SECTION 7
COORDINATION AND PUBLIC INVOLVEMENT

7.1 AGENCY COORDINATION

7.1.1 Early Coordination

An initial scoping meeting for this project was held on December 16, 1992. Representatives from various NCDOT departments discussed the purpose of the project and known environmental constraints that would limit new projects. A follow-up to this meeting was held on March 26, 1993 and included representatives from state environmental regulatory agencies. Project limits and potential alternatives were discussed.

Formal agency scoping comments for this project were solicited in 1993. NCDOT implemented the scoping process through the distribution of a scoping letter to the appropriate federal and state agencies, as well as local officials. The scoping letter was distributed on October 8, 1993 and solicited comments related to the project. Pertinent comments received from these agencies and officials are included in Appendix A.

FHWA issued a Notice of Intent to prepare a Draft Environmental Impact Statement for the project on January 7, 1994 (see Appendix B). However, no federal funds were expended on the project development or design. Completion of the planning process will be undertaken under the auspices of the NCEPA rather than the NEPA

7.1.2 Combined NEPA/Section 404 Merger Process

In a May 1, 1992 agreement, the US Department of Transportation, the Office of the Assistant of the Army (Civil Works), and the US Environmental Protection Agency (EPA), developed policy that (a) would improve interagency coordination and (b) would integrate NEPA and Section 404 procedures. On May 14, 1997, the Wilmington District of the US Army Corps of Engineers (USACE), the North Carolina Division of the Federal Highway Administration (FHWA), and the North Carolina Department of Transportation (NCDOT) signed an Interagency Agreement that provided procedures to integrate NEPA and Section 404 for transportation projects in North Carolina.

In 1997, NCDOT, FHWA, and USACE agreed that “these procedures apply to all projects needing Federal Highway Administration action under the National Environmental Policy Act and a US Army Corps of Engineers Individual Permit under Section 404 of the Clean Water Act. These procedures are limited to those projects determined by Federal Highway Administration and North Carolina Department of Transportation to be processed with an Environmental Impact

Statement to comply with NEPA, and/or those projects that require an Individual Section 404 Permit." This process is also used during the development of non-federally funded highway projects

The NEPA/Section 404 Merger Process is based on concurrence from Merger Team Members at four major milestones (concurrence points) during project studies. For the Greenville Southwest Bypass project, the Merger Team includes representatives from federal, state, and local agencies, including FHWA through the Planning Zoning and Agriculture Committee (PZA), USACE, EPA, US Fish and Wildlife Service (USFWS), North Carolina Department of Environment and Natural Resources - Division of Water Quality (NCDWQ), North Carolina Wildlife Resources Commission (NCWRC), North Carolina State Historic Preservation Office (HPO), Greenville Area Metropolitan Planning Organization, and NCDOT. The four points for concurrence are (1) project purpose and need, (2) alternatives selected for detailed study, (3) least environmentally damaging practicable alternative (LEDPA), and (4) avoidance and minimization.

The NEPA/404 Merger Process was amended in 2001 and is referred to as the "Merger 01 Process." The amended procedures for the Merger 01 Process were implemented in March 2003. The Concurrence Points amendments in the Merger 01 Process include the addition of Concurrence Point 2A and the separation of Concurrence Point 4 into three items: A, B, and C. Concurrence Point 2A includes coordinating the bridge locations, lengths, and cost with the Merger Team, and the three items for Concurrence Point 4 (A, B, and C) include Avoidance and Minimization, a Hydraulic Design Review, and a Permit Drawing Review, respectively.

In 2001, the Greenville Southwest Bypass Study became subject to the Merger 01 Process. Following this development, a second agency scoping letter was distributed to obtain comments on the project. A copy of this letter and relevant agency comments can be found in Appendix A.

The project has proceeded through Concurrence Points 1, 2, 2A, 3 and 4A as described below. Concurrence Points 4B and 4C will occur following issuance of the Record of Decision (ROD) for this project. Copies of the signed Concurrence Forms can be found in Appendix C.

7.1.2.1 Concurrence Point 1 -- Purpose and Need

Members of the Merger Team concurred with the purpose and need for the project on February 15, 2001. The purpose and need of the project is to "ease existing and anticipated traffic congestion on NC 11 (Memorial Drive) in Greenville."

7.1.2.2 Concurrence Point 2 – Alternatives for Detailed Study

A series of meetings was held to identify alternatives for detailed study. On February 20, 2002, the Merger Team met to discuss which of the preliminary alternatives and corridors (Bypass Alternates 1, 1A, 1B, 2, 3, 3A, 4, and 4A) should be evaluated in detail for the project (see Figure 2-2). At the conclusion of the meeting, the Transportation Systems Management and Mass Transit Alternatives were eliminated, as were Bypass Alternates 3, 3A, 3B, and 4A. A follow-up

to this meeting was held on April 11, 2002 to further discuss Bypass Alternate 2. This meeting was attended by representatives from NCDOT and NC Division of Water Quality. Ultimately, Bypass Alternate 2 was eliminated from further study. At this point, Bypass Alternates 1, 1A, 1B, and 4 remained, along with the Upgrade Existing Facilities Alternative, for more detailed evaluation, including preliminary design, construction and right of way cost estimates, and environmental studies.

A second formal Concurrence Point 2 Merger Team Meeting was held on April 23, 2003 to reevaluate the Upgrade Existing Alternative and Bypass Alternate 1 as alternatives for detailed study. The Upgrade Existing Facilities Alternative would not meet the purpose and need of the project and included a large number of relocations, including large businesses such as hotels, car dealerships, and shopping centers; therefore, Merger Team members concurred it should be eliminated from further study. The right of way cost for this alternative was also considered prohibitive. Agencies also discussed eliminating Bypass Alternate 1 from further study because of its impacts to the Charles McLawhorn historic property and to natural resources. No concurrence form was signed during this meeting, and a follow-up meeting was held on June 18, 2003 to further discuss Bypass Alternates 1A, 1B, and 4 and their relation to the newly identified Renston Rural Historic District; however, because the boundaries of the district had not been fully identified, concurrence on alternatives was postponed and all Bypass Alternates as well as the Upgrade Existing Facilities Alternative remained for consideration.

A third and final Concurrence Point 2 Merger Team Meeting was held on February 15, 2005 to evaluate the remaining Bypass Alternates (1A, 1B, and 4) along with newly developed alternatives that avoid the Renston Rural Historic District (Bypass Alternate 5) and that connect to NC 11 south of the town of Ayden (Bypass Alternates 1-EXT, 1A-EXT, 1B-EXT, 4-EXT, and 5-EXT) and the Upgrade Existing Facilities Alternative. The Upgrade Existing Facilities Alternative and Bypass Alternates 1, 1A, 1B, 4, 5, 1-EXT, and 1A-EXT were eliminated from detailed study. Bypass Alternates 1B-EXT, 4-EXT, and 5-EXT were maintained for detailed study and are examined in detail in this DEIS.

7.1.2.3 Concurrence Point 2A – Bridge Locations and Lengths

The Merger Team met on October 20, 2005, to review the stream and wetland crossings along the three alternatives selected for detailed study (Bypass Alternates 1B-EXT, 4-EXT, and 5-EXT) and determine the need for bridge crossings. No bridges were proposed at any of the wetland or stream crossings, as none of the wetlands or streams crossed by the project are considered to be high quality.

A field meeting was held on October 31, 2005, to review selected sites to determine if structures for wildlife crossings were warranted. It was determined that no wildlife crossings were needed due to the fragmented nature and relatively low quality of wildlife habitat adjacent to the project.

7.1.2.4 Concurrence Point 3 – Least Environmentally Damaging Practicable Alternative

On November 16, 2006, the Merger Team met to review the impacts associated with the three alternatives studied and documented in the DEIS and to review a summary of public comments received at the workshops and Corridor Public Hearing held after publication of the DEIS. After reviewing this information, the Merger Team selected Alternate 4-EXT as the Least Environmentally Damaging Practicable Alternative (LEDPA) for the project. Alternate 4-EXT was selected because it would have the fewest residential relocations and divide the fewest neighborhoods; it would have the least impacts to wetlands, streams, and floodplains; its cost would be comparatively low; and it is supported by the local governments in the project area. Alternate 4-EXT subsequently became the Preferred Alternative for the project.

7.1.2.5 Concurrence Point 4A – Avoidance and Minimization

The Merger Team met on June 14, 2007, to review impact avoidance and minimization strategies identified since the preliminary design of the Preferred Alternative and to select a minimization option for the design of the NC 903 interchange to reduce impacts to contributing properties and structures in the Renston Rural Historic District (see section 2.8.1). The Merger Team selected minimization option 5, which would remove the proposed NC 903 interchange from the design of the Preferred Alternative, slightly shift eastward the alignment of the mainline Bypass in the vicinity of Renston, and take the mainline over NC 903 and Abbott Farm Road. This modification was subsequently incorporated into the proposed design of the Preferred Alternative.

7.1.3 HPO Coordination

Representatives of NCDOT, FHWA, and HPO met on April 15, 2003, to review project alternatives for effects to historic properties. The following conclusions were reached:

- William Amos Shivers House – No Effect for Corridors 1, 1A, 1B, 4, and Improve Existing NC 11
- AW Ange & Company Store – No Effect for Corridors 1, 1A, 1B, 4, and Improve Existing NC 11
- Alfred McLawhorn House – No Effect for Corridors 1, 1A, 1B, 4, and Improve Existing NC 11
- Charles McLawhorn House – No Effect for Corridor 4 and Improve Existing NC 11; adverse effect for Corridor 1; No Adverse Effect for Corridors 1A and 1B
- Cox-Ange House – determined to be outside the APE for all corridors

Due to the addition of the Southern Extension corridor and the establishment of the Renston Rural Historic District within the project area, representatives of NCDOT and HPO met again on February 8, 2005 to evaluate effects of the proposed project to historic resources. The following determinations were made for study corridors:

- Renston Rural Historic District – No Effect for Improve Existing NC 11; Adverse Effect for Corridors 1, 1-EXT, 1A, 1A-EXT, 1B, 1B-EXT, 4, and 4-EXT; No Adverse Effect for Corridors 5 and 5-EXT
- Alfred McLawhorn House – No Effect for Corridors 5 and 5-EXT; Adverse Effect for Improve Existing NC 11
- William Amos Shivers House – No Adverse Effect for Corridors 5 and 5-EXT

Final determinations for the detailed study alternatives are:

- Renston Rural Historic District – Adverse Effect for Corridors 1B-EXT and 4-EXT; No Adverse Effect for Corridor 5-EXT
- Alfred McLawhorn House – No Effect for Corridor 5-EXT
- William Amos Shivers House – No Adverse Effect for Corridor 5-EXT

At the Concurrence Point 3 meeting on November 16, 2006, HPO abstained from signing the Concurrence Point 3/LEDPA Merger Team. This abstention did not allow the organization to have the ability to revisit this element at a later point in the concurrence process. HPO remained concerned about the adverse effect Alternate 4-EXT would have on the Renston Rural Historic District and issued a letter on November 26, 2006, expressing those concerns; a copy of this letter is in Appendix A-2. HPO did, however, sign the Concurrence Point 4A/Avoidance and Minimization Merger Team Agreement, concurring with the selection of minimization option 5 for reducing impacts of the originally proposed NC 903 interchange on Renston (see Appendix C).

In accordance with Section 106 of the National Historic Preservation Act of 1966, as amended, NCDOT will coordinate with the USACE and the HPO on a memorandum of Agreement per Section 106 procedures for reducing adverse effects to the Renston Rural Historic District.

7.2 PUBLIC INVOLVEMENT

The early and continued involvement of citizens who may be affected by the study's outcome has been a vital part of the planning process for the Greenville Southwest Bypass project. The public involvement program for this project included local officials meetings, citizens' informational workshops, small group meetings, newsletters, and a toll-free project hotline.

7.2.1 Local Officials Meetings

7.2.1.1 First Public Officials Meeting

A public officials meeting was held August 31, 1993 at Pitt County Community College in Greenville. This meeting was held to give NCDOT personnel an opportunity to hear suggestions and concerns related to the location of the proposed bypass. Eight local officials attended this meeting.

7.2.1.2 Second Public Officials Meeting

The second Public Officials meeting was held March 22, 1994 in the Pitt County Community College library. Seven local officials attended this meeting. This meeting was held to allow public officials to review and discuss potential corridors.

7.2.1.3 Third Public Officials Meeting

A public officials meeting was held October 25, 2001 in Conference Room A of Boyd Lee Park in Greenville. The purpose of this meeting was to inform public officials about the current status of the project and to provide information for them to use when answering questions from the public. Information provided to public officials included a meeting agenda, the handout for the Citizens Informational Workshop (to be held later the same day), and the preliminary evaluation matrix. Approximately 50 people attended the meeting.

Several comments were made at the Public Officials Meeting about the project schedule and the need to protect a corridor from future development in the area. Several other comments were made concerning the feasibility of the Upgrade Existing Alternative and the location of Corridors 4 and 4A. The impacts to the existing businesses and also the proposed businesses located along existing Memorial Drive and Stantonsburg Road were considered unreasonable because of the right of way expense involved with the impacts to and relocations of the properties adjacent to the roadway. Several officials commented that Corridor 4 appeared to be too far west to serve traffic currently using Memorial Drive. An additional comment was made to extend the southern terminus of Corridor 4A to south of NC 102.

7.2.1.4 Fourth Public Officials Meeting

A meeting for public officials was held on April 12, 2005 preceding the Citizens Informational Workshop. Public officials were shown a formal presentation on the project's status and schedule. Eight people attended the meeting. The majority of comments received at this meeting related to schedule for selecting a preferred corridor.

7.2.1.5 Fifth Public Officials Meeting

A public officials meeting was held on August 22, 2006, at the Sheppard Memorial Library in Greenville. This meeting served to brief public officials on the current status of the project and the results of the environmental and engineering analyses of the three build alternates documented in the DEIS. Fifteen people attended the meeting. Public officials were shown the Corridor Public Hearing Map and the evaluation matrix summarizing impacts of the build alternates. Meeting attendees asked several questions about why Alternate 5-EXT showed significantly more right-of-way impacts than had previously been shown (new development in the area was the reason). There were also questions and comments about the proposed interchange at NC 102 and its potential impacts on access for businesses along NC 102.

7.2.2 Citizens Informational Workshops

7.2.2.1 First Citizens Informational Workshop

The first Citizens Informational Workshop (CIW) was held by NCDOT on August 31, 1993. The meeting was to introduce the project and solicit comments or suggestions concerning the proposed improvements or areas of environmental concern. Several citizens asked the NCDOT to examine alternatives further west of Greenville. Approximately 50 people attended.

7.2.2.2 Second Citizens Information Workshop

The second Citizens Informational Workshop was held by NCDOT on March 22, 1994. The purpose of the meeting was to allow the public to review the proposed study corridors. The alternatives requested at the first CIW were presented. Approximately 50 people attended.

7.2.2.3 Third Citizens Informational Workshop

A third Citizens Informational Workshop was held on October 25, 2001 to present the additional corridor locations and receive input. The Workshop was held at Boyd Lee Park in Greenville. Approximately 150 people attended.

At the Citizens Informational Workshop, twenty-four comment sheets were submitted. An additional thirteen were received in the mail. Several people commented that they would prefer the Upgrade Existing Alternative while 64 percent preferred Corridor 4 because it also avoided a lot of the residential development. Approximately 50 percent stated that they thought the most important consideration in selecting the location of the new roadway was neighborhood impacts and approximately 25 percent stated that they thought the environmental impacts were the most important. Other concerns included the long term planning of the area and the economic impacts.

Several residents from the Gatewood Subdivision on Frog Level Road (SR 1127) came to the workshop. They expressed concern that they had lived in the neighborhood a short time (two to five years) and were going to be impacted by several of the corridors.

7.2.2.4 Fourth Citizens Informational Workshop

The fourth Citizens Informational Workshop was held on April 12, 2005 at South Central High School south of Greenville. Approximately 225 people attended the workshop, where the three alternatives selected for detailed study were presented (Bypass Alternates 1B-EXT, 4-EXT, and 5-EXT). In addition, preliminary impacts of the selected alternatives were given and comments were collected regarding community concerns. 86 comment sheets were returned at the workshop, and an additional 56 were received via mail or email following the workshop. The majority of comments received at the workshop (approximately 53 percent) favored Bypass Alternate 4-EXT, with most noting that the alternative impacts the fewest homes and environmental resources. The vast majority of comments received via mail or email following the workshops (more than 80 percent) advocated Bypass Alternate 5-EXT, wishing to avoid impacts to the Renston Rural Historic District.

7.2.2.5 Fifth Citizens Informational Workshop

The fifth Citizens Informational Workshop was held over three dates at three locations. The first was held on August 21, 2006, at A.G. Cox Middle School in Winterville, the second was held on August 22, 2006, at Ayden Middle School, and the third was held prior to the Corridor Public Hearing on September 7, 2006, at South Central High School in Greenville. Approximately 650 people attended the workshops. Information about the results of the engineering and environmental impact analyses of Bypass Alternates 1B-EXT, 4-EXT, and 5-EXT, documented in the DEIS, was presented to those attending the meetings. Public comments about the information documented in the DEIS and other aspects of the study were received at the meetings. A combined total of 350 comments was received at these meetings and the Corridor Public Hearing (see Section 7.2.3) or following the meetings during the comment period (ending October 9, 2006). 249 individuals indicated a favored alternative. Of these, 65 percent favored Alternate 4-EXT, largely citing lower environmental impacts, fewer residential impacts, and distance from existing NC 11; and 20 percent favored Alternate 5-EXT, due to preservation of the Renston Rural Historic District and the close proximity to population centers. Four (4) individuals favored Alternate 1B-EXT and ten (10) individuals favored the No-Build Alternative.

7.2.3 Corridor Public Hearing

A Corridor Public Hearing for the project was held on September 7, 2006, following the publication of this DEIS. In conjunction with the three citizens informational workshops held between August 21 and September 7, the hearing provided an opportunity for the public to receive information about the results of the engineering and environmental impacts of the three Bypass Alternates documented in the DEIS. The hearing also consisted of a formal presentation by NCDOT describing the three alternates and explaining the potential impacts of each. The hearing also provided the public with an opportunity to make formal comments recorded into the hearing transcript. Approximately 370 people attended the hearing and thirty four (34) made formal comments during the hearing. As described above, individuals were also able to submit written comments at the hearing or during the comment period following the hearing. A brief summary of the comments received at the workshops and hearing and during the comment period is described in the previous section. A more detailed summary of public comments is in Appendix I, along with a copy of the official transcript from the Corridor Public Hearing.

Two citizens groups formed prior to the public hearing to promote their favored alternatives. Both groups submitted written petitions expressing their viewpoints. The “Residents in Support of Corridor 4” (RISC-4) group formed to support Alternate 4-EXT. RISC-4 submitted a petition with nearly 1,800 signatures. A second group, led by citizens of the Renston community, supported Alternate 5-EXT and submitted a petition with 432 signatures. Copies of these petitions are in Appendix I.

Based on information presented in the DEIS, the City of Greenville, the Town of Winterville, the Town of Ayden, the Greenville Urban Area MPO, and Pitt County adopted resolutions in support of Alternate 4-EXT. Copies of these resolutions are in Appendix I.

7.2.4 Mailing List

A mailing list was developed in order to distribute project information to interested persons. The list was compiled from property owner data for the project study area and nearby communities. In addition, any individual, group, or government official expressing an interest in the project was placed on the mailing list. The list contains approximately 8,000 names and addresses.

7.2.5 Newsletters

To date, eight project newsletters have been published and mailed to citizens, groups, and officials on the mailing list (see Appendix J for copies of these newsletters). These newsletters provided information on the bypass study process and progress and announced citizens' informational workshops and public hearings. Additional newsletters will be mailed at upcoming project milestones to announce the publication of the State FEIS/ROD and subsequent public meetings.

7.2.6 Hotline

A toll-free project hotline (800/554-7849) was made available for public comments, suggestions, or inquiries. The hotline service is available Monday through Friday during regular business hours. It provides the public the ability to record a message if the call is placed after normal office hours. Study team members responded to approximately 300 hotline calls received during the corridor study.

Hotline calls were generally evenly distributed from year to year during the study process. Most calls received were from citizens concerned whether or not a particular corridor under study would directly affect their residential or business property. The second most inquired topic from callers was the project schedule; specifically, the timeline of the study process, selection time of a preferred alternative, and possible start of construction.

7.2.7 Project Website

NCDOT maintains a project website for the public to access information regarding the status of this project. The website is updated periodically at project milestones and to detail project progress. Included on the website are descriptions of the study process, maps of the study area and alternatives under detailed study, the project schedule, frequently asked questions, and contact information. In addition, the website contains links to copies of recent newsletters and meeting summaries. The website is located at http://www.ncdot.org/projects/Greenville.

7.2.8 Small Group Meetings

In 1994, the town of Ayden requested a formal presentation from NCDOT be given to the Town Council. On May 2, 1994, representatives from NCDOT presented background, project

development process, and schedule information for the project. The town council expressed concern with the location of an interchange at the project's southern terminus just north of Ayden.

Representatives of NCDOT attended an informal citizen meeting on August 4, 2003 at the Bethany Freewill Baptist Church to answer questions regarding the proposed Bypass Alternatives and the project schedule. Approximately 120 citizens attended the meeting, many of whom resided in the vicinity of the Renston Rural Historic District. NCDOT reviewed the project history and alternatives selected for detailed study. Many questions were raised concerning the design of the proposed bypass in the vicinity of NC 903 and Pocosin Road (SR 1125); however, preliminary designs were not available at the time.

A small group meeting was held in Ayden on October 15, 2003 in coordination with the town of Ayden Planning Board meeting. The purpose of the meeting was to inform citizens about the status of the project. Twenty-four people signed the attendance register at the meeting. The format of the meeting was a formal presentation followed by questions. Several members of the planning board requested that an alternative bypassing the town of Ayden be examined, as they were concerned about the possibility of an interchange in the town between the proposed bypass and NC 102 and its impacts on businesses in that area.

A second small group meeting was held in Ayden on November 10, 2003 in conjunction with the town's Board of Commissioners meeting. At this meeting, options for the possible interchange of the Greenville Southwest Bypass with NC 102 were presented to Ayden's Board of Commissioners. The Town expressed concerns over impacts to businesses along NC 102.

A small group meeting was held in Ayden on April 7, 2004 to discuss the town of Ayden's concerns with the Greenville Southwest Bypass. Concerns noted included: access to businesses along NC 102, relocation of businesses along NC 102 and NC 11, access off of NC 11, accuracy of traffic forecasts, accessibility to Ayden, and safety of school children.

Representatives from NCDOT attended a Public Forum hosted by the Pitt County Planning Department on July 20, 2005 in the Pitt County Commissioner's Meeting room. The primary focus of the forum was *the Pitt County Comprehensive Transportation Plan*. A table was provided for answering specific questions related to the Greenville Southwest Bypass project. Twelve people stopped at the table to discuss the Greenville Southwest Bypass Project.

Representatives from NCDOT, the city of Greenville, and the Pitt County Economic Development Commission attended a small group meeting in the City of Greenville Public Works Conference Room on September 20, 2005 to discuss the Greenville Southwest Bypass and access to the Worthington Industrial Park. An aerial map showing the location of the Industrial Park in proximity to the three alternates was presented and discussed. A follow-up meeting was held on April 16, 2006 to provide updates in the project since the previous meeting.

At the request of the Pitt County Planning Department, representatives from NCDOT attended a Pitt County Planning Commission meeting on September 21, 2005 in the Pitt County Commission Board Room. The primary focus of the presentation was to provide a brief history of the project and update the Commission on the status of the project.

Representatives from NCDOT gave a presentation to the Greenville City Council on September 25, 2006, to provide an update on the project findings and status. NCDOT gave a brief presentation describing alternatives development and comparing impacts presented in April 2005 and those in the July 2006 DEIS. City Council members were specifically interested in why projected relocations for Alternate 5-EXT had increased between impact findings presented in 2005 and 2006. NCDOT explained that development activity in the area led to the increase.

A small group meeting was held on November 30, 2006, with representatives of the City of Greenville, Town of Ayden, Town of Winterville, and Pitt County, to receive local government input on impact avoidance and minimization. Concerns noted included potential traffic impacts of NC 903 interchange removal, a sewer project being completed by the Town of Ayden in the vicinity of the proposed NC 102 interchange, concerns about access management and traffic operations around the NC 102 interchange, and concerns about traffic and development impacts in and near The Pines subdivision.

7.3 COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

7.3.1 Agency Comments

Following distribution of the DEIS, comment letters were received from eight federal and state agencies and agency divisions. Copies of all comment letters received from agencies and agency divisions are included in Appendix K.1. Each substantive comment requiring a response is listed below, followed by a response.

US Environmental Protection Agency (EPA)
Letter Date: September 8, 2006

Comment 1: "Based upon slope stakes, stream impacts for the three alternatives are approximately 4,037 linear feet, 1,607 linear feet and 4,927 linear feet for Alternative 1B-Ext., 4-Ext., respectively. Estimated impacts were calculated within conceptual slope stake limits. Table 4-11 of the DEIS (Page 4-32) also presents the corridor impacts at 17,049.7 linear feet, 8,218.9 linear feet and 18,559.9 linear feet, respectively. EPA and NCDOT hydraulic and design engineers have found that these 'exact' estimates using the conceptual slope stakes in the N.C. coastal plain may be misleading until roadway designs are finalized, including the vertical elevations of the roadway. In order to address the potential need for improved roadway drainage, special cut ditches and/or raising the vertical grade of the proposed roadway for flood storm conditions can increase the footprint of the roadway and increase the areal extent of impacts. The values shown in

the Summary of Environmental Impacts Table #-1 of the DEIS (page S-15) are potentially underestimating the actual impact. EPA believes that it is more appropriate to use corridor widths to estimate impacts at this stage of project planning and present this information in the summary impacts tables. EPA recognizes that it is helpful to have both 'levels' of impact data. However, it needs to be clearly identified that these two levels of impact data represent the likely 'range' of impacts. EPA believes that it is more prudent to present the 'worse-case' comparison between the alternatives at the DEIS stage and present more refined information in the FEIS and ROD after avoidance and minimization measures have been specifically identified."
Response: Comment noted. The state FEIS includes updated stream impact information that is based on the current construction slope stake limits. In an effort to report wetland, stream, and riparian buffer impacts more consistently, the NCDOT Director of Pre-construction issued guidance on September, 2006 specifying methodology to compare impacts commensurate with the level of design available. The guidance directs the reported impacts at the preliminary design phase to be calculated using slope stake plus 25 feet.

Comment 2: "With respect to direct impacts to streams and wetlands, Alternative 4-Ext. has substantially less impact and is by far the 'least damaging' alternative to aquatic resources. EPA also recognizes that Alternative 4-Ext. has the greatest impact to the Section 4(f) resource: the Renston Rural Historic District. However, the DEIS did not specifically detail the potential impact to this historic resource without a proposed interchange at NC 903."
Response: In the process of developing avoidance and minimization measures, NCDOT investigated several potential design modifications to the NC 903 interchange area, including two potential minimization options that would involve removing the interchange. The minimization options considered and the results of analysis of these options are documented in section 2.8.1 of this FEIS. Minimization option 5, which does remove the NC 903 interchange, was approved by the Merger Team at the Concurrence Point 4A meeting; this option has been incorporated into the Preferred Alternative.

Comment 3: "EPA and other agencies determined in the field that no streams on any of the 3 alternatives warranted bridging as a general minimization measure (i.e., CP 2A). This decision was based primarily on the quality of the stream systems and the potential hydraulic structure size. Thus, all stream crossings for all of the alternatives will be with culverts and/or pipes. However, the final design should include the use of floodplain cross pipes (i.e., Equalizer pipes), where appropriate. This issue should also be addressed in the FEIS."
Response: A decision on the use of equalizer pipes will be made during final design.

Comment 4: "EPA acknowledges that NCDOT and FHWA will likely use payment to the Ecosystem Enhancement Program (EEP) as mitigation for the project impacts. However, EPA very much prefers wetland and stream restoration and enhancement above

preservation. NCDOT and FHWA should actively pursue all opportunities for on-site (in or adjacent to the right of way) mitigation before offering to pay EEP for compensatory mitigation. Because of past (and current) agricultural activities in the project study area, there may be substantial on-site opportunities for wetlands and stream restoration and enhancement available for the proposed project."
Response: EEP will determine appropriate compensatory mitigation requirements for this project and will prepare a compensatory mitigation plan. NCDOT will also evaluate all potential opportunities for on-site mitigation.

Comment 5: "EPA understands that the North Carolina Division of Water Quality (DWQ) has identified potential indirect and cumulative impacts (ICI) to water quality. NCDOT and FHWA have addressed a general qualitative analysis in the DEIS (Pages 4-44 and 4-45). The proposed project is expected to have substantial impacts to riparian buffers (i.e., 3.7 to 11.6 acres). EPA concurs with DWQ's recommendation for a quantitative ICI analysis.
Response: A quantitative ICI analysis has been completed and is documented in section 4.10 of this FEIS. The analysis showed that predicted increases in pollutant loads to the two impaired streams in the study area, Swift Creek and Little Contentnea Creek, do not appear to be influenced significantly by the presence of the Bypass.

Comment 6: "The discussions regarding ICI in the DEIS are not sufficiently detailed to determine the actual potential impact from the construction of the proposed roadway. For example, the statement in the DEIS: '**…**this project will not cause complete shifts in population to the project area, but will enhance a current trend'. There is no discussion or detail in the DEIS as to what degree of 'enhanced trend' will be directly or indirectly caused by a new freeway with numerous access points.
Response: Additional discussion has been added to section 4.10 of this FEIS to more fully address this finding.

Comment 7: "EPA has environmental concerns with the location and number of interchanges proposed for a SHC (Strategic Highway Corridor). There is substantial discussion in the DEIS concerning NC 11 being designated as a SHC (i.e., Page 1-2). The NC 11 corridor is ultimately envisioned as a controlled access, median-divided freeway based upon the SHC Vision Plan. Bypass Alternative 5-Ext. includes 5 new interchanges at NC 11, NC 102, NC 903, Forlines Road and Dickinson Avenue (US 13) as described on Pages 2-14 and 2-15 of the DEIS. EPA notes that there is also an interchange at the northern terminus at US 264 (common to all three alternatives). EPA is specifically concerned with the proposed interchanges at Forlines Road and NC 903 as these interchanges are located less than two miles from one another and would appear to 'enhance' development in and around these facilities. Direct impacts to stream and wetlands could also be reduced by eliminating the interchange at NC 903 or by adjusting the intersection at Frog Level Road and the proposed interchange connection at Forlines Road. Based upon design year 2030 levels of service at key intersections, the elimination

of one of these interchanges or the use of a Single-Point Urban Interchange (SPUI) would not substantially alter regional traffic flow or 'impair' the purpose and need for the project."
Response: As documented in section 2.8.1 of this FEIS, the NC 903 interchange has been removed from the Preferred Alternative.

Comment 8: "As a general environmental concern, EPA recognizes that the additional infrastructure in the project study area as a result of this new facility will increase the existing development pressure and reduce rural open space and farmlands."
Response: NCDOT recognizes this concern and has addressed this indirect impact in the *Indirect and Cumulative Impact Analysis* prepared for the project. Additional statements have been added to sections 4.3.3 and 4.10 of this FEIS to acknowledge that increased development pressures associated with the project will lead to loss of rural open space and farmlands.

Comment 9: "The DEIS provides for an analysis of prime farmland soils within the project study area and for the three detailed alternatives under consideration. Based upon this analysis, mitigation for farmland loss is not required for the project (Page 4-18, Section 4.3.3). Table 4-5 denotes the impacts to prime farmland soils from Alternatives 1B-Ext., 4-Ext. and 5-Ext. as 767.8 acres, 753.7 acres, and 811.5 acres, respectively. However, Table 4-1 5, (Page 4-46), Summary of Environmental Impacts, lists Prime Farmland impacts at these acreages. The distinction between prime farmland soils and prime farmlands requiring mitigation for farmland loss per Natural Resource Conservation Service (NRCS) Land Evaluation and Site Assessment (LESA) criteria should be footnoted in this and future impact summary tables."
Response: This information has been added to all relevant impact summary tables contained in this FEIS.

Comment 10: "As a general environmental concern, EPA recognizes that these farmlands are not specifically protected under the Farmland Protection Policy Act (FPPA). However, the loss of prime farmland soils (More than a square mile), represents a substantial loss of active farmland in Pitt County. The DEIS (Sections 3.3.3 or 4.3.3) does not identify the number of active farms to be impacted by the proposed project. While formal mitigation for prime farmland losses is not required under the FPPA, NCDOT and FHWA should consider reasonable avoidance and minimization measures to farmlands, such as keeping future right-of-way (ROW) to property boundaries, avoiding dissecting fields, and providing farm equipment access points."
Response: The preliminary designs for the project alternatives were prepared to minimize dissecting parcels wherever feasible. In no case will properties be left without road access.

Comment 11: "Section 5 of the DEIS provides a Draft Section 4(f) Evaluation for eligible and listed properties on the National Register of Historic Places. The Merger

team has previously made additional efforts to add and/or refine preliminary study corridors to reduce or avoid potential impacts to the 1,395-acre Renston Rural Historic District (RRHD). As shown in Table 5-2, Altemative 1B-Ext. and Alternative 4-Ext. would take 45 acres and 120 acres, respectively, of property located in the RRHD. However, the DEIS and 4(f) evaluation does not indicate the actual property takings resulting from the interchange proposed at NC 903. From the maps and figures in the DEIS, it appears that substantial amount of the direct property impact is a result of the proposed NC 903 interchange. Altemative 5-Ext. is considered to have no adverse effect on the RRHD and is considered the only 'avoidance' alternative. EPA is requesting that further details of the direct impacts to the RRHD be identified for Alternatives 1B-Ext. and 4-Ext. if the NC 903 interchange is eliminated."

Response: As described above, the NC 903 interchange has been removed from the Preferred Alternative. The current Preferred Alternative will eliminate impacts to all contributing structures in the RRHD and will reduce the acreage of impacts to contributing properties from approximately 51 acres to approximately 39 acres in the Renston District. It should be noted that exclusive use of state funds negates the applicability of Section 4(f) analysis, which only applies to federally funded transportation projects.

Comment 12: "Several years ago EPA identified an exotic invasive plant species (i.e., Japanese knotweed - *Fallopia japonica* or *Polygonum cuspidaturn)* during a project field meeting with NCDOT and other Merger team agencies. This 'riparian-loving' weed species is considered to be one of the,most ecologically damaging plants in the United States as well as other countries. It appears that the 'bamboo-like' plant along NC 903 was brought to the Horsepen Swamp/NC 903 culvert location either in fill dirt or new large stone (riprap) following some culvert improvements. This fast spreading species has been found to redistribute itself almost exclusively by rhizomes and the human activities that transport it from one infestation site to new areas. This situation represents a potential NEPA cross-cutting issue for FHWA and NCDOT under Executive Order 13112 on Invasive Species.

Since that early identification, the Japanese knotweed infestation along NC 903 and Horsepen Swamp has significantly spread along the NCDOT right of way as well as both upstream and downstream on Horsepen Swamp. From an on-site visit this summer and 2006 photographs, EPA estimates that the original infestation has tripled in areal extent since' its initial discovery. Clearing and grubbing activities along NC 903 (particularly from Alternative 5-Ext.) will most likely disturb the plants and further redistribute the plant parts (including very small amounts of re-rooting stems and roots) in the project study area. This exotic invasive is a very aggressive mono-cultural plant that eventually will take over the entire riparian areas and is believed to degrade water quality through the eventual elimination of other plant species (including other 'tough' invasives). Streams no longer possess a riparian over-story in time and are subject to increased bank

erosion, higher summer temperatures, etc. There is research documentation that terrestrial and aquatic wildlife habitat is also degraded over time.

EPA requests that NCDOT and FHWA work diligently with other Merger agencies on developing a sound management control and eradication plan (e.g., Herbicide applications) for this invasive species infestation as part of the project's overall environmental commitments on avoidance and minimization to environmental impacts. EPA has not identified any other specific Japanese knotweed infestations in the project study area although other infestations have been found in Pitt County just north of Greenville. Fill dirt and riprap sources should also be checked prior to construction in order to insure that Japanese knotweed is not distributed further into the project study area. The FEIS should also identify and discuss this cross-cutting issue and the proposed avoidance and minimization measures developed during the Merger process."
Response: In coordination with the USEPA, NCDOT has determined that Japanese knotweed is not a concern with the Preferred Alternative.

NC Department of Environment and Natural Resources, Division of Water Quality, Transportation Permitting Unit
Letter Date: August 16, 2006

Comment 1: "All streams in the subject study area are class NSW waters of the State. DWQ is very concerned with sediment and erosion impacts that could result from this project. DWQ recommends that highly protective sediment and erosion control BMPs be implemented to reduce the risk of nutrient runoff to these waters. DWQ requests that road design plans provide treatment of the storm water runoff through best management practices as detailed in the most recent version of NC DWQ *Stormwater Best Management Practices.*"
Response: Best Management Practices will be incorporated into this project.

Comment 2: **"**This project is within the Neuse and Tar-Pamlico River Basins. Riparian buffer impacts should be avoided and minimized to the greatest extent possible pursuant to 15A NCAC 2B.0233 and 15A NCAC 2B.0259. New development activities located in the protected 50-foot wide riparian areas within the basin shall be limited to "uses" identified within and constructed in accordance with these rules. Buffer mitigation may be required for buffer impacts resulting from activities classified as "allowable with mitigation" within the "Table of Uses" section of the Buffer Rules or require a variance under the Buffer Rules. A buffer mitigation plan, including use of the NC Ecosystem Enhancement Program, must be provided to DWQ prior to approval of the Water Quality Certification."
Response: EEP will be preparing the buffer mitigation plan for this project. This information has been added to the FEIS.

Comment 3: "Little Contentnea Creek and Swift Creek are on the 303(d) list of impaired waters of the State. DWQ is very concerned with sediment and erosion impacts that could result from this project. DWQ recommends that the most protective sediment and erosion control BMPs be implemented to reduce the risk of nutrient runoff to these waters. DWQ requests that road design plans provide treatment of the storm water runoff through best management practices as detailed in the most recent version of NC DWQ Stormwater Best Management Practices."
Response: Best Management Practices will be incorporated into this project.

Comment 4: "A quantitative assessment of the indirect and cumulative impacts (ICI) anticipated as a result of this project is required, as per the memo to DOT from DWQ dated July 10, 2006. A copy of this memo is attached to these comments."
Response: A quantitative ICI analysis has been completed and is documented in section 4.10 of this FEIS.

Comment 5: "Have potential impacts for any needed service roads and property access points for the various alternatives been identified and included in the impact tables? Also, have similar potential impacts for any needed utility relocations been identified at this time? DWQ recognizes that design for this project may not yet be to the level of detail needed to have this information, but encourages DOT to keep these possible additional impacts in mind throughout the process."
Response: Service roads and property access points included in the preliminary designs of the alternatives were included in analysis of impacts as documented in the DEIS. Service roads and property access points included in the updated preliminary design for the Preferred Alternative have also been incorporated into analysis of impacts documented in this FEIS. Further service road modifications may be incorporated into the final design of the project, but any further modifications will likely reduce overall impacts. Utility relocation information was not available during preparation of the DEIS or during further analysis of impacts of the Preferred Alternative. This information is used for analysis in this FEIS.

Comment 6: "In section S-8, Surface Waters, the document seems to indicate that road crossings may be temporary. DWQ needs to make sure that all road crossing impacts are accounted for in each alternative considered."
Response: The language in this passage was actually intended to convey that, in addition to the impacts associated with the Bypass itself under each of the alternates, there could be temporary impacts in the vicinity of stream crossings due to construction activities. As construction plans had not yet been developed, it was not possible to predict the locations or characteristics of temporary impacts due to construction activities. The stream impacts associated with the completed Bypass under each of the build alternate scenarios have been fully documented. As described in the DEIS and this FEIS, adherence to NCDOT's Best Management Practices for the Protection of Surface Waters

during construction of the proposed project are expected to minimize these temporary impacts.

Comment 7: "DWQ notes that the summary section of the EIS does not include discussion of riparian buffer impacts in this project, although they are included later on in the document."
Response: Discussion of riparian buffer impacts for the Preferred Alternative has been added to the summary section of this FEIS.

NC Wildlife Resources Commission
Letter Date: August 18, 2006

Comment 1: "… during an onsite field meeting several occurrences of Japanese knotweed (*Fallopia japonica*) were recognized in the vicinity of the project. Japanese knotweed is an exotic invasive species found primarily in riparian settings. Reproduction of this species is largely due to the regeneration of rhizomes and stem cuttings. Like most invasive species Japanese knotweed will out-compete native vegetation therefore creating a monoculture with almost no habitat value. There is a potential to enhance the spread of Japanese knotweed by disturbing current populations during the construction of this facility. The current recommended method of treatment is herbicides. At this time NCWRC recommends NCDOT commit to treating existing populations of Japanese knotweed found within the corridor prior to any soil disturbance activities in order to minimize the potential to spread this undesirable species.
Response: In coordination with the USEPA, the NCDOT has determined that Japanese knotweed is not a concern with the Preferred Alternative.

7.3.2 Public Comments

Two letters and three e-mail messages containing substantive comments and questions about information in the DEIS were received after publication of the DEIS. Copies of this correspondence are included in Appendix K.2. Many of the issues raised in these letters and messages addressed similar topics. These topics are summarized below, and a response is provided for each:

Topic 1: Induced development as a result of the project is not sufficiently discussed in the DEIS.
Response: This issue was fully addressed in the *Indirect and Cumulative Impact Analysis* prepared for the project and attached by reference to this FEIS. Additional statements have been added to section 4.10 of this FEIS to provide a more complete discussion of this issue.

Topic 2: The acreages of prime farmland impacted by each corridor listed in the NRCS form in Appendix D do not match the acreages listed in Table 4-5 in the DEIS. Based on the NRCS Farmland Conversion Impact Rating form, acres of impacted prime farmland would be greater for Corridor 4-EXT, even though the impact summary table in the DEIS shows that Corridor 5-EXT would have greater impacts.
Response: The NRCS form shown in Appendix D is based on the acreage of prime and unique farmland within the entire 1000-foot wide corridors within which narrower conceptual right-of-way limits were identified. Table 4-5 in the DEIS, which listed prime farmland soils impacted for each alternative, was based on these narrower conceptual right-of-way limits. This explains why the acreages listed are different between Appendix D and Table 4-5. It is also the reason why Appendix D shows slightly more prime farmland in the entire Corridor 5-EXT than in the entire Corridor 4-EXT, while Table 4-5 shows that there are more prime farmland soils within the narrower conceptual right-of-way limits for Bypass Alternate 5-EXT than in Bypass Alternate 4-EXT. Compared to Corridor 4-EXT, a greater proportion of the total prime farmland in Corridor 5-EXT was able to be avoided in determining the conceptual right-of-way limits for Bypass Alternate 5-EXT. It is accurate that Bypass Alternate 5-EXT would impact more prime farmland than Bypass Alternate 4-EXT.

Topic 3: The Farmland Conversion Impact Rating form incorrectly shows the Total Corridor Assessment Points for Corridor 4 as 77, when the individual assessment criteria points actually sum to 79. This is higher than the total points for the other two corridors.
Response: This was an oversight on the part of NRCS. The form has been edited to include this correction. Please note that the total score given to Corridor 4 would then be 135.4 (Total Corridor Assessment Points plus Relative Value of Farmland), still less than the threshold score of 160 required to consider protection of prime farmland in the Corridor.

Topic 3: The DEIS seems to define community impacts only as impacts to subdivisions. What about impacts to rural communities such as Renston?
Response: The impacts to the Renston Rural Historic District have been fully detailed in the DEIS and in Section 4.4.1 of this FEIS.

Topic 4: The listed number of relocation impacts for Alternate 5-EXT is misleading because many of the homes counted may not yet been sold or occupied by residents. Why was development allowed to occur in the path of Bypass alternatives?
Response:. The relocation estimate is based on the number of existing residences, or those under construction at the time of the survey. Planned homes that have either not been permitted or for which construction has not started were not included in the survey. Given the active development occurring in the Alternate 5-EXT corridor, it is likely that the actual number of relocations associated with this alternative would have been even higher. Development in a planned roadway corridor generally cannot be limited by

NCDOT or local governments until a Preferred Alternative is identified, the preliminary design for the roadway is finalized, and official corridor protection maps have been filed.

Topic 5: Potential impacts to the Dennis McLawhorn House have not been fully addressed in the DEIS. The DEIS virtually ignores the fact that this property is eligible for the National Register and therefore needs to be considered under Section 106 review and in the 4(f) evaluation. It does not appear on any graphic as an individually eligble property, even though the Charles McLawhorn Houses, also an individually eligible property within the Renston Rural Historic District, is shown on graphics.
Response: The Dennis McLawhorn House was added to the NC Historic Preservation Office's North Carolina Study List in 2003 after determination that it is potentially eligible for individual listing on the National Register and warrants further study. However, to date this property has not been determined to be individually eligible for the National Register. Additional discussion of this issue has been added to section 3.4.1 of this FEIS. Design modifications incorporated into the Preferred Alternative have reduced the impacts to the Dennis McLawhorn House property; with the modifications, the Preferred Alternative will not displace any of the structures on the property and will impact approximately 9 acres of the property (reduced from the original 32 acres of impacts).

Topic 6: Alternate 4-EXT would irreparably harm the Renston Rural Historic District by splitting it. It would also result in the demolition of the Dail Homeplace, built in 1848, a contributing property in the district.
Response: Design modifications have been incorporated into the Preferred Alternative (Alternate 4-EXT) to minimize direct impacts to the Renston Rural Historic District. These modifications are documented in section 2.8.1 of this FEIS and have eliminated all direct impacts on the Dail Homeplace property. Though the preferred alternative corridor passes through the RRHD, access to properties on either side of the preferred alternative will still be available via NC 903.

Topic 7: The DEIS was prepared using the Draft National Register Nomination for the Renston Rural Historic District, although the final National Register Nomination was available as of October 2003. This means that the information about contributing properties is incorrect.
Response: The final National Register Nomination has been referenced in this FEIS. The updated information did not change any of the findings regarding contributing properties.

Topic 8: Visual impacts on the Dennis McLawhorn property and the Renston community should have been considered.
Response: Visual impacts on the Renston Rural Historic District (which includes the Dennis McLawhorn property) were considered and are documented in Section 4.3.5 of the DEIS and this FEIS. Visual impacts of the updated Preferred Alternative, which

minimizes direct impacts on Renston, have been documented in Section 4.3.5 of this FEIS.

Topic 9: If either Alternate 1B-EXT or 4-EXT is selected as the preferred alternative, the project will not qualify for federal funding because it fails to comply with NEPA and Section 4(f) regulations. Alternative 5B-EXT is a prudent and feasible alternative to impacting Renston.
Response: Project development activities must comply with the North Carolina Environmental Policy Act in lieu of the National Environmental Policy Act. Section 4(f) regulations only apply to federally funded transportation projects.