

FINDING OF NO SIGNIFICANT IMPACT
PFC Abraham G. Sams Memorial Bridge
(Camp Creek Truss Bridge)
Replacement

State Project: S308-4/5-2.95, Federal Project: BR-0045(036)D

Clay County, West Virginia

Federal Highway Administration



West Virginia Department of
Transportation



July 2015

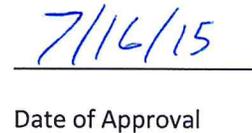
FINDING OF NO SIGNIFICANT IMPACT

The Federal Highway Administration (FHWA) has determined that the Proposed Action described in the Environmental Assessment (EA) will have no significant impact on the human or natural environment. This Finding of No Significant Impact (FONSI) is based on the EA and the proposed mitigation which has been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impact of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

Submitted by:



For Federal Highway Administration



Date of Approval

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LIST OF ACRONYMS AND ABBREVIATIONS

BMP	best management practice
BO	Biological Opinion
CFR	Code of Federal Regulations
EA	Environmental Assessment
ESA	Endangered Species Act
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
ROW	Right-of-Way
SHPO	State Historic Preservation Office
USFWS	United States Fish and Wildlife Service
WVDEP	West Virginia Department of Environmental Protection
WVDNR	West Virginia Division of Natural Resources
WVDOH	West Virginia Division of Highways
WVDOT	West Virginia Department of Transportation

WHAT IS THE PROPOSED ACTION?

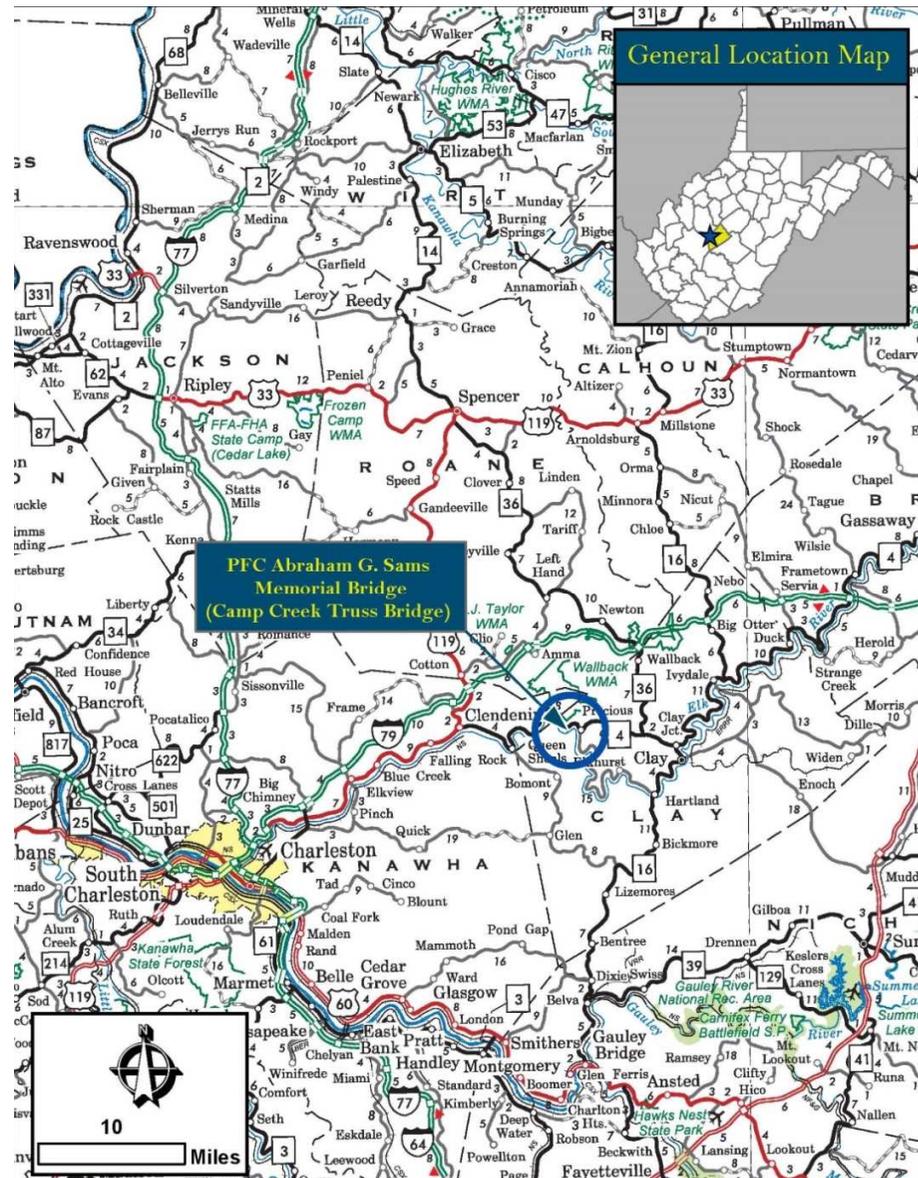
The West Virginia Department of Transportation’s Division of Highways (WVDOT), in cooperation with the Federal Highway Administration (FHWA), proposes to replace the PFC Abraham G. Sams Memorial Bridge (AGSM Bridge), formerly known as the Camp Creek Truss Bridge. This bridge carries Clay County Route (CR) 4/5 from its intersection with WV State Route 4 (WV 4) over the Elk River in the town of Prociou in Clay County, West Virginia (WV).

The AGSM Bridge was constructed in 1925 and renovated in 1978. The bridge is not listed in, nor is it eligible for listing in, the National Register of Historic Places. Deterioration of the AGSM Bridge has warranted the placement of increasingly strict weight limits for vehicles using the bridge, and currently it is posted for carrying no more than seven (7) tons. Additionally, the structure’s narrow width restricts traffic flow to one direction at a time. These restrictions limit the function of the bridge and require vehicles larger than light commercial trucks to detour. To access either side of the river without the bridge requires an approximately 16-mile detour.

The purpose of the project is to replace the existing AGSM Bridge so that the replacement meets current design standards to efficiently and effectively serve the transportation needs of first responders (e.g., fire trucks, ambulances, and hazardous materials response vehicles), through travelers, and the residents of the nearby community.

The proposed project consists of constructing a new bridge that meets current design standards immediately downstream (west) of the existing bridge, constructing new approaches to the bridge, and demolishing the existing bridge (Figure 2). This Finding of No Significant Impact (FONSI) for the project documents the selection of the alternative presented in the February 2015 Environmental Assessment (EA) as Preferred Alternative 2C. The EA is included with this FONSI document as Appendix A.

Figure 1 Project Location



Finding of No Significant Impact

PFC Abraham G. Sams Bridge Replacement

Selected Alternative 2C will replace the existing bridge downstream and adjacent to the existing location. The existing bridge remains open to traffic during construction, thus avoiding the need for a prolonged detour. After the new bridge is built, the old bridge will be removed. During this process, the new bridge will be available to use as a platform for dismantling the old bridge without dropping it into the river.

WHAT HAS BEEN DONE SINCE THE ENVIRONMENTAL ASSESSMENT WAS PUBLISHED?

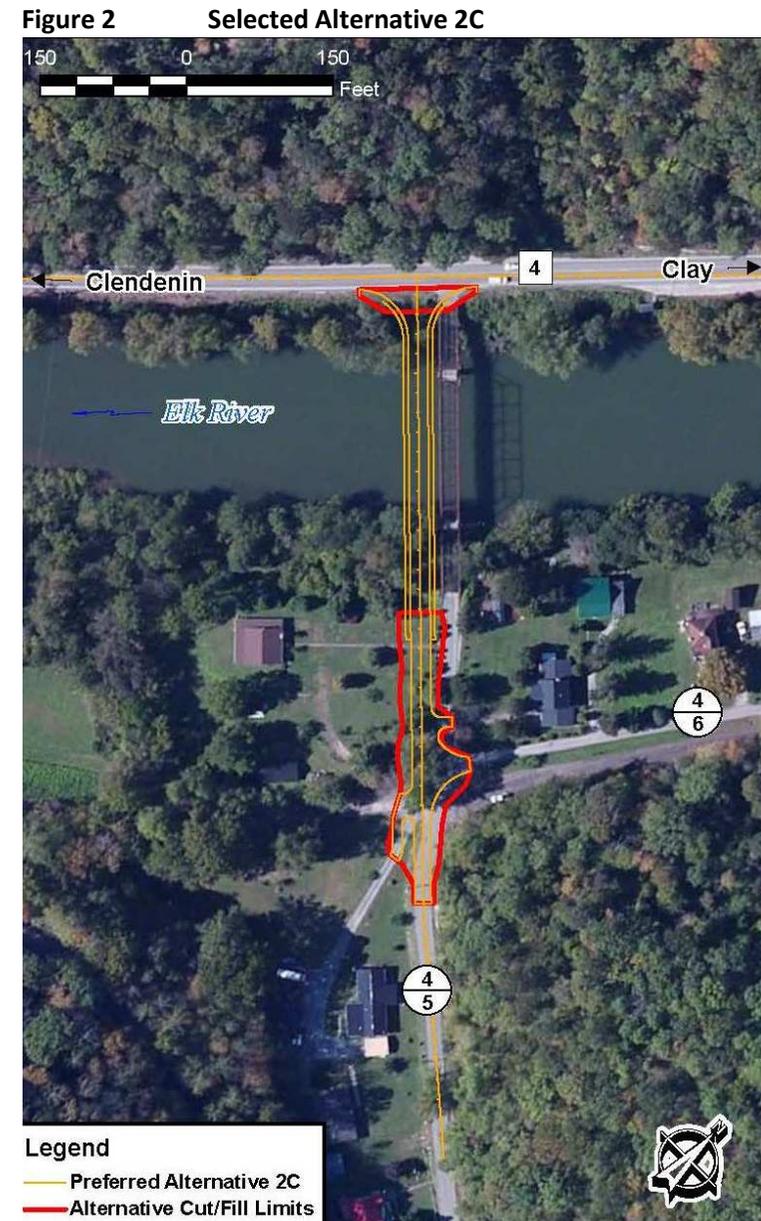
The following two key elements of coordination have taken place since the EA publication:

- Conclusion of Endangered Species Act Section 7 Formal Consultation (“ESA Formal Consultation”) with the U.S. Fish and Wildlife Service (USFWS).
- Public Meeting with informational workshop and public hearing.

ESA Formal Consultation: When the EA was signed, impacts to endangered species due to the project and appropriate mitigation for those impacts were still being discussed with USFWS. A Biological Assessment, which details those potential impacts, had been submitted to the USFWS in November, 2014 and was under consideration at the time of the EA release.

USFWS considered information provided in the Biological Assessment and additional meetings were held to clarify and augment the information. The deadline for production of a Biological Opinion was extended from the original deadline reported in the EA (April 2015) to June 2015 in order to provide adequate time for these activities.

USFWS had preliminarily concurred that Preferred Alternative 2C was the least damaging to listed species in a letter dated May 19, 2014 (see Appendix B of the EA). To conclude the ESA Formal Consultation, USFWS delivered a Biological Opinion (BO) to FHWA and WVDOH on June 22, 2015. This document provided the agency’s final concurrence with the selection of Preferred Alternative 2C, their conclusion about the project’s potential to jeopardize threatened and endangered species, and an incidental take statement. The BO states that, “it is the Service’s biological opinion that the proposed action is not likely to



Finding of No Significant Impact

jeopardize the continued existence of the clubshell, snuffbox, northern riffleshell, pink mucket, and rayed bean mussels. No critical habitat has been designated for these species therefore, none will be affected.”

The ESA Formal Consultation process also resulted in the refinement of mitigation measures, which are detailed later in this document. USFWS’s letter transmitting the BO as well as follow-up correspondence between FHWA and USFWS are included with this FONSI as Appendix B.

Public Meeting/Hearing: WVDOH hosted an informational workshop and public hearing to inform the public and receive comments about the proposed project and proposed preferred alternative. The public meeting was held at the H.E. White Elementary School in Bomont, WV on February 26, 2015 from 4:00 PM to 7:00 PM. This location is approximately 4.2 miles from the project area.

WVDOH advertised the meeting in the following ways:

- Advertised on the WVDOH website;
- Posted flyers in community common spaces (e.g., convenience store entryway);
- Mailed announcements to area residents;
- Mailed and emailed announcements to people who commented on the project during the 2013 public comment period and provided contact information;
- Included meeting announcement with delivery of the EA to resource agencies and local planning agency, Delegates and Senators;
- A digital message board placed at the existing bridge approximately two weeks prior to the meeting (Figure 3).

A total of 36 individuals signed the sign-in sheet for the meeting. The workshop portion (Figure 3) was held between 4:00 PM and 6:00 PM. WVDOH and FHWA representatives were available to discuss the proposed project and answer questions. A summary of the project was provided in a handout, and large copies of the handout figures were displayed on boards around the room for review. Additionally, copies of the EA were available for attendees to keep.

PFC Abraham G. Sams Bridge Replacement

Figure 3 Digital Sign Announcement and Photograph from February 2015 Public Meeting



The meeting transitioned to a public hearing format at 6:00 PM. Representatives from WVDOH presented a project summary before offering opportunity for the public to voice their comments. A Court Reporter was present and has produced a transcript of the entire public hearing, which is included as Appendix C.

A month long comment period followed the meeting, concluding on Monday, March 30, 2015. A comment form was available at the meeting, along with instructions for mailing the comment form after the meeting or commenting electronically. Additionally, the Court Reporter was available throughout the workshop component of the meeting to record verbal comments for any attendees not choosing to submit written comments. Comments on the EA are included in their entirety in Appendix D, and specific comments are addressed later in this FONSI document.

CHANGES TO THE EA AND REVISED SUMMARY OF MITIGATION

The EA is included with this document as Appendix A. The only updates to the information contained in the EA are the following:

- The ESA Formal Consultation process has been completed. USFWS issued their Biological Opinion (BO) on June 22, 2015. USFWS's letter transmitting the BO as well as follow-up correspondence between FHWA and USFWS are included with this FONSI as Appendix B.
- Appendix I of the EA ("Draft mitigation measures from formal consultation process for impacts to endangered species") only included sediment and erosion control measures and omitted other mitigation measures such as those related to bridge design and monitoring. It has been replaced with the final list of Reasonable and Prudent Measures (RPMs) agreed-to during ESA Formal Consultation and presented in the USFWS' BO. These measures are included in their entirety as Appendix E of this FONSI; however, the measures are also summarized in the mitigation table below.
- Additional mitigation measures have been incorporated to the project, primarily for the protection of water quality and threatened/endangered species. Examples of new measures include the choice of material for constructing the work pads, specific rates for replanting disturbed areas, and a limit imposed on the length of the Elk River that can be directly impacted.

Table 1 lists all project mitigation measures, compiled from commitments described in the EA and those finalized during the ESA Formal Consultation process.

Table 1. Summary of Mitigation for the AGSM Bridge Replacement Project Impacts

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
Transportation Resources: Temporary disruption to traffic during construction.	A maintenance of traffic plan will be developed and implemented during construction to assure both motorist and construction worker safety. This plan will be developed using guidelines of FHWA, the American Association of State Highway and Transportation Officials, and WVDOH.	Contractor	Prior to Disturbance Activity
	During critical times (i.e., during movement of the old truss), the bridge may be temporarily closed for up to 8 hours. At other times, at least one lane will be open on the new bridge during demolition of the existing bridge.	Contractor	During Construction
	At least 48 hours before the contractor proceeds with any work or before changing phases and before any short term closure is implemented, the contractor shall coordinate such with WVDOH personnel to notify television, radio, newspapers, hospitals, fire departments, schools, police, emergency vehicles, traveling public, etc. as appropriate.	Contractor	During Construction
	The bridge is designed to allow future rehabilitations without requiring bridge closure.	Contractor, WVDOT	Prior to Disturbance Activity
Right-of-Way: Across two different residential properties, a total of 0.26 ac of ROW acquisition is required.	Acquisition and relocation will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended.	WVDOT ROW Division	Prior to and During Construction.
	Access to all residences and businesses throughout the project duration shall be maintained.	Contractor	During Construction
Floodplain	No stockpiled or waste material will be stored or disposed of within the 100-year floodplain.	Contractor	Prior to and During Construction
Water Quality: Temporary effects from construction activities.	The bridge piers and causeways for construction are designed to avoid and minimize direct and indirect impacts to the river.	Contractor, WVDOT	Prior to Disturbance Activity
	The bridge is designed to allow future rehabilitations of the bridge to be conducted top down in order to avoid impacting the river.	Contractor, WVDOT	Prior to Disturbance Activity

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
	The bridge is designed so that runoff from the bridge will be diverted into a vegetative swale prior to being drained to the river.	Contractor, WVDOT	Prior to Disturbance Activity
	An Erosion and Sediment Control (ESC) Plan will be developed by the Contractor, approved by USFWS, and implemented by the Contractor.	Contractor	Prior to Disturbance Activity
	The Erosion and Sediment Control (ESC) Plan will be in accordance with the WVDOT Erosion and Sediment Control Manual, and will include detailed requirements as set forth in the BO. See RPM 4 under "Threatened/Endangered Species" for detailed requirements.	Contractor	Prior to Disturbance Activity
	Best Management Practices (BMPs) will be used to control sedimentation and erosion and protect water quality. Removal of vegetation will be kept to the minimum. See RPM 6 under "Threatened/Endangered Species" for detailed requirements.	WVDOT and Contractor	Prior to and During Construction.
	The work pads will be constructed using clean rock for the fill and sheet piles, anchored gabion baskets, or locking concrete blocks for the shoring.	Contractor	During Construction
	Demolition of the old bridge will employ the new bridge to avoid dropping the middle span into the river.	Contractor	During Construction
<p>Waters of the US: 0.130 acre of area filled temporarily as part of construction/demolition activities.</p>	Mitigation for the temporary impact will be resolved in coordination with the US Corps of Engineers as part of the Clean Water Act permitting process. See also measures listed for "Water Quality" above.	WVDOT	Prior to Disturbance Activity.
<p>Fish & Wildlife: Disturbance in the river could harm aquatic species and their habitat.</p>	In-stream work (below ordinary high water mark) will only take place outside the period when fish spawn in the river (April 1st-June 30 th). Measures to reduce water quality impacts and threatened/endangered species impacts will also reduce impacts to fish. See measures listed for "Water Quality" above and for "Threatened/Endangered Species below.	WVDOT and Contractor	Prior to, During, and After Construction.
<p>Threatened/Endangered Species: Impacts to the river bed, including mussel beds, during</p>	Mussel salvage will occur between May 1 and October 1 to ensure relocated mussels become established at the relocation site prior to cold weather.	WVDOT	Prior to Disturbance Activity.

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
construction and demolition of the old bridge.			
	The USFWS’s BO includes “Reasonable and Prudent Measures” (RPMs) which are annotated below and included in their entirety in Appendix E.	WVDOT and Contractor	Prior to, During, and After Construction.
	Reasonable and Prudent Measure (RPM) 1: Minimize direct impacts to mussel populations through mussel relocation and conduct monitoring to track incidental take. This shall be conducted in accordance with all the stipulations listed for RPM 1 (Appendix E).	WVDOT	Prior to Disturbance Activity
	<p>RPM 2: Minimize direct adverse impacts to mussel populations through reducing the project footprint and in-stream activities.</p> <ul style="list-style-type: none"> The project will be constructed as described in the BA and the BA errata and analyzed in this BO with direct in-stream adverse impacts not to exceed 11,140 square feet. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Any in-stream work conducted in association with this project shall take place outside of fish spawning period of April 1 -June 30. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The new bridge shall be demolished and dismantled through use of the new bridge structure to avoid additional in-stream adverse impacts. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOT or their contractors shall not place additional fill in the river and shall not allow equipment to enter the river beyond what has been described above. 	Contractor	Prior to, During, and After Construction
	RPM 3: Conduct habitat and depth monitoring to assess any adverse impacts to the riverbed in accordance with the stipulations listed for RPM 3 (Appendix E).	WVDOT	Prior to, During, and After Construction
	<p>RPM 4: Minimize direct and indirect adverse impacts to mussels by using best management practices for erosion and sedimentation.</p> <ul style="list-style-type: none"> The FHWA and the WVDOT or their contractors shall locate all staging areas for construction vehicles and equipment on appropriate work areas located away from any receiving waters of the Elk River and shall avoid adverse impacts to riparian vegetation. 	Contractor	Prior to, During, and After Construction

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
	<ul style="list-style-type: none"> No more than 590 feet of streambank on the left descending bank and 175 feet of streambank on the right descending bank shall be disturbed during construction. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall mulch and re-seed any disturbed areas within this project site with native vegetation to prevent erosion of these areas into the Elk River. In particular, they shall recontour riverbanks and stabilize the soils using native vegetation including live stakes to prevent erosion of these areas that includes native species at a density of 450 woody stems per acre upon initial planting. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> An erosion and sedimentation control and maintenance plan shall be provided to the USFWS for review and concurrence prior to any ground disturbing activities take place. This plan shall include information on the types of controls to be used throughout the various phases of the project, a maintenance and monitoring schedule for the controls, and information on restoration measures for the site post-construction. 	Contractor	Prior to Disturbance Activity
	<ul style="list-style-type: none"> Installation of super silt fence and compost filter sock 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Use of sediment sumps 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Seeding and mulching of exposed soils within 24 hours 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Daily inspection and immediate repair of any control features found to be nonfunctioning or in disrepair 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Reinstallation of any devices that were removed in order to perform work during the day 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Development of an emergency plan that defines procedures and contacts for unexpected events such as a containment spill 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> Post-construction restoration/stabilization of stream banks with a permanent erosion control matting filled with a fiber bonded hydro mulch 	Contractor	After Construction

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
	<ul style="list-style-type: none"> Design drawings delineating areas to be seeded and areas where permanent erosion control matting shall be installed will be submitted to the USFWS for final approval prior to installation. 	Contractor	Prior to Post-Construction Restoration/Stabilization
	<p>RPM 5: Minimize indirect adverse impacts to mussels by using best management practices for the control of invasive species.</p> <ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall only use clean rock for the construction of the crane pads and shall remove these materials from the river following project completion. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall inspect all construction vehicles and equipment for the presence of invasive species and shall wash/clean this equipment using best management practices before use at the site. 	Contractor	Prior to, During, and After Construction
	<p>RPM 6: Minimize direct and indirect adverse impacts to mussels by using best management practices for protection of water quality at the site.</p> <ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall only fuel and maintain vehicles or equipment within a containment site with adequate buffering (berms, vegetation, etc.) from any receiving waters of the Elk River. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall inspect construction vehicles and equipment used at the site on a daily basis for leaks of potentially toxic materials including fuels, lubricants, oils, etc. Any fluids found during these inspections shall be immediately contained in accordance with applicable regulations, and the equipment shall be repaired prior to further use on the site. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall store all potentially toxic substances (fuels, paints, solvents, lubricants, etc.) within a containment area with adequate buffering (berms, vegetation, distance, etc.) from any receiving waters of the Elk River. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> The FHWA and the WVDOH or their contractors shall immediately report any unpermitted discharge of any potentially toxic substance to the USFWS and the WVDEP upon discovery. 	Contractor	Prior to, During, and After Construction

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
	<ul style="list-style-type: none"> While this project is in progress, the FHWA and the WVDOH or their contractors shall store construction debris and waste in a stockpile with adequate buffering capacity from any receiving waters of the Elk River. At the completion of this project, they shall permanently remove all bridge material and construction debris from the site. 	Contractor	Prior to, During, and After Construction
	<ul style="list-style-type: none"> While this project is in progress, the FHWA and the WVDOH or their contractors shall have an adequate spill containment kit present on site to meet all possibilities. 	Contractor	Prior to, During, and After Construction
	RPM 7: Minimize direct and indirect adverse impacts to mussels by informing potential construction companies of the presence of federally endangered species at the site and the requirements of the BO.	WVDOH	During Bidding Process and Prior to Disturbance Activity
	<ul style="list-style-type: none"> The FHWA and the WVDOH shall include conditions in all construction and demolition contracts in accordance with those listed for RPM 7 (Appendix E). 	WVDOH	During Contracting Process and Prior to Disturbance
	<ul style="list-style-type: none"> The FHWA and the WVDOH shall include a payment incentive/disincentive special provision within the contract documents to encourage contractors to limit the number of days of in-stream work. 	WVDOH	During Contracting Process and Prior to Disturbance
<p>Archaeological Resources: No impact anticipated; however contingencies are in place for unforeseen circumstances.</p>	If any unanticipated discoveries are encountered during project implementation, work will be suspended in the area of the discovery until the WVDOH has developed and implemented an appropriate treatment plan in consultation with the SHPO pursuant to 36 CFR 800.13(b).	WVDOH	
<p>Parks and Recreation: Disturbance in river could interrupt recreation in the river.</p>	The construction access and causeways provide a channel for recreational boater/fisherman access through the construction area. The Contractor will prepare and submit to the engineers for approval a river operations plan, which will include an aid to navigation plan which will detail the safe passage through the construction area by boaters and others using the Elk River recreation.	Contractor	Prior to Disturbance Activity
	The Contractor is prohibited from closing the river channel unless approval is granted by the Engineer 7 days in advance of closure. The method or signing required to indicate a channel closure shall be document in the Contractor’s river operations plan.	Contractor	During Construction

Impact	Mitigation Commitment	Responsible Organization	Timing/Phase for Mitigation Implementation
<p>Air Quality: Temporary construction impact.</p>	<p>Air pollution control measures will be included with the project in accordance with the WVDOT’s Standard Specifications for Road and Bridge Construction, and applicable regulations of the West Virginia Air Pollution Control Commission.</p>	<p>Contractor</p>	<p>During Construction</p>
<p>Noise: No permanent impact, as defined in Noise Analysis report. Temporary impact from construction noise.</p>	<p>Control of construction noise will be governed by WVDOT’s Standard Specifications for Road and Bridge Construction.</p>	<p>Contractor</p>	<p>During Construction</p>
	<p>All construction equipment and machinery powered by an internal combustion engine shall be equipped with properly maintained and operable mufflers.</p>	<p>Contractor</p>	
<p>Hazardous Materials/ Utilities: No impact from hazardous materials anticipated; however contingencies are in place for unforeseen circumstances. Two utility poles will be relocated.</p>	<p>Should hazardous materials be encountered prior to or during the construction phase, any identified waste will be managed according to applicable federal and state laws, ordinances, and regulations. Proper worker and environmental safety protocols will be followed. See additional commitments for toxic substance control with RPM 6 under “Threatened/Endangered Species.”</p>	<p>WVDOT</p>	<p>Prior to and During Construction</p>
	<p>The utility relocations will be completed prior to the start of construction with minimal to no disruption to service. The locations of all known utilities are shown on the contract plans based on the best available information from existing plans and field information. It is the contractor’s responsibility to ascertain the status and location of each utility when performing work which may affect these facilities, including probing, excavation, or any other precaution required to confirm location. The Contractor will be responsible for any damage or disruption to utility lines which are known active and are to remain in operation.</p>	<p>Contractor</p>	<p>Prior to and During Construction.</p>

COMMENTS RECEIVED ON THE EA

Throughout the public comment period, which ended on March 30, 2015, the following submissions were received in various forms:

- Three (3) written comment submissions from the following two resource agencies: United States Environmental Protection Agency and the West Virginia Division of Natural Resources;
- Twenty-five (25) written comment submissions from the public; and
- Five (5) speakers at the Public Hearing.

The Public Hearing comments are included in their entirety in the transcript in Appendix C, and all of the written submissions are included in their entirety in Appendix D. Substantial comments are extracted from the submissions and presented along with responses in Table 2. The comments in Table 2 are extracted from the 28 letters received during the comment period and from the Public Hearing transcript. Agency comments have IDs beginning with “A-”, and public comments have IDs beginning with “P-”.

Table 2 Comments Received on the Environmental Assessment and WVDOH Responses

Agency Comments			
Comment ID	Commenter Agency/ Name	Comment	WVDOH Response
A-1	U.S. Environmental Protection Agency, Barbara Okorn	“Please continue to coordinate with the state and USFWS regarding the potential impacts to mussels”	Work with USFWS and WVDNR is ongoing to ensure minimization of impacts to the mussels. Key examples of coordination that will take place prior to construction are with regard to the control of erosion and sedimentation and the salvage of mussels in the direct impact area. The erosion and sedimentation control and maintenance plan will be provided to USFWS for review and concurrence prior to any ground disturbing activities take place. The WVDOH will work with WVDNR to ensure the proper implementation of the Mussel Salvage and Monitoring Plan, and associated reports will be provided to both USFWS and WVDNR.
A-2	Okorn (cont.)	“Please continue to avoid and minimize aquatic impacts”	WVDOH has worked and will continue to work to avoid and minimize aquatic impacts. For example, since the EA, additional measures have been added to the list of mitigation commitments that will help reduce sedimentation (see Table 1).

Agency Comments			
Comment ID	Commenter Agency/ Name	Comment	WVDOH Response
A-3	Okorn (cont.)	“Please work closely with the resource agencies, including EPA, as the project moves forward.”	USEPA will receive a copy of the FONSI and will be notified of any changes to the project that require additional impact analysis. Also, see response to Comment A-1.
A-4	Okorn (cont.)	“How does this project consider climate change, increased storm events, etc?”	The FHWA and WVDOH understand that climate change (and its related effects, e.g., extreme weather conditions) is a complex issue with no “one-size-fits all” approach to addressing its impact. With this project, miles traveled by vehicles (and therefore emissions) are reduced by avoiding the need for a 16-mile detour. Additionally, the project’s effect on the base flood elevation, which could be a greater concern with increased number and strength of storms, was an important consideration in the alternatives analysis.
A-5	WV Division of Natural Resources, Paul Johansen	“It is exceedingly important that Best Management Practices are followed and all attempts are made to avoid and minimize disturbance to the Elk River. It is important to conduct minimal instream work because sedimentation could negatively impact aquatic life.”	Avoidance and minimization of impacts in the river have been a principal consideration with this project, particularly since discovery of an endangered mussel species in the vicinity. WVDOH has been working closely with USFWS to compose a detailed list of BMPs and design criteria the contractors will have to follow for construction. Conservation measures agreed to during ESA Formal Consultation with USFWS also include post-construction monitoring commitments.
A-6	Johansen (cont.)	“As a special condition of NWP#33 an Individual Water Quality certification i.e. 401 permit is required for Section 10 waters. Additional comments may be provided in the 401 certification from the WV Department of Environmental Protection.”	WVDOH will be responsible for obtaining 401 certification prior to work in the river and for responding to comments from the WVDEP.

Agency Comments			
Comment ID	Commenter Agency/ Name	Comment	WVDOH Response
A-7	WV Division of Natural Resources, Anne Wakeford	<p>“The Elk River has numerous warmwater sport game fish and large populations of smallmouth bass, walleye, and muskies.</p> <p>Therefore, to maximize recreational opportunities for the citizens of the state of West Virginia, we request fishing access under the bridge to park approximately 10 vehicles.</p> <p>If possible we would like access to be similar to that of the Hartland Bridge in Clay County which is located approximately 10 miles upstream from the site.”</p>	<p>Access to the Elk River for fishing is provided in two locations within a couple miles of the project location. At King Shoals downstream, there is carry down access with parking, and at Queen Shoals upstream there is a drive-in access point with parking. Because of these nearby access points, and also because of the potential impacts at the AGSM Bridge location (e.g., mussel beds and residential property) and the lack of public review of this proposed project element, WVDOH is electing to not add additional access with this project at this time.</p>

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
P-1 (Hearing)	Alternatives Analysis	<p>"What the Department of Highways also fails to say is, is that the preferred option -- it's not a preferred option. It is the decided option of the Department of Highways. They've already made the decision. Okay. This is simply a sham, quite frankly, meeting to attempt to give the community input -- that the community really doesn't have."</p>	<p>Selection of Alternative 2C was not final at the time of the Public Hearing. It has only been finalized after the additional opportunity for public and agency input and the signing of this FONSI document. Comments on the EA from agencies and the public have not brought new information to light that warrants a change in the basic selection of Preferred Alternative 2C. However, through additional agency coordination, additional measures to minimize potential impacts in the river have been incorporated to the Preferred Alternative, as addressed in the previous section of this document.</p>

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
P-2 (Hearing)	Construction Time	"You know they're telling us here that the bridge construction will take approximately ten months. They even have a chart back there which says that the bridge will be open in fall of 2016. But in our negotiations, they tell us that it will be at least -- at least two years. Well, that's certainly not the fall of '16. And also it's certainly longer than ten months."	Different uses of the term "construction time" can sometimes lead to confusion. In one sense, the construction time will be closer to two years because that is the length of time a contractor will be working on the project. However, the actual time in the river and on the work pads and bridges will be closer to only ten months. The former time period includes the time needed to order and receive materials as well as activities to wrap-up the project.
P-3 (Hearing)	Alternatives Analysis	"What the Department of Highways has failed to tell us is that they've already acquired access from some of the adjoining property owners, if what they have told us during our meetings with them -- if what they've told us is true. If what they've told us is true, they've already acquired right of way from the railroad -- to the old railroad grade. Moving the road. They've also already acquired -- to come to a price agreement with the Sams, who are located on the other side of the railroad from my mother. They've also come to an agreement with the folks -- with Ruby Shamblin on the other side of the road, as to what they will pay her for a temporary easement -- temporary easement through her property. And the preferred option is the only option that the Department of Highways is here tonight to consider, quite frankly. . . . They've already acquired property, they've already acquired temporary easements. They have one property owner that is quite frankly left -- again, if what they tell us is true -- and that, of course, is my mother."	WVDOH has not openly discussed negotiations with private landowners in the interest of privacy and not in the interest of withholding important information from the public. Acquiring small amounts of right-of-way does not bind WVDOH to a specific alignment for final construction. It helps speed the construction process. The AGSM Bridge is in poor condition, and WVDOH is balancing the need for expediency with the low level of monetary risk associated with minor right-of-way purchases. Also, some of the right-of-way areas listed would have been needed for alternative options other than Preferred Alternative 2C.
P-4 (Hearing)	Alternatives Analysis	"[O]ne of the options that they don't tell you about is constructing a temporary bridge through the adjoining piece of land -- my mother -- which she offered to give them temporary easement through the property for free. Ms. Ruby Shamblin offered to sell her property to the Department of Highways for the construction of the bridge."	Construction of a temporary bridge to use while a new bridge was constructed at the existing location was one of the first alternatives considered for this project. As stated in the EA, p.5 of the "Detailed Alternatives Analysis," "a single-span temporary bridge was found to be cost-prohibitive, and

Public Comments			
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		<p>Elaine Goodwin, who was here earlier tonight, also offered to sell her property, two acres, to the Department of Highways for relocation of the bridge. And a gentleman -- I don't know his name -- he was at the Burke meeting -- at the Burke Church. He lives, I believe, two -- two or three doors upriver from the bridge, in a trailer -- he did at that time. He offered to sell them that lot for the construction of the bridge. They did not desire to take any of those options. Instead, they chose to take someone's property who did not want to sell the property. They chose to take someone's property in total disregard -- for desires of other people in the community -- for the property owner herself. And in turn have offered her little of nothing in exchange for her property."</p>	<p>placing an additional pier or piers in the river for a temporary bridge would substantially impact mussels and mussel habitat greater than the new bridge construction alone."</p> <p>The EA also addressed the option of constructing the new bridge at different locations upstream of the existing bridge. As stated in the "Detailed Alternatives Analysis" (Appendix C of the EA), "Any location upstream of the mussel beds would have the same reduction in direct impact from construction, provided no new mussel beds were found." Alternative 4 represented all of those options in the analysis of mussel impacts. Also, the specific option of using property from willing sellers upstream was addressed in the responses to comments on the EA (Appendix J). In summary, other upstream alternatives, regardless of the willingness of property owners to sell, were determined to be unacceptable because of the increased impact to endangered mussels as compared to Alternative 2C.</p>
P-5 (Hearing)	Alternatives Analysis	<p>"The Department of Highways has advised us that one of the possibilities would be to construct a temporary bridge. The floor in that bridge would then become the permanent floor in a bridge that would be located exactly where the existing bridge is now. And would have minimal impact of the property owners, as well as the mussel beds that they have mentioned here tonight. And that the timeline for that would be essentially the same as the timeline for construction of the bridge downstream. And what they would do is construct a temporary bridge, pave the runways, divert the traffic over the temporary bridge, deconstruct the old bridge, construct new piers. And then simply with cranes move the floor of the temporary bridge over onto the piers, where the existing bridge is. Then</p>	<p>See response to Comment P-4 regarding the assessment of the temporary bridge alternative.</p>

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
		deconstruct the temporary bridge, pave the runways. Total bridge closure, according to the engineers in our meetings, was approximately two weeks. Have minimal impact on the mussel beds and minimal impacts to the adjoining landowners. But that's not a -- that's not an option that they're interested in, quite frankly."	
P-6 (Hearing)	Residential Impact	"But I don't like losing people's property when they're not willing to -- to let it go. I mean, I know you all can take it, and that stuff. If you've got people willing to sell property, I would think it would be better to try and negotiate with them, and buy their property if that's an option. Which it looks like it is an option. There's not much difference in the cost. And I know the mussel habitat is a little bit more affected if you put it on the upriver side. But to me it would be better. . . [I]f you are going to take her property, I think you definitely need to pay her market value price for it."	The option of moving the bridge farther upstream was considered. See the EA, Detailed Alternatives Analysis. The Selected Alternative has the fewest impacts. Compensation for ROW will be in accordance with Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. This includes requirement of paying fair market value for the acquisition of property.
P-7 (Hearing)	Bridge Design	"[S]omeone had asked me what I think about when I think of Procious. And it's hard to put my finger on any one thing, other than our bridge at Camp Creek. And it seems to me to be the closest we have to a landmark or a monument of any sort. There are a few other things. But it's -- kind of gives the immediate community some personality. And I would just wish that whatever bridge is chosen for replacement, wherever you put it, that try to come up with a way to build something that's got a little character to it. Cement and I-beam structure, this kind of looks like an overpass to me. And, umh -- umh, kind of lacks on character. And it would be nice to have some kind of structure that you could feel some kind of connection with."	WVDOH has not deemed it a priority to incorporate special aesthetic elements to this bridge; however, we believe the new bridge will be more pleasing to view than the existing bridge because it will not be rusted and the lower height will not interfere as much with the view of the river. Certain engineering elements for the bridge are constrained by specific environmental conditions at this location. For example, the railings must be closed to be able to direct roadway runoff away from the river.

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
P-8 (Hearing)	Utilities	"I'm Joanna Samples. And I'm number one on the map -- other than the bridge that's there already. My question is, how long will my electric and water be off in those two years that you plan to make this bridge? Do we have anybody that can answer that?"	The majority of construction activity relates to the construction and dismantling of the work pads in the river, the demolition of the existing bridge, and the construction of the new bridge. None of these activities will affect utilities. The only anticipated utility interruption will be from the relocation of two utility poles during work on Camp Creek Road, which is a relatively small portion of the project. This interruption will be on the order of hours and not days. No disruption to water service is anticipated.
P-9 (Hearing)	Preferred Alternative	"I'm here basically probably to represent the church and the community there as a whole. we have seen -- and I don't know all the legalities that Jim maybe brought up. And some that were brought up this evening. I don't know all those things. I really don't. It's -- by looking -- when you look at the map, and you look at the details, you look at the cost -- you look at everything, it seems to be -- and most of the people in the church, to be honest -- there, again, we don't know all the ins-and-outs. And most of the people in the church did seem to think that 2C, which is the preferred alternative route here to take, was the one that most people thought was the most feasible. Very little change in any way. But I'd like to first of all say I don't want to see -- and I'm sure no one wants to see people's land taken."	Preferred Alternative 2C has been chosen as the Selected Alternative and will be carried forward for construction.
P-10 (Hearing)	Bridge Closure	"[W]e can't shut down our bridge. I think everybody would agree with that, for the most part. We cannot shut down that bridge, because our community -- we have many elderly residents. My dad and mom included. Ms. Joann Samples included. We don't want that shut down to where we could not get in there in case of an ambulance, and so forth. It's too far."	See response to Comment P-15.

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
P-11 (Hearing)	Preferred Alternative	"I don't know, it doesn't cost much more to go to the left of that, to go on the upper side. Which is Ms. Ruby Shamblin's. I don't know if Ruby -- like you all say, I don't know if Ruby has agreed to sell that to the State --to take care of that. I hadn't heard that. To me there wouldn't be that much difference. . . .So 2C, or what's -- what's the other one right above that? What's the one which is into Ruby's? Which is the green there... [VOICE: Alternate 3.] Then one of those two by far has to be the most feasible ones to do. I mean common sense has to tell us that. . . .But I do -- and I have talked to most of the members of the church. And I do say most of them. I can't say every one. But most of the members have definitely thought 1 that 2C seemed to be the most feasible route to take. But, again, if that means taking Joann's land -- and if you can go to 3C, which is right beside of it, and see no problems -- the only thing I would see is, I don't know about the -- once you come off of there -- are you going to have to cut the hillside out? You may have to cut the hillside out there. I don't know what that -- again, it doesn't seem to be that much of a cost."	The Selected Alternative is in the same location as Preferred Alternative 2C, as presented in the EA. Alternative 3 was eliminated because of higher impacts to mussels and residential property.
P-12 (Hearing)	Preferred Alternative	"But I am also here to say that 4C, the one up at the church was not one that anybody at our church thought was a good idea at all, whatsoever. And would go right through our parking lot. And then the State basically would have to buy everybody's land from there on down. Because it would be taking a lot of the front yards. Utilities would be a problem there also, that you'd have to deal with."	Alternative 4 was eliminated from further consideration during the alternatives analysis, and Alternative 2C, which does not impact the church property, is the Selected Alternative.
P-13	Preferred Alternative	<i>Eighteen (18) commenters explicitly expressed a preference for Alternative 2C.</i> <i>These 18 submissions gave one or more of the following reasons for supporting Alternative 2C:</i>	Preferred Alternative 2C has been chosen as the Selected Alternative and will be carried forward for construction.

Public Comments			
Comment ID	Topic	Comment	WVDOH Response
		<ul style="list-style-type: none"> • <i>Minimization of bridge closure time;</i> • <i>Minimization of residential property impact;</i> • <i>Minimization of impacts to mussels;</i> • <i>Alignment with the existing road;</i> • <i>Best overall choice for the community;</i> • <i>Lower cost; and</i> • <i>Avoidance of the Burke Memorial United Methodist Church.</i> 	
P-14	Bridge Closure	<p>"I'm not a resident of Senic River Rd, yet, but am in the process of building. Very concerned about how we are going to get supplies up to building site."</p>	<p>The period of construction that will involve bridge closure will not occur until 2016. At this time it is expected that during construction there will be occasional brief closures, and one full-day closure. Otherwise, it is anticipated that there will generally always be a bridge crossing option at the current location (either on the existing bridge or on the new bridge with one or two lanes open) throughout the construction process.</p> <p>Additionally, the bridge has been designed to allow future rehabilitations without requiring bridge closure.</p>
P-15	Bridge Closure	<p>"Every effort should be made to keep 'wait times' or temp. closures to BARE Minimum - Traffic Controllers/ or Signals could be used to allow intermittent passage."</p>	<p>Avoidance of long bridge closure times was one of the priorities for this project. Because the new bridge will be used as a platform for part of the demolition process in order to avoid impacts to endangered species, all closure time cannot be avoided. See response to Comment P-14 for specifics regarding anticipated closure time.</p>
P-16	Bridge Closure	<p>"Keeping closures to off peak hours would be good."</p>	<p>See response to Comment P-14 for specifics regarding anticipated closure time. Except for one approximately full-day closure, bridge closures will be timed to occur during off-peak hours.</p>

Public Comments			
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P-17	WV Bridges	"Please consider contacting the Charleston, WV newspapers to inform them the oldest remaining useable bridge is being replaced, should they want to obtain pictures of it prior to construction."	It might please the commenter to know that there are older bridges in WV. For example, the Thurmond Bridge in Fayette County was built approximately in 1915. As might be the case with an upcoming project on the Thurmond Bridge, WVDOH sometimes is able to renovate older structures instead of replace them. That is not the case with the AGSM Bridge. Also, with replacement, the new bridge will be able to provide additional services to the area because of its wider width and higher weight capacity.
P-18	Preferred Alternative	<i>Two (2) commenters expressed preference for an alternative that builds the new bridge south of the existing bridge while keeping the existing bridge open during construction.</i>	The Selected Alternative 2C is south of the existing bridge and will allow the existing bridge to be used during construction except for brief temporary closures for safety.
P-19	Preferred Alternative	"It is my belief that the most logical and least disruptive location for the new bridge is the preferred location (on the downstream side of the existing bridge)."	The Selected Alternative 2C is at the same location as what was presented as the Preferred Alternative in the EA.
P-20	Recreational Fishing	"I support a new bridge near the existing bridge like alternate 2C. However I enjoy fishing and fully support a fishermans access that could be constructed near the new bridge location. Mayby you can consider bulding the access on the downstream side of the bridge of the side away from rte 7. That side of the bride has alot of room between the houses and the new bridge. Thanks for your consideration and I look forward to fishing in the elk river."	See response to Comment A-7.
P-21	Preferred Alternative	<i>Commenter specifically requests that Alternative 4 not be selected because of its impacts to the Burke Memorial United Methodist Church.</i>	See response to Comment P-12.

APPENDIX A – ENVIRONMENTAL ASSESSMENT: PFC ABRAHAM G. SAMS MEMORIAL BRIDGE (CAMP CREEK TRUSS BRIDGE) REPLACEMENT, SIGNED FEBRUARY 8, 2015

APPENDIX B – LETTERS FINALIZING ENDANGERED SPECIES ACT FORMAL CONSULTATION BETWEEN THE FEDERAL
HIGHWAY ADMINISTRATION AND THE U.S. FISH AND WILDLIFE SERVICE BIOLOGICAL OPINION

APPENDIX C – PUBLIC HEARING TRANSCRIPT

APPENDIX D – WRITTEN COMMENTS ON THE ENVIRONMENTAL ASSESSMENT FROM AGENCIES AND THE PUBLIC

APPENDIX E –FINAL, AGREED-UPON REASONABLE AND PRUDENT MEASURES FROM THE ENDANGERED SPECIES ACT
FORMAL CONSULTATION WITH THE US FISH & WILDLIFE SERVICE