

# PREFACE



*This Preface, Sections P.1, P.2 and P.3, provides background on the National Environmental Policy Act, explains how the Draft Environmental Impact Statement (Draft EIS) will be used in the decisions made about the project, and describes the organization of this Draft EIS. Section P.4 provides information about the North Carolina Turnpike Authority.*

## P.1 NATIONAL ENVIRONMENTAL POLICY ACT

### P.1.1 REGULATIONS AND GUIDANCE

The National Environmental Policy Act (NEPA) of 1969, as amended, requires Federal agencies to consider the potential environmental consequences of their proposals, document their analyses, and make this information available to the public for comment prior to project or program implementation. NEPA requires Federal agencies to use an interdisciplinary approach in planning and decision-making for any action that adversely impacts the environment (Federal Highway Administration [FHWA] Web site: <http://environment.fhwa.dot.gov/projdev/index.asp>).

While NEPA established the basic framework for integrating environmental considerations into Federal decision-making, it did not provide details of the process that should be followed. Federal implementation of NEPA was the charge of the Council on Environmental Quality (CEQ), which interpreted the law and addressed NEPA provisions in the form of regulations and guidance (FHWA Web site: <http://environment.fhwa.dot.gov/projdev/index.asp>).

To assist Federal agencies in effectively implementing NEPA, the CEQ issued *Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act* (40 CFR Parts 1500-1508). The CEQ also has issued additional guidance and other information covering a variety of issues relevant to the NEPA process (CEQ Web site: <http://ceq.hss.doe.gov/nepa/nepanet.htm>).

To address the NEPA responsibilities established by CEQ, the FHWA issued regulations in *Environmental Impact and Related Procedures* (23 CFR Part 771). The FHWA guidance complementing the regulations was issued in the form of a Technical Advisory (T 6640.8A) titled *Guidance for Preparing and Processing Environmental and Section 4(f) Documents*. The Technical Advisory provides detailed information on the contents and processing of environmental documents. Additional guidance and information on the FHWA NEPA process and other environmental requirements are found in the *Environmental Guidebook* (FHWA Web site: <http://environment.fhwa.dot.gov/guidebook/index.asp>).

The proposed Gaston East-West Connector will involve federal actions and funding, so it is subject to NEPA. The lead federal agency is the FHWA. The North Carolina Turnpike Authority (NCTA) and the North Carolina Department of Transportation (NCDOT) are the state agencies sponsoring the project as joint lead agencies. The US Army Corps of Engineers (USACE) is a cooperating agency. The Federal Energy Regulatory Commission (FERC) has been invited to be a cooperating agency (see letter in **Appendix A-5**).

## P.1.2 DOCUMENTATION

The following is from the FHWA Web site:

<http://environment.fhwa.dot.gov/projdev/pd4document.asp>.

“Documentation (along with dissemination) is an essential component of the NEPA project development process, which supports and complements public involvement and interagency coordination. Documenting the NEPA process provides for complete disclosure to the public; allows others an opportunity to provide input and comment on proposals, alternatives, and environmental impacts; and provides the appropriate information for the decision maker to make a reasoned choice among alternatives.

Transportation projects vary in type, size and complexity, and potential to affect the environment. To account for the variability of project impacts, there are three basic "classes of action" that determine how compliance with NEPA is carried out and documented: Environmental Impact Statement, Environmental Assessment, and Categorical Exclusion.”

The proposed project is being evaluated and documented as an Environmental Impact Statement (EIS). An EIS is prepared for projects where it is known that the action will have a significant effect on the environment (FHWA Web site: <http://environment.fhwa.dot.gov/projdev/docueis.asp>). The EIS process is completed in the following ordered steps: Notice of Intent (NOI), Draft (Draft EIS), Final (Final EIS), and Record of Decision (ROD). Following a formal comment period and receipt of comments from the public and other agencies on the Draft EIS, the Final EIS is developed and issued. The Final EIS addresses the comments on the Draft EIS and identifies, based on analysis and comments, the Preferred Alternative. The ROD identifies the Selected Alternative, presents the basis for the decision, identifies all the alternatives considered, specifies the "environmentally preferable alternative," and provides information on the adopted means to avoid, minimize, and compensate for environmental impacts.

## P.2 HOW THIS DRAFT EIS WILL BE USED

This Draft EIS is an informational document intended for use by both the decision makers and the public. As such, it represents a disclosure of relevant environmental information concerning the proposed action. This document, together with public and agency input and comments received on this document, will be used to identify a Preferred Alternative for the project. The Preferred Alternative will be identified in the Final EIS. The Final EIS also will respond to comments received on the Draft EIS.

The FHWA NEPA process allows transportation officials to make project decisions that balance engineering and transportation needs with social, economic, and natural environmental factors. During the process, a wide range of partners, including the public, businesses, interest groups, and agencies at all levels of government, provide input into project and environmental decisions (FHWA Web site: <http://environment.fhwa.dot.gov/projdev/pd3tdm.asp>). The conclusion of the NEPA process, through the completion of the ROD for this project, will result in a decision that addresses multiple concerns and requirements.

## P.3 ORGANIZATION OF THIS DRAFT EIS

This Draft EIS is divided into fifteen chapters, as described briefly below:

- **Chapter P** is this Preface.
- **Chapter PC** lists the special project commitments that NCTA has agreed to implement for the Preferred Alternative.
- **Chapter S** provides an executive summary of the Draft EIS.
- **Chapter 1** explains the purpose and need for the project.
- **Chapter 2** describes the alternatives considered for the project. It discusses the development and screening of alternatives, including alternatives eliminated from detailed study and the reasons for elimination. It also identifies and describes the Detailed Study Alternatives (DSAs). In addition, this chapter identifies the DSA identified as the Recommended Alternative. The Preferred Alternative will be identified in the Final EIS.
- **Chapters 3, 4, 5, and 6** describe existing conditions and projected impacts of the DSAs on the human, physical, cultural, and natural environments. The existing conditions for a resource are described, directly followed by the projected impacts to that resource.
- **Chapter 7** describes the project's estimated indirect and cumulative effects.
- **Chapter 8** describes how the project will result in the irretrievable and irreversible commitment of resources, and the relationship between short-term uses and long-term benefits from the project.
- **Chapter 9** summarizes the public involvement and agency coordination activities conducted for the project.
- **Chapters 10, 11, and 12** provide lists of the following: the preparers of the Draft EIS; agencies, organizations, and persons sent a copy of the Draft EIS; and the references and supporting documentation used in the preparation of the Draft EIS.

The Draft EIS also includes appendices that are referenced throughout the document, and are available with the document. The Draft EIS, graphics, and appendices are available for download on the NCTA Web site ([www.ncturnpike.org](http://www.ncturnpike.org)). The supporting documentation listed in **Section 12** is comprised of technical memoranda and reports incorporated by reference to the Draft EIS. These are available for review upon request by contacting NCTA (via email to [gaston@ncturnpike.org](mailto:gaston@ncturnpike.org) or telephone (919) 571-3000), with most also available on the NCTA Web site, as noted in the Draft EIS.

## P.4 ABOUT THE NORTH CAROLINA TURNPIKE AUTHORITY

In October 2002, the North Carolina General Assembly created the NCTA with approval of House Bill (HB) 644 that amended the North Carolina General Status (NCGS 136-89.180 through 136.89-197). In August 2005 HB 253 authorized the NCTA to develop, construct, operate, and maintain up to nine toll facilities. The proposed project is one of these candidate toll facilities.

Local officials may request that NCTA consider any planned road or bridge project for development as a toll facility. To be considered as candidate turnpike project, the project must meet selection criteria approved by the NCTA Board of Directors in April of 2006, which include: full control of access, availability of free alternate routes, financial feasibility, reasonable expectation of local support, a high probability of being able to start construction within a reasonable time frame, and giving special consideration to those projects that would play a significant role in the statewide or regional highway system or serve major economic generators.

The NCTA 2006 Annual Report to the Joint Legislative Transportation Oversight Committee notes the advantages and "...reality of these projects taking shape and delivering them to the motoring public years or decades sooner than would be possible through traditional means..." [NCTA is] "...proving that financing projects with tolls avoids the vastly inflated (construction) costs from project delay and reduces the risk of not being able to build at all." In addition, with the NCTA paying both construction and maintenance costs, hundreds of millions of highly competitive public dollars will be returned to the state's transportation program for other critical highway projects.