

5. COMMENTS AND COORDINATION



This section describes coordination efforts with the public, as well as federal, state, and local agencies, that have taken place since the Final EIS was published in May 2010.

5.1 COMMENTS ON THE FINAL EIS

The Final EIS for the project was approved on May 25, 2010 and circulated to environmental resource and regulatory agencies. A Notice of Availability of the Final EIS for the Monroe Connector/Bypass project was published in the Federal Register on June 11, 2010 (Federal Register Volume 75, No. 112, page 33300). The Final EIS was made available for public review at local libraries and government offices as listed in Section 5.5 of the Final EIS. Chapter 5 of the Final EIS includes a full list of agencies and organizations that received copies of the document. The Final EIS in its entirety was also made available for download on the project Web site. The review period ended on July 12, 2010.

Comments on the Final EIS were received from the following federal and state resource agencies:

- NC Department of Environment and Natural Resources (NCDENR) – July 15, 2010
- NC Wildlife Resources Commission – July 13, 2010
- NCDENR Division of Water Quality – June 28, 2010
- NC Department of Cultural Resources, State Historic Preservation Office – July 12, 2010
- US Environmental Protection Agency – Region – July 15, 2010
- NC Department of Crime Control and Public Safety, Floodplain Management Program – July 9, 2010
- US Fish and Wildlife Service – July 29, 2010

Comments were also received from one citizen group, and one citizen:

- Southern Environmental Law Center – June 25, 2010
- Ed Eason – June 29, 2010

Copies of these letters are included in **Appendix A-2**. Summaries of the substantive comments and responses to those comments are included in **Appendix A-2** in **Tables A-5** through **A-13**. Please note that responses to these comments were also included in the Record of Decision (ROD) that was rescinded in July 2012. Those responses have been updated for this document based on new information and studies that have been prepared since the ROD was published.

5.2 PUBLIC INVOLVEMENT AND AGENCY COORDINATION AFTER THE FINAL EIS

Public involvement activities conducted prior to the circulation of the Draft EIS are detailed in Section 9 of the Draft EIS. Public involvement activities that took place after the Draft EIS, but prior to the Final EIS are detailed in Section 3 of the Final EIS. The continued involvement of the public is an integral part of the planning process for the Monroe Connector/Bypass project. The public involvement program since the Final EIS was published in May 2010 has included Citizens Update Workshops and agency meetings, as described below.

5.2.1 CITIZENS UPDATE WORKSHOPS

In 2012, two Citizens Update Workshops took place from 5:00 pm to 8:00 pm on June 18 (at Next Level Church in Stallings) and June 19 (at the Union County Agricultural Center in Monroe). Both meetings included a formal presentation at 6:00 pm. The presentation described the project's legal proceedings, status of the right-of-way process, and the next steps. The presentation lasted about 40 minutes and was followed by a question and answer session. The presentation was repeated following the question and answer session for individuals who missed the first presentation. Project team members were available to answer one-on-one questions before and after the presentation.

A total of 207 citizens signed in at the workshops (102 in Stallings and 105 in Monroe). At the meeting in Stallings, one comment form was submitted to state support for the project. Six citizens asked questions following the presentation – four related to the right-of-way acquisition process and two related to the lawsuit. At the meeting in Monroe, four comment forms were submitted – three in support of the project and voicing frustration with the delay, and one with a suggestion to widen NC 218. Eight citizens asked questions following the presentation – two about the right-of-way acquisition process, three about the lawsuit, and three about the studies and assumptions used in the EIS.

The workshop summary and comment forms are included in **Appendix A-3**.

5.2.2 COMMENTS RECEIVED AFTER THE FINAL EIS

Correspondence from the Southern Environmental Law Center (SELC) was received on November 30, 2012, and March 6, 2013. In addition, the SELC released a report to the public on July 24, 2013 titled, *A Closer Look at US 74: Challenges & Opportunities*. This report was prepared by O'Connell & Lawrence, Inc on SELC's behalf. These documents and responses to these documents are included in **Appendix A-1**.

5.2.3 SMALL GROUP MEETINGS

Since the Final EIS, the project study team met with several organizations and agencies to provide updates on the project or make a presentation about the project at the request of community groups. The following organizations requested or participated in small group meetings about the project. At these meetings, NCDOT provided a brief history of project activities which have occurred since May 2010, including reasons the Record of Decision was rescinded. The presentations also shared plans to move the project forward, and NCDOT representatives answered questions from attendees. The meeting dates and groups involved are listed below:

- 07/19/12 Rocky River RPO Technical Advisory Committee (TAC)
- 08/06/12 Union County Board of County Commissioners
- 09/24/12 Stallings Town Council (follow-up correspondence from Mayor Paxton is included in **Appendix C**)
- 10/02/12 Monroe City Council
- 09/10/13 Rocky River RPO Technical Coordinating Committee (TCC)
- 09/19/13 Rocky River RPO TAC
- 10/22/13 Indian Trail Town Council

The presentation to the Stallings Town Council also included overview information about the *US 74 Corridor Study* (Stantec, July 2007) prepared for NCDOT – Division 10.

5.3 AGENCY COORDINATION

5.3.1 Coordination with MUMPO

NCDOT presented project updates to the MUMPO TCC on August 2, 2012 and to the MUMPO Board on September 19, 2012 and May 21, 2013. These meetings are summarized in **Table 5-1**.

TABLE 5-1: MUMPO Meeting Summaries

Meeting Date	Meeting Purpose and Summary
08/02/12	NCDOT gave a presentation to the TCC to highlight the history of the project, focusing on the environmental review and the lawsuit filed by the Southern Environmental Law Center. The presentation went on to outline NCDOT’s next steps for resolving the issues presented in the lawsuit in order to continue the project.
09/19/12	NCDOT provided a review of the NEPA study timeline and lawsuit timeline to the MUMPO Board. An explanation was provided of the lawsuit issues and rulings by the District Court and the 4 th Circuit Court of Appeals. The presentation also provided an overview of current activities, discussed ongoing outreach activities, and presented future activities and the anticipated schedule.
5/21/13	NCDOT and FHWA provided the MUMPO Board with a review of the results of the draft updated Indirect and Cumulative Effects analysis, including land use change analysis results and the use of MUMPO’s data and models in the analysis. NCDOT and FHWA stated that they wanted MUMPO’s review and comments on the analysis. A presentation was given that focused on land use changes within Union County and the potential effects on water quality, the Carolina heelsplitter, and its critical habitat.

5.3.2 Agency Meetings

Seven agency meetings have been held regarding the Monroe Connector/Bypass project since the Final EIS was published. **Table 5-2** provides a summary of each meeting. Meeting minutes are provided in **Appendix C**.

TABLE 5-2: Agency Meeting Summaries

Meeting Date	Meeting Purpose and Summary
07/18/12	Provided a summary of the legal proceedings and an update on construction, right-of-way process, and environmental permits. Baker Engineering gave a presentation on the Indirect and Cumulative Effects Analysis and further explanation of the issues involved in the litigation. NCDOT identified areas where additional documentation and explanation are warranted and gave an update on public involvement activities.
09/12/12	The consultant team provided an update on activities currently underway and ongoing outreach activities. Baker distributed a draft memo analyzing historic and future growth in the Charlotte region for review. The purpose and need for the project was reviewed and the next steps were discussed.
10/17/12	Preliminary results of the updated Indirect and Cumulative Effects Analysis were presented. Updates were presented on the protected plant species surveys (no new populations found) and the noise analysis.

TABLE 5-2: Agency Meeting Summaries

Meeting Date	Meeting Purpose and Summary
11/08/12	Additional results of the updated Indirect and Cumulative Effects Analysis were presented. The results of the travel time factor reassessment work to remove all instances of the Monroe Connector/Bypass project from the MUMPO land use model were presented, as well as an overview of interviews with local officials and identified changes in planned land use.
02/19/13	NCDOT and FHWA met with representatives from the US Army Corps of Engineers (USACE) to provide an update on the project and discuss a letter from the Southern Environmental Law Center to USACE regarding the suspended USACE permit for the project. A presentation was given that covered the US Court of Appeals decision, the Indirect and Cumulative Effects analysis, and the schedule for advancing the project.
02/20/13	NCDOT met with a new representative (Mr. Alan Johnson) assigned to the project from NCDWQ to review the project, the US Court of Appeals decision, the Indirect and Cumulative Effects Analysis, and the schedule for advancing the project. Comments and questions regarding the project received from Mr. Johnson are included in Appendix C , along with NCDOT's responses to his questions.
07/10/13	NCDOT and FHWA met with representatives from USFWS to discuss the project's current status and findings from work completed on the Indirect and Cumulative Effects Analysis.