, we realize that the Section 7 consultation is complete and the USFWS recommendations are being incorporated into the project. Efforts should continue to avoid and minimize impacts to aquatic resources. We suggest that surveys for hellbender habitat and/ or hellbenders be considered. Hellbenders were historically found in the North Fork of the Hughes River. If found, relocation and mitigation is recommended. Please see the following reports for additional information and feel free to reach-out to us to discuss at any time.

https://rcngrants.org/sites/default/files/final_reports/Hellbender%20eDNA%20RCN%20FINAL%20REPORT.pdf
<http://mds.marshall.edu/cgi/viewcontent.cgi?article=1688&context=etd>

We would be pleased to discuss our comments at your convenience. Please let me know if you have any questions.
Barb

Barbara Okorn
Office of Environmental Programs (3EA30)
U.S. Environmental Protection Agency Region III
1650 Arch Street
Philadelphia, PA 19103-2029
Office: 215-814-3330

From: Kimberly Penrod [mailto:kpenrod@delawarenation.com]
Sent: Friday, March 2, 2018 9:47 AM
To: Mullins, Sondra L <Sondra.L.Mullins@wv.gov>
Subject: RE: State Project Bridge #S343-31-9.82/ Cairo Bridge, Ritchie County, West Virginia

Sondra,

The protection of our tribal cultural resources and tribal trust resources will take all of us working together.

We look forward to working with you and your agency.

With the information you have submitted we can concur at present with this proposed plan and request to be a consulting party on this project.

As with any new project, we never know what may come to light until work begins.

The Delaware Nation asks that you keep us up to date on the progress of this project and if any discoveries arise please contact us immediately.

Our department is trying to go as paper free as possible. If it is at all feasible for your office to send email correspondence we would greatly appreciate.

If you need anything additional from me please do not hesitate to contact me.

Respectfully,

Kim Penrod

Delaware Nation

Director, Cultural Resources/106

Archives, Library and Museum

31064 State Highway 281

PO Box 825

Anadarko, OK 73005

(405)-247-2448 Ext. 1403 Office

(405)-924-9485 Cell

kpenrod@delawarenation.com

Unless someone like you cares a whole awful lot, nothing is going to get

better. It's not. ~Dr. Seuss

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FEB 15 2018
ENGINEERING
DIVISION

Osage Nation Historic Preservation Office

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Date: February 9, 2018

File: 1718-1712WV-1

RE: FHWA WvDOT S343-31-9.82/STP-0031(037)D Cairo Bridge Project in Ritchie County, West Virginia

West Virginia Department of Transportation
Sondra Mullins
1900 Kanawha Blvd. East, Building 5, Room 110
Charleston, WV 25305-0430


Dear Ms. Mullins,

The Osage Nation has received notification and accompanying information for the proposed project listed as FHWA WvDOT S343-31-9.82/STP-0031(037)D Cairo Bridge Project in Ritchie County, West Virginia. **The Osage Nation Historic Preservation Office requests a copy of the cultural resource survey report for review and comment.**

In accordance with the National Historic Preservation Act, (NHPA) [54 U.S.C. § 300101 et seq.] 1966, undertakings subject to the review process are referred to in 54 U.S.C. § 302706 (a), which clarifies that historic properties may have religious and cultural significance to Indian tribes. Additionally, Section 106 of NHPA requires Federal agencies to consider the effects of their actions on historic properties (36 CFR Part 800) as does the National Environmental Policy Act (43 U.S.C. 4321 and 4331-35 and 40 CFR 1501.7(a) of 1969).

The Osage Nation has a vital interest in protecting its historic and ancestral cultural resources. **The Osage Nation anticipates reviewing and commenting on the survey report for the proposed FHWA WvDOT S343-31-9.82/STP-0031(037)D Cairo Bridge Project in Ritchie County, West Virginia.**

Should you have any questions or need any additional information please feel free to contact me at the number listed below. Thank you for consulting with the Osage Nation on this matter.


James Munkres
Archaeologist



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DIVISION

DIVISION OF NATURAL RESOURCES

Wildlife Resources Section
Elkins Operations Center
738 Ward Rd., PO Box 67
Elkins, WV 26241
Telephone 304-637-0245
Fax 304-637-0250

Stephen S. McDaniel
Director

To: Mr. R.J. Scites, P.E.
From: Danny A. Bennett *DB*
Date: February 12, 2018
Re: Comments on S343-31-9.82 Environmental Assessment (EA) for Cairo Bridge Project, Ritchie Counts, North Fork of the Hughes River (NFHR)

The West Virginia Division of Natural Resources Wildlife Resources Section (WRS) has reviewed the EA for Cairo Bridge Project located in Ritchie County.

The WRS has three primary concerns with the proposed project. The NFHR is an important warm water recreational fishery. The river contains federally listed and several state protected species of freshwater mussels and there are historical accounts of eastern hellbender inhabiting the NFHR. Hellbenders are currently being considered for a federal listing and are considered a species of concern in the West Virginia Wildlife Action Plan.

The EA acknowledges the presence of a warm water fishery. We are coordinating with DOH on the possibility of providing public access to the NFHR at the bridge. The EA adequately addresses the presence of federally listed mussels and potential issues. DOH has coordinated with WRS concerning freshwater mussel resources in the project area. The EA did not mention the historic presence of hellbenders in the NFHR. Given the pending status of the species conducting a survey for the species within the project footprint is recommended but not required at this time.

If Best Management Practices and all permit conditions are followed and all attempts are made to minimize instream disturbance to the North Fork of the Hughes River WRS would not object to a finding of no significant impact.

If you have any questions please contact Anne Wakeford at the Elkins Operations Center telephone 304-637-0245 extension 2035 or email Anne at Anne.M.Wakeford@wv.gov.

-----Original Message-----

From: D. J. Allen [<mailto:dnrallen@zoominternet.net>]
Sent: Saturday, February 24, 2018 12:38 PM
To: Mullins, Sondra L <Sondra.L.Mullins@wv.gov>
Subject: cut stones from Cairo Bridge Project

Sondra,

As Veterans Memorial Coordinator, I would like to request cut stones from the Cairo Bridge project in Ritchie County. We are in the process of determining a new location for the monument and honor bricks so we do not have a set number of stones to request.

As the bridge project will take a while, I am contacting the North Bend Rail Trail Superintendent to see if, when the stones are available, that if the Veterans Memorial cannot then use the stones that the Rail Trail may benefit from the stones I am requesting. Hope this makes sense. If not, let me know

Thank you for your consideration, and for the grant funds that are being made available thru the Historic Landmarks Commission for the memorial.

D. J. Allen, Coordinator
Ritchie County Veterans Memorial
Cairo, WV 26337
(304)628-3100
dnrallen@zoominternet.net



The Culture Center
1900 Kanawha Blvd., E.
Charleston, WV 25305-0300

Randall Reid-Smith, Commissioner

Phone 304.558.0220 • www.wvculture.org
Fax 304.558.2779 • TDD 304.558.3562
EEO/AA Employer

May 31, 2017

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JUN 05 2017
ENGINEERING
DIVISION

Mr. Ben L. Hark
Environmental Section Head
Engineering Division
West Virginia Division of Highways
1334 Smith Street
Charleston, West Virginia 25305

RE: Cairo Bridge Replacement; Cairo, Ritchie County, West Virginia
State Project No. S243-31-9.82
Federal Project No. BR-0031-038(D)
FR#: 15-986-RT-5

Dear Mr. Hark:

We have received the revised Memorandum of Agreement (MOA) submitted for the aforementioned project. As required by Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800: "Protection of Historic Properties," we submit our comments.

We have reviewed the revised MOA and we are amenable to the proposed stipulations. We are enclosing a signed copy with this letter. Once all parties have signed the MOA, please forward a copy to our office to be added to our files. We will provide further comments upon receipt of the documentation and information described within the stipulations.

We appreciate the opportunity to be of service. *If you have questions regarding our comments or the Section 106 process, please contact Mitchell K. Schaefer, Structural Historian, at (304) 558-0240.*

Sincerely,

Susan M. Pierce
Deputy State Historic Preservation Officer

SMP/MKS

Enclosure (1): MOA

CC: Ritchie County Historic Landmark Commission
c/o David M. Scott, Chairman
45 Skyline Drive
Harrisville, West Virginia 26362

**MEMORANDUM OF AGREEMENT
BY AND AMONG
THE FEDERAL HIGHWAY ADMINISTRATION,
THE WEST VIRGINIA STATE HISTORIC PRESERVATION OFFICER
AND THE WEST VIRGINIA DIVISION OF HIGHWAYS**

**REGARDING IMPLEMENTATION OF THE CAIRO BRIDGE PROJECT
STATE PROJECT #S343-31-9.82
FEDERAL PROJECT #STP-0031(037)D
RITCHIE COUNTY, WEST VIRGINIA
APRIL 2017**

WHEREAS, the Federal Highway Administration (FHWA), in cooperation with the West Virginia Division of Highways (WVDOH), proposes to replace the Cairo Bridge, which spans the North Fork Hughes River in Ritchie County, West Virginia, hereinafter referred to as the Project. The improvements involve the construction of a new bridge on its current location while detouring traffic on a temporary bridge upstream; and

WHEREAS, the FHWA has determined that the Project will have an adverse effect upon the Cairo Historic District and the Cairo Bridge, properties on or eligible for the National Register of Historic Places (NRHP); and

WHEREAS, the FHWA has consulted with the West Virginia State Historic Preservation Officer (WVSHPO) pursuant to 36 CFR Part 800 Implementing Section 106 of the National Historic Preservation Act; (16 U.S.C., 470f); and

WHEREAS, the FHWA has determined that the Project will not affect archaeological properties; and

WHEREAS, The WVDOH has contacted the Preservation Alliance of West Virginia, Ritchie County Historical Society, Ritchie County Historical Museum Association, and the Ritchie County Historic Landmarks Commission regarding the project. The Ritchie County Historic Landmark Commission responded in support of the project.

WHEREAS, in accordance with 36 CFR 800.6 (a) (1), the FHWA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination providing the specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR 800.6 (a) (1) (iii);

NOW, THEREFORE, the FHWA, the WVSHPO, and the WVDOH agree that the undertaking will be implemented in accordance with the following stipulations in order to take into account the effects of the undertaking on historic properties.

STIPULATIONS

The FHWA shall ensure that the following stipulations are carried out:

Cairo Bridge Project

- I. The Cairo Bridge will be documented in its present historic setting. The documentation package will include 5" x 7" black and white digital prints in accordance with the National Register of Historic Places and National Historic Landmarks Survey Photo Policy Expansion of January 2009.
- II. A brief history of the structure will be included along with fully completed West Virginia Historic Property Inventory forms and copies of any available plan sheets and drawings of the bridge from the WVDOH bridge files.
- III. The WVDOH will provide a sum of \$10,000 to the Ritchie County Historic Landmarks Commission who has requested interpretive signs, ornamental railing from the old bridge and preservation work to the Veterans Memorial in Town Square. Funding will be provided once all projects have been identified. Any work completed on historic buildings must comply with the Secretary of Interior's Standards for the Treatment of Historic Properties and must be submitted for review by the WVSHPO prior to commencement of work. Any interpretive material, such as signs and brochures, will be submitted to the WVDOH for review and approval by the WVSHPO and the WVDOH. The Ritchie County Historic Landmarks Commission will provide status reports summarizing progress and financial information in writing or via email to the WVDOH every six (6) months.
- IV. 500 color brochures of the Cairo Bridge will be developed by the WVDOH and distributed to the Town of Cairo and the Ritchie County Historic Landmarks Commission. The WVSHPO will be given the opportunity to review all educational materials developed for this stipulation. A CD containing the brochure will also be given to the Town and Landmarks Commission to print brochures when the original total has been exhausted.
- V. The Cairo Bridge will be documented on the West Virginia historic bridge website: Highways Through History (<http://www.highwaysthroughhistory.com>).

VI. Duration

This MOA will expire if its stipulations are not carried out within five (5) years from the date of its execution. At such time, and prior to work continuing on the undertaking, the FHWA shall either (a) execute an MOA pursuant to 36 CFR 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR 800.7. Prior to such time, FHWA may consult with other signatories to reconsider the terms of the MOA

and amend it in accordance with Stipulation X below. FHWA shall notify the signatories as to the course of action it will pursue.

VII. Post-Review Discoveries

If any unanticipated discoveries of historic properties or archaeological sites, including human burial sites and/or skeletal remains, are encountered during the implementation of this undertaking, work shall be suspended in the area of the discovery until the WVDOH has developed and implemented an appropriate treatment plan in consultation with the WVSHPO pursuant to 36 CFR 800.13 (b).

VIII. Monitoring and Reporting

Each year following the execution of this MOA until it expires or is terminated, FHWA shall provide all parties to this MOA a summary report detailing work carried out pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in FHWA's efforts to carry out the terms of this MOA.

IX. Dispute Resolution

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with such party to resolve the objection. If FHWA determines that such objection cannot be resolved, FHWA will:

- A. Forward all documentation relevant to the dispute, including the FHWA's proposed resolution, to the ACHP. The ACHP shall provide FHWA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FHWA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. FHWA will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FHWA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FHWA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

X. Amendments

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

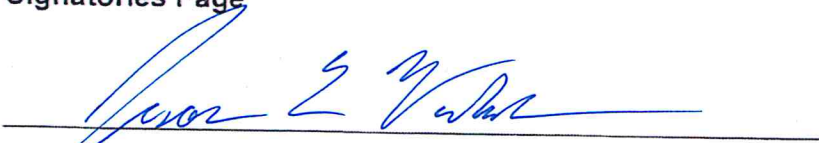
XI. Termination

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other parties to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, FHWA must either (a) execute a MOA pursuant to 36 CFR 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR 800.7. FHWA shall notify the signatories as to the course of action it will pursue.

EXECUTION of the Memorandum of Agreement by the FHWA, WWSHPO, the WVDOH and the Council, and implementation of its terms evidence that the FHWA has afforded the Council an opportunity to comment on the Cairo Bridge Project and its effects on historic properties, and that the FHWA has taken into account the effects of the undertaking on the historic properties.

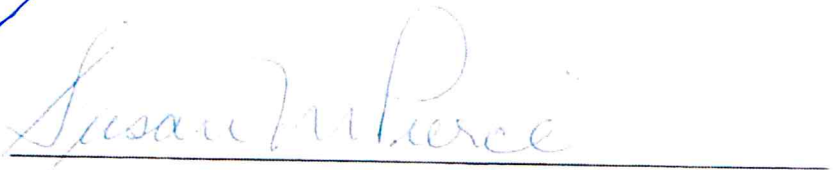
Signatories Page



Federal Highway Administration

12/12/17

Date



West Virginia Deputy State Historic Preservation Officer

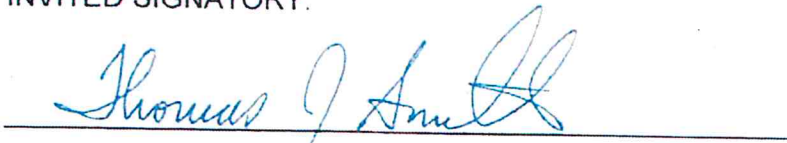
6/1/2017

Date

Advisory Council on Historic Preservation

Date

INVITED SIGNATORY:



West Virginia Division of Highways

6-15-17

Date

Consulting Parties

David M. Scott, CHAIRMAN
Ritchie County Historic Landmarks Commission

MAY 30, 2017
Date

NOTE: The Ritchie County Historic Landmarks Commission hereby agrees to this Memorandum of Agreement with the understanding that the Bank of Cairo Building is the historic building for which a portion of the \$10,000 will be appropriated. (See MOA Page 2, Stipulations, Paragraph 3.)

Consulting Parties

Gary S Haugh

Mayor, Town of Cairo

4-15-17

Date