

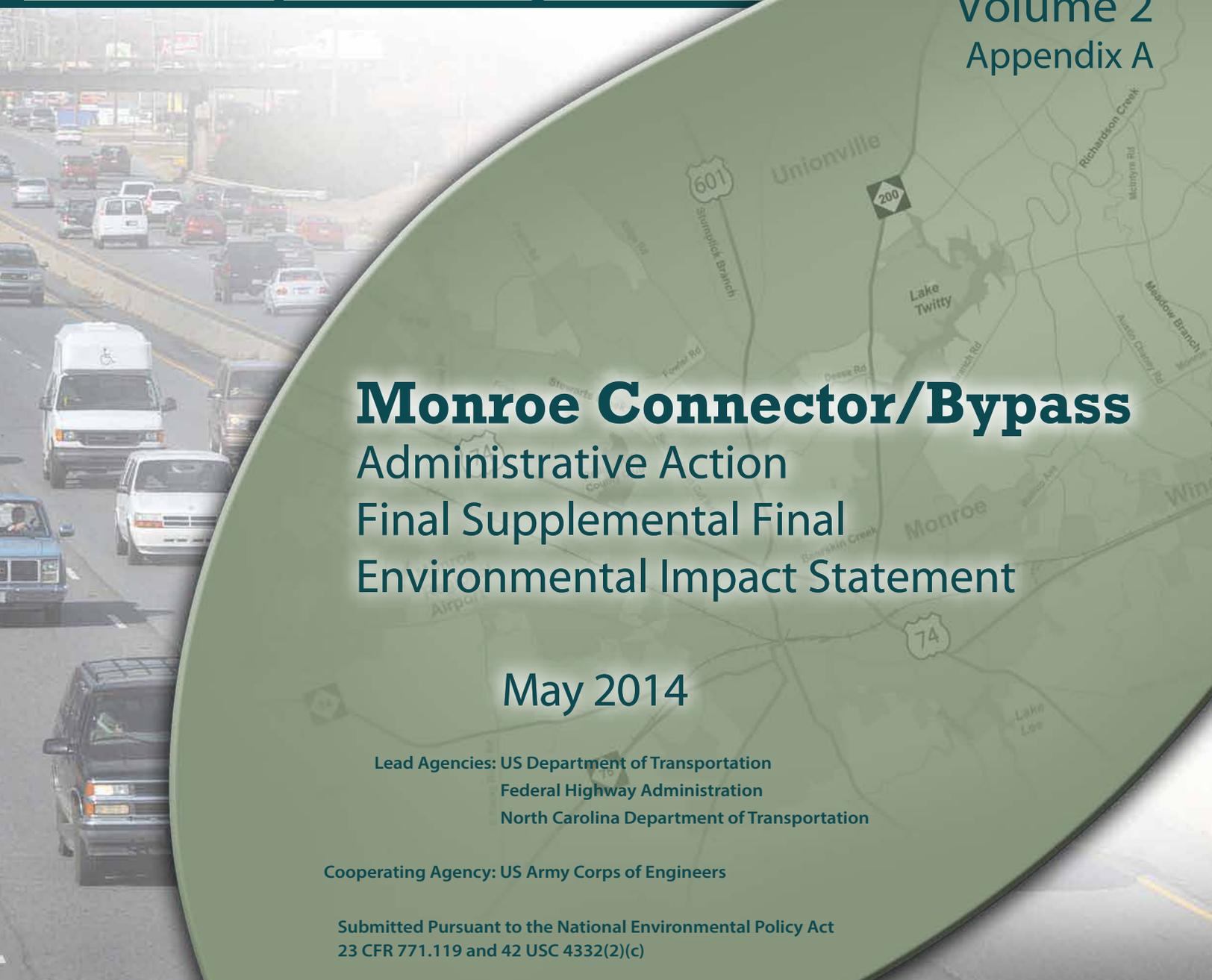


NORTH CAROLINA Turnpike Authority

A Division of NCDOT



Volume 2 Appendix A



Monroe Connector/Bypass

Administrative Action Final Supplemental Final Environmental Impact Statement

May 2014

Lead Agencies: US Department of Transportation
Federal Highway Administration
North Carolina Department of Transportation

Cooperating Agency: US Army Corps of Engineers

Submitted Pursuant to the National Environmental Policy Act
23 CFR 771.119 and 42 USC 4332(2)(c)

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APPENDICES*

- A. Comments Received on the Draft Supplemental Final EIS
- B. USFWS Coordination
- C. Jurisdictional Resource Information
- D. Errata
- E. Technical Memoranda

- * 1) Appendix A is located in Volume 2 of this document.
- 2) Appendix B included on CD behind tab **APP B** in Volume 1.
- 3) CD containing the November 2013 *Draft Supplemental Final EIS* included inside back cover of Volume 1

APPENDICES



- A. Comments Received on the Draft Supplemental Final EIS**
 - A-1. Environmental Resource and Regulatory Agency Comments**
 - A-2. Public Hearing Comments**
 - A-3. Resolutions**
- B. USFWS Coordination**
 - B-1. USFWS Concurrence Letter (December 16, 2013)**
 - B-2. Final Biological Assessment (November 2013)**
 - B-3. Final Technical Report on Direct, Indirect, and Cumulative Impacts to Federally Listed Species (November 2013)**
- C. Jurisdictional Resource Information**
- D. Errata**
- E. Technical Memoranda**
 - E-1. INRIX US 74 Corridor Travel Speeds Memo (April 2014)**
 - E-2. Traffic Forecast Memo (May 2014)**
 - E-3. Review of New CRTPO Socioeconomic Projections (May 2014)**
 - E-4. Review of the report titled, *Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013*, prepared by The Hartgen Group for the Southern Environmental Law Center**
 - E-5. Appold Letter (May 29, 2013)**
 - E-6. MUMPO letter to Kym Hunter (April 16, 2013)**
 - E-7. FHWA Conformity Determination for CRTPO 2040 MTP (May 2, 2014)**
 - E-8. FHWA Memos**

APPENDIX A

COMMENTS ON THE DRAFT SUPPLEMENTAL FINAL EIS

ORGANIZATION OF APPENDIX A

A-1. Environmental Resource and Regulatory Agency Comments

A-2. Public Hearing Comments

A-3. Resolutions

Scanned copies of the original documents received are included in this appendix, with the assigned document number placed in the upper right corner of the letters. A table of contents is provided at the beginning of each sub-appendix that list the documents included in that sub-appendix. Each document was reviewed, and comments responded to are bracketed and numbered in the scanned documents. Not all statements made in the documents require a response. Comment response tables are provided following each document.

Local resolutions regarding the project are included in **Appendix A-3**.

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APPENDIX A-1

ENVIRONMENTAL RESOURCE AND REGULATORY AGENCY COMMENTS

Document Number	Agency/Organization	Date	Page Number
A-001	NC Dept. of Environment and Natural Resources	12/19/13	A1-1
A-002	NC State Historic Preservation Office	12/12/13	A1-3
A-003	NC Dept. of Agriculture	12/6/13	A1-4
A-004	NC Dept. of Crime Control and Public Safety –Division of Emergency Management	12/5/13	A1-4
A-005	NC DENR – Division of Water Resources	12/20/13	A1-5
A-006	City of Charlotte – Dept. of Transportation	1/6/14	A1-7
A-007	US Dept. of the Interior	1/6/14	A1-7
A-008	US Army Corps of Engineers, Wilmington District	1/7/14	A1-8
A-009	US Environmental Protection Agency (EPA)	1/8/14	A1-9
A-1.1	Responses to Agency Comments		A1-12

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A-001

North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

John E. Skvarla, III
Secretary

MEMORANDUM

TO: Crystal Best
State Clearinghouse

FROM: Lyn Hardison *LH*
Division of Environmental Assistance and Customer Service
Permit Assistance & Project Review Coordinator

RE: 14-0211
Final Environmental Impact Statement-Draft Supplemental FEIS
Improvements in the Monroe Connector/Bypass from I-485 to US 74 in the vicinity of
Marshville – TIP R-3329 & R-2559
Mecklenburg and Union Counties

Date: December 19, 2013

The Department of Environment and Natural Resources has reviewed the proposal for the referenced project. The comments are attached for the applicant's consideration.

The Department appreciates the cooperative efforts and open communication the applicant has with our agencies and we encourage these efforts to continue as they move forward with the project.

Thank you for the opportunity to respond.

Attachment

A-001

Department of Environment and Natural Resources
Project Review Form

Project Number: 14-0211 County: Mecklenburg and Union Date Received: 11/21/2013

Due Date: 12/16/2013

Project Description: Final Environmental Impact Statement - Draft Supplemental FEIS - Improvements in the Monroe Connector/Bypass from I-485 to US 74 in the vicinity of the Town of Marshville in Union Co. TIP R-3329 & R-2559

Please refer to 02-0309, 04-0309, 04-0332, 07-0235, 09-0292

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville	<input checked="" type="checkbox"/> Air <i>REL R-13-2013</i>	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Coastal Management
<input type="checkbox"/> Fayetteville	<input checked="" type="checkbox"/> DWR-Surface Water <i>DWR</i>	<input checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> DCM-Marine Fisheries
<input checked="" type="checkbox"/> Mooresville	<input type="checkbox"/> DWR-Aquifer <i>5/27/13</i>	<input type="checkbox"/> Waste Mgmt	<input type="checkbox"/> Military Affairs
<input type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> DEMLR (LO & SW) <i>2/14/13</i>	<input type="checkbox"/> Water Resources Mgmt	<input type="checkbox"/> DMF-Shellfish Sanitation
<input type="checkbox"/> Washington	<input checked="" type="checkbox"/> UST <i>12/15/13</i>	<input type="checkbox"/> DWR-Public Water	<input type="checkbox"/> Wildlife
<input type="checkbox"/> Wilmington	<input checked="" type="checkbox"/> DWR-Public Water <i>12/14/13</i>	<input type="checkbox"/> DWR-Water Quality Program	<input checked="" type="checkbox"/> Wildlife - DOT <i>Marla Chambers</i>
<input type="checkbox"/> Winston-Salem		<input type="checkbox"/> DWR-Transportation Unit	

Manager Sign-Off/Region: *Walter W Edwards* Date: *12/16/13* In-House Reviewer/Agency:

Response (check all applicable)

No objection to project as proposed. No Comment

Insufficient information to complete review Other (specify or attach comments)

RECEIVED
NOV 21 2013

NC DEPT OF ENVIRONMENT
AND NATURAL RESOURCES
MOORESVILLE REGIONAL OFFICE

If you have any questions, please contact:
Lyn Hardison at lyn.hardison@ncdenr.gov or (252) 948-3842
943 Washington Square Mail Washington NC 27889
Courier No. 16-04-01

A-1-1

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Project Number: 14-0211 Due Date: 12/6/2013

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/> Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/> NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/> Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
<input type="checkbox"/> Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/> Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filing may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/> Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/> Permit to construct & operate Transportation Facility as per 15 A NCAC (2D.0800, 2Q.0601)	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input checked="" type="checkbox"/> Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900		
<input type="checkbox"/> Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.	N/A	60 days (90 days)
<input type="checkbox"/> Complex Source Permit required under 15 A NCAC 2D.0800		
<input checked="" type="checkbox"/> The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input checked="" type="checkbox"/> Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/> Mining Permit	On-site inspection usual. Surety bond filed with ENR. Bond amount varies with type mine and number of acres of affected land. Any acre mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/> North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/> Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic acids	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
<input type="checkbox"/> Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/> Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)

1
A-1-2

2

3

PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/> Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days (N/A)
<input type="checkbox"/> Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days (N/A)
<input type="checkbox"/> State Lakes Construction Permit	Application fee is charged based on structure size. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days (N/A)
<input type="checkbox"/> 401 Water Quality Certification	N/A	60 days (130 days)
<input type="checkbox"/> CAMA Permit for MAJOR development	\$250.00 fee must accompany application	55 days (150 days)
<input type="checkbox"/> CAMA Permit for MINOR development	\$50.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/> Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
<input type="checkbox"/> Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input checked="" type="checkbox"/> Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/> Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
<input type="checkbox"/> Tar Function or Neuse Riparian Buffer Rules required.		
<input type="checkbox"/> Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/> If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100. <i>(Useful Co. water lines). For City of Mooresville water line relocations, contact W. Moore, The City of Mooresville has delegated approval authority.</i>		30 days
* Other comments (attach additional pages as necessary, being certain to cite comment authority)		
<p>4 <i>UST - see attached comments BHT 12/4/13</i></p> <p>5 <i>DAQ: no additional comments, plan has detailed review. L. Book 12-10-13</i></p> <p>6 <i>DEMR: Easement Ceded Parcel of State Water Point needed 12/5/13</i></p>		

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

- Asheville Regional Office
2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500
- Mooresville Regional Office
610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699
- Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215
- Fayetteville Regional Office
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300
- Raleigh Regional Office
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200
- Winston-Salem Regional Office
585 Waughtown Street
Winston-Salem, NC 27107
(336) 771-5000
- Washington Regional Office
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481



North Carolina Department of Environment and Natural Resources
 Division of Waste Management
 Dexter R. Matthews
 Director

Pat McCrory
 Governor

John E. Skvarla, III
 Secretary

TO: Lyn Hardison, Environmental Coordinator
 FROM: Ron Taraban, Regional UST Supervisor
 DATE: December 4, 2013
 RE: Project Review Form: 14-0211

I have read the impact statement and documentation for the proposed improvements in the Monroe Connector/Bypass in the vicinity of Marshville in Union County. The proposed improvements are along a proposed route approximately 20 miles long. Due to the distance involved, it is possible for unknown USTs to be in or near the proposed pathway. The following comments are pertinent to my review:

- 7 1. The Mooresville Regional Office (MRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at 704-663-1699.
- 8 2. Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environment & Natural Resources - Division of Waste Management Underground Storage Tank Section in the Mooresville Regional Office at 704-663-1699.
- 9 3. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosion or inhalation hazards exist. Also, notify the UST Section of the Mooresville Regional Office at 704-663-1699. Petroleum contaminated soils must be handled in accordance with all applicable regulations.

If you have any questions or need additional information, please contact me at Ron.Taraban@ncdenr.gov or by phone at 704-235-2167.

A-001

NORTH CAROLINA STATE CLEARINGHOUSE
 DEPARTMENT OF ADMINISTRATION
 INTERGOVERNMENTAL REVIEW

A-002

COUNTY: UNION
 MECKLENBURG

F05: RAILROADS

STATE NUMBER: 14-E-4220-0211
 DATE RECEIVED: 11/19/2013
 AGENCY RESPONSE: 12/16/2013
 REVIEW CLOSED: 12/19/2013



MS RENEE GLEDHILL-EARLEY
 CLEARINGHOUSE COORDINATOR
 DEPT OF CULTURAL RESOURCES
 STATE HISTORIC PRESERVATION OFFICE
 MSC 4617 - ARCHIVES BUILDING
 RALEIGH NC

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 CENTRALINA COG
 DENR LEGISLATIVE AFFAIRS
 DEPT OF AGRICULTURE
 DEPT OF CULTURAL RESOURCES
 DEPT OF TRANSPORTATION

PROJECT INFORMATION

APPLICANT: N. C. Department of Transportation
 TYPE: National Environmental Policy Act
 Final Environmental Impact Statement

DESC: Draft Supplemental FEIS - Improvements in the Monroe Connector/Bypass from I-485 to US 74 in the vicinity of the Town of Marshville in Union Co. TIP R-3329 & R-2559

CROSS-REFERENCE NUMBER: 02-E-4220-0309 04-E-4220-0332 07-E-4220-0235 09-E-4220-0292

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

1 AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Renee Gedhill-Earley

DATE: 12-12-13



Dec 12/3/13 A-11c Comment document address OR concerns 11/22/12

Dec 12/10/13 S

A1-3

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

A-003

COUNTY: UNION
MECKLENBURG

F05: RAILROADS

STATE NUMBER: 14-E-4220-0211
DATE RECEIVED: 11/19/2013
AGENCY RESPONSE: 12/16/2013
REVIEW CLOSED: 12/19/2013

MS ELIZABETH HEATH
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE
1001 MSC - AGRICULTURE BLDG
RALEIGH NC

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DEPT OF TRANSPORTATION

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If additional review time is needed, please contact this office at (919)807-2425.

1 [AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Elizabeth G. Heath

DATE:

12/16/13



NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

A-004

COUNTY: UNION
MECKLENBURG

F05: RAILROADS

STATE NUMBER: 14-E-4220-0211
DATE RECEIVED: 11/19/2013
AGENCY RESPONSE: 12/16/2013
REVIEW CLOSED: 12/19/2013

MS CAROLYN PENNY
CLEARINGHOUSE COORDINATOR
CC&PS - DIV OF EMERGENCY MANAGEMENT
FLOODPLAIN MANAGEMENT PROGRAM
MSC # 4719
RALEIGH NC

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DEPT OF AGRICULTURE
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DEPT OF TRANSPORTATION

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Dennis W. He

DATE:

12/5/13

RECEIVED
NOV 21 2013
N.C. Floodplain Mapping Program



A-14



A-004
North Carolina Department of Public Safety
 Emergency Management

Pat McCrory, Governor
 Frank L. Perry, Secretary

Michael A. Sprayberry, Director

December 5, 2013

State Clearinghouse
 N.C. Department of Administration
 1301 Mail Service Center
 Raleigh, North Carolina 27699-1301

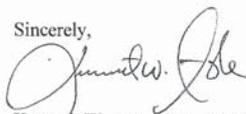
Subject: Intergovernmental Review State Number: 14-E-4220-0211
 Monroe Connector / Bypass



As requested by the North Carolina State Clearinghouse, the North Carolina Department of Crime Control and Public Safety Division of Emergency Management Office of Geospatial and Technology Management (GTM) reviewed the proposed project listed above and offer the following comment:

1 The project includes nine crossings of Special Flood Hazard Areas. North Carolina Executive Order 123 directs NCDOT to coordinate with and follow the FHWA floodplain management requirements which are found in the Federal Executive Order 11988. To ensure NCDOT compliance with EO 11988 and 44 CFR the NCDOT Hydraulics Section and the NC Floodplain Mapping Program have a Memorandum Of Agreement (MOA). Please coordinate with Mr. David Chang, NCDOT Hydraulics, to determine if the proposed crossings within this project are eligible to fall within the MOA.

Thank you for your cooperation and consideration. If you have any questions concerning the above comments, please contact Dan Brubaker, P.E., CFM, the NC NFIP Engineer at (919) 825-2300, by email at dan.brubaker@ncdps.gov or at the address shown on the footer of this documents.

Sincerely,

 Kenneth W. Ashe, P.E., CFM
 Assistant Director
 Geospatial and Technology Management Office

cc: John Gerber, NFIP State Coordinator
 Dan Brubaker, NFIP Engineer

MAILING ADDRESS:
 4218 Mail Service Center
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 4105 Reedy Creek Road
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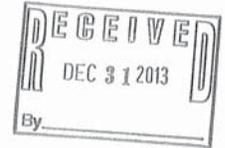
A-005
North Carolina Department of Environment and Natural Resources

Division of Water Resources
 Water Quality Programs
 Thomas A. Reeder
 Director

John E. Skvarla, III
 Secretary

Pat McCrory
 Governor

December 20, 2013



MEMORANDUM

To: Jennifer Harris
 Through: Amy Chapman, Supervisor
 From: Alan Johnson, Division of Water Resources, Mooresville Office
 Subject: Comments on the Draft Supplemental Final Environmental Impact Statement (EIS), related to the proposed Monroe Connector from existing I-485 to Existing US 74 between Wingate and Marshville, Mecklenburg and Union Counties County, Federal Aid Project No. STP-NHF-74(90), STIP: R-3329/R2559, DWR No.: 10-0435

This office has reviewed the referenced document dated November 2013. The NC Division of Water Resources (NCDWR) is responsible for the issuance of the Section 401 Water Quality Certification for activities that impact Waters of the U.S., including wetlands. It is our understanding that the project as presented will result in impacts to jurisdictional wetlands, streams, and other surface waters. The NCDWR offers the following comments based on review of the aforementioned document:

1 This current EIS is an update and clarification of the previous document dated May 2010. Based on review of the current document, the general projections and information, though updated, have not changed. Based on the review of NCDWR file and previous comments from NCDWR regarding the Final EIS dated May 2010, there are no additional comments.

The NCDWR appreciates the opportunity to provide comments on your project. Should you have any questions or require any additional information, please contact Alan Johnson at (704) 235-2200 or alan.johnson@ncdenr.gov.

cc: Amanda Fuemmella, US Army Corps of Engineers, Asheville Field Office (electronic copy only)
 Chris Militscher, Environmental Protection Agency (electronic copy only)
 Marella Buncick, US Fish and Wildlife Service (electronic copy only)
 Marla Chambers, NC Wildlife Resources Commission (electronic copy only)
 Sonia Carrillo, Wetland NCDOT Unit
 Lyn Hardison, EA Coordinator, WARO

Transportation and Permitting Unit
 1650 Mail Service Center, Raleigh, North Carolina 27699-1650
 Location: 512 N. Salisbury St. Raleigh, North Carolina 27604
 Phone: 919-807-6300 | FAX: 919-733-1290
 Internet: www.ncwaterquality.org

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Gibilaro, Carl

From: Harris, Jennifer <jhharris1@ncdot.gov>
Sent: Friday, January 10, 2014 12:16 PM
To: Gibilaro, Carl; george.hoops@dot.gov; Scott Slusser (SSLUSSER@ncdoj.gov)
Subject: FW: Monroe Connector/Bypass - DSFEIS comment letter

FYI

From: Johnson, Alan
Sent: Friday, January 10, 2014 12:13 PM
To: Harris, Jennifer
Cc: Chapman, Amy
Subject: RE: Monroe Connector/Bypass - DSFEIS comment letter

As stated in the memo in December, DWR is satisfied with the responses provided to us regarding the May 2010 Final EIS. Based on that, there are no DWR comments that need further response.

Thanks
Alan Johnson

From: Harris, Jennifer
Sent: Thursday, January 09, 2014 12:34 PM
To: Johnson, Alan
Cc: Chapman, Amy; Carl Gibilaro
Subject: Monroe Connector/Bypass - DSFEIS comment letter
Importance: High

Happy New Year Alan,

Thank you for the December 20, 2013 memo to me concerning the Monroe Connector/Bypass indicating that NCDWR has "no additional comments" upon review of the Draft Supplemental Final EIS, NCDWR file and previous comments on the Final EIS dated May 2010 (attached).

Could you please confirm NCDWR is satisfied with the responses provided to the previous comments from NCDWR concerning the Final EIS dated May 2010?

It would be helpful to confirm there are no prior/remaining NCDWR comments that need to be addressed further.

Please feel free to contact me if you have any questions regarding my email.

Thank you,
Jennifer

Jennifer Harris, P.E.
Western Region/Turmpike
Project Development Section Head
Project Development & Environmental Analysis Unit
NC Department of Transportation

Physical Address:
Century Center Bldg. A (Door A4 with/without badge or A10 with badge)
1000 Birch Ridge Drive
Raleigh, NC 27610

Mailing Address:
1548 Mail Service Center
Raleigh, NC 27699-1548

Main Phone (919) 707-6000
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CITY OF CHARLOTTE
DEPARTMENT OF TRANSPORTATION

January 6, 2014

Richard W. Hancock, PE
Project Development & Environmental Analysis Manager
N. C. Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

SUBJECT: Comments on Federal Draft Supplemental Final Environmental
Impact Statement for TIP Project No. R-3329/R-3559

Dear Mr. Hancock:

Thank you for the opportunity to review and provide comments on the subject
document.

1 Table 10 – Metrolina Regional Model Socioeconomic (SE) Data Versions on page G-
15 of *Appendix G* includes a technically accurate cross-reference of SE data
(forecast) names, TAZ file names, associated model version names, and associated
final forecast years. However, the text in *Section 2.5.2 Traffic Forecasts and Appendix
G Traffic Forecast Memo* does not consistently reference the model version names
correctly. For example, instead of referencing MRM06v1.0 or MRM06v1.1, the
nomenclature MRM06 is used. This holds true for references to MRM05, MRM08,
and MRM11 as well. Please edit the document to consistently reflect the technically
correct MRM versions as defined in Table 10 of Appendix G.

Sincerely,

Anna H. Gallup, P.E.
Model Section Manager, Charlotte Department of Transportation
Program Manager, Metrolina Regional Travel Demand Model

A1-7



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Richard B. Russell Federal Building
75 Spring Street, S.W., Suite 1144
Atlanta, Georgia 30303



ER 13/0737
9043.1

January 6, 2013

Ms. Jennifer Harris, PE,
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, NC 27699-1548

Re: Comments on the Draft Environmental Impact Statement (DEIS) for the Monroe
Connector/Bypass, Meeklenburg and Union Counties, NC

Dear Ms. Harris:

1 The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact
Statement (DEIS) for the Monroe Connector/Bypass located in Meeklenburg and Union Counties,
NC. We have no comments at this time.

If you have questions or concerns, I can be reached on (404) 331-4524 or via email at
joyce_stanley@ios.doi.gov.

Sincerely,

Joyce Stanley, MPA
Regional Environmental Protection Specialist

cc: Christine Willis – FWS
Chester McGhee – BIA
Gary Lecain - USGS
Anita Barnett – NPS
Robin Ferguson – OSMRE
OEPC – WASH



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
69 DARLINGTON AVENUE
WILMINGTON, NORTH CAROLINA 28403-1343

A-008

January 7, 2014

Regulatory Division

Action ID No. SAW-2009-0876
Comments on the Draft Final Supplemental Environmental Impact Statement for the Monroe Bypass, North Carolina Department of Transportation STIP No. R-2559 and R-3329, State Project No. 8.T690401

Mr. John F. Sullivan, P.E., Division Administrator
Federal Highways Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601

Dear Mr. Sullivan:

The US Army Corps of Engineers, Wilmington District, Regulatory Division (District), has reviewed the Draft Supplemental Final Environmental Impact Statement (DSEIS) for the Monroe Bypass, North Carolina Department of Transportation STIP No. R-2559 and R-3329, State Project No. 8.T690401. The DSEIS provides additional information about the proposed construction of approximately 20 miles of a four to six-lane controlled-access highway and service roads, the majority of which will be on new location in Mecklenburg and Union Counties, North Carolina.

We appreciate having this opportunity to review the DSEIS on the Monroe Bypass and have no comments to provide at this time.

Questions or comments may be addressed to Amanda Fuemmeler at the Asheville Field Office, Regulatory Division, telephone (828) 271-7980, extension 231.

Sincerely,

Henry Wicker, Assistant Chief
Wilmington Regulatory Division

Copies Furnished:

Mr. George Hoops, P.E.,
Major Projects Engineer
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601-1418

-3-

BC:

CESAW-RG-A\Amanda Fuemmeler

AESAW-RG-A Wicker

A-1-8



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

January 8, 2014

Mr. John F. Sullivan, III, P.E.
Division Administrator
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, N.C. 27601

SUBJECT: Federal Draft Supplemental Environmental Impact Statement for the Monroe Bypass/Connector Toll Facility, Union and Mecklenburg Counties, N.C. TIP Project Nos.: R-3329/R-2559; CEQ No.: 20130354

Dear Mr. Sullivan:

The U.S. Environmental Protection Agency (EPA) has reviewed the subject document and is commenting in accordance with Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The Federal Highway Administration and the North Carolina Department of Transportation (NCDOT; formerly sponsored by the North Carolina Turnpike Authority) are proposing to construct an approximate 20-mile, multi-lane, median divided bypass and toll facility from I-485 at US 74 to US 74 between the Towns of Wingate and Marshville in Union and Mecklenburg Counties, N.C.

EPA provided detailed review comments on the Final Environmental Impact Statement (FEIS) on July 12, 2010 and Draft Environmental Impact Statement (DEIS) on June 15, 2009. EPA understands the reasons and conditions under which the FHWA and NCDOT have prepared the DSFEIS. EPA acknowledges that the transportation agencies responded to EPA's FEIS comments letter and that the responses are included in Appendix 2, Table A-11. EPA further acknowledges the additional traffic analysis and indirect and cumulative effects modeling that was performed following the August 2010 Record of Decision (ROD). EPA's detailed technical review comments which focus on the potentially unresolved environmental issues associated with the FEIS are included in an attachment to this letter (See Attachment A).

In summary, EPA continues to have some environmental concerns regarding water quality issues in 6 catchments, implementation of a detailed mitigation plan that provides for compensatory mitigation for all direct jurisdictional impacts and Mobile Source Air Toxics

¹cont (MSATs) issues. EPA requests a copy of the FSFEIS when it becomes available and plans to continue to participate on the NCDOT's inter-agency coordination team. Please feel free to contact me or Mr. Christopher Militscher of my staff at militscher.chris@epa.gov or 404-562-9512 should you have any questions or want to discuss these comments.

Sincerely,

Heinz J. Mueller, Chief
NEPA Program Office
Office of Environmental Accountability

Attachment A

Cc: R. Hancock, NCDOT, w/attachments
S. McClendon, USACE, w/attachments
A. Chapman, NCDENR, w/attachments
J. Harris, NCDOT, w/attachments

A-1-9

1

Attachment A
Detailed Technical Comments on the Draft Supplemental FEIS
Monroe Bypass/Connector Toll Facility
Union and Mecklenburg Counties, N.C.
TIP Project Nos.: R-3329/R-2559

Changes to the Proposed Project since the FEIS/ROD

FHWA and NCDOT have provided a summary evaluation of changes since the 2010 FEIS in Table P-1. In addition, the transportation agencies also provided a listing of all of the updated studies and coordination since the FEIS on pages P-9 to 10. Updated information summarized in Table P-1 included primarily items associated with the purpose and need for the proposed project (e.g., Updated 2010 Census data), the preferred alternative DSA D, updated costs, land use transportation plans, traffic noise, air quality, utilities and infrastructure, water resources, natural communities, Federally protected species, and land use change. EPA notes that there has been an update to the Clean Water Act-Section 303(d) impaired waters for 2012 which now also includes Stewarts Creek which is located in the project study area. In EPA's detailed review comments on the FEIS on July 12, 2010, Stewarts Creek was one of 4 impacted jurisdictional streams included on the 303(d) list. The other 3 impacted streams identified are North Fork Crooked Creek, South Fork Crooked Creek and Richardson Creek.

In addressing EPA's comments concerning avoidance and minimization measures jurisdictional aquatic resources, the transportation agencies essentially defer final design and impact designs to their selected Design-build Team (page A2-47, Response #7). EPA's comments regarding jurisdictional wetland and stream impacts are partially addressed in Response # 18 thru #22. EPA acknowledges the comments concerning functional designs and impact calculations. However, the overall impacts to jurisdictional resources actually increased following agency coordination meetings on avoidance and minimization between the DEIS and FEIS stages. The transportation agencies attribute the increases to the addition of service roads, design refinements and updated field work. EPA's specific comments concerning the increase of impacts from DSA D identified in Comment # 20 have not been completely addressed with respect to meeting the requirements under the Clean Water Act Section 404(b)(1) guidelines on avoidance and minimization.

The transportation agencies identify the direct impact to jurisdictional wetlands and streams in Section 4.4.4 of the SDFEIS. Total stream impacts remain essentially the same from the FEIS at 23,082 linear feet and wetland impacts at 8.1 acres. There are 3.1 acres of ponds impacted as well. The responses to EPA's comments concerning compensatory mitigation for unavoidable impacts to aquatic resources refer the reader to the website at http://www.ncdot.gov/projects/monoreconnector/download/monroe_FEIS_conceptualmitigation.pdf

This February 12, 2010, Technical Memorandum from the transportation agencies consultant only addresses potential on-site mitigation opportunities and does not address the

4 specific requirements in the USACE/USEPA 2008 Final Mitigation Rules found at 33 CFR Parts
cont 325 and 332 and 40 CFR Part 230. There were 4 potential sites identified that in total do not
provide full compensatory mitigation for the proposed project. The SDFEIS and the 2010
technical memorandum do not specifically address the availability of adequate stream and
wetland mitigation credits through the N.C. Ecosystem Enhancement Program (NCEEP) if on-
site mitigation opportunities are not adequate to meet the project's total impact mitigation needs.
5 EPA requests that the FSFEIS describe in appropriate detail how and where compensatory
mitigation for direct impacts to jurisdictional waters will be met consistent with the 2008 Final
Mitigation Rules. EPA has reviewed the June 24, 2010, NCEEP mitigation acceptance letters on
pages C1-1 and C1-2, requiring 46,166 mitigation units for warm water streams and 16.2
mitigation units for wetlands in the Yadkin CU 03040105. Potential NCEEP mitigation credit
sites should be described in the FSFEIS. Past projects located in the Piedmont have had difficulty
in finding adequate compensatory mitigation (e.g. Gaston Tollway). The status of the on-site
mitigation sites identified in the 2010 Technical Memorandum should also be provided to the
EPA.

EPA notes the additional traffic analysis that was performed by the transportation
agencies subsequent to the FEIS/ROD. Table 1-2 shows peak hour speeds along existing US 74
Eastbound on the overall corridor as a -4 to -7 mile per hour (mph) below the posted speed limits
for the different sections. Table 1-3 shows peak hour speeds along existing US 74 Westbound on
the overall corridor as a -8 to -12 mile per hour (mph) below the posted speed limits for the
different sections. As expected, peak hour traffic slows along US 74 as it approaches I-485 to
Fowler Secrest Road section. Page 1-3 states the following: "...current real time travel
information available from INRIX, Inc., which was validated through travel time field surveys,
shows that average travel speeds during peak hours are still lower than posted speed limits".
6 The transportation agencies may wish to explain this statement with better clarity in the FSFEIS.
EPA infers that the goal of the transportation agencies' proposed project is not to cause an
increase in average travel speeds along existing US 74 above posted speed limits. EPA
understands the following statements on page 1-3 of the DSFEIS are meant to provide a partial
reasoning as to why the current facility is currently congested and why the current US 74
corridor is not expected to operate as a desired high-speed facility in the future due to projected
growth in Union County.

EPA recognizes the additional in-depth analysis that have been completed by the
transportation agencies regarding revised predictions of indirect and cumulative effects (ICE)
resulting from the proposed new location facility. Appendix E and Appendix C of the DSFEIS
includes much of the re-analysis studies, explanation of the travel time and demographic
assumptions, and coordination with agencies and the public. Appendix E2 includes the March
7 2010 Interim Guidance on the application of Travel and Land Use Forecasting in NEPA. The re-
analysis by FHWA and NCDOT including the model assumptions and changes to the baseline
assessment (i.e., Build vs. No-build) appears to be reasonable. Per our previous comments, EPA
is primarily concerned with the cumulative effects of additional impervious surfaces resulting
from the direct impacts (i.e., 23,082 linear feet of streams and 8.1 acres of wetlands) and the
indirect impacts (predicted to be approximately 1% increase within the project study area) from
8 additional development from the new facility. Due to past accelerated development a number of

A1-10

8 streams in the project study area as identified in the DSFEIS are already listed as impaired under
cont Clean Water Act criteria.

9 EPA is aware of the FHWA and NCDOT policy of not mitigating for indirect and
cumulative effects to water quality resulting from third party activities and that only direct
impacts are required to be mitigated for under the Clean Water Act. However, NEPA allows (and
encourages) Federal project sponsors to identify reasonable and prudent mitigation for all
10 predicted impacts resulting from their projects. EPA recognizes the updated information
provided by FHWA and NCDOT concerning the proposed Legacy Park development site near
the eastern termini of the project on page C3-135 and that the current proposal is not
incorporated into any local plans.

FEIS Responses to EPA's July 12, 2010, Letter

11 FHWA and NCDOT provided responses to comments #1 thru #6 on pages A2-45 to A2-
47 concerning past DEIS comments, alternative analyses and an economic analysis. For
comment/response #6, the transportation agencies did not fully understand that EPA was not
requesting a 'formal' socio-economic analysis for businesses along existing US 74 once traffic is
12 removed by a new facility. However, the ICE should identify and disclose the potential socio-
economic effect of removing a large volume of regional and local traffic off existing US 74. As
stated in the DSFEIS, US 74 has grown extensively to be a 'commercial corridor' and it has
added numerous access points for businesses over the years. The large number of 'drive-cuts'
has helped caused congestion. There are several examples in N.C. where bypasses have removed
traffic from downtown commercial areas and over time those businesses relying on local and
regional travel have seen a substantial decline once the new facility is constructed (e.g., Ahoskie
Bypass). The comment that the new bypass facility will provide more opportunity for local
traffic to access businesses along existing US 74 is not understood as access to local business has
not been reportedly hindered by past approvals for driveway cuts.

13 FHWA and NCDOT responses on comments #7 thru #9 are noted and discussed above.
Regarding response #10 concerning EPA's water quality concerns some of the issues on
pollutant loadings have been partially addressed. Several outstanding issues are deferred to the
transportation agencies' selected Design Build Team (Consultant and contractor). Six catchments
(out of 18) are expected to see 'minor' increases in stream flow, runoff and pollutant loadings.
Richardson Creek (Lower) would experience the largest percent increase in runoff (5.97%) and
the DSFEIS states: "*The effect in Richardson Creek (Lower) watershed is especially pronounced
because a relatively large amount of urban development is projected in a relatively small
watershed*". Types of structural BMPs are generally identified in the response but the details
cannot be provided because: "*requires site specific information is unavailable at this time*".
Because this project as proposed was already permitted by NCDENR and USACE, the site
specific information for the identification of specific BMPs should be known and identified in
the FSFEIS. EPA acknowledges the statement regarding the enforcement of municipal
ordinances and stormwater requirements.

14 Regarding FHWA and NCDOT's response on comment #13, air quality with emphasis
on Mobile Source Air Toxics, the transportation agencies have not identified near-roadway
potential sensitive receptors such as hospitals, schools, day care facilities, and nursing homes as
requested by EPA in its DEIS and FEIS comments. The response also fails to recognize potential
issues associated with the compliance with E.O. 13045, Protection of Children from
Environmental Health Risks and Safety Risks. EPA identified 3 elementary schools and 1 high
school where MSATs could be a 'potential' near-roadway exposure issue and requested
monitoring to be performed by the transportation agencies. Also, we have discussed the
desirability of outreach with the school administration concerning potential MSAT issues and
potential BMPs. We suggest that this be given further consideration in the final.

16 EPA acknowledges the responses provided to comments #11, 12, and 14 thru 28.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-001	NCDENR	1	Air Quality	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900.	Project construction will comply with all applicable regulations and ordinances related to open burning and fugitive dust control in force at the time of construction.
A-001	NCDENR	2	Permits	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion and sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) at least 30 days before beginning activity. A fee of \$65 for the first acres or any part of an acre. An express review option is available with additional fees.	Project construction will include sediment and erosion control Best Management Practices in accordance with Design Standards in Sensitive Watersheds. This is listed as a special project commitment in Section PC of the <i>Final Supplemental Final EIS</i> .
A-001	NCDENR	3	Permits	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.	See response to Document A-001, Comment #2 .
A-001	NCDENR	4	Permits	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.	Comment noted.
A-001	NCDENR-DAQ	5	Air Quality	No additional comments. Plan has detailed review.	No response necessary.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-001	NCDENR-DEMLR	6	Permits	Erosion and Sediment Control Permit and Stormwater Permit need.	Comment noted. See response to Document A-001, Comment #s 2 and 3.
A-001	NCDENR - UST	7	HazMat	The Mooresville Regional Office (MRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at 704-663-1699.	Comment noted.
A-001	NCDENR - UST	8	HazMat	Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environment & Natural Resources- Division of Waste Management Underground Storage Tank Section in the Mooresville Regional Office at 704-663-1699.	Comment noted. NCDOT will implement approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities Manual.
A-001	NCDENR - UST	9	HazMat	Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosion or inhalation hazards exist. Also, notify the UST Section of the Mooresville Regional Office at 704-663-1699. Petroleum contaminated soils must be handled in accordance with all applicable regulations.	NCDOT will implement approved BMP measures from the most current version of NCDOT's <i>Construction and Maintenance Activities Manual</i> .

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-002	SHPO	1	Historic Properties	No comment.	No response necessary.
A-003	Dept of Agriculture	1	Farmlands	No comment.	No response necessary.
A-004	NC Dept of Public Safety – Div of Emergency Mgmt	1	Floodplains	The project includes nine crossings of Special Flood Hazard Areas. North Carolina Executive Order 123 directs NCDOT to coordinate with and follow the FHWA floodplain management requirements which are found in the Federal Executive Order 11988. To ensure NCDOT compliance with EO 11988 and 44 CFR the NCDOT Hydraulics Section and the NC Floodplain Mapping Program have a Memorandum Of Agreement (MOA). Please coordinate with Mr. David Chang, NCDOT Hydraulics, to determine if the proposed crossings within this project are eligible to fall within the MOA.	Comment noted. NCDOT will coordinate with the NC Floodplain Mapping Program to determine whether NCDOT’s Memorandum of Agreement is applicable, or whether a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR) will be required.
A-005	NCDENR-DWR	1	Water Quality	No additional comments. Previous comments have been addressed.	No response necessary.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-006	Charlotte DOT	1	Regional Model	<p>Table 10- Metrolina Regional Model Socioeconomic (SE) Data Versions on page G-15 of Appendix G includes a technically accurate cross-reference of SE data (forecast) names, TAZ file names, associated model version names, and associated final forecast years. However, the text in Section 2.5.2 Traffic Forecasts and Appendix G Traffic Forecast Memo does not consistently reference the model version names correctly. For example, instead of referencing MRM06v1.0 or MRM06v1.1, the nomenclature MRM06 is used. This holds true for references to MRM05, MRM08, and MRM11 as well. Please edit the document to consistently reflect the technically correct MRM versions as defined in Table 10 of Appendix G.</p>	References will be revised as noted.
A-007	US Dept of Interior: Office of Env Policy and Compliance	1	DSFEIS	<p>The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Monroe Connector/Bypass located in Meeklenburg and Union Counties, NC. We have no comments at this time.</p>	No response necessary.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-008	USACE	1	DSFEIS	<p>The DSEIS provides additional information about the proposed construction of approximately 20 miles of a four to six-lane controlled-access highway and service roads, the majority of which will be on new location in Mecklenburg and Union Counties, North Carolina.</p> <p>We appreciate having this opportunity to review the DSEIS on the Monroe Bypass and have no comments to provide at this time.</p>	No response necessary.
A-009	USEPA	1	Water Quality, Jurisdictional Impacts, MSATs	EPA continues to have some environmental concerns regarding water quality issues in 6 catchments, implementation of a detailed mitigation plan that provides for compensatory mitigation for all direct jurisdictional impacts and Mobile Source Air Toxics (MSATs) issues.	Comment noted. Detailed responses found below.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-009	USEPA	2	Jurisdictional Impacts	<p>In addressing EPA's comments concerning avoidance and minimization measures jurisdictional aquatic resources, the transportation agencies essentially defer final design and impact designs to their selected Design-build Team (page A2-47, Response #7). EPA's comments regarding jurisdictional wetland and stream impacts are partially addressed in Response # 18 thru #22.</p>	<p>Final design activities were halted with the rescission of the original Record of Decision in August 2010. Impacts included in this <i>Final Supplemental Final EIS /Record of Decision</i> were calculated utilizing the functional designs prepared as part of the NEPA study.</p> <p>As explained in Section 4.4.4 of the <i>Draft Supplemental Final EIS</i>, a conceptual mitigation plan for the Preferred Alternative that includes the EEP has been prepared, and is described in Section 2.5.4.4 of the <i>Final EIS</i>. Following issuance of the <i>Record of Decision</i> in August 2010 (since rescinded), the USACE issued a Section 404 permit for the project on April 15, 2011. As a result of the ROD rescission and delays associated with the project, the Section 404 both permit was revoked until a new Record of Decision is issued. NCDOT has not noted any concerns from USACE regarding the future re-issuance of this permit.</p>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-009	USEPA	3	Jurisdictional Impacts	The transportation agencies attribute the increases to the addition of service roads, design refinements and updated field work. EPA's specific comments concerning the increase of impacts from DSA D identified in Comment # 20 have not been completely addressed with respect to meeting the requirements under the Clean Water Act Section 404(b)(1) guidelines on avoidance and minimization.	EPA's concerns regarding meeting the requirements under the Clean Water Act Section 404(b)(1) are addressed in responses to EPA's comment #s 7 and 18 in the <i>Draft Supplemental Final EIS</i> . These responses can be found in Appendix A-2, Document A-005 . Furthermore, we note that this issue did not preclude the USACE from issuing a Section 404 permit previously and the USACE has not noted that this is an issue of concern presently in their most recent letter regarding the project (see Document A-008). Therefore, it does not appear that this would be an issue moving forward. Also, see response to Document A-009, Comment #2 .
A-009	USEPA	4	Jurisdictional Impacts	The transportation agencies identify the direct impact to jurisdictional wetlands and streams in Section 4.4.4 of the SDFEIS. Total stream impacts remain essentially the same from the FEIS at 23,082 linear feet and wetland impacts at 8.1 acres. There are 3.1 acres of ponds impacted as well. The responses to EPA's comments concerning compensatory mitigation for unavoidable impacts to aquatic resources refer the reader to the website at http://www.ncdot.gov/projects/monroeconnector/download/monroe_FEIS_ConceptualMitigation.pdf This February 12, 2010, Technical Memorandum from the transportation agencies' consultant only addresses potential on-site mitigation opportunities and does not address the specific requirements in the	As explained in response #8 to USEPA's comments on the <i>Final EIS</i> , in a June 24, 2010 letter to USACE and NCTA (NCDOT), the Ecosystem Enhancement Program confirmed that they will provide all compensatory stream (intermittent and perennial) and riparian wetland mitigation for this project. A copy of this letter can be found in Appendix C of the <i>Draft Supplemental Final EIS</i> . 33CFR 332.3(b)(6) states " <i>If, after considering opportunities for on-site, in-kind compensatory mitigation as provided in paragraph (b)(5) of this section, the district engineer determines that these compensatory mitigation opportunities are not practicable, are unlikely to compensate for the permitted impacts, or will be incompatible with the proposed project, and an alternative, practicable off-site and/or out-of-kind mitigation opportunity is identified that has a greater likelihood of offsetting</i>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
				<p>USACE/USEPA 2008 Final Mitigation Rules found at 33 CFR Parts 325 and 332 and 40 CFR Part 230. There were 4 potential sites identified that in total do not provide full compensatory mitigation for the proposed project. The SDFEIS and the 2010 technical memorandum do not specifically address the availability of adequate stream and wetland mitigation credits through the N.C. Ecosystem Enhancement Program (NCEEP) if onsite mitigation opportunities are not adequate to meet the project's total impact mitigation needs.</p>	<p><i>the permitted impacts or is environmentally preferable to on-site or in-kind mitigation, the district engineer should require that this alternative compensatory mitigation be provided."</i></p> <p>Four on-site mitigation opportunities for the Monroe Connector/Bypass Project were previously identified by Environmental Services Incorporated (ESI) and summarized in the memo titled "Review for Potential On-Site Mitigation" dated February 12, 2010. Atkins subsequently reviewed the four sites and concurred with the ESI findings that the sites offer stream mitigation opportunities within and nearby to the Alternative D Study corridor.</p> <p>Subsequent analysis by Atkins, documented in the On-Site Mitigation Feasibility Assessment memo (Atkins, November 16, 2011) found in Appendix C of the <i>Final Supplemental Final EIS</i>, determined that three of the four sites were not feasible primarily because of lack of homeowner interest. It was determined that the fourth site could provide stream mitigation but it was determined to be not practicable and was eliminated from further consideration for the following reasons:</p> <ol style="list-style-type: none"> 1) Relatively small size of the project (1000 linear feet) 2) Stream s161b will be culverted at both ends 3) Potential impacts associated with stormwater discharges. <p>Prior to revocation on April 17, 2013, the Section 404 permit (SAW-2009-00876) issued to the NCTA for construction of the Monroe Connector-Bypass</p>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
					<p>did agree to the use of off-site mitigation for the project. The off-site mitigation may be revisited during the new Section 404 permitting process.</p> <p>Also, see response to Document A-009, Comment #5.</p>
A-009	USEPA	5	Jurisdictional Impacts	<p>EPA requests that the FSFEIS describe in appropriate detail how and where compensatory mitigation for direct impacts to jurisdictional waters will be met consistent with the 2008 Final Mitigation Rules. EPA has reviewed the June 24, 2010, NCEEP mitigation acceptance letters on pages C1-1 and C1-2, requiring 46,166 mitigation units for warm water streams and 16.2 mitigation units for wetlands in the Yadkin CU 03040105. Potential NCEEP mitigation credit sites should be described in the FSFEIS. Past projects located in the Piedmont have had difficulty in finding adequate compensatory mitigation (e.g. Gaston Tollway). The status of the on-site mitigation sites identified in the 2010 Technical Memorandum should also be provided to the EPA.</p>	<p>The NCEEP sites that provided the mitigation credits for the Monroe Connector/Bypass under USACE 404 permit #2009-00876, and NCDWR 401 permit #2002-0672, are included in Appendix C of the <i>Final Supplemental Final EIS</i>. Credits for the 46,166 mitigation units for warm water streams, and 16.2 mitigation units for wetlands needed within the Yadkin CU 03040105 are an amalgamation of restoration, enhancement, creation, and preservation from these sites. Site locations and additional information can be found at EEP's website: http://portal.ncdenr.org/web/eeep/interactive-mapping</p> <p>The NCTA updated all agencies on the status of the on-site mitigation during a Turnpike Environmental Agency Coordination (TEAC) meeting held on August 10, 2010 in which EPA was present, in addition to including a detailed discussion of on-site mitigation in a memorandum included in the Section 404 permit which EPA received.</p>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-009	USEPA	6	Purpose and Need	<p>EPA notes the additional traffic analysis that was performed by the transportation agencies subsequent to the FEIS/ROD. As expected, peak hour traffic slows along US 74 as it approaches I-485 to Fowler Secrest Road section. Page 1-3 states the following: " ... <i>current real time travel information available from INRIX, Inc., which was validated through travel time field surveys, shows that average travel speeds during peak hours are still lower than posted speed limits</i>". The transportation agencies may wish to explain this statement with better clarity in the FSFEIS. EPA infers that the goal of the transportation agencies' proposed project is not to cause an increase in average travel speeds along existing US 74 above posted speed limits. EPA understands the following statements on page 1-3 of the DSFEIS are meant to provide a partial reasoning as to why the current facility is currently congested and why the current US 74 corridor is not expected to operate as a desired high-speed facility in the future due to projected growth in Union County.</p>	<p>The purpose of this section of the document was to outline existing and projected roadway capacity deficiencies on US 74 not to articulate the goal of the proposed action. Instead of re-running the simulation model to predict speeds after the Stantec Study's recommendations were put into place, real time travel information was used to determine the performance of US 74. Thus, the results of this analysis clearly demonstrates that even with many of the Stantec Study's recommendations being made, the corridor does not meet the purpose and need. EPA clearly understands that the real time travel information shows that the facility is currently congested and that the existing facility will not be expected to operate as a high-speed facility in the future. <i>summary, real-time travel flow information demonstrates that US 74 currently experiences congestion during peak periods of the day, and the corridor does not currently operate as a high-speed facility (average speed of 50 mph or greater), nor will it in the future without substantial improvements.</i>" Alternatives which investigated improvements to existing US 74 which are discussed in Section 2.4 of the <i>Draft Supplemental Final EIS</i> assumed that the speed limits along the corridor would be increased as appropriate.</p>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-009	USEPA	7	Indirect and Cumulative Effects	EPA recognizes the additional in-depth analysis that has been completed by the transportation agencies regarding revised predictions of indirect and cumulative effects (ICE) resulting from the proposed new location facility. Appendix E2 includes the March 2010 Interim Guidance on the application of Travel and Land Use Forecasting in NEPA. The re-analysis by FHWA and NCDOT including the model assumptions and changes to the baseline assessment (i.e., Build vs. No-build) appears to be reasonable.	Comment noted.
A-009	USEPA	8	Indirect and Cumulative Effects	EPA is primarily concerned with the cumulative effects of additional impervious surfaces resulting from the direct impacts (i.e., 23,082 linear feet of streams and 8.1 acres of wetlands) and the indirect impacts (predicted to be approximately 1% increase within the project study area) from additional development from the new facility. Due to past accelerated development a number of streams in the project study area as identified in the DSFEIS are already listed as impaired under Clean Water Act criteria.	Comment noted.

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
A-009	USEPA	9	Indirect and Cumulative Effects	EPA is aware of the FHWA and NCDOT policy of not mitigating for indirect and cumulative effects to water quality resulting from third party activities and that only direct impacts are required to be mitigated for under the Clean Water Act. However, NEPA allows (and encourages) Federal project sponsors to identify reasonable and prudent mitigation for all predicted impacts resulting from their projects.	A discussion of how indirect and cumulative impacts can be minimized or avoided is included in Section 4.5.6 of the <i>Draft Supplemental Final EIS</i> .
A-009	USEPA	10	Indirect and Cumulative Effects	EPA recognizes the updated information provided by FHWA and NCDOT concerning the proposed Legacy Park development site near the eastern termini of the project on page C3-135 and that the current proposal is not incorporated into any local plans.	Comment noted.
A-009	USEPA	11	Indirect and Cumulative Effects	FHWA and NCDOT provided responses to comments #1 thru #6 on pages A2-45 to A2-47 concerning past DEIS comments, alternative analyses and an economic analysis. For comment/response #6, the transportation agencies did not fully understand that EPA was not requesting a 'formal' socio-economic analysis for businesses along existing US 74 once traffic is removed by a new facility. However, the ICE should identify and disclose the potential socioeconomic effect of removing a large volume of regional and local traffic off existing US 74.	It is noted that EPA was not requesting a formal socio-economic study. As stated in response to USEPA's June 15, 2009 letter, Comment #15, anticipated use of existing US 74 would be primarily by local traffic traveling to and from destinations within the existing US 74 corridor. The construction of a new alignment toll road will provide some relief to the existing corridor by removing through traffic, including some trucks, but existing US 74 would continue to be used by a substantial number of vehicles. However, it stands to reason that reduced volumes of traffic along existing US 74 may result in more conducive conditions for travel to the businesses along US 74. In reference to the response to USEPA Comment #6 in the <i>Draft Supplemental Final EIS</i> , it has been shared in

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
					conversations with locals that some motorists avoid US 74 and the businesses located on them because of the congestion on the existing facility.
A-009	USEPA	12	Indirect and Cumulative Effects	As stated in the DSFEIS, US 74 has grown extensively to be a 'commercial corridor' and it has added numerous access points for businesses over the years. The large number of 'drive-cuts' has helped caused congestion. There are several examples in N.C. where bypasses have removed traffic from downtown commercial areas and over time those businesses relying on local and regional travel have seen a substantial decline once the new facility is constructed (e.g., Ahoskie Bypass). The comment that the new bypass facility will provide more opportunity for local traffic to access businesses along existing US 74 is not understood as access to local business has not been reportedly hindered by past approvals for driveway cuts.	See response to Document A-009, Comment #11 . In addition, it should be noted that Ahoskie is located in a rural area in eastern NC with a total population of 5,039 people according to the 2010 US Census. In a small town such as Ahoskie where area businesses have historically relied on through traffic headed to the coast or I-95, it is logical that a diversion of traffic would negatively impact these businesses. However, Monroe is a larger city (32,797 population based on 2010 US Census) with a local customer base and high volumes of commuters that will still use existing US 74 and may be more likely to stop at businesses along existing US 74 under less congested conditions.
A-009	USEPA	13	Water Quality	FHWA and NCDOT responses on comments #7 thru #9 are noted and discussed above. Regarding response #10 concerning EPA's water quality concerns some of the issues on pollutant loadings have been partially addressed. Several outstanding issues are deferred to the transportation agencies' selected Design Build Team (Consultant and contractor). Six catchments (out of 18) are expected to see 'minor' increases in stream flow, runoff and pollutant loadings. Richardson Creek (Lower) would experience	Final design activities were halted with the rescission of the original Record of Decision in August 2010. Impacts included in the <i>Final Supplemental Final EIS/Record of Decision</i> were calculated utilizing the functional designs prepared as part of the NEPA study. There is no guarantee that the same design-build team and their final designs will be retained; therefore the impacts presented in the <i>Final Supplemental Final EIS</i> are based on the functional design presented in the <i>Final EIS</i> . NCDOT Design Standards for Sensitive Watersheds

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
				<p>the largest percent increase in runoff (5.97%) and the DSFEIS states: "<i>The effect in Richardson Creek (Lower) watershed is especially pronounced because a relatively large amount of urban development is projected in a relatively small watershed.</i>"</p> <p>Types of structural BMPs are generally identified in the response but the details cannot be provided because: "<i>requires site specific information is unavailable at this time</i>". Because this project as proposed was already permitted by NCDENR and USACE, the site specific information for the identification of specific BMPS should be known and identified in the FSFEIS.</p>	<p>(15A NCAC 04B.0124) would be implemented which requires BMPs be implemented to protect from runoff from the 25-year storm and sediment basins be designed to reduce 0.04 mm sediments transported into the basin by 70 percent. The stormwater BMPs necessary to meet the sediment removal standard – bioretention basins, stormwater wetlands, sand filters, etc. – can provide peak runoff attenuation. Implementing such BMPs to provide peak runoff attenuation will mitigate for increases in runoff directly resulting from the construction of the new roadway. It should be noted that the water quality modeling for the project as reported in the Final EIS was designed to provide conservative ("worst-case") estimates and did not include implementation of BMPs.</p>
A-009	USEPA	14	MSATs	<p>Regarding FHWA and NCDOT's response on comment #13, air quality with emphasis on Mobile Source Air Toxics, the transportation agencies have not identified near-roadway potential sensitive receptors such as hospitals, schools, day care facilities, and nursing homes as requested by EPA in its DEIS and FEIS comments. The response also fails to recognize potential issues associated with the compliance with E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. EPA identified 3 elementary schools and 1 high school where MSATs could be a 'potential' near-roadway exposure issue and requested monitoring to be performed by the transportation agencies. Also, we have discussed the desirability of outreach with the</p>	<p>NCDOT conducted a qualitative analysis (because the project has low traffic volumes and is likely to have low impacts on MSAT health effects) and found that additional analysis is not warranted, the existing discussion is proportional to the significance of the impact (per CEQ regulations), and monitoring and control measures are not believed to be necessary due to the low potential for effects.</p> <p>EPA has not provided any evidence to show that our conclusion is incorrect that traffic volumes of 96,000 or less are not likely to lead to significant adverse impacts of the human environment. As stated in the NEPA documents, this is a low-volume facility that is not believed to have any adverse impacts. As one indication, the traffic volumes for the project are well below EPA's example for a Project of Air</p>

Table A-1.1 Agency Comments & Responses

Doc No.	Agency	Comment No.	Topic	Comment	Response
				school administration concerning potential MSA T issues and potential BMPs. We suggest that this be given further consideration in the final.	Quality Concern for PM hotspot analysis. Thus, we do not believe that there are any adverse impacts for receptors to be sensitive to.
A-009	USEPA	16	General	EPA acknowledges the responses provided to comments #11, 12, and 14 thru 28.	Comment noted.

APPENDIX A-2

PUBLIC HEARING COMMENTS

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C-003	Franklin Deese	12/9/13	A2-3
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C-006	Divina Pomaikai	12/9/13	A2-6
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E-010	Ken Hoyle	12/12/13	A2-110
E-011	Jerry Haigler	12/19/13	A2-111
E-012	anniep123@carolina.rr.com	12/11/13	A2-112
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C-001

Contact Information [-Please Print-]

Name: CAROL Biggerstaff

Mailing Address: 300 Acme DR.
Monroe, NC 28112

E-mail Address: Carolb@gmnameplate.com

How did you hear about the meeting?

- Postcard
- Newspaper
- Friend/Family
- Other: email at work

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College
- December 11, 2013 – Next Level Church
- December 10, 2013 – Union County Agricultural Center
- Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

All of it - we desperately need this, you cannot get through Monroe At All.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Preferred -

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

yes -

Monroe Connector/Bypass

A2-1

1



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon? yes

5. Other comments or questions (use additional sheets if necessary).

I am HR in a manufacturing company in Monroe. It is very difficult to get qualified applicants to come into Monroe because of the road situation. We desperately need this bypass. It will help the industry greatly.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

5



C-002

Contact Information

[-Please Print-]

Name: JOHN W. STRICKLAND, JR.

Mailing Address: 501 CANARY COURT
WINGATE, NC 28174

E-mail Address: JWSTRICKLANDJR@HOTMAIL.COM

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

EAST

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

YES

Monroe Connector/Bypass

A2-2

1



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

YES

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



C-003

Contact Information [-Please Print-]

Name: Franklin Deese

Mailing Address: PO Box 626
MARSHVILLE NC 28103

E-mail Address: fd.mayor@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: email

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

entire area
Yes, I live in and commute through and within the area.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

It seems that a better alternative to lying into 74 in Stallings would be to tie into the Idlewild exit.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

I wasn't able to stay for the hearing but the information I received from DOT is informative.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Yes, the analysis was thorough.

5. Other comments or questions (use additional sheets if necessary).

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NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-3

2



C-004

Contact Information [-Please Print-]

Name: Zenobia Heggin Ann Quick & Terry Benny Quick

Mailing Address: 5914 Secrest Short Cut Road
Monroe, NC 28110

E-mail Address: Zenobia.Heggin@carolina.rr.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

I would love to see this project completed - for the safety of the citizens in Union County

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

All of the presentation have been clear and understandable.

Monroe Connector/Bypass

A24

1



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

A thorough analysis was presented to me.

5. Other comments or questions (use additional sheets if necessary).

I am hopeful that this project is completed. New Schools + housing developments are great - but what about the roads and travel time in union county,

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

5



Contact Information [-Please Print-]

Name: Chris Hammonds

Mailing Address: 809 Fowler Rd
Monroe N.C. 28110

E-mail Address: chshammonds65@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Central I live in this section.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

My only concern is we have been on hold about what we are going to do and when. School system/community where we will relocate to.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Just some kind of time frame and dates.

A2-5

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

NA.

5. Other comments or questions (use additional sheets if necessary).

We were one day from our offer in May of 2012. It is just very frustrating waiting and not ~~knowing~~ knowing IF and when we will loose our home.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

5



C-006

Contact Information

[-Please Print-]

Name: Diving Pomaikai

Mailing Address: 8021 Hwy 74 E · P.O. Box 537
Marshville NC 28103

E-mail Address: de.pomaikai@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: News

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

East. I live in Marshville and travel to Charlotte everyday.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

We need to get this project moving. It will help our town, traveling to Charlotte everyday for work and doctors appts. This has gone on too long. People are disgusted and accidents have increased on Hwy 74.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Excellent presentation.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

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NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-6

2

Contact Information [-Please Print-]

Name: Laura + Barry Smoot

Mailing Address: 1315 Yellow Daisy Dr.
Stallings, NC 28104

E-mail Address: laura.smoot@yahoo.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

western
live in + shop in western area

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

we are in favor of Preferred Alternate and do not want any other study.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

It was confusing understanding some of the proposed areas on the maps until it was explained.
Staff was very helpful.

Monroe Connector/Bypass

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

No

5. Other comments or questions (use additional sheets if necessary).

None.

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Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-7

2

3



C-008

Contact Information [-Please Print-]

Name: Jim + Lynda Aldridge

Mailing Address: 4722 Rollins Pointe Dr.
Monroe, NC 28110

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

start the road ASAP

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

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Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-8

3



C-009

Contact Information

[-Please Print-]

Name: Patrick O'Connor

Mailing Address: 207 Allen Way Rd
Laurin NC

E-mail Address: patacconnor1@hotmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other:

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church

December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Just getting into

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Same

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

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Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-9

1



C-010

Contact Information [-Please Print-]

Name: Mary Ellen Frizzell

Mailing Address: 5925 Poplin Rd
Indian Trail NC 28079

E-mail Address: mfrizzell@spcc.edu

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West - orange segment

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

very clear

Monroe Connector/Bypass

A2-10



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

My husband is on oxygen 24/7 and has lung issues that are critical, emphysema with asbestosis, Stage 3 COPD. Dust from development or loss of power are my immediate construction concerns.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

5



C-011

Contact Information

[-Please Print-]

Name: Beverly Dickerson

Mailing Address: 103 LOCUST Run PLACE
MONROE, NC 28110

E-mail Address: icsevice.serviices@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: WORD OF MOUTH

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

DRIVE THROUGH ENTIRE AREA. Wesley Chapel Road to Olive Branch the most. Eastern.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

NONE

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes / no suggestions

Monroe Connector/Bypass

A2-11



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4 Yes - but I have concern over impact to water sheds with probable developments which seems to come with improvement

5. Other comments or questions (use additional sheets if necessary).

5 We must have relief from the traffic. The volume of tractor trailers increases constantly. Long delays at traffic lights cause loss of time & use of gas. Road traffic relief is years overdue. IF through traffic will use the road - The existing roads are far from adequate for existing traffic need upgraded.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

Contact Information [-Please Print-]

Name: Conrad Johnson

Mailing Address: 136 Access Rd
Gaston, SC 29053

E-mail Address: conrad.johnson@andersoncolumbia.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: Company Email

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Can you please mail + Email me the minutes

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Nice Presentation

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Test the mic before starting

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

Please Send Minutes

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

A2-12

1

3



C-013

Contact Information [-Please Print-]

Name: Dustin Clark

Mailing Address: 717 Fisher Ridge Dr
Monroe NC 28110

E-mail Address: dclark@astic.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: DOT website

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Central near 601. Live near area & commute.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Looks Good.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes, there was a mic/sound system issue with Jamal's mic.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

~~Yes~~ Yes. No.

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-13

3



C-014

Contact Information

[-Please Print-]

Name: L.G. MAYBERG

Mailing Address: 5004 IND. TR FAIRVIEW RD-
INDIAN TRAIL NC 28079

E-mail Address: lgmayberg@windstream.net

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other:

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Live in this area

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

We are in yellow area

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

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1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-142



C-015

Contact Information [-Please Print-]

Name: MARGARET (PEGGY) GATES

Mailing Address: 1104 Linden Chase Dr -
Monroe, NC 28110

E-mail Address:

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other:

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central or east)? Do you commute through, live in or have other interests in the area?

yes - I live & commute

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I do not agree this should be a toll road

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

yes, they did a good job explaining

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

yes sounds like thorough analysis has been made. I am concerned about the loss of farm land in the area to the east. Also worried about additional pollution from added cars on roads from additional housing.

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

Contact Information [-Please Print-]

Name: _____

Mailing Address: _____



E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

yes

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

The alternatives look better than proposed before. But too expensive

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Sort of - how many projected to use - what numbers?

A2-16

2

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Probably OK, exception of loss of farmland and trees, Pollution from exhaust - developments more people - more taxes - new schools -

5. Other comments or questions (use additional sheets if necessary).

Will this relieve any truck traffic? Do you think local traffic will use and benefit? Not toll - Local traffic will not pay toll to go to work.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.



- 1 The Bypass Tolls won't support the bypass. • Not enough people use it to increase traffic at the eastern end. • It only causes 1% additional cumulative growth. •
- 2 It doesn't solve the congestion on Hwy 74. • It causes more of a tax burden on cities and counties. • It is known that residential growth isn't self supporting. • Monroe currently has a record breaking percentage of rental homes. • It adds to the four
- 3 types of impairments on Stewarts Creek, which feeds the Monroe Drinking supply, Lake Twitty, which drops 35% even in high rainfall years. • It doesn't connect directly to 485, which necessitated a 12 lane highway and a dangerous dog-leg. •
- 4
- 5
- 6
- 7
- 8

A2-17

- Likes 601 on 74*
- 9 It hurts downtown development. • It causes building abandonment on Hwy 74. • Four towns have already adopted resolutions to look at alternatives. •
 - 10 Almost \$1 Billion dollars is a lot to spend for no improvements. • When 10% of that will produce better measurable results, rather than a ribbon of noise and pollution that doesn't benefit the hosts. • The only benefits go to politicians, land developers, and road contractors. • Politicians should focus on lower taxes and representing their people. • Land developers should focus on the vacant buildings first. • Road contractors should be fixing existing roads. •
 - 11 Ask any government agency why the DOT supports the road and they clam up. • Then they say, "Personally, it only promotes urban sprawl, politics, and land developers." • It is time for the elected government and those responsible to provide a revision that serves the people of Union County. • So talk to your local representatives ASAP and DOT, and let them know you don't want a road whose primary purpose is to promote Urban Sprawl.
 - 12
 - 13
 - 14



NORTH CAROLINA Turnpike Authority



Contact Information

[-Please Print-]

Name: *MAYA YIGIN*

Mailing Address: *704-287-2147*

E-mail Address:

How did you hear about the meeting?

- Postcard
- Newspaper
- Friend/Family
- Other: _____

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College
- December 11, 2013 – Next Level Church
- December 10, 2013 – Union County Agricultural Center
- Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

1

More toys instead of coloring books,

MTS toys

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-18



Contact Information [-Please Print-]

Name: Betty Wilson

Mailing Address: 111 Warren Red Way
Indian Trail, NC 28079

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central or east)? Do you commute through, live in or have other interests in the area?

1 [Indian Trail Section of I-74. This area of Union County can no longer grow because of the congestion that has been neglected by the State. Many of us are preparing to move over the line to South Carolina as soon as the housing market improves.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2 [NO TOLL Road unless you put Toll Roads in the eastern part of the State. I-95 should have a Toll Road

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

only here to look at studies

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Too much political impact.

5. Other comments or questions (use additional sheets if necessary).

There has been nothing but studies and talk about this project - wasted taxpayer money

19
A2-19

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

C-020



Contact Information [-Please Print-]

Name: *Robert Smith*

Mailing Address: *2524 Secret Shortcut Rd.
Monroe, NC 27110*

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

*Whole project
When does it start. Lets get it started*

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

1

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

A2-20

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information [-Please Print-]

Name: Bonnie Kenerley

Mailing Address: 1001 Ansonville Rd
Wingate NC 28174

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

over

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

I understand a 2,000 ft noise wall will be across the rd. from me. I own a business beside of new road and a historic pc. of ~~per~~ property. My business will hear so much noise from the new road. What procedure do I go thru or who do I talk to about my concerns of noise from the Rd.

Thank you
 Bonnie Kenerley
 704-233-5071
 ANSONVILLE RD

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-21
5



Contact Information [-Please Print-]

Name: Dennis Cloud

Mailing Address: 1108 HELEN ST
MONROE, NC 28112

E-mail Address: denniscloud680@yahoo.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area? ALL, THE PROJECT NEEDS TO BE CONSTRUCTED WITH THE MONIES ALREADY SPENT ON THE RIGHT-OF-WAY AND DESIGN THE TAX PAYER NEEDS TO GET WHAT THEY HAVE ALREADY PAID A GOOD PORTION FOR.
2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)? NONE - BUILD THE PROJECT!

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement? yes

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

over-kill on the Review Process,
Build The Project!

5. Other comments or questions (use additional sheets if necessary).

The environmental firm what is keeping this project from moving forward does not live in Union County and does not have to drive on US 74. Maybe if they had to deal with the daily congestion on US 74 they would think differently. The bottom line is to move forward with this project!

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-22



Contact Information [-Please Print-]

Name: Wallace Currin

Mailing Address: 114 Bacon-Daise rd.
Monroe, NC 28110

E-mail Address: currinwallace@yahoo.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

yes
Build Now!

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Yes, a thorough analysis has been done.
 Build a spur from Hilltop area over to 601 South,
 get all the sand & gravel trucks coming from
 Peraland, S.C. into the bypass

5. Other comments or questions (use additional sheets if necessary).

Thank Bages paving for the BNB Ave Med.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

4

A2-23



Contact Information [-Please Print-]

Name: Ken Howell

Mailing Address: 2817 Olive Branch Rd
Monroe NC 28110

E-mail Address: ~~2817~~ Ken2817@carolina.rr.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

EAST, Live in EAST

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

As a ~~owner~~ ~~owner~~ near the project, I want
 "Sound Barriers" separating the project from
 my living area

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement? ^(A) ^(B)

A: The info ~~present~~ people were very general and not specifically knowledgeable in any area of study.

B) Hire ~~smarter~~ smarter people or educate them better before the show.

Monroe Connector/Bypass

2

3



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

No cross sectional ~~views~~ views
 & no elevation data.

4

5. Other comments or questions (use additional sheets if necessary).

Can I get a formal response about my noise concerns along the section in which I live. Thank you

Lin Howell
 (704) 225-8885
 (704) 575-0870

A2-24

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



C-025

Contact Information [-Please Print-]

Name: Tommy Edwards

Mailing Address: P.O. Box 182
Wingate, NC 28174

E-mail Address: mompope@windstream.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

none

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

build it already,
 y'all are just wasting
 money

3

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

none

5. Other comments or questions (use additional sheets if necessary).

no

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

A2-25



Contact Information [-Please Print-]

Name: J. KEITH WALTERS

Mailing Address: 205 CHARLES ST
MONROE, NC 2802

E-mail Address: JKEITHWALTERS@ZIPPENHANS.US

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: EMAIL

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

1 WEST & CENTRAL. VERY INTERESTED IN CONNECTION TO 74/485. IF THE BYPASS AVOIDS STALLINGS AREA I WILL BE VERY LIKELY TO USE IT. I DO HAVE A CONCERN ABOUT CPCU ACCESS FROM BYPASS.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2 I DON'T LIKE THE WESTERN END OF DSA D. DSA B IS A BETTER ALTERNATIVE FOR LOCAL TRAVEL WESTWARD (WHICH IS MY CONCERN.) THE BLUE OPTION IS MUCH PREFERRED.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

3 IT LOOKS AS IF A COUPLE OF WETLAND AREAS COULD BE AVOIDED BY BENDING SLIGHTLY PORTIONS OF ROAD BED? (CENTRAL)



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

SEE # 1.

WHEN CAN I DRIVE ON IT?

HOW MUCH IS THE TOLL, WILL THERE BE A MONTHLY-ACCESS PLAN?

A NEW BRANCH TO NORTHBOUND 485 THROUGH HEMBY BRIDGE AREA WOULD BE USEFUL. SEVERAL SHORTCUT GETS A LOT OF USE THAT COULD BE IMPROVED UPON WITH AN ADDITIONAL LEG.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-26

5



Contact Information [-Please Print-]

Name: Lynne Wilson

Mailing Address: 306 South Thompson St
Monroe, NC 28112

E-mail Address: lynnewilson@swartier.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

East. I live here & my family owns some land in the area

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

Please email transcripts of hearings to me at ~~lynew@svoutier.com~~ lynew@svoutier.com

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

19
A2-27



Contact Information [-Please Print-]

Name: Billy Brantley

Mailing Address: 4401 Zee Ct
Monroe, NC 28110

E-mail Address: bbrantley@monroenc.org

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

WEST

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes - Keep Maple - Road open from Hwy 601 to Fowler Road. DON'T TURN IT INTO A CUL-DE-SAC.

Monroe Connector/Bypass

3



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Not 100% CONVINCED BY HHS.

4

5. Other comments or questions (use additional sheets if necessary).

NEED SOUND BARRIER PROTECTION IN AREA OF UNIONVILLE ROAD + SECRET STREET CUT RD. INDIAN TRAIL

A2-28

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information

[-Please Print-]

Name: Charles Thornton

Mailing Address: 311 Cedarwood Ln
 Matthews, NC 28104

E-mail Address: CRobThornton@aol.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

All 3. Live and travel All Areas

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I thought it was a waste of time.
 No one had answers to anything

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

?? what really was present?

2

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4

Very thorough. Lets dig dirt

5. Other comments or questions (use additional sheets if necessary).

A2-29

Why are we stopping before Morstville
Its a start. But not far enough.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information [-Please Print-]

Name: Joe Pata

Mailing Address: 1718 Reverdy Oaks Drive
Matthews NC 28105

E-mail Address: J.Pata@matthews.nc.gov

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: Fun Business

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

1
Connectivity to Matthews Sportsplex!!!
US5 on/off section/74

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2
More Detail on Western Construction

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes Excellent maps

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

A2-30

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

C-031



Contact Information [-Please Print-]

Name: MACK S. Tilley

Mailing Address: 4805 STACCRIST DR
MONROE N.C. 28110

E-mail Address: mtilley@Sproder.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

I have A Trucking Company - Salem Produce LLC.
We will use All of it.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Lets pick one And get started
But it would Be Better to go to
The East side OF MARSHVILLE.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Clear And understood that noone
Knows Anything - WASTE OF TIME

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4
 Only to go to the East side of Marshallville - the influx of traffic going from Interstate to two lane with stoplight will be overwhelming to Marshallville.

5. Other comments or questions (use additional sheets if necessary).

19
 A2-31
 Let's get this thing built.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.



Contact Information

[-Please Print-]

Name: James B Plowman

Mailing Address: 6705 Paters Rd.
 Matthews, NC 28104

E-mail Address:

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: T.V

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

1
 Commute through

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Good

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

No

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-32



Contact Information [-Please Print-]

Name: *John Plouman*

Mailing Address: *5041 Stevens Mill Rd. Matthews, NC 28104*

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West
I live in this area and also farm land through this area.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

Please consider a connector between oak spring rd. and Stratton Harris rd. Because oak spring is being dead ended. The connector would be needed to accommodate the movement of large farm equipment through that area.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-83



Contact Information [-Please Print-]

Name: Jerry L. Plowman

Mailing Address: 5041 Stevens Mill RD
Mattlens NC 28104

E-mail Address: plowmanfarms@windstream.net

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

west

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

CONNECTOR ROAD FROM OAKSPRINGS TO STINSON HARTIS IS DEFINATELY NEEDED TO MOVE SLOW MOVING FARM EQUIPMENT TO THIS AREA!

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-34



Contact Information [-Please Print-]

Name: MAT JONES

Mailing Address: _____

E-mail Address: MAT@JONESCIVILDESIGN.COM

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: MATTHEWS T.A.C.

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

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1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

WEST. I COMMUTE THROUGH HERE (TO WALMART), AND I AM INTERESTED IN THE IMPACT ON COMMERCIAL DEVELOPMENT.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I SUPPORT THE WEST PREFERRED ALT.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

EVERYTHING WAS CLEAR

Monroe Connector/Bypass



4 In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

YES *↑* NO *↑*

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-35



Contact Information [-Please Print-]

Name: Andrew Whitman

Mailing Address: 1247 Tranquil Falls
 Stallings NC 28104

E-mail Address: andrewtwhitman@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West - 74/I485 interchange through Stallings Rd & Fairview Rd
 I live off Stallings Rd/Stevens Mills Rd so I'm not a huge fan of the "A" alternatives

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I like D over any of the A alternatives
 I would like to see 74 Fairview/Indian Trail intersection reworked there are 2 left turn lanes on the South Bound Indian Trail Fairview Rd but only one combined Right turn/straight lane Traffic south bound really backs up b/c of the current

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Configuration seems like you could have 1 left, 1 straight, 1 right turn lane w/o much interruption to the current intersection and it would allow for much better traffic flow. In any event a dedicated RT turn lane onto NW bound 74 is needed.

its fine - I understand

1-2

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

I did not review

5. Other comments or questions (use additional sheets if necessary).

Please review traffic pattern at 74/Indian Trail Fwy rd. It could really be improved & provide better traffic flow. I like the "D" alternatives and am interested in seeing the 74/Stallings rd intersection improved as well. Like the idea of better traffic flow between 485 & Monroe. Seems like this is a decent means of achieving that.

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Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-36

5

C-037



Contact Information [-Please Print-]

Name: JACK RITTERSKAMP

Mailing Address: 5710 HILLCREST CIR
 INDIAN TRAIL NC 28079

E-mail Address: JACKRITTERSKAMP@GMAIL.COM

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area? WEST. LIVE

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)? PREFERRED ROUTE IS 2ND BEST. AVOID INDEPENDENCE AS MUCH AS POSSIBLE. IT IS MORE EXPENSIVE & DESTROYS BUSINESSES IN STALLINGS.

IF YOU MUST GO THAT WAY: 2 TOLL BOOTHS USED TO GO STRAIGHT TO INDIAN TRAIL, MONROE ETC. SHOULD BE REMOVED. OTHERWISE FREE TRAVEL REQUIRES USE OF FRONTAGE ROADS & NUMEROUS LIGHTS.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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 NCDOT Human Environment Section
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 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

A2-37



Contact Information [-Please Print-]

Name: David Millings

Mailing Address: 6208 Sycamore Street
EST 28079

E-mail Address: jamboy96@BellSouth.net

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

west

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

N/A

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

great info



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

yes, no

5. Other comments or questions (use additional sheets if necessary).

Joe and Jenny were fabulous.

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Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-38



Contact Information [-Please Print-]

Name: Armed Forces outfitters INC / JOHN Abbas'

Mailing Address: P.O. Box 6272
Gastonia NC 28056

E-mail Address: eezzee10@yahoo.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

East

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2 This Road must have been built years ago.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

The information was sufficient.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Yes

5. Other comments or questions (use additional sheets if necessary).

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 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-39



C-040

Contact Information [-Please Print-]

Name: Beth S Mack

Mailing Address: 517 Raintree
Matthews, NC 28104

E-mail Address: BSM517@

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West. Have property that is zoned business.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

3 [Lots of proposed, maybe's]

Monroe Connector/Bypass



*Distributed by
Lance Dunn
1400 Goldmine Rd, Monroe*

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

*What speed limits on frontage roads
and toll roads?*

5
A2-40

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



FIX IT FIRST:
Use our tax dollars wisely!
www.MonroeBypassFacts.com
Promoting transparency in local and state government
MonroeBypassFacts@gmail.com

1 [FREE BBQ from Monroe Bypass contractor to sway NCDOT at public hearing?] 2

3 [It may be legal, but it's not ethical. • Who benefits besides Boggs' paving contractors with existing fraud charges and the politicians with land interest in and near the proposed Bypass path? • The Bypass Tolls won't support the bypass. • Not enough people use it to use it to show increased traffic at the eastern end. • It only causes 1% additional cumulative growth, even though Indian Trail and Monroe expect substantially more. • It doesn't solve the congestion on Hwy 74. • Hwy 601 south of Monroe is a good example of what can be done on Hwy 74 and other existing roads with a few overpasses. • The Bypass causes more of a tax burden on cities and counties. • It is known that residential growth isn't self supporting. • Monroe currently has a record breaking percentage of rental homes. • It adds to the four types of impairments on Stewarts Creek, which feeds the Monroe Drinking supply, Lake Twitty, which drops 35% even in high rainfall years. • It doesn't connect directly to 485, which necessitated a 12 lane highway and a dangerous dog-leg.] 4

5 [] 6

7 [] 8

9 []

10 [It hurts downtown development. • It causes building abandonment on Hwy 74. • Four towns have already adopted resolutions to look at alternatives. • Almost \$1 Billion dollars is a lot to spend for no improvements. • When 10% of that will produce better measurable results, rather than a ribbon of noise and pollution that doesn't benefit the hosts. • The only benefits go to politicians, land developers, and road contractors. • Politicians should focus on lower taxes and representing their people. • Land developers should focus on the vacant buildings first. • Road contractors should be fixing existing roads. • Ask any government agency why the DOT supports the road and they clam up. • Then they say, "Personally, it only promotes urban sprawl, politics, and land developers." • This road is a remnant from 25 years ago when politicians had roads built for their friends and needs to be reexamined for current needs. • Current needs include getting trucks off 74 and saving travel time for people near bypass, which is not address in the proposal. • It needs to be moved north and east the way 485 was moved closer to the county line rather than through downtown Matthews. • It shouldn't be a parallel corridor of development, Hwy 74 already did that to Charlotte-Monroe Road and look what that did. • It is time for the elected government and those responsible to provide a revision that serves the people of Union County and still provide a route for Mecklenburg residents to travel to the eastern part of North Carolina. • So talk to your local representatives ASAP and NCDOT, let them know you want to Stop This Toll Road and don't want a road whose primary purpose is to promote Urban Sprawl. • Email your state and city representatives.... today.] 11

12 [] 13

14 [] 15

16 [] 17

monroe@ncdot.gov; AJTata@ncdot.gov; elcurran1@ncdot.gov; Dean.Arp@ncleg.net; Tommy.Tucker@ncleg.net; Bill.brawley@ncleg.net; rwcook@ci.charlotte.nc.us; bkilgore@monroenc.org



C-042

Contact Information

[-Please Print-]

Name: PROP BEBEE / WORLD FIBER TECHNOLOGIES, INC

Mailing Address: 4070 NINE MCFARLAND DR.
ALPHARETTA, GA 30004

E-mail Address: bbebee@worldfiber.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: WCDOT

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?
HAVE OTHER INTERESTS - AND INTERESTS IN ALL THE PROJECT AREAS

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?
NO ADDITIONAL COMMENTS -

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?
INFORMATION WAS CLEAR AND UNDERSTANDABLE. NO SUGGESTIONS

Monroe Connector/Bypass

A2-41



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4 I BELIEVE THAT THE ENVIRONMENTAL ISSUE HAS BEEN ADDRESSED - HOWEVER - I AM NOT AN EXPERT BUT I HEARD THAT THERE IS A CHANCE THAT THE SAME GROUP THAT FILED INITIALLY TO STOP THIS PROJECT MAY TRY IT AGAIN. I HOPE NOT.

5. Other comments or questions (use additional sheets if necessary).

NONE AT THIS TIME - MAYBE LATER. THE PUBLIC HEARING AND PRESENTATION WERE INFORMATIVE AND WELL PRESENTED TO THE COMMUNITY (MONROE + MATTHEWS)
THANKS

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

Contact Information [-Please Print-]

Name: Sarah W. Traywick

Mailing Address: P.O. Box 131
Wingate, N.C. 28174

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

We lived on Shipu Road near Forest Hill School Road. We had to move in 2001, but still have the farm there.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I think the hearings were clear



3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

I don't design roads but do feel like this road should be built to help traffic from Anderson Jail through Wingate.

A242

3

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

This comment does not answer #4

We have made trips to Hillsborough to visit my brother the roads are very good (I-85) it has been completed in the last couple of years. Did the environmental division see when they were building that road? Its near them.

5. Other comments or questions (use additional sheets if necessary).

We use Hwy #74 a lot, our Doctors and Hospitals are in Charlotte. Since 2001 I have had Breast Cancer which required 33 treatments also had surgery with doctor appointments. Tom was diagnosed with cancer and was in the hospital for 8 weeks before he past away in April 2013 (All these trips up Hwy 74) Let me tell you the traffic is terrible. I wish the environmental people had to go through what we have, they might reconsider their decision to fight this road.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.



Contact Information [-Please Print-]

Name: David Cleveland

Mailing Address: 3913 Lake Park Dr. Lake Park, NC 28079

E-mail Address: dcleveland@carolina-rr.com

How did you hear about the meeting?

Postcard [checked] Newspaper [] Friend/Family [] Other: []

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College [] December 11, 2013 - Next Level Church [checked] December 10, 2013 - Union County Agricultural Center [] Did not attend a meeting []

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West Live in the area

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I preferred the western route that accessed the bypass closer to I-485, but it looks like that route has been dismissed.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes



Monroe Connector/Bypass

A2.43

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

If you are traveling east from I-485 towards Monroe, there should not be a toll booth if you want to continue straight on US 74. From your drawings it appears that you would have to make a right turn to avoid the first toll. This area of US 74 is congested enough without having to turn. The first toll should be after you turn left to access the Connector/Bypass.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins NCDOT Human Environment Section 1598 Mail Service Center Raleigh, NC 27699-1598 jarobbins@ncdot.gov Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

5



C-045

Contact Information

[-Please Print-]

Name: Ray Avery & Jeanie Avery

Mailing Address: 2310 Creekside Dr. Monroe NC

E-mail Address: Jeanie Avery. Avery1@gmail.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Live on Rocky River Rd North @ Crooked Creek.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

The Preferred is the better of the 2 plans.



3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes, Clear & informative. Suggestion: We have a concern about the turn around traffic at our driveway, Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

A thorough analysis has been performed, too many times. It's time to move forward.

5. Other comments or questions (use additional sheets if necessary).

One must live in this County and sit in the traffic on H74 to understand the urgency of this project to move forward. Not only is H74 congested, so are all of the roads & drives that touch it!

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins NCDOT Human Environment Section 1598 Mail Service Center Raleigh, NC 27699-1598 jarobbins@ncdot.gov Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information [-Please Print-]

Name: OLWEN E. ROWE
Mailing Address: 2011 FORGET ME NOT LN WIN GATE NC 28174
E-mail Address: OELOWE44@HOTMAIL.LIVE.COM

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College
December 11, 2013 - Next Level Church
December 10, 2013 - Union County Agricultural Center
Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

ALL PARTS WILL SPEED ACCESS TO SPOUSE'S CHARLOTTE PHYSICIAN AND BELK THEATER PRODUCTIONS.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

NONE

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

CLEAR = NO SUGGESTIONS



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

YES - THOROUGH

5. Other comments or questions (use additional sheets if necessary).

THE BYPASS WILL VASTLY IMPROVE THE QUALITY OF LIFE FOR RESIDENTS EAST OF MONROE.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Contact Information

[-Please Print-]

Name: TEMOTHY K ROWEMailing Address: TK ROWE - 42 @ HOTMAIL.COM2011 Forget me not LN, WINGATE NC 28174

E-mail Address: _____

How did you hear about the meeting?

 Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

 December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

The entire BYPASS is important to me for faster access to my Charlotte specialist plus entertainment in downtown Charlotte.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

NONE

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes - no suggestions.

Monroe Connector/Bypass

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

I think the original draft was sufficient and regret that time was wasted by rejection of the original study. Therefore, the current draft is also sufficient and represents an unnecessary waste of taxpayer dollars.

5. Other comments or questions (use additional sheets if necessary).

Break ground ASAP!



PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information [-Please Print-]

Name: Wayne & Vickie LaPorte

Mailing Address: 4202 Moser Circle
Indian trail, NC 28079

E-mail Address: vk.laporte@icloud.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Hemby Bridge area

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

We don't want it. the truckers will not pay a toll. And, what about the Catwba Waxhaw graves. Will the state move them?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

It was well done.



Monroe Connector/Bypass

A247

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4

We never went over it. I leave that to Southern Environmental Lawyers to make that decision.

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

Contact Information

[-Please Print-]

Name: Laszlo Osisneg

Mailing Address: 3719 Heron Point Dr
Monroe, NC 28110

E-mail Address: laszlo@carolina.rr.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Morgan Mill exchange, would like to commute to Charlotte faster.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

Well researched, planned!

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes, hope to see you start building soon!



Monroe Connector/Bypass

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4 Yes, everything seems complete.

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-48

1

2

3



Contact Information

[-Please Print-]

Name: DR, JERRY E. MCGEE

Mailing Address: P O Box 3105
WINGATE NC 28174

E-mail Address: mcgee@wingate.edu

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other:

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

All. I commute from Monroe to Wingate daily.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

THE ORIGINAL ROUTE WAS THE BEST OPTION

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

YES
NO

Monroe Connector/Bypass

A249

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

YES.

5. Other comments or questions (use additional sheets if necessary).

THE BYPASS IS DESPERATELY NEEDED. WINGATE UNIVERSITY'S COLLEGE OF HEALTH SCIENCE STUDENTS AND FACULTY (500 DAILY) MUST TRAVEL TO MATTHEWS AND CHARLOTTE FOR CLINICAL ROTATIONS. THE CONGESTED TRAFFIC CONDITIONS MAKE IT NEARLY IMPOSSIBLE FOR THE PHARMACY, PHYSICIAN ASSISTANT, NURSING AND PHYSICAL THERAPY STUDENTS TO GET TO ^{THEIR} SITES.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

5



C-051

Contact Information [-Please Print-]

Name: Thomas Alexander

Mailing Address: P.O. Box 1128
WINGATE, NC. 28174

E-mail Address: tjalexander@windstream.NET

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church

December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

1 ALL - AND WE HAVE NO INTEREST EXCEPT THE PROBLEMS OF TRAVEL FROM WINGATE TO CHARLOTTE, TIME AS WELL AS FRUSTRATIONS.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2 THIS IS A MUST FOR COMMERCIAL IN NORTH CAROLINA EAST TO WEST.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

3 YES. TELL THE FEDERAL GOVERNMENT TO GET OUT OF STATE BUSINESS!

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

4 YES! NO THIS IS ENOUGH COST FOR THE TAX PAYER HAVING TO GO BACK THROUGH THIS.

5. Other comments or questions (use additional sheets if necessary).

5 THIS SHOULD HAVE BEEN DO 20 YRS. AGO. BUT WAS STOPPED BY POLITICIANS THEN, AND THE BAD POLITICAL SYSTEM NOW!

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information

[-Please Print-]

Name: RON BURKS

Mailing Address: 2250 Stallings Rd.
Matthews, NC 28104

E-mail Address: ronribster@yahoo.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church

December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

STALLINGS RD AREA

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

NOT SURE HOW THEY GOT AROUND THE ENVIRONMENTAL IMPACT STUDIES/ISSUES.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Nice folks. Somewhat clear. I do NOT THINK IT IS A GOOD IDEA.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

ON THE ROAD FROM STALLINGS ROAD TO THE FOREST PARK DEVELOPMENT - THEY WANT TO BUTT UP TO MY PROPERTY AND EVEN USE PART OF IT.

1) THE NATURAL RUNOFF FROM THE NATURAL LAKE IS WAY FAR WORSE THE CLOSER IT IS TO THE LAKE, IT IS MUCH BETTER AND PLENTY OF ROOM TOWARDS THE CREEK, VERY SWAMPY WHERE THEY WANT THE ROAD - BUT NOT FURTHER

5. Other comments or questions (use additional sheets if necessary).

DOWN.

2) THE PROPOSED ROAD WOULD HAVE EVERY HEADLIGHT THAT STOPS SHINING IN THE WINDOWS OF THE HOUSE ACROSS THE STREET,

3) IT IS JUST TOO CLOSE TO MY DRIVEWAY AND JUST BELOW THE TOP OF A HILL - LESS DANGEROUS ON DOWN ALSO.

4) NO REASON NOT TOO - PLUS LOTS OF BIG TREES
PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR IN MAIL OR EMAIL YOUR COMMENTS TO:
PROPOSED PATH.

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



C-053

Contact Information

[Please Print]

Name: Polly G Haigler

Mailing Address: 521 Helms Ebird Rd.
Marshville NC 28103

E-mail Address: PHaigler@windstream.net

How did you hear about the meeting?

- Postcard
- Newspaper
- Friend/Family
- Other: _____

Which meeting did you attend?

- December 9, 2013 - South Piedmont Community College
- December 11, 2013 - Next Level Church
- December 10, 2013 - Union County Agricultural Center
- Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

East

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

The most preferred is fine



3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes some speakers talked much longer than 3 minutes.

Monroe Connector/Bypass

A2-52

2

3



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon? No

5. Other comments or questions (use additional sheets if necessary).

I want the road to be built to relieve congestion on 74 @ West.

5

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



C-054

Contact Information [-Please Print-]

Name: SCOTT WILLIAMS

Mailing Address: 404 SHERIN LANE
INDIAN TRAIL, NC 28079

E-mail Address: MS_bj.WILLIAMS@ACCESS4LESS.NET

How did you hear about the meeting?

- Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Area 1 = US 74 BUSINESS

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

THE PREFERRED ALTERNATIVE AFFECTS MY PROPERTY.
STORM DRAIN ISSUE AT THE BACK OF MY PROPERTY
404 SHERIN LANE.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

YES - IT WAS CLEAR



A2-53

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon? No

5. Other comments or questions (use additional sheets if necessary).

- ① SIDE STREETS THAT WILL NEED TO BE UPGRADED
• CURRENTLY SUB-GRADE IS NOT ACCEPTABLE.
• CURRENT PAVEMENT IS CRACKED & WITH MISSING ASPHALT ETC.
• UNION WEST BLVD. • PINE TREE DR.
• BELT WAY BLVD. • FOREST PARK RD.
• CUPPED OAK DR.

- ② THE NEW ALIGNMENT (ACCORDING TO THE DESIGN PLANS) IS DUMPING A 36" S.D. PIPE ON TO THE BACK OF MY PROPERTY, AND THERE IS CURRENTLY A FLOODING ISSUE WITHOUT THE NEW PIPE S/D DESIGN. FLOODING ON & BELOW MY PROPERTY.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

5.1

5.2



Contact Information [-Please Print-]

Name: WILLIAM F. BEASLEY SR.

Mailing Address: 5302 Reind Rd.
INDIAN TRAIL NC 28079

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

*Live in Western area also Truck Driver -
Raleigh -*

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

*This Bypass Route should have followed
The 218 corridor from I-485 to U.S. 74
West of Wadesboro NC. Rather than dump traffic out
in the middle of Monroeville, NC. which will create traffic
back up at all those traffic lights also traffic going south on US 601
will still have to come through Monroe. NO relief.*

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass

A2-54

2



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

*Bypass all of these small town - Traffic
light jams.*

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Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085



Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information

[-Please Print-]

C-056

Name: JOHN MAHER / MARY ANN MAHER

Mailing Address: 5103 FAITH CHURCH RD
INDIAN TRAIL NC 28079

E-mail Address: _____

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

↓
OVER



Monroe Connector/Bypass

A2-55



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

We are totally opposed to the Bypass. We would be within 1/2 mile of intersection #2. There was never any disclosure of this project when we moved here. There is already too much commercial traffic around here. Having an intersection nearby is going to make it worse. And the noise of big rigs on an elevated roadway would be terrible. Stop wasting millions of taxpayers dollars on this project + consider improving the 74 roadway.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

P.S - from all we've read, this is someone's pet project + is totally unnecessary based on facts.

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jrobbins@ncdot.gov
Ph: 919-707-6085

*John Maher
Mary Ann Maher
12/15/13*

on facts. We will be expressing our opinion to state leaders abt it.

Thank you for your input! Please return comments by JANUARY 6, 2014.

P.P.S - See attached - says it all.

Monroe Connector/Bypass

5

MonroeBypassFacts@gmail.com

The Bypass Tolls won't support the bypass. • Not enough people use it to increase traffic at the eastern end. • It only causes 1% additional cumulative growth. • It doesn't solve the congestion on Hwy 74. • It causes more of a tax burden on cities and counties. • It is known that residential growth isn't self supporting. • Monroe currently has a record breaking percentage of rental homes. • It adds to the four types of impairments on Stewarts Creek, which feeds the Monroe Drinking supply, Lake Twitty, which drops 35% even in high rainfall years. • It doesn't connect directly to 485, which necessitated a 12 lane highway and a dangerous dog-leg. •

It hurts downtown development. • It causes building abandonment on Hwy 74. • Four towns have already adopted resolutions to look at alternatives. • Almost \$1 Billion dollars is a lot to spend for no improvements. • When 10% of that will produce better measurable results, rather than a ribbon of noise and pollution that doesn't benefit the hosts. • The only benefits go to politicians, land developers, and road contractors. • Politicians should focus on lower taxes and representing their people. • Land developers should focus on the vacant buildings first. • Road contractors should be fixing existing roads. • Ask any government agency why the DOT supports the road and they clam up. • Then they say, "Personally, It only promotes urban sprawl, politics, and land developers." • It is time for the elected government and those responsible to provide a revision that serves the people of Union County. • So talk to your local representatives ASAP and DOT, and let them know you don't want a road whose primary purpose is to promote Urban Sprawl.

A2-56



NORTH CAROLINA Turnpike Authority



C-057

Contact Information

[Please Print-]

Name: Linda & John Hall

Mailing Address: 6716 2nd Ave
Indian Trail, NC 28079

E-mail Address: johnsaysfantastic@yahoo.com

How did you hear about the meeting?

Postcard
 Newspaper
 Friend/Family
 Other: _____

Which meeting did you attend?

December 9, 2013 – South Piedmont Community College
 December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center
 Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

*West
Live in*

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

2 *Excellent visuals*

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Did not attend the hearing.



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

Very thorough.

5. Other comments or questions (use additional sheets if necessary)

Excellent staff - very helpful.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085



Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-57



C-058

Contact Information [-Please Print-]

Name: *Bonnie + Peggy Hougl*

Mailing Address: *2017 Willis Long Rd
 Monroe N.C. 28110*

E-mail Address: *phougl41@carolina.rr.com*

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

If they are going to take our home or leave us in a mess. We have a well in front of house + septic tank in back.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

No

Monroe Connector/Bypass

2

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

No - We are beside Forest Hills Church + chicken houses behind us we need to know if you are taking our home or not at our age we need to know something so we will know to look for another home

5. Other comments or questions (use additional sheets if necessary).

We build our home in 1986 + someone told us after we moved in that there was a road that was going to come over our house that is a long time to have this bear on your mind. ~~We had to paint~~

The meetings do no good just do it + get it over with if they come through our property it will block us in

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

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 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085



Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

Contact Information [-Please Print-]

Name: DAVID J. DATES, III

Mailing Address: 7027 OAKLAND AVE.
INDIAN TRAIL, N.C. 28079

E-mail Address: DJO@CAROLINA.RR.COM

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

SEE ATTACHED

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass

MONROE BYPASS

A2-59

1 The decision to build the Monroe Bypass appears to be more political than practical. The only people who will benefit from it are the developers and the contractors who will build it. Several developers and/or politicians have already bought up land along the proposed route and around where the interchanges are proposed to go. They are just waiting for the bypass to complete to begin their development. Surely others will follow. I feel that the projected small increase in development in that area has been greatly misstated.

2 There seems to be little concern for the people who will lose property or be displaced by this project. Farms that have been in families for generations are being lost or ruined. Many older citizens, some retired and on fixed incomes and some with disabilities, are being forced to move and start over. These people are too old to have to go through a traumatic experience such as this. There is no amount of compensation that can make this right.

3 The \$900,000,000 cost of this project and the fact that it will keep the state in debt for the next thirty years doesn't seem to bother the DOT. Then, consider the fact that it will only save drivers about 8 to 12 minutes driving time over just staying on Hwy 74. Not many people will be willing to pay the relatively high toll to save that little amount of time. The DOT says that they have an answer to that problem. They intend to leave Hwy 74 congested to keep it from competing with the bypass. This is a totally irresponsible attitude. If the bypass project had any credibility at all, it would stand on its own and there would be no need to eliminate the competition. The DOT also predicts that Hwy 74 will continue to get more congested and that the bypass will do very little to relieve any of this congestion. The more congested Hwy 74 gets, the more likely the chance will be for more accidents, injuries, and deaths.

6 What is the real reason for building the bypass and why hasn't a cheaper and more practical alternative been considered? Hwy 74 could be upgraded and improved like Charlotte is doing in Mecklenburg County. All traffic lights and intersections are being eliminated and overpasses are being built at selected intersections. This allows for unrestricted traffic flow through the entire area. This same improvement could be made through Union County. Hwy 74 will have to be improved at some point anyway. Why not do it now? If this is done now, there won't even be a need for the bypass at all, and since Hwy 74 is already in place, the environmental impact would be minimal.

I sincerely hope that this entire project will be reconsidered and that some common sense will prevail.

David J. Oates, III



Contact Information

[-Please Print-]

Name: Louis Eubanks
 Mailing Address: 5317 FRIENDLY BAPTIST CHURCH ROAD
INDIAN TRAIL, N.C. 28079
 E-mail Address: leubanks@mac.com

How did you hear about the meeting?

- Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

ENTIRE PROJECT

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

I THOUGHT THE HEARING WAS
BIAS.

3

4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

I would like to see an analysis of the pros & cons of reworking Hwy 74 rather than just dismissing that possibility as an alternative.

5. Other comments or questions (use additional sheets if necessary).

PLEASE SEE ATTACHED COMMENT.

Thank you, Louis Eubanks 12/29/2013

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

December 28, 2013

December 28 2013

Subject: A Citizen's comments on the Proposed Monroe Toll Road

At one time I was indifferent to governmental agencies. I would just pay Caesar each April 15 and hope and pray I would never really get in the way of Big Government. The proposed Monroe Toll Road has changed all of that. I now see first hand the arrogance and self-serving nature of one governmental agency-namely the NCDOT.

5.1 The NCDOT can call this proposed road the Monroe Connector/the Monroe Bypass/the Monroe Toll but whatever it is called it is just an attempt to put lipstick on a pig. What this Proposed Road really is is a Political Road - it will be built basically to repay old political debts and reward past present and future political contributors. One could call it a quid pro quo road-You get me reelected, you support my agenda and ideology and I will make sure you are rewarded at the taxpayers expense.

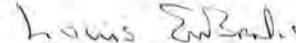
5.2 \$900,000,000 for this single project! How obscene. If the NCDOT feels compelled to spend that much money on a single project I can easily think of several different projects -all desperately needed-that could total \$900,000,000 that would benefit all of the citizens of Union County.

5.3 Most of us know that these "sugar daddy" projects are never completed on time and within budget. What is the REAL Cost of this Proposed Road? I am sure NCDOT engineers have a Final Figure that they will attempt to hit. My guess is that an additional 20% should be added to the Project cost to get the Real cost closer to reality.

5.4 What happens if the per vehicle toll does not provide enough yearly revenue to cover the maintenance of the road? Are the Union County residents going to be expected to make up the yearly shortfall? If this Road is built it will create more urban sprawl. Union County residents will have their taxes increased to pay for the added burden of additional schools, extension of water and sewer lines and additional infrastructure to meet the influx of more residents. Most of us are still waiting on Union County Government to begin the court ordered property revaluation, still waiting for Union County Government to adequately fund the schools we currently have. We cannot absorb any more expenses. This so called Toll Road may be strike three for Union County. We don't need another Union County failure.

5.6 In my opinion the \$900,000,000. for this project could more wisely be spent improving the current Hwy 74. The possibility of improving this road seems to have never been considered by the NCDOT engineers and consultants. In fact I think the NCDOT has encouraged Hwy 74 to become a disaster because that makes the Monroe Toll Road appear to be that much more necessary. Please fix Hwy 74 first and don't waste our tax dollars. Do the right thing and do the ethical thing.

Louis Eubanks



This document was mailed from the Indian Trail NC Post Office on Monday December 30 2013 AM and should meet the required January 6 2014 deadline.

**Contact Information**

[-Please Print-]

C-061

Name: Dawid Joubert

Mailing Address: P.O. Box 1499

Indian Trail NC 28079

E-mail Address: dawidj@aol.com

How did you hear about the meeting?

 Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

 December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting**Comments**

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

West Section.

The Recommended Route affect the real estate property and businesses of the Joubert family.
NSC Enterprises, Interstate Supplies & Services, Biltong USA and AAC.

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I hope and believe that the Design and Build Team stay within the Research Impact Boundary.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Yes

Monroe Connector/Bypass

**4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?**4 No - "the impact of this project on the area will only cause 1% additional cumulative growth" - I believe it will be much higher.**5. Other comments or questions (use additional sheets if necessary).**

We put all of our time and effort into developing and building our businesses which - after many years - became profitable and eventually start supporting us financially. It is and was planned to be our retirement income too.

We are not opposing the progress - but however request fairness on behalf of every human which would be affected by the project. Effected direct when their businesses or home are in the way of the planned route.

We don't want to be enriched by the project - but asked to be treated fair and that we shall be left in the same financial state as which we were before the road project started. Left with the same or similar location, same or similar building, same or similar customer base and business growth opportunities.

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-61

1

2

5



Contact Information [-Please Print-] C-062

Name: Sherry Smith

Mailing Address: 2531 Morgan Mill Rd
Monroe, NC 28110

E-mail Address: N/A

How did you hear about the meeting?
 Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?
 December 9, 2013 - South Piedmont Community College December 11, 2013 - Next Level Church
 December 10, 2013 - Union County Agricultural Center Did not attend a meeting

Comments
 Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

Central + East
Live on 200 N - our Land is in Area Affected

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?

I hope you've done enough work this time that this project will go on through. I do want it to go on.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

yes
Your reasons for building bypass may need more thought.

A2-62

2

3



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

I WAS suprised that the results were the same as before. I hope this is enough to build this road finally!



5. Other comments or questions (use additional sheets if necessary).

I really hope this goes through this time! We've been in limbo for 20+ years with our Land. I am now in the City of Monroe + have to pay taxes county + City on farm Land that they have figured at \$30,000.00 per acre! That really hurts every year. No one would buy this land + not be able to do Anything with it. I'm getting old + would like this project to get done finally! I could take the money from the sale of this Land + be able to help our 4 children. My main grief with the whole ~~this~~ this is build it or stop the project entirely!!

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:
 Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jrobbins@ncdot.gov
 Ph: 919-707-6085

If this does not go through this time - Please stop this right now for us!
 Thank you for your input! Please return comments by JANUARY 6, 2014.



Contact Information [-Please Print-] C-063

Name: DORIS MASSEY
 Mailing Address: 1801 ASHCRAFT AVENUE
MONROE, NC 28116

E-mail Address: _____

How did you hear about the meeting?

- Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting



Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

The project did not affect the area I live in, but it will be a delight to not have those big trucks & less traffic on 74

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA, D)?

The alternatives we would have with the new project is fantastic I look forward to seeing the completion.

3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

The information was explained very well. The lady who helped me was courteous and very helpful.

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

The analysis I saw was very good to me.

5. Other comments or questions (use additional sheets if necessary).

Keep up the good work.



PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
 NCDOT Human Environment Section
 1598 Mail Service Center
 Raleigh, NC 27699-1598
jarobbins@ncdot.gov
 Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass



Contact Information

[-Please Print-]

C-064

Name: _____

Mailing Address: _____
Dr. Allan S. Yard
324 Moss Creek Drive
Hilton Head, SC 29926-1071



E-mail Address: tw9yards@hargraves.com

How did you hear about the meeting?

Postcard Newspaper Friend/Family Other: _____

Which meeting did you attend?

- December 9, 2013 – South Piedmont Community College December 11, 2013 – Next Level Church
 December 10, 2013 – Union County Agricultural Center Did not attend a meeting

Comments

Your opinions about this project are important to us. Please use the space below to provide your comments or questions. If you need additional room to write, please take additional comment sheets or include your own letter.

1. Which part of the project area are you most interested in (west, central, or east)? Do you commute through, live in or have other interests in the area?

PROPERTY OWNER

2. What comments do you have regarding the Detailed Study Alternatives and/or identification of the Preferred Alternative (DSA D)?



3. Was the information presented at the hearings clear and understandable? Do you have any suggestions for improvement?

Monroe Connector/Bypass



4. In your review of the Draft Supplemental Final Environmental Impact Statement, do you feel a thorough analysis has been performed? Are there any areas you would like to see expanded upon?

5. Other comments or questions (use additional sheets if necessary).

PLEASE DROP YOUR COMMENT FORM IN THE COMMENT BOX PROVIDED TONIGHT, OR MAIL OR EMAIL YOUR COMMENTS TO:

Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598
jarobbins@ncdot.gov
Ph: 919-707-6085

Thank you for your input! Please return comments by JANUARY 6, 2014.

Monroe Connector/Bypass

A2-64

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-001	Carol Biggerstaff	1	Interested in the entire project area (west, central, and east) and supportive of the project. We desperately need this. You cannot get through Monroe at all.	Comment noted.
C-001	Carol Biggerstaff	5	As a human resource manager difficult to get qualified applicants to drive to Monroe to work at manufacturing company because of the road situation.	Comment noted.
C-002	John W. Strickland, Jr.	1	Interested in the east area of the Monroe Connector/Bypass. No comments to address from the form.	Comment noted.
C-003	Franklin Deese	2	Better alternative to tying into 74 at Stallings would be to tie into the Idlewild exit.	<p>Options for tying the project into I-485 at locations north and south of the existing US 74/I-485 interchange, including at the Idlewild Road/I-485 interchange, were considered, as documented in Section 2.3.2.1 of the <i>Draft EIS</i>. Relevant excerpts from the <i>Draft EIS</i> are provided below.</p> <p>“Linking the proposed project to I-485 at a location other than US 74 would create a discontinuity in US 74 for forcing travelers on the new US 74 to access another facility I-485) before continuing on US 74...</p> <p>In addition, to accommodate the projected traffic volumes, longer entrance ramps would be needed on I-485 to allow traffic from Idlewild Road and the proposed Monroe Connector/Bypass to merge before merging with traffic on I-485. Consequently, a collector-distributor roadway system would be needed between Idlewild Road (SR 1521) and US 74 to accommodate weaving movements along I-485...</p> <p>...In this urban area, creating a discontinuity to US 74 and routing it along a segment of I-485, where existing traffic volumes also are heavy, would result in greater potential for</p>

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
				congestion and delays... ...Improvements needed to accommodate a highway-to-highway connection at this location would encroach on the Goose Creek watershed, which is known habitat of the federally-endangered Carolina heelsplitter mussel.”
C-004	Zenobia Heggins, Ann Quick, and Terry Benny Quick	1	Project should be completed for the safety of citizens in Union County.	Comment noted.
C-004	Zenobia Heggins, Ann Quick, and Terry Benny Quick	5	I am hopeful that this project is completed. New schools and housing developments are great – but what about the roads and travel time in Union County.	Comment noted.
C-005	Chris Hammonds	2	Concerned that the project has been on hold. Where will school system / community relocate to?	No schools will require relocation as a result of this project.
C-005	Chris Hammonds	5	Frustration about knowing if and when we will lose our home. Offer made in May 2012.	If an offer was previously made for your home, it was previously identified as being located within the selected corridor. In that the selected corridor remains the same in the current <i>Record of Decision</i> as that identified as part of the <i>Draft</i> and <i>Final EIS</i> , it likely remains within the selected corridor. NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals, but there are many unknowns. When the right-of-way process does resume, a right-of-way agent will contact you to discuss the acquisition process.
C-006	Divina Pomaikai	2	The project is taking too long to happen, citizens are upset and accidents have increased on HWY 74.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-007	Laura and Barry Smoot	3	Proposed alternatives were confusing at first but staff was helpful in explaining. In favor of the preferred alternative.	Comment noted.
C-008	Jim and Lynda Aldridge	3	The project should start as soon as possible.	Comment noted.
C-009	Patrick Oconnor	1	Just receiving project information. No other comments.	No response necessary.
C-010	Mary Ellen Frizzell	5	Husband is ill with COPD using oxygen all day and night, concerned about dust and/or power loss during construction.	NCDOT has committed that dust suppression measures will be implemented to reduce dust generated by construction when the control of dust is necessary for the protection of motorists and residents.
C-011	Beverly Dickerson	4	Concerned about impact to watersheds with development.	Comment noted.
C-011	Beverly Dickerson	5	The number of tractor trailers is increasing and there are long delays at traffic lights. If through traffic will use the road, the existing roads are not adequate to handle existing traffic conditions.	Comment noted.
C-012	Conrad Johnson	1	Request to receive meeting minutes via mail and email.	As of the date of publication of this document, the post-hearing meeting minutes have not yet been made available. An email will be sent notifying Mr. Johnson of the availability of the Public Hearing materials on the project website as soon as they are posted.
C-012	Conrad Johnson	3	Test the microphone before starting.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-013	Dustin Clark	3	Mic and sound system issues with Jamille’s microphone.	Comment noted.
C-014	L. G. Mayberry	2	Comment in regards to living in the west area and being within the yellow area of the preferred alternative.	No response required. The referenced yellow area is the study corridor boundary.
C-015	Margaret Gates	2	Not in agreement of the project being a toll road.	Comment noted.
C-015	Margaret Gates	4	Concerned about the loss of farmland in the area to the east. Worried about additional pollution from increased number of cars on the road due to additional housing.	As stated in Section 4.2.3 of the <i>Draft Supplemental Final EIS</i> , soils impacted by the Preferred Alternative do not meet the threshold for consideration of protection under the Farmland Protection Policy Act of 1981. Three farm displacements are estimated to occur with the project, but because much of eastern Union County is still rural, it is anticipated that there would be suitable replacements property available for farm relocation. In addition, as stated in Section 5.6 of the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013), the project is expected to result in an additional four percent loss in farmland through 2030. Additional growth as a result of this project is expected to be less than two percent above what is expected to occur if the project is not built.
C-016	Jane Miner	2	Alternatives look better than proposed before but too expensive.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-016	Jane Miner	4	Concerned about loss of farm land and trees. Increased pollution from exhaust, development, and population increase. More taxes and new schools.	See response to Document C-015, Comment #4. As documented in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013), additional growth as a result of this project is expected to be less than two percent above what is expected to occur if the project is not built. It is anticipated that Union County will continue to have one of the highest rates of growth in North Carolina, with or without the project.
C-016	Jane Miner	5	Will truck traffic be relieved? Do you think local traffic will use and benefit from the project? Local traffic will not pay a toll to go to work.	It is anticipated that trucks would likely be using existing US 74 if the Monroe Connector/Bypass is not built. Along existing US 74, the percentage of trucks is expected to be less with the project in place compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks). In addition, one component of the purpose of the project is to maintain access to properties along existing US 74. Local traffic will continue to have access to those properties along US 74.
C-017	Lance Dunn	1	The Bypass Tolls won't support the Bypass. Not enough people use it to increase traffic on the eastern end.	Tolls are expected to only provide a portion of the project financing as well as operations and maintenance costs. The remaining funds for construction of the project will be financed through other mechanisms. An Initial Financial Plan was developed after the issuance of the previous Record of Decision (ROD) and the procurement and opening of design-build contract price proposals to construct the project. Based on a review of information available at this point in the project development process, the project remains financially feasible. The Initial Finance Plan will be updated at such time as the project is in a position to move forward.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-017	Lance Dunn	2	It only causes 1% additional cumulative growth.	The purpose of the project is not to promote growth in the area. NCDOT has documented its findings regarding growth as a result of the project in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013), summarized in Section 4.5 of the <i>Draft Supplemental Final EIS</i> .
C-017	Lance Dunn	3	It doesn't solve congestion on US 74.	The Monroe Connector/Bypass would provide an alternative means to travel through this area at high speed. The Monroe Connector/Bypass is expected to remain congestion-free until at least the year 2035. As described in Section 2.5.2 of the <i>Draft Supplemental EIS</i> (under the heading Question 6 – How would the Monroe Connector/Bypass affect traffic volumes on the US 74 Corridor?), the project's traffic forecasts estimate that traffic volumes would be less along the existing US 74 corridor with the Monroe Connector/Bypass in place, thereby improving traffic flow conditions along existing US 74 compared to the No-Build scenario.
C-017	Lance Dunn	4	It causes more of a tax burden on cities and counties.	Local taxes are not being utilized to finance this project. State and Federal gas tax allocations, as well as bonds, are financing the project.
C-017	Lance Dunn	5	It is known that residential growth isn't self-supporting.	Comment noted. Land use decisions are under the purview of local officials, not the NCDOT.
C-017	Lance Dunn	6	Monroe currently has record breaking percentages of rental homes.	Comment noted.
C-017	Lance Dunn	7	It adds to the four types of impairments on Stewarts Creek, which feeds the Monroe drinking supply, Lake Twitty, which drops 35% in high rainfall years.	Water quality was quantitatively assessed in the <i>Indirect and Cumulative Effects Water Quality Analysis</i> (PBS&J, April 2010). The watershed model developed for the Stewarts Creek Hydrologic Unit (HU) projected increases in nitrogen, phosphorus, and sediment loadings of 0.69, 2.52, 1.68 percent, respectively, as a

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
				<p>result of indirect and cumulative impacts attributable to the Monroe Bypass/Connector. It should be noted, however, that the analysis did not consider site-specific best management practices (BMPs), such as bioretention basins, stormwater ponds, grass swales, etc. Consequently, the watershed model likely overestimates pollutant loadings from areas with treated stormwater.</p> <p>In the case of Stewarts Creek, 33 percent of land use change between the No-Build and Build scenario is accounted for by the right-of-way of the Monroe Connector/Bypass and will be subject to the stormwater control requirements set forth in the NCDOT Design Standards in Sensitive Watersheds (15A NCAC 04B .0124). Another 51 percent is projected within the incorporated limits of the City of Monroe. Development in Monroe is subject to the Monroe Stormwater Management Ordinance. Both rules set standards for the reduction of runoff-borne sediments. The NCDOT standards require a 70 percent reduction of 0.04 mm sediments, while the Monroe Stormwater ordinance requires an 85 percent average annual removal of total suspended solids (TSS). The stormwater BMPs necessary to remove 70 percent or more of TSS – bioretention basins, stormwater wetlands, sand filters, etc. – also provide total nitrogen and phosphorus reductions in the order of 35 and 40 percent, respectively. As such, considerable reductions in nitrogen, phosphorus, and sediment loadings from indirect and cumulative impacts in the Stewarts Creek HU will be realized by following existing stormwater management rules.</p>
C-017	Lance Dunn	8	It doesn't connect directly to I-485, which necessitated a 12 lane highway and a dangerous dog-leg.	Vehicles traveling to/from the Monroe Connector/Bypass and I-485 have a controlled access connection between the two roadways. All designs utilized appropriate and accepted design criteria. There are no dangerous "dog-legs" on the project.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-017	Lance Dunn	9	It hurts downtown development.	<p>Past literature indicates that impacts to downtown areas tend to be short-term in nature. Eventually the town will establish a new equilibrium that is less dependent on pass-by highway traffic. Please also see http://www.edrgroup.com/pages/pdf/Urban-Freeway-Bypass-Case-Studies.pdf.</p> <p>The <i>Monroe Downtown Master Plan</i> was considered in the <i>Indirect and Cumulative Effects Quantitative Analysis</i> (Michael Baker Engineering, Inc., April 2010) (2010 ICE Report) and the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update), as listed in Table 5 of the 2010 ICE Report (Appendix H in the <i>Final EIS</i>). Interviews with local planners from the City of Monroe also were considered in the 2010 ICE Report and ICE Update. Significant adverse impacts to development in downtown Monroe are not expected.</p> <p>The City of Monroe supports the project, as evidenced in their resolution included in Appendix A of the <i>Final Supplemental Final EIS</i>.</p>
C-017	Lance Dunn	10	It causes building abandonment on Hwy 74.	<p>Comment noted. This conclusion is speculative. The indirect and cumulative impacts of the proposed project are documented in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013), summarized in Section 4.5 of the <i>Draft Supplemental Final EIS</i>. The proposed project is not expected to adversely impact the economy of Union County. The proposed project will maintain access to properties on existing US 74.</p>

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-017	Lance Dunn	11	Almost \$1 Billion dollars is a lot to spend for no improvements. When 10% of that will produce better measureable results, rather than a ribbon of noise and pollution which doesn't benefit the hosts.	See response to Document C-017, Comment #3. The Monroe Connector/Bypass will provide a high-speed facility through the western half of Union County that connects to I-485 in Mecklenburg County. The Monroe Connector/Bypass will be accessible to local traffic via several interchanges. The project will provide benefit to motorists desiring an option to avoid the slower speeds and numerous traffic signals on US 74. Section 2.4, Figure 2-1b, and Appendix B of the <i>Draft Supplemental Final EIS</i> documents improvements that were analyzed to upgrade the existing US 74 roadway. Improvements to existing US 74 such as Superstreets, lower cost transportation system management alternatives, and standard arterial widening were eliminated because they did not meet the documented purpose of the project or were determined not reasonable or practicable. Other upgrade existing US 74 alternatives (controlled access highway with frontage roads, and combination new location/improve existing US 74) were eliminated due to high levels of impacts compared to other alternatives.
C-017	Lance Dunn	12	The only benefit goes to politicians, land developers and road contractors. Politicians should focus on lower taxes and representing their people. Land developers should focus on the vacant buildings first. Road contractors should be fixing existing roads.	See response to Document C-017, Comment #11. The project will provide benefit to motorists desiring an option to avoid the slower speeds and numerous traffic signals along existing US 74.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-017	Lance Dunn	13	Ask any government agency why the DOT supports the road and they clam up. Then they say, "Personally it only promotes urban sprawl, politics and land developers."	This project has been the number one priority of the region for many years, it was in the Charlotte Region Transportation Planning Organization's (CRTPO's) <i>2035 Long Range Transportation Plan</i> , and is also included in the CRTPO <i>2040 Metropolitan Transportation Plan</i> which was developed and approved with input from municipalities within the CRTPO's jurisdiction. The CRTPO was formerly known as the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).
C-017	Lance Dunn	14	It is time for the elected government and those responsible to provide a revision that serves the people of Union County. So talk to your local representatives ASAP and DOT, and let them know you don't want a road whose primary purpose is to promote Urban Sprawl.	NCDOT disagrees with the commenter on the primary purpose of the project. See response to Document C-017, Comment #13 .
C-018	Mya Yignal	1	Need more toys for kids to play with and less coloring books.	Comment noted and we appreciate the input of all interested citizens, young and old.
C-019	Betty Wilson	1	The central project area at the Indian Trail Section of 74 can no longer grow as a result of neglected congestion by the state.	Transportation improvement projects are prioritized by the Charlotte Regional Transportation Planning Organization which is comprised of representatives from Union County government as well as other municipalities within Union County. Transportation improvement priorities are identified in the Metropolitan Transportation Plan (MTP). As part of the adopted 2040 MTP, only the section of US 74 from Hanover Road to Rocky River Road is slated for widening in the future.
C-019	Betty Wilson	2	Not in favor of toll unless they are placed in the eastern part of the state. I-95 should be a toll road.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-019	Betty Wilson	5	There has been nothing but studies and talk about this project and wasted tax payer money.	Comment noted.
C-020	Robert Smith	1	When will the project start?	NCDOT intends to move the project forward upon receipt of all necessary approvals, but there are many unknowns.
C-021	Bonnie Kenerley	5	I understand a 2,000 ft noise wall will be across the road from me. I am a business beside of the new road and a historic piece of property. My business will hear so much noise from the new road. What procedures do I go through or who do I talk to about my concerns of noise from the road?	As Ms. Kenerley requested, she was contacted on January 8, 2013 to discuss the noise analysis. A <i>Traffic Noise Analysis Update for the Monroe Connector/Bypass</i> (Atkins, November 2013) was prepared for the project, as summarized in Section 4.2.1 of the <i>Draft Supplemental Final EIS</i> . A preliminary noise wall (NW11) is recommended nearby that will benefit receivers in the Glencroft subdivision across Ansonville Road from her driving range business at 1001 Ansonville Road. The noise analysis modeled a receiver at the driving range. The noise model predicts no impacts to this property that would approach or exceed FHWA’s Noise Abatement Criteria.
C-022	Dennis Cloud	1	With all the money already spent on right-of-way and design, the tax payers deserve to see the project move forward.	Comment noted.
C-022	Dennis Cloud	5	The environmental firm which is keeping this project from moving forward does not live in Union County and does not have to drive on US 74. Maybe if they had to deal with the daily congestion on US 74 they would think differently. The bottom line is to move forward with the project.	Comment noted.
C-023	Wallace Currin	4	Build a spur from Hilltop Area over to 601 South to get all the sand and gravel trucks coming from Pageland, SC onto the bypass.	Comment noted. However, neither the spur project noted in this comment, nor anything similar, is included in the <i>2040 Metropolitan Transportation Plan</i> for the region.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-024	Ken Howell	2	As an owner near the project area, I would like a sound barrier separating the project from my living area.	A <i>Traffic Noise Analysis Update for the Monroe Connector/Bypass</i> (Atkins, November 2013) was prepared for the project, as summarized in Section 4.2.1 of the <i>Draft Supplemental Final EIS</i> . Noise abatement was investigated in the vicinity of 2817 Olive Branch Road. This area falls within Area 9 as described in this report. The inclusion of noise walls in this area did not meet the requirements of the July 13, 2011 <i>North Carolina Department of Transportation Traffic Noise Abatement Policy</i> .
C-024	Ken Howell	3	The information presented was very general with no specific expertise in any area of study. Hire smarter people or educate them better before the show.	Comment noted.
C-024	Ken Howell	4	No cross sections or elevation data was provided for review.	Typical sections depicting the proposed roadway cross section were on display at the public hearings on the Public Hearing Maps, and are also included as Figure 3-3 of the <i>Draft Supplemental Final EIS</i> . Elevation data was taken into account in the development of the right of way limits shown on the Public Hearing Maps.
C-024	Ken Howell	5	Request of a formal response for noise concerns with phone number provided.	NCDOT's Division 10 Assistant Construction Engineer, Rick Baucom, answered Mr. Howell's questions in a telephone call on December 16, 2013.
C-025	Tommy Edwards	3	General response regarding money being wasted and the project should already be built.	Comment noted.
C-026	J. Keith Walters	1	Very Interested in the connection to 74/485. If the bypass avoids 74 corridor in Stallings area, more likely to use it. Concern about CPCC access from the bypass.	Alternatives not utilizing the US 74 corridor in Stallings were investigated, as described in Section 2.3.2.1 of the <i>Draft EIS</i> , and were eliminated for reasons stated in that section. Access to CPCC will be maintained through the McKee Road extension, a portion of which will be constructed as part of this project through an agreement with the adjacent property owners.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-026	J. Keith Walters	2	Not in favor of the western end of DSA D. DSA B is a better alternative for local travel westward. The Blue option is much preferred. Statement that impacts to wetlands could be minimized if central alignment was redesigned.	Reasons for selecting Alternative D as the preferred alternative are identified in Section 3.2 of the <i>Draft Supplemental Final EIS</i> .
C-026	J. Keith Walters	5	How much will the toll be and will there be an option for a monthly access plan? A new branch to northbound 485 through Hemby Bridge area would be useful. Secret Shortcut gets a lot of use that could be improved with an additional leg.	Toll rates are discussed in Section 3.1.3 of the <i>Draft Supplemental Final EIS</i> . The price of the toll likely will vary over time, based upon variables such as managing demand, financing the initial construction of the project, and paying for roadway operations and maintenance. The toll rate will differ for cars and trucks, and will also be dependent on the collection method, i.e., transponder, registered license plate, or bill via US Mail. Toll road users will be able to establish accounts to pay their tolls. The initial price of the toll was determined as part of the <i>Final Report Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study</i> (Wilbur Smith Associates, October 2010). Initial toll rates for those utilizing a transponder are expected to be approximately \$0.13 per mile for cars and \$0.51 per mile for trucks. There are currently no plans to provide additional connectivity to I-485 in this area.
C-027	Lynne Wilson	5	Request to have transcripts of the hearings emailed to her email address provided on the form.	Transcripts were emailed to Ms. Wilson on January 24, 2014. Transcripts and responses to spoken comments at the hearing are included in Appendix A of the <i>Final Supplemental Final EIS</i> .
C-028	Billy Brantley	3	Suggestion to keep Maple Road open from 601 to Fowler Road. Do not turn it into a cul-de-sec.	Comment noted.
C-028	Billy Brantley	4	Not convinced a thorough analysis has been performed with the <i>Draft Supplemental Final EIS</i> .	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-028	Billy Brantley	5	Need sound barrier protection in the area of Unionville Road and Secret Shortcut Rd.	Noise abatement was investigated in the vicinity of Unionville – Indian Trail Road and Secret Shortcut Road, the results of which are documented in the <i>Traffic Noise Analysis Update</i> (Atkins, November 2013). This area falls within Areas 3, 4 and 5 as described in this report. The inclusion of noise walls in this area did not meet the requirements of the July 13, 2011 <i>North Carolina Department of Transportation Traffic Noise Abatement Policy</i> .
C-029	Charles Thornton	2	Meetings were a waste of time. No one had answers to anything.	Comment noted. It is unknown what specific questions this commenter was requesting answers to. The one question that staff was unable to answer with specifics was when right of way and construction activities will resume.
C-029	Charles Thornton	4	Let’s dig dirt.	Comment noted.
C-029	Charles Thornton	5	Why are we stopping before Marshville? It is a start but not enough.	Current traffic projections show a decrease in traffic volumes west of Marshville. A need has not yet been exhibited to continue the project further eastward.
C-030	Joe Pata	1	Interested in connection to the Matthews Sportsplex and I-485 Intersection/74.	The Monroe Connector/Bypass preferred alternative will tie into existing US 74 prior to I-485. In this area, there will be a controlled access facility to I-485 and frontage roads to access adjacent properties. Current access to the Mecklenburg County Sportsplex will not change.
C-030	Joe Pata	2	Provide more detail on western construction.	Construction details and phasing will be developed as part of the final design phase, which will occur as part of the Design-Build process.
C-031	Mark Tilley	2	Let’s pick one and get started but it would be better to go to the east side of Marshville.	Comment noted. See response to Document C-029, Comment #5 .

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-031	Mark Tilley	3	Information was clear and understood that no one knows anything. Waste of time.	See response to Document C-029, Comment #2.
C-031	Mark Tilley	4	Only to go to the east side of Marshville. The influx of traffic going from the Interstate to two lanes with a stop light will be overwhelming to Marshville.	See response to Document C-029, Comment #5.
C-031	Mark Tilley	5	Let's get this built.	Comment noted.
C-032	James B. Plowman	1	General comment of interest for the west part of the project. No concerns or questions listed on the form.	No response required.
C-033	John Plowman	5	Consider a connector between Oak Spring Rd. and Stinson Hartis Rd. Oak Spring is being dead ended. The connector would be needed to accommodate the movement of large farm equipment through that area.	Comment noted. This request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options during final design.
C-034	Jerry L. Plowman	5	Consider a connector between Oak Spring Rd. and Stinson Hartis Rd is needed to move slow moving farm equipment to this area.	Comment noted. This request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options during final design.
C-035	Matt Jones	1	Interested in the west part of the study area and the impact on commercial development.	Comment noted.
C-035	Matt Jones	2	Supportive of the west preferred alternative.	Comment noted.
C-035	Matt Jones	4	A thorough analysis has been performed and no areas need to be expanded.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-036	Andrew Whitman	2	Currently lives off of Stallings Rd. and Stevens Mill Rd. Prefers D Alternative over the A Alternative. Would like to see the 74 Fairview Indian Trail intersection reviewed. There are 2 left turn lanes on the southbound Indian Trail Fairview Rd but only one combined right turn / straight lane. Traffic southbound really backs up because of the current configuration. Seems like you could have 1 left, 1 straight, 1 right turn lane without much interruption to the current intersection and it would allow for much better traffic flow. In any event, a dedicated right turn lane onto NW bound 74 is needed.	Comment noted. As discussed in Section 2.4 of the <i>Draft Supplemental Final EIS</i> , improvements made to this intersection in recent years have included signal timing optimization and incorporation of a 7-phase signal. Any additional improvements to this intersection would be completed as separate projects, similar to the improvements already implemented along US 74 noted in Section 2.4.
C-036	Andrew Whitman	5	I like the “D” alternative and am interested in seeing the 74/Stallings Rd intersection improved as well. Like the idea of better traffic flow between 485 and Monroe. Seems like a decent means of achieving that.	Comment noted.
C-037	Jack Ritterskamp	2	Preferred Route is 2 nd best. Avoid Independence as much as possible. It is more expensive and destroys businesses in Stallings. If you must go that way: 2 toll booths used to go straight to Indian Trail, Monroe etc. should be removed. Otherwise, free travel requires use of frontage roads and numerous lights.	Comment noted. The controlled-access segment along existing US 74 at the western end of the project is a part of the Monroe Connector/Bypass, so it is planned to be tolled however as stated in Section 2.2.3 of the <i>Final Supplemental Final EIS</i> , tolls will be collected electronically and toll booths will not present on this roadway. See response to Document C-044, Comment #5 .
C-038	David Phillips		Supportive of the project no comments/statements to address.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-039	John Abbasi Armed Forces Outfitters. Inc	2	This road must have been built years ago.	Comment noted.
C-040	Beth S Mack	2	Lots of proposed maybe's.	See response to Document C-029, Comment #2.
C-040	Beth S Mack	5	What will be the speed limit on frontage roads and toll roads?	Posted speed for the Monroe Connector/Bypass will be 65 miles per hour. Posted speed for the frontage roads will be 35 miles per hour.
C-041	Lance Dunn	1	FREE BBQ from Monroe Bypass contractor to sway NCDOT at Public Hearing!? It may be legal but it isn't ethical. Who benefits from Boggs' paving contractor with existing fraud charges and the politicians with land interest in and near the proposed Bypass path?	The referenced event that occurred concurrent to the December 9, 2013, Public Hearing was not sponsored, funded, or endorsed by the NCDOT.
C-041	Lance Dunn	2	The Bypass tolls won't support the Bypass. Not enough people use it to show increased traffic at the eastern end.	See response to Document C-017, Comment #1.
C-041	Lance Dunn	3	It only causes 1% additional cumulative growth, even though Indian Trail and Monroe expect substantially more.	See response to Document C-017, Comment #2.
C-041	Lance Dunn	4	It doesn't solve congestion on US 74. Hwy 601 south of Monroe is a good example of what can be done on Hwy 74 and other existing roads with a few overpasses.	See response to Document C-017, Comment #3. Superstreet improvements similar to what was completed for US 601 are being considered for the western end of the existing US 74 roadway but these will not meet the stated purpose and need for the project.
C-041	Lance Dunn	5	The Bypass causes more of a tax burden on cities and counties.	See response to Document C-017, Comment #4.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-041	Lance Dunn	6	It is known that residential growth isn't self-supporting.	See response to Document C-017, Comment #5.
C-041	Lance Dunn	7	Monroe currently has a record breaking percentage of rental homes.	See response to Document C-017, Comment #6.
C-041	Lance Dunn	8	It adds to the four types of impairments on Stewarts Creek, which feeds the Monroe drinking supply, Lake Twitty, which drops 35% in high rainfall years.	See response to Document C-017, Comment #7.
C-041	Lance Dunn	9	It doesn't connect directly to I-485, which necessitated a 12 lane highway and a dangerous dog-leg.	See response to Document C-017, Comment #8.
C-041	Lance Dunn	10	It hurts downtown development.	See response to Document C-017, Comment #9.
C-041	Lance Dunn	11	It causes building abandonment on Hwy 74.	See response to Document C-017, Comment #10.
C-041	Lance Dunn	12	Almost \$1 Billion dollars is a lot to spend for no improvements. When 10% of that will produce better measureable results, rather than a ribbon of noise and pollution which doesn't benefit the hosts.	See response to Document C-017, Comment #11.
C-041	Lance Dunn	13	The only benefit goes to politicians, land developers and road contractors. Politicians should focus on lower taxes and representing their people. Land developers should focus on the vacant buildings first. Road contractors should be fixing existing roads.	See response to Document C-017, Comment #12.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-041	Lance Dunn	14	Ask any government agency why the DOT supports the road and they clam up. Then they say, "Personally it only promotes urban sprawl, politics and land developers."	See response to Document C-017, Comment #13.
C-041	Lance Dunn	15	This road is a remnant from 25 years ago when politicians had roads built for their friends and needs to be reexamined for current needs. Current needs include getting trucks off 74 and saving travel time for people near bypass which is not addressed in the proposal.	See response to Document C-017, Comment #13.
C-041	Lance Dunn	16	It needs to move north and east the way 485 was moved closer to the county line rather than through downtown Matthews. It shouldn't be a parallel corridor of development, HWY 74 already did that to Charlotte-Monroe Road and look what it did.	Comment noted. Moving the roadway further north will place it within the Goose Creek drainage basin. The US Fish and Wildlife Service has previously commented that this basin supports the endangered Carolina heelsplitter mussel and designated critical habitat. The project study area was developed to avoid direct impacts to this area.
C-041	Lance Dunn	17	It is time for the elected government and those responsible to provide a revision that serves the people of Union County. So talk to your local representatives ASAP and DOT, and let them know you don't want a road whose primary purpose is to promote Urban Sprawl.	See response to Document C-017, Comment #13.
C-042	Bob Bebee	4	I believe that the environmental issue has been addressed- However – I am not an expert but I heard that there is a chance that the same group that files initially to stop this project may try it again. I hope not.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-043	Sarah Traywick	3	I don't design roads but do feel like this road should be built to help traffic from Indian Trail through Wingate.	Comment noted.
C-043	Sarah Traywick	4	We have made trips to Hillsborough to visit my brother the roads are very good (I-85) it has been completed in the last couple of years. Did the environmental division say when they were building that road? It is near them.	Comment noted. Planning for the widening of I-85 began in the early 1980's.
C-043	Sarah Traywick	5	We use Hwy #74 a lot. Our doctors and hospitals are in Charlotte. Let me tell you the traffic is terrible. I wish the environmental people had to go through what we have, they might reconsider their decision to fight this road.	Comment noted.
C-044	David Cleveland	2	I prefer the western route that accessed the bypass closer to I-485, but it looks like that route has been dismissed.	Detailed Study Alternatives A, A1, A2, A3, B, B1, B2, and B3 had the Monroe Connector/Bypass ending nearer to I-485. Detailed Study Alternative D was selected as the Preferred Alternative for the reasons documented in Section 3.2 of the <i>Draft Supplemental Final EIS</i> .
C-044	David Cleveland	5	If you are traveling east from I-485 towards Monroe, there should not be a toll booth if you want to continue straight on US 74. From your drawings it appears that you would have to make a right turn to avoid the first toll. This area of US 74 is congested enough without having to turn. The first toll should be after you turn left to access the Connector/Bypass.	If you are traveling east on US 74 from I-485, there will be a ramp to stay on US 74 and you would not pay a toll. You would only pay a toll if you choose to travel on the elevated portion of the Monroe Connector/Bypass to access US 74 east of Stallings Road. The schematic drawings shown at the Public Hearings (which made the ramp to US 74 appear more like a right turn) were conceptual and did not show the actual configuration of the ramp to US 74. The public hearing maps on display better represented the actual ramp design and are available for review on the project website.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-045	Ray & Jeanie Avery	2	The preferred is the better of the two.	Comment noted.
C-045	Ray & Jeanie Avery	3	Clear and Informative. Suggestion: we have a concern about the turn around traffic at our driveway.	Comment noted.
C-045	Ray & Jeanie Avery	4	A thorough analysis has been performed too many times. It's time to move forward.	Comment noted.
C-045	Ray & Jeanie Avery	5	One must live in this county and sit in the traffic on Hwy 74 to understand the urgency of this project to move forward. Not only is Hwy 74 congested, so are all the roads and drives that touch it.	Comment noted.
C-046	Olwen Rowe	1	All parts will speed access to spouse's Charlotte physician and Belk Theater productions.	Comment noted.
C-046	Olwen Rowe	4	Yes – thorough analysis was completed.	Comment noted.
C-046	Olwen Rowe	5	The Bypass will vastly improve the quality of life for residents of east Monroe.	Comment noted.
C-047	Timothy Rowe	1	The entire Bypass is important to me for faster access to my Charlotte specialist plus entertainment in downtown Charlotte.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-047	Timothy Rowe	4	I think the original draft was sufficient and regret that time was wasted by rejection of the original study. Therefore, the current draft is also sufficient and represents an unnecessary waste of taxpayer dollars.	Comment noted.
C-047	Timothy Rowe	5	Break ground ASAP!	Comment noted.
C-048	Wayne & Vicki LaPorte	2	We do not want it. The truckers will not pay a toll or us. And, what about the Catawba Waxhaw graves. Will the State move them?	<p>Comment noted.</p> <p>Regarding the question about graves, archaeological investigations have only identified one graveyard, Hasty-Fowler-Secret Cemetery, which will be directly impacted by the Preferred Alternative. Special Project Commitment 6 states that "...any plan detailing removal of burials will be submitted and approved by the State Historic Preservation Office prior to any ground-disturbing activities in areas suspected to contain marked or unmarked graves. All possible burials identified in the survey will be treated as potential human graves and treated appropriately under North Carolina burial removal laws."</p> <p>If any other cemeteries or gravesites are discovered during project construction, all applicable state and local regulations and requirements for relocating or mitigating the impact will be met.</p>
C-048	Wayne & Vicki LaPorte	4	We never went over it. I leave that to the Southern Environmental Lawyers to make that decision.	Comment noted.
C-049	Laszlo Osisneg	1	Morgan Mill Exchange, would like to commute to Charlotte faster.	Comment noted.
C-049	Laszlo Osisneg	2	Well researched and planned!	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-049	Laszlo Osisneg	3	Yes, hope to see you start building soon!	Comment noted.
C-049	Laszlo Osisneg	4	Yes, everything seems complete.	Comment noted.
C-050	Jerry McGee	2	The original route was the best option.	Comment noted.
C-050	Jerry McGee	5	The Bypass is desperately needed. Wingate University's College of Health Science students and faculty (500 daily) must travel to Matthews and Charlotte for clinical rotations. The congested traffic conditions make it nearly impossible for the pharmacy, physician assistant, nursing and physical therapy students to get to their sites.	Comment noted.
C-051	Thomas Alexander	1	We have no interest except the problems of travel from Wingate to Charlotte, time as well as frustration.	Comment noted.
C-051	Thomas Alexander	2	This is a must for commerce in North Carolina, east to west.	Comment noted.
C-051	Thomas Alexander	3	Tell the Federal Government to get out of State Business!	Comment noted.
C-051	Thomas Alexander	4	This is enough cost for the tax payer having to go back through this.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-051	Thomas Alexander	5	This should have been done 20 years ago but was stopped by politicians then, and the bad political system now!	Comment noted.
C-052	Ron Burks	2	Not sure how they got around the Environmental Impact Studies / Issues.	Comment noted.
C-052	Ron Burks	3	I do not think it is a good idea.	Comment noted.
C-052	Ron Burks	4	On the road from Stallings Road to the Forest Park Development – They want to butt up to my property and even use part of it.	Original design concepts removed one of two access points to Forest Park and provided a single access point to be shared by Forest Park and the Union West Business Park. Concerns raised by the Town of Stallings and the Forest Park community following the May 2009 Public Hearings resulted in NCDOT agreeing to construct a second entrance from Stallings Road to the northern portion of the community. This entrance was previously platted but never constructed by the developer of the community.
C-052	Ron Burks	4.1	The natural runoff from the natural lake is way far worse the closer it is to the lake. It is much better and plenty of room towards the creek. Very swampy where they want the road – but not further down.	Hydraulics engineers have reviewed the proposed designs and determined the new entrance road could be designed to function adequately and meet required regulatory and NCDOT hydraulic guidelines. Realigning the entrance closer to the creek may not be an option based on buffer zones and existing floodways in the vicinity. The final alignment of this roadway will be determined during the final design phase but it is anticipated that it will remain within the current platted area.
C-052	Ron Burks	4.2	The proposed road would have every headlight that stops shining in the windows of the house across the street.	Comment noted. If this does become an issue to the property owner, natural barriers to minimize headlight glare can be considered.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-052	Ron Burks	4.3	It is just too close to my driveway and just below the top of the hill – less dangerous on down also.	Improvements to Stallings Road, including the possible addition of a dedicated center turn lane, could be required along with the addition of the new entrance road. As for concerns about the proximity of your driveway to the entrance road, this request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options to improve this access during final design, with a possible solution being the realignment of your driveway to intersect the new entrance road.
C-052	Ron Burks	4.4	No reason not to – plus lots of big trees in proposed path.	Comment noted.
C-053	Polly G. Haigler	2	The most preferred is fine.	Comment noted.
C-053	Polly G. Haigler	3	Some speakers talked much longer than 3 minutes.	Comment noted.
C-053	Polly G. Haigler	5	I want the road built to relieve congestion on 74 West.	Comment noted.
C-054	Scott Williams	2	The preferred alternative affects my property. Storm drain issue at the back of my property 404 Sherin Lane.	Sherin Lane is not maintained by the NCDOT. Storm drain issues are the responsibility of the Town of Stallings. NCDOT’s Division 10 District Engineer, John Underwood, conveyed this comment to Indian Trail and was informed that the Town is aware of the problem and did a site investigation with the Town of Stallings in the summer of 2013.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-054	Scott Williams	5.1	Side streets that will need to be upgraded. Union West Blvd, Pine Tree Dr, Beltway Blvd, Forest Park Rd., Cupped Oak Dr. <ul style="list-style-type: none"> • Currently sub-grade is not acceptable • Current pavement is cracked with missing asphalt, etc. 	The mentioned streets are maintained by the Town of Indian Trail. NCDOT’s Division 10 District Engineer, John Underwood, conveyed this comment to Indian Trail on February 3, 2014.
C-054	Scott Williams	5.2	The new alignment (according to the design plans) is dumping a 36” S.D. pipe on to the back of my property and there is currently a flooding issue without the new pipe SD design. Flooding in and below my property.	NCDOT is not aware of existing flooding issues with your property. The Town of Indian Trail is responsible for street maintenance in that area. NCDOT’s Division 10 District Engineer, John Underwood, conveyed this comment to Indian Trail on February 3, 2014. NCDOT will be responsible for the treatment and collection of all storm water runoff of the Monroe Connector/Bypass.
C-055	William F. Beasley, Sr.	2	This bypass route should have followed the NC 218 corridor from I-485 to US 74 west of Wadesboro, NC, rather than dump traffic out in the middle of Marshville, NC which will create traffic backups at all those traffic lights. Also traffic going south on US 601 will still have to come through Monroe, no relief.	Upgrading NC 218 was not considered an option for this project, as it is outside the project study area and too far north to serve regional high speed travel from near I-485 to between Wingate and Marshville. NC 218 is within the Goose Creek basin, which has been identified as a habitat for the federally-endangered Carolina heelsplitter mussel. The Preferred Alternative has no direct impact or indirect impact to the Goose Creek watershed.
C-055	William F. Beasley, Sr.	5	Bypass all of these small town traffic light jams.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-056	John & Mary Ann Maher	5	We are opposed to the bypass. We would be within ½ mile of intersection #2. There was never any disclosure of this project when we moved here. There is already too much commercial traffic around here. Having an intersection nearby is going to make it worse. And the noise of the big rigs on an elevated roadway will be terrible. Stop wasting millions of taxpayer dollars on this project and consider improving the US 74 roadway. From all we have read this is someone’s pet project and is totally unnecessary based on facts. We will be expressing our opinion to state leaders also. (Copy of Document C-017 also attached.)	Comment noted. The planning process for the Monroe Connector began in 1999. Section P.4 of the <i>Draft EIS</i> documents the history of the project.
C-057	Linda & John Hall	2	General comments regarding displays.	No responses required.
C-058	Ronnie & Peggy Hough	2	If they are going to take our house or leave us in a mess. We have a well in front of house and septic tank in back.	The State requires that if only a portion of a property is acquired for a project, the remainder must be able to accommodate the existing septic system as well as space to install a new system if the existing one fails. Prior to ordering an appraisal on your property, NCDOT will complete a soil survey to determine whether there is sufficient area remaining and whether that area “perks”. If it is determined that there is not sufficient property for a new septic system, NCDOT would appraise the property as a total purchase and make an offer to purchase the entire property.
C-058	Ronnie & Peggy Hough	4	We are beside Forest Hills Church and chicken houses behind us. We need to know if you are taking our home or not. At our age we need to know something so we will know to look for another home.	It is unknown at this time to what extent your property will be impacted. See response to Document C-058, Comment #2.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-058	Ronnie & Peggy Hough	5	We built our home in 1986 and someone told us after we moved in that there was a road that was going to come over our house. That is a long time to have this bear on your mind. The meetings do no good, just do it and get it over with. If they come through our property it will block us in.	It is unknown at this time to what extent your property will be impacted. See response to Document C-058, Comment #2.
C-059	David Oates	1	The decision to build the Monroe Bypass appears to be more political than practical. The only people who will benefit from it are the developers and the contractors who will build it. Several developers and/or politicians have already bought up land along the proposed route and around where the interchanges are proposed to go.	See response to Document C-017, Comment #12.
C-059	David Oates	2	There seems to be little concern for the people who will lose property or be displaced by this project. Farms that have been in families for generations are being lost or ruined. Many older citizens, some retired and on fixed incomes and some with disabilities, are being forced to move and start over: These people are too old to have to go through a traumatic experience such as this. There is no amount of compensation that can make this right.	The NCDOT will follow the state and federal regulations and policies for right-of-way acquisition and relocation of all required properties. The policies ensure that comparable replacement housing is available for relocatees prior to construction of state and/or federally assisted projects. Furthermore, the NCDOT will use three programs to minimize the inconvenience of relocation: Relocation Assistance, Relocation Moving Payments, and Relocation Replacement Housing Payments or Rent Supplement. The relocation program for the Selected Alternative will be conducted in accordance with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Public Law 91-646) and the North Carolina Relocation Assistance Act (NCGS 133-5 through 133-18).
C-059	David Oates	3	The \$900,000,000 cost of this project and the fact that it will keep the state in debt for the next thirty years doesn't seem to bother the	The construction of the project will be financed through a number of sources, including state and federal funds and revenue bonds. Travel time savings are calculated based on the difference along

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
			<p>DOT. Then, consider the fact that it will only save drivers about 8 to 12 minutes driving time over just staying on Hwy 74.</p>	<p>the length of the Monroe Connector/Bypass compared to an equivalent trip along existing US 74 from east of Marshville to the US 74/I-485 interchange. Along the 20-mile length of the Monroe Connector/Bypass, a trip at the speed limit of 65 mph would take 18 minutes.</p> <p>For a trip along existing US 74, the speed limit varies; with the average weighted speed limit being 49 mph. At this speed, a trip from east of Marshville to the US 74/I-485 interchange would take 24 minutes. So, hypothetically, even under uncongested conditions and not stopping at traffic signals along existing US 74, there would be a time savings of 6 minutes (or 25 percent) for travelers choosing the Monroe Connector/Bypass.</p> <p>However, existing US 74 is congested during peak periods, and existing average speeds are lower than the weighted average speed limit. As discussed in Section 1.1.1 of the <i>Final Supplemental Final EIS</i>, existing average travel speeds during peak hours range from 42-45 mph for eastbound US 74 and 41-44 mph for westbound US 74. Therefore, eastbound US 74 travel times during peak periods currently take 26-28 minutes and westbound US 74 travel times during peak periods currently take 27-29 minutes.</p> <p>Based on the values above for current conditions, travel time savings for using the Monroe Connector/Bypass during peak periods would range from 8-14 minutes (30-40 percent) for vehicles traveling the length of the corridor.</p> <p>In the future, overall traffic volumes and vehicle miles traveled are projected to increase in Union County. Vehicles along the Monroe Connector/Bypass would still be predicted to operate at the 65 mph speed limit, even as traffic volumes increase since the roadway was designed to handle projected future traffic volumes. However, on existing US 74, it is likely the average speeds would decrease from the averages noted above as traffic volumes increase. Therefore, travel time savings for vehicles using the</p>

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
				Monroe Connector/Bypass also would be expected to increase over time.
C-059	David Oates	4	Not many people will be willing to pay the relatively high toll to save that little amount of time. The DOT says that they have an answer to that problem. They intend to leave Hwy 74 congested to keep it from competing with the bypass. This is a totally irresponsible attitude. If the bypass project had any credibility at all, it would stand on its own and there would be no need to eliminate the competition.	There are no plans to restrict future improvements to US 74 as a result of the Monroe Connector/Bypass. A number of improvements have already been made to existing US 74, as documented in Section 2.4 of the <i>Draft Supplemental Final EIS</i> . See response to Document C-019, Comment #1 .
C-059	David Oates	5	The DOT also predicts that Hwy 74 will continue to get more congested and that the bypass will do very little to relieve any of this congestion. The more congested Hwy 74 gets, the more likely the chance will be for more accidents, injuries, and deaths.	See response to Document C-059, Comment #4 . The proposed project will provide a high-speed controlled access roadway as an alternative to the slower speeds and numerous traffic signals along US 74. As discussed in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> , the question of how the Monroe Connector/Bypass would affect traffic volumes on the US 74 corridor was addressed. In all the comparisons evaluated, traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-059	David Oates	6	What is the real reason for building the bypass and why hasn't a cheaper and more practical alternative been considered? Hwy 74 could be upgraded and improved like Charlotte is doing in Mecklenburg County. All traffic lights and intersections are being eliminated and overpasses are being built at selected intersections. This allows for unrestricted traffic flow through the entire area. This same improvement could be made through Union County. Hwy 74 will have to be improved at some point anyway.	See response to Document C-017, Comment #11 . A full analysis of all improvements that were analyzed as part of this project is documented in Section 2 and illustrated in Figure 2-1 of the <i>Draft Supplemental Final EIS</i> . Section 2.4 and Appendix B of the <i>Draft Supplemental Final EIS</i> documents improvements that were analyzed to upgrade the existing US 74 roadway. Improvements to existing US 74 such as Superstreets, transportation system management alternatives, and standard arterial widening were eliminated because they did not meet the documented purpose of the project or were determined not reasonable or practicable. Other upgrade existing US 74 alternatives (controlled access highway with frontage roads, and combination new location/improve existing US 74) were eliminated due to high levels of impacts (including business relocations) compared to other alternatives.
C-060	Louis Eubanks	3	I thought the hearing was biased.	Comment noted.
C-060	Louis Eubanks	4	I would like to see an analysis of the pros and cons of reworking US 74 rather than just dismissing that possibility as an alternative.	See response to Document C-059, Comment #6 .
C-060	Louis Eubanks	5.1	What this Proposed Road really is a Political Road.- it will be built basically to repay old political debts and reward past present and future political contributors. One could call it a quid pro quo road-You get me reelected. You support my agenda and ideology and I will make sure you are rewarded at the taxpayers' expense.	See response to Document C-017, Comment #12 .

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-060	Louis Eubanks	5.2	\$900,000,000 for this single project! How obscene. If the NCDOT feels compelled to spend that much money on a single project, I can easily think of several different projects - all desperately needed-that could total \$900,000,000 that would benefit all of the citizens of Union County.	Comment noted. See response to Document C-017, Comment #13.
C-060	Louis Eubanks	5.3	Most of us know that these "sugar daddy" projects are never completed on time and within budget. What is the REAL Cost of this Proposed Road? I am sure NCDOT engineers have a Final Figure that they will attempt to hit. My guess is that an additional 20% should be added to the Project cost to get the real cost closer to reality.	Updated cost estimates for the Preferred Alternative are discussed in Section 2.4 of the <i>Final Supplemental Final EIS</i> .
C-060	Louis Eubanks	5.4	What happens if the per vehicle toll does not provide enough yearly revenue to cover the maintenance of the road? Are the Union County resident's going to be expected to make up the yearly shortfall?	An Operations and Maintenance Guarantee Agreement is included in the Initial Finance Plan for the project which can be used in the event of a deficiency in either the receipts or the Operations and Maintenance reserve funds.
C-060	Louis Eubanks	5.5	If this road is built it will create more urban sprawl. Union County residents will have their taxes increased to pay for the added burden of additional schools, extension of water and sewer lines and additional infrastructure to meet the influx of more residents. Most of us are still waiting on Union County Government to begin the court ordered property revaluation, still waiting for Union County Government to adequately fund the schools we currently have. We cannot absorb any	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
			more expenses. This so called Toll Road may be strike three for Union County. We don't need another Union County failure.	
C-060	Louis Eubanks	5.6	In my opinion the \$900,000,000 for this project could more wisely be spent improving the current Hwy 74. The possibility of improving this road seems to have never been considered by the NCDOT engineers and consultants. In fact I think the NCDOT has encouraged Hwy 74 to become a disaster because that makes the Monroe Toll Road appear to be that much more necessary. Please fix Hwy 74 first and don't waste our tax dollars. Do the right thing and do the ethical thing.	See response to Document C-059, Comment #6 . The commenter is incorrect. The NCDOT has continued to improve US 74 as discussed in Section 2.4 and shown in Table 2-2 of the <i>Draft Supplemental Final EIS</i> .
C-061	Dawid Joubert	1	Recommend route affects the real estate property and businesses of the Joubert family.	Comment noted.
C-061	Dawid Joubert	2	I hope and believe that the Design Build Team will stay within the Research Impact Boundary.	Comment noted.
C-061	Dawid Joubert	4	“the impact of this project on the area will only cause 1% additional cumulative growth” – I believe it will be much higher.	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-061	Dawid Joubert	5	We are not opposing the progress. We don't want to be enriched by the project - but asked to be treated fair and that we shall be left in the same financial state as which we were before the road project started. Left with the same or similar location, same or similar building, same or similar customer base and business growth opportunities.	Comment noted.
C-062	Sherry Smith	2	I hope you've done enough work this time that this project will go on through. I do want it to go on.	Comment noted.
C-062	Sherry Smith	3	Your reasons for building the bypass may need more thought.	Comment noted.
C-062	Sherry Smith	4	I was surprised that the results were the same as before. I hope this is enough to <u>build</u> this road finally.	Comment noted.
C-062	Sherry Smith	5	I really hope this goes through this time! We've been in limbo for 20+ years with our land. I am now in the City of Monroe and have to pay taxes county and city on farm land that they have figured at \$30,000.00 per acre! That really hurts every year. No one would buy this land and not be able to do anything with it. I'm getting old and would like this project to get done finally! I could take the money from the sale of this land and be able to help our 4 children. My main grief with the whole thing is build it or stop the project entirely. If this does not go through this time - Please stop this nightmare for us!	Comment noted.

Table A-2.1: Comment Forms

Note: For comment forms (Documents C-###), comment numbers cited in the table reference the question numbers on the comment form.

Doc No.	Commenter	Comment No.	Comment	Response
C-063	Doris Massey	1	It will be a delight to not have those big trucks & less traffic on 74.	Comment noted.
C-063	Doris Massey	2	The alternatives we would have with the new project are fantastic. I look forward to seeing the completion.	Comment noted.
C-063	Doris Massey	3	The information was explained well. The lady who helped me was courteous and very helpful.	Comment noted.
C-063	Doris Massey	4	The analysis I saw was very good to me.	Comment noted.
C-063	Doris Massey	5	Keep up the good work.	Comment noted.
C-064	Allen Yard	--	Submitter only provided information that they were a property owner in central portion of project.	No response necessary.

Gibilaro, Carl

From: richard ewen <rmewen@yahoo.com>
Sent: Thursday, November 28, 2013 5:09 PM
To: monroe@ncdot.gov
Subject: monroe bypass

Hi
1 [Could you please contact me about this bypass I don't want to live next to a major roadway and want to know if the state will buy this property.

Richard

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A2-100

Gibilaro, Carl

From: Gibilaro, Carl
Sent: Monday, December 02, 2013 10:51 AM
To: 'DonnaH@smithgrounds.com'
Cc: 'monroerightofway@ncdot.gov'; Harris, Jennifer; monroe@ncdot.gov
Subject: RE: i live on Monroe rd; when will this passage connect with the Chestnut connector?

Ms. Hammond,

There are currently no plans to connect the Chestnut Connector to the Monroe Connector/Bypass. The Chestnut Connector Project is being developed and will ultimately be constructed by the Town of Indian Trail. The project is currently divided into three sections:

- 1) *Matthews Indian Trail Road (SR 1367) to US 74*
- 2) *Gribble Road to Old Monroe Road (SR 1009)*
- 3) *Gribble Road to Matthews Indian Trail Road (SR 1367)*

The sections of the project from Matthews-Indian Trail Road to US 74 and Old Monroe Road to Gribble Road are being funded by the current transportation bond the Town recently passed with the section from Matthews-Indian Trail Road to US 74 currently under construction. The Town expects the section from Old Monroe Road to Gribble Road to open in 2017-18.

If you have any additional questions, please let us know.

Carl Gibilaro, PE
Group Manager, Transportation Design and Planning - Mid Atlantic
Associate Vice President

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Email: carl.gibilaro@atkinsglobal.com | Web: www.atkinsglobal.com/northamerica www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

Begin forwarded message:

From: Donna Hammond <DonnaH@smithgrounds.com>
Date: November 26, 2013 at 11:13:11 AM EST
1 [**To:** "monroerightofway@ncdot.gov" <monroerightofway@ncdot.gov>
Subject: i live on Monroe rd; when will this passage connect with the Chestnut connector?

Smith Grounds Management

Donna Hammond

704-821-4066 office
704-821-9015 fax

Donnah@smithgrounds.com
www.smithgrounds.com

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Gibilaro, Carl

From: JWPowell122@carolina.rr.com
Sent: Saturday, December 07, 2013 4:09 PM
To: Monroe@ncdot.gov
Subject: Monroe Bypass

1 [The Monroe bypass corridor must connect to I-485 directly.
The failure to start at I-485 made the planners look foolish.
If this is not the case, don't bother to start.
The political backlash will never end by the voters in this area.

John Powell JWPowell122@carolina.rr.com

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A2-101

Gibilaro, Carl

From: Service Account – Public Involvement 1 <PublicInvolvement1@ncdot.gov>
Sent: Wednesday, December 18, 2013 11:04 AM
To: Gibilaro, Carl; Harris, Jennifer; Noonkester, Jennifer R
Subject: FW: Stop Funding the Monroe Bypass

From: Lance Dunn [mailto:lance.dunn@dunnmfg.com]
Sent: Monday, December 09, 2013 5:18 PM
To: 'Lance Dunn'
Subject: Stop Funding the Monroe Bypass

Dear Representative,

- 1 [It may be legal, but it's not ethical.
FREE BBQ from Bypass contractor to sway NCDOT at public hearings.
- 2 [Who benefits besides Drew Boggs, paving companies with existing fraud charges, and the politicians owning land in the Bypass path?
- 3 [Not the people who use 74, it negatively impacts improvements there and downtown development.
No time savings for those in the corridor.
- 4 [Not the people and communities being displaced, give the land back.
- 5 [Not the environment and the stress on the already impaired Lake Twitty drinking water watershed.
- 6 [Do we benefit from an unnecessary 800 Million dollar tax expenditure when less than 80 million (1/10 the price) will fix and increase the traffic flow? We shouldn't have to pay greater property taxes to support the infrastructure on DOT's 1% growth estimate (ridiculous-at those levels why bother building it).

Tell the DOT you want better solutions than this Toll Road.

- 7 ["Hwy 74 needs improvements similar to the ones visible on 601 south, limited turns, crossings and access. These will improve current traffic flow, speeds and times; which are now estimated by the DOT to save an end to end traveler only ten minutes by taking the bypass. **It's even less of a savings for most residents because they don't drive the full distance and it's three miles out of the way.**
- 8 [Perhaps many years down the road, when the time comes for a bypass, we won't suffer by getting things out of order and it will be a true connector directly from 485 towards the beach well east of Marshville with **less interchanges and no tolls so it works the way it should and not be a bankrupt fiasco like the toll road around Greenville, SC.**
- 9 [Let those land speculators work on all the vacant buildings along Hwy 74 rather than create more.
- 10 [Stewart's Creek and the Stumplick Branch, which will be crossed by the Connector/Bypass will be heavily impacted by construction at the US-601 and NC-200 interchanges. Perhaps officials should take a closer look at what's been happening at Jordan Lake in Wake County, where development along the creeks that feed it is wreaking **havoc with water quality in the reservoir** (and the legislature is refusing to let upstream corrective measures be taken)."
- Excerpts from 10/15/13 presentation to old Monroe City Council.

I will be glad to discuss details with you. Union county and the City of Monroe don't need the additional burden. Look to the east like Mecklenburg County did when it pushed 485 to the county line near Matthews and tell the DOT you want better solutions than this Toll Road.

Thank you, Lance Dunn

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Lance Dunn
President
1400 Goldmine Road
Monroe, NC 28110

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Thursday, December 12, 2013 12:10 PM
To: Gibilaro, Carl; Harris, Jennifer
Subject: FW: Monroe Connector/Bypass

From: Brian Harle [mailto:blharle@hotmail.com]
Sent: Wednesday, December 11, 2013 10:10 PM
To: Robbins, Jamille A
Subject: Monroe Connector/Bypass

My name is Brian Harle and I would like to offer some comments on the proposed Monroe Connector/Bypass. I moved to Unionville, Union County in January 2010 after retiring from PennDOT after 35 years primarily in highway design and traffic engineering.

I attended the public meeting on Dec. 10 at the Union County Agricultural Center which was very well run and both informative and entertaining. It appears that both NCDOT and the environmental conservancy favor the No-Build alternative since that alternative is being achieved by the refusal of each side to seriously consider any of the other side's viewpoints. That being said, I do have a few remarks that I hope may be of some benefit.

A2-108
1 I tried to take a quick look at the EIS but was overwhelmed by the sheer size of it. I'm sure they were included, but I could not find Level of Service diagrams for US 74 intersections comparing existing conditions with both 2030 Build/No Build options. The official project description specifically states "The purpose of the project is to improve mobility and capacity within the project study area.....". The project study area most certainly includes all of the intersections along existing US 74. If the proposed connector/bypass does not significantly improve levels of service along US 74, I must agree that it is a big waste of money which would be better spent on improvements to the existing roadway. If the studies do show improvements to the levels of service (and a subsequent improvement to highway safety), I certainly approve of the project.

2 I do have to question whether the proposed highway will really attract the traffic that is projected. I am not a highway planner, but my observations are that the vast majority of traffic on US 74 in the study area is generated by the commercial and industrial development in close proximity to US 74. I doubt that a lot of drivers will be attracted to a facility that will save them less than 10 minutes of travel time, especially a facility that will be a toll road. I do not foresee using it a lot myself. My only hope is that it will, indeed, remove a significant amount of traffic from the existing roadway.

3 Finally, I had difficulty sifting through all the information to find all the alternatives that were considered before the preferred alternative was selected. I hope that one alternative was to convert the existing highway into an expressway with a parallel collector/distributor system to service the adjacent businesses. I don't know if the required roadway width is available or if it is economically viable, but it is at least worth consideration.

Thank you very much for your consideration.

Brian L. Harle, P.E.
1224 Presson Farm Lane
Monroe, NC 28110

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Thursday, December 12, 2013 1:07 PM
To: Gibilaro, Carl; Harris, Jennifer
Subject: FW: Monroe Connector/Bypass

From: Bill Brewer [mailto:billb@brewerhendley.com]
Sent: Thursday, December 12, 2013 1:06 PM
To: Robbins, Jamille A
Subject: Monroe Connector/Bypass

Jamille Robbins
Ncdot Human Environment Sector
1598 Mail Service Center
Raleigh, N.C. 27699-1598

Dear Mr. Robbins,

My name is William Brewer and I live at 2329 Brawinal Ct.in Monroe, N.C. My business Brewer-Hendley Oil Co. is located at 207 N. Forest Hills School Rd in Marshville, N.C. and I am in favor of building The Monroe Connector/Bypass. I am disappointed that it has taken this long to get this project to this point.

Every morning I enter Highway 74 from Rolling Hills Dr. for my drive to Marshville and every afternoon I make the return trip. Because of traffic(both trucks and automobiles), stoplights, and driveways it is a slow and sometimes dangerous trip.

Brewer-Hendley Oil Co. is a fuel and lubricants distribution co. so we operate tankers, tractor trailers, and medium duty box trucks. Every day the majority of our trucks head west on Highway 74 for the trip thru Monroe to make daily deliveries. The standstill traffic in Monroe makes this an expensive and hazardous time for our company.

Union County and Monroe have been fortunate to have leaders that think about future needs and they both are in favor of building this road. This road is needed today and will be needed more in the future. If it is not built it will be a tremendous regret for our area in the future.

Yours truly,

William Brewer

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Gibilaro, Carl

From: Gibilaro, Carl
Sent: Wednesday, December 18, 2013 12:18 PM
To: 'Carolynn Ruth'
Cc: Jeffers, Joe; Harris, Jennifer; Jamille Robbins; monroe@ncdot.gov; monroerightofway@ncdot.gov
Subject: RE: Monroe Connector/Bypass - Public Storage at 13015 E Independence Blvd, Matthews (Parcel 024)
Attachments: MonroeDSFEISec3PrefAltFINAL.12-12-13.pdf

Ms. Ruth,

Thank you for sharing your comments on the Monroe Connector/Bypass. The NCDOT and Turnpike Authority expect to complete the current environmental analysis with the issuing of a Record of Decision this spring. Because of the many unknowns the NCDOT is facing following issuance of the Record of Decision, we currently do not know when right of way acquisition activities will resume. When the right of way process does resume, a right of way agent will contact you to discuss the acquisition process and address the concerns you have regarding the parking for your business.

Please feel free to contact us if you have any further questions or comments.

Carl Gibilaro, PE
Group Manager, Transportation Design and Planning - Mid Atlantic
Associate Vice President

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Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/ws Atkinsplc

From: Carolynn Ruth [mailto:cruth@publicstorage.com]
Sent: Thursday, December 12, 2013 2:54 PM
To: Gibilaro, Carl
Cc: Jeffers, Joe; Harris, Jennifer; Jamille Robbins; monroe@ncdot.gov
Subject: RE: Monroe Connector/Bypass - Public Storage at 13015 E Independence Blvd, Matthews (Parcel 024)

Hello,

Thank you for this information. Unfortunately, no one from Public Storage was able to attend the meetings, hence this email.

1 Preferred Alternative DSA D will have a significant impact to Public Storage's Property at 13015 E Independence Blvd in Matthews (marked in pink on the attached plan, downloaded from the Project website), because the road expansion will eliminate the Property's parking lot.

2 When is right of way acquisition to begin?
We would like to discuss mitigation plans as soon as possible, as it will take time to evaluate and design the most effective cure. We believe that the simplest and most cost effective way to replace the parking is for the Turnpike Authority to acquire for Public Storage a parcel of land on which to construct a new parking lot. The logical place for the relocated parking is the adjacent property to our south-east which shares a driveway with the Property. The alternative is to cut back a storage building. That would not only be a bigger burden on

2 cont | Public Storage, it would increase project costs by requiring greater construction expense and damaging the value of remainder by impairing its income producing ability.

Thank you,

Carolynn Ruth
Real Estate Paralegal
Public Storage
701 Western Avenue
Glendale, CA 91201-2349
Tel: 818.244.8080 x1410
Fax: 818.548.9288
Email: cruth@publicstorage.com

For Settlement Purposes Only. Any settlement is conditional upon the parties' reaching agreement as to terms and form of the settlement documents, including any deeds or easements. All terms and documents must receive final approval by Public Storage's counsel.

From: Gibilaro, Carl [mailto:Carl.Gibilaro@atkinsglobal.com]
Sent: Friday, December 06, 2013 9:48 AM
To: Carolynn Ruth
Cc: Jeffers, Joe; Harris, Jennifer; Jamille Robbins
Subject: FW: Monroe Connector/Bypass - Public Storage at 13015 E Independence Blvd, Matthews (Parcel 024)

Ms. Ruth,

A2-105
Joe Jeffers had forwarded your email to my regarding the notification of the upcoming Monroe Connector/Bypass Public Hearings. Postcards announcing our upcoming Public Hearings were mailed to you at the following address as provided by the Union County GIS database:
PS NC 1 L P
701 Western Ave
Glendale, CA 91201-2349

If this address is not correct, please let us know. However, please find attached to this email two PDF files which contain the postcards that were mailed to you. The first file **PublicHearingPostcard_110713.pdf** was sent out the week of November 18. However, we recently discovered an error in that postcard and an additional postcard **Updated_PublicHearingPostcard_120313.pdf** was mailed out this past week notifying property owners of the corrections.

If you have any additional questions, please feel free to contact anyone on the project team at monroe@ncdot.gov.

Carl Gibilaro, PE
Group Manager, Transportation Design and Planning - Mid Atlantic
Associate Vice President

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Email: carl.gibilaro@atkinsglobal.com | Web: www.atkinsglobal.com/northamerica www.atkinsglobal.com
Twitter: [www.twitter.com/atkinsglobal](https://twitter.com/atkinsglobal) | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/ws Atkinsplc

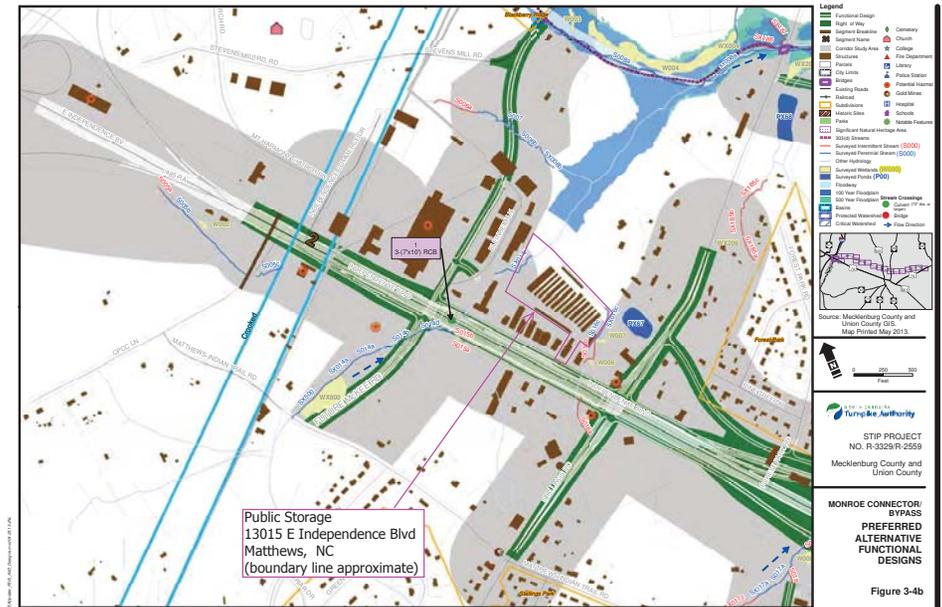


Figure 3-4b

E-008

Gibilaro, Carl

From: Jeffers, Joseph <jjeffers@ncdot.gov>
Sent: Wednesday, December 18, 2013 6:58 AM
To: Naru Patel; monroe
Subject: RE: limited control access
Attachments: Independence Commerce Drive.pdf

Mr. Patel,

As per your request please see the attached DRAFT PRELIMINARY plan sheets. If the Monroe Bypass project moves forward and the existing design team is retained, they are proposing the construction of a frontage road that would give access to US 74 from Independence Commerce Drive via McGee Road (a proposed signalized intersection). Please review the attachment and if you have any additional questions please give me a call at my numbers listed below.

Joseph D. Jeffers, SR/WA

Right of Way Program Manager
 NC Turnpike Authority

Direct: 919-707-2736
 Cell: 919-628-6868

1578 Mail Service Center
 Raleigh, FN 27699 - 1578

A2-106

From: Naru Patel [mailto:npatel223@yahoo.com]
Sent: Tuesday, December 17, 2013 9:58 AM
To: monroe
Subject: limited control access

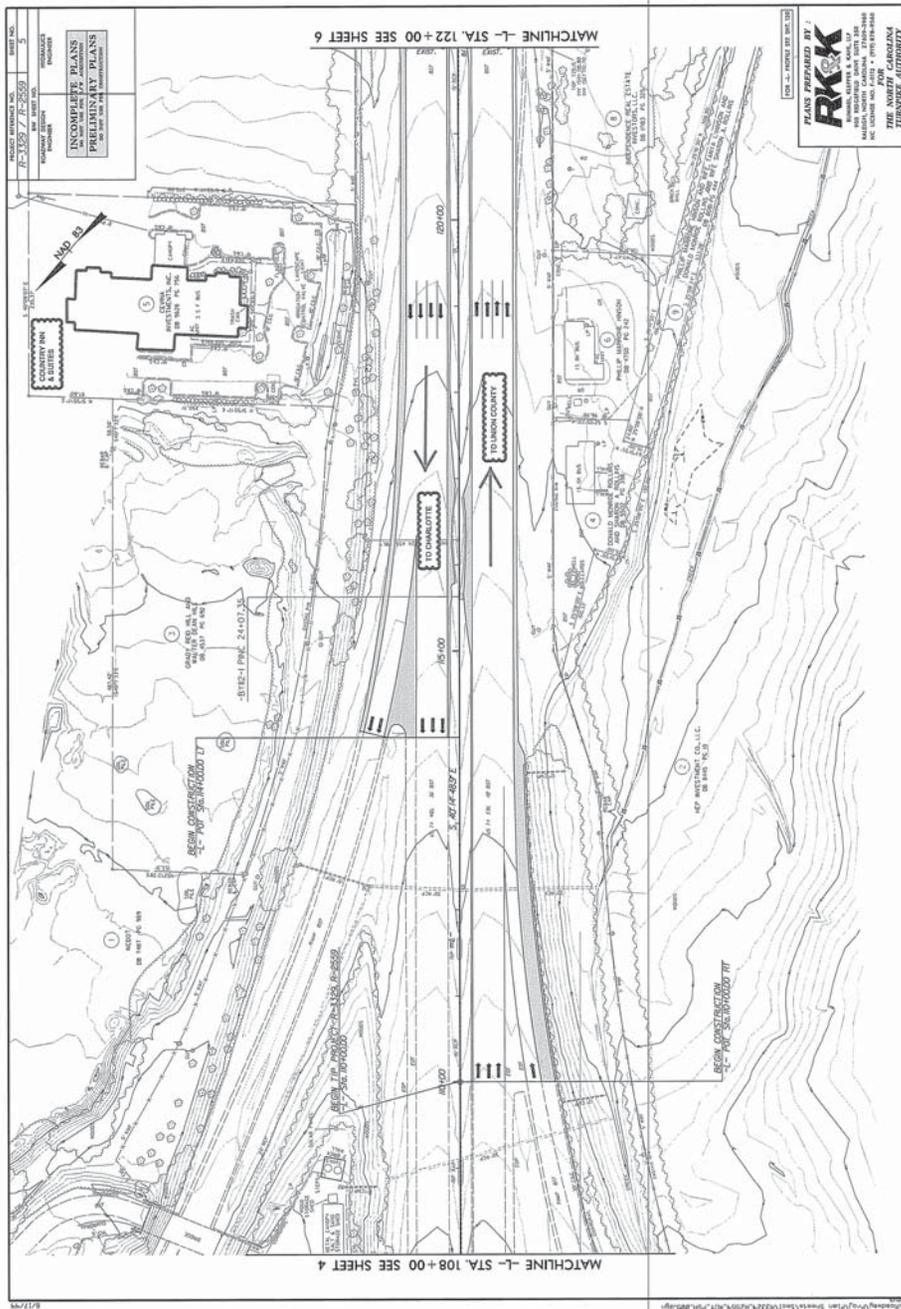
1 Good Morning!!! My property address is Country Inn & Suites
 2001 Mt Harmony Church Rd
 Matthews, NC 28104

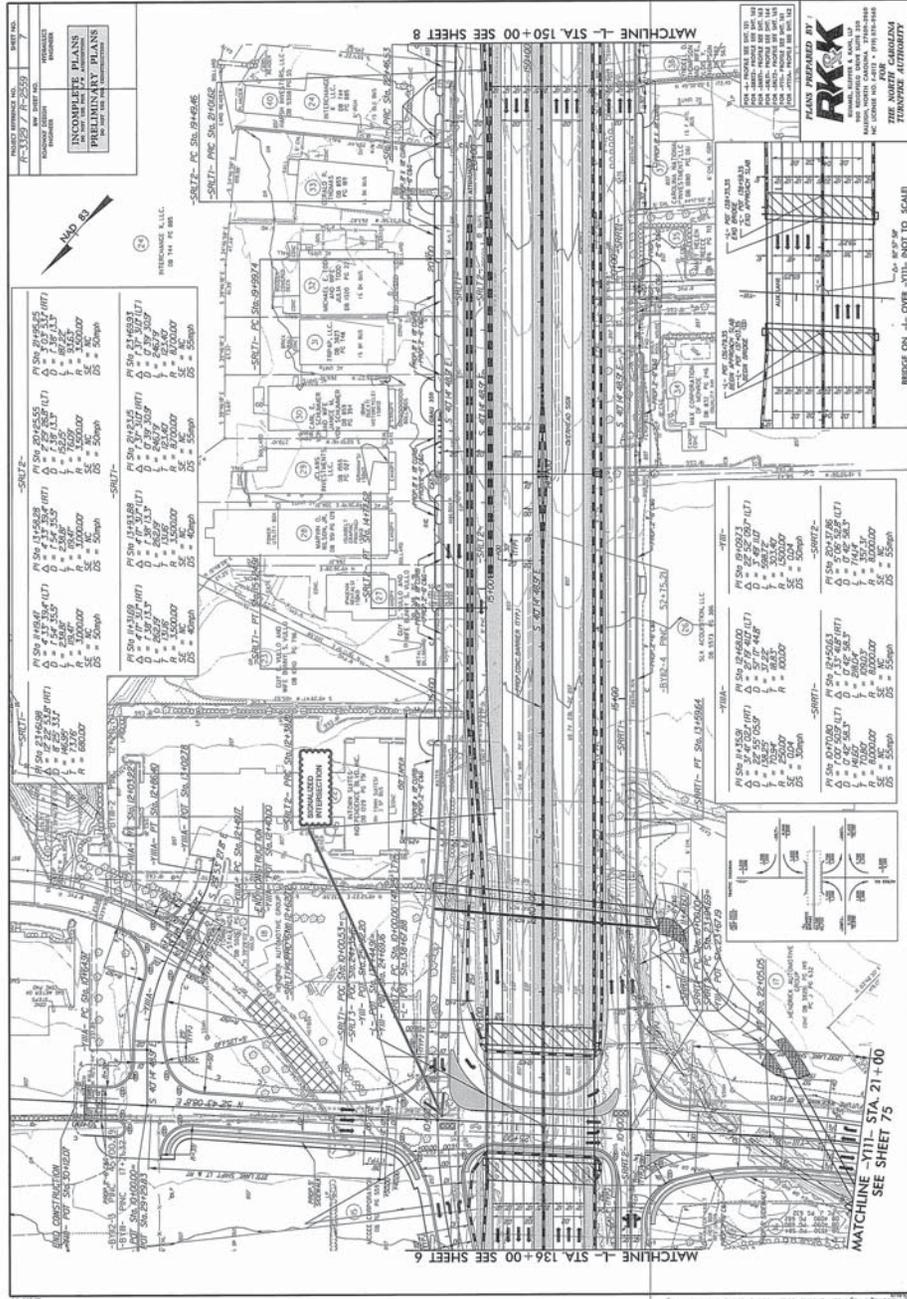
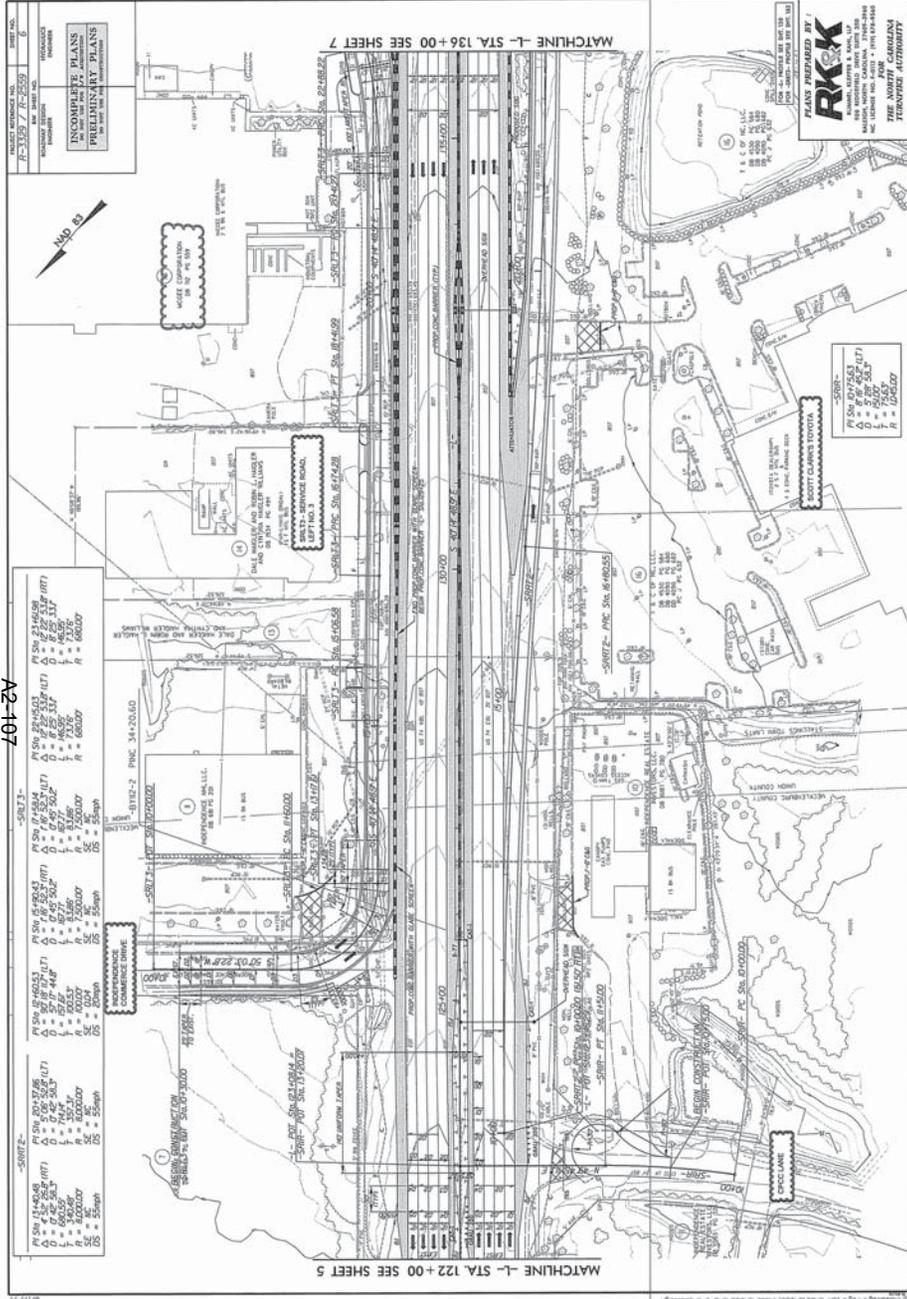
Please send me electronic copy of limited control access going in and out from my property to McKee rd extension right at McGee Corp.
 I understand it is going to be in front of Northern Tools building.

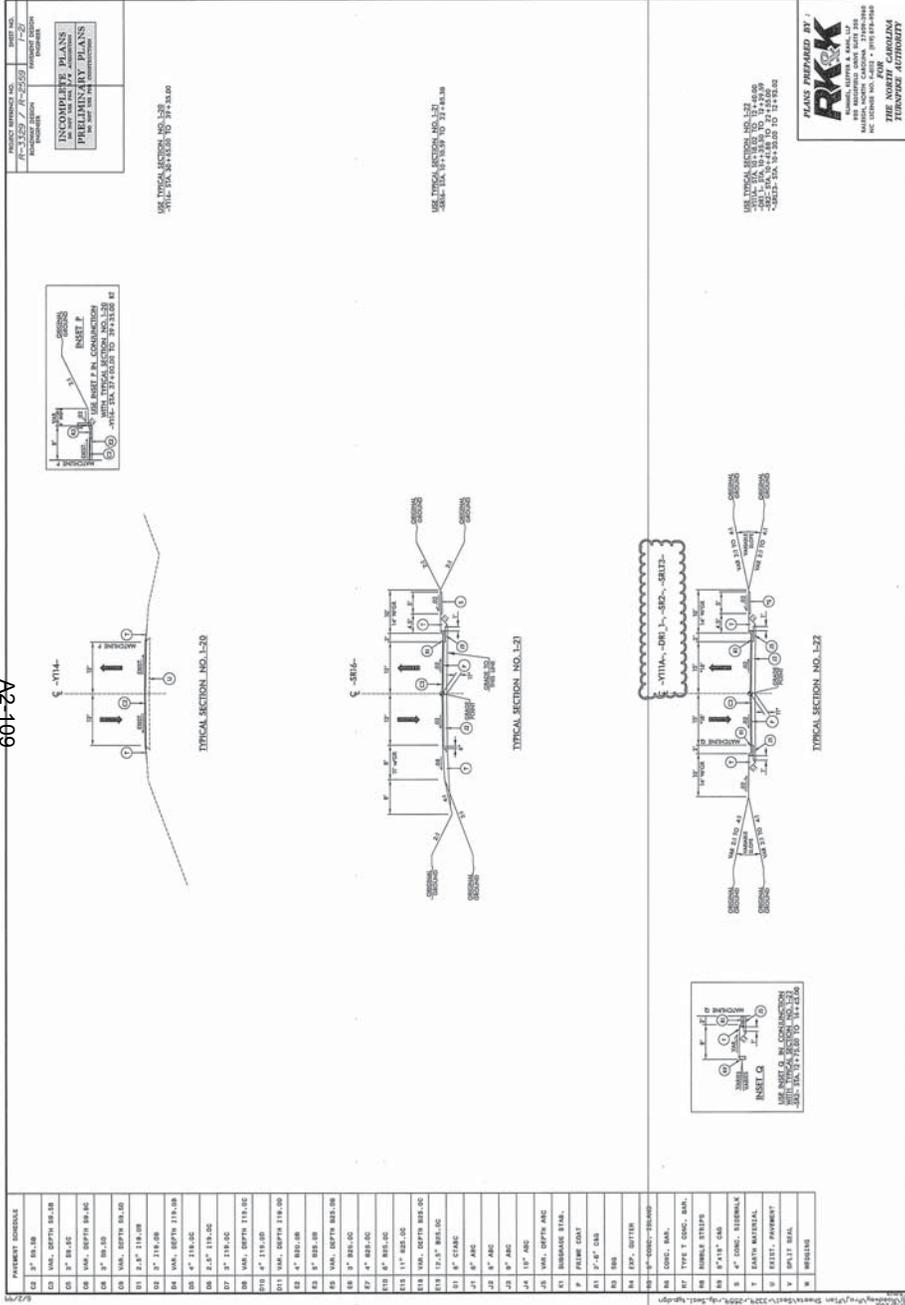
I would be greatly appreciated.

Thank you for your help.

Naru Patel
 c-704-904-7031







Gibilaro, Carl

From: Gibilaro, Carl
Sent: Thursday, December 19, 2013 10:59 AM
To: 'Gainer, Scott'
Cc: monroe@ncdot.gov
Subject: RE: Monroe Bypass Project

Because of all the uncertainties regarding the possibility of future litigation, I cannot not with any real confidence guess when the construction would begin. We are taking everything one step at a time in hope we can get everything moving again as soon as possible.

Carl Gibilaro, PE
 Group Manager, Transportation Design and Planning - Mid Atlantic
 Associate Vice President

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 Email: carl.gibilaro@atkinsglobal.com | Web: www.atkinsglobal.com/northamerica www.atkinsglobal.com
 Twitter: [www.twitter.com/atkinsglobal](https://twitter.com/atkinsglobal) | Facebook: www.facebook.com/atkinsglobal
 LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/atsatkinsplc

From: Gainer, Scott [mailto:Scott.Gainer@PSCAuto.com]
Sent: Wednesday, December 18, 2013 1:19 PM
To: Gibilaro, Carl
Subject: RE: Monroe Bypass Project

2 Thank you Carl, I'll monitor the website for updates. Do you have any confidence level that construction will begin in 2014?

Scott Gainer
 PSC Automotive Group
 (704) 220 - 1501

From: Gibilaro, Carl [mailto:Carl.Gibilaro@atkinsglobal.com]
Sent: Wednesday, December 18, 2013 12:14 PM
To: Gainer, Scott
Cc: monroerightofway@ncdot.gov; monroe@ncdot.gov; Jamille Robbins; Nalewaja, Greg
Subject: RE: Monroe Bypass Project

Mr. Gainer,

A full summary of the recent Public Hearings including transcripts will be included in the Final Supplemental Final Environmental Impact Statement and Record of Decision which is expected to be approved this Spring. Copies of this document will be made available to the public and posted on our project website at <http://www.ncdot.gov/projects/monroecorridor>. An updated schedule detailing project activities following the environmental analysis has not yet been developed because of the many unknowns the NCDOT is facing following the approval of the Record of Decision. NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals.

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Group Manager, Transportation Design and Planning - Mid Atlantic
Associate Vice President

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Email: carl.gibilaro@atkinsglobal.com | Web: www.atkinsglobal.com/northamerica www.atkinsglobal.com
Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/wsatkinsplc

From: Gainer, Scott [<mailto:Scott.Gainer@PSCAuto.com>]
Sent: Tuesday, December 10, 2013 3:34 PM
To: Monroe Right of Way
Cc: Nalewaja, Greg
Subject: Monroe Bypass Project

1 I understand there are public hearings underway on the Monroe Bypass project. Can you please send us an update once these hearings have concluded including any new developments or time tables.

Scott Gainer
PSC Automotive Group
(704) 220 - 1501

A2-110

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Gibilaro, Carl

From: Service Account – Public Involvement 1 <PublicInvolvement1@ncdot.gov>
Sent: Wednesday, December 18, 2013 11:22 AM
To: kenahoyle@gmail.com
Subject: FW: Information Concerning Monroe Connector/Bypass
Attachments: Monroe_PublicHearingHandout_rev5.pdf

Mr. Hoyle,
I definitely understand your concerns and sympathize with you on the delays that have kept you in limbo.

- The current/anticipated schedule is as follows:
- Public comment period extends through January 6.
 - NCDOT will review all comments received. Responses to substantive comments will be provided in the Final Supplemental Final EIS.
 - NCDOT and FHWA intend to prepare a combined Final Supplemental Final EIS and Record of Decision, which will be the final environmental document prepared under NEPA.
 - Final Supplemental Final EIS/Record of Decision expected to be issued in Spring 2014.

Right-of-Way acquisition and construction activities may resume following completion of environmental studies. Resumption of these activities contingent on future litigation

All of the project information and maps are available online on the project webpage: <http://www.ncdot.gov/projects/monroeconnector/>. Please find attached a copy of the handout from the public hearings as well. If you have any questions, please feel free to contact me. You may also send in a formal comment once you have had a chance to review the information. We are excepting comments thru January 6th, 2014.

Jamille A. Robbins, Transportation Engineer
Public Involvement Group Leader
NCDOT - Human Environment Section
Phone: 919.707.6085 Fax:919.212.5785

From: Ken Hoyle [<mailto:kenahoyle@gmail.com>]
Sent: Thursday, December 12, 2013 11:18 AM
To: Service Account – Public Involvement 1
Subject: Information Concerning Monroe Connector/Bypass

1 I own a house at 3310 Unionville-Indian Trail Road West, Indian Trail, NC 28079. For several years my property has been in limbo because of the confusion with the Monroe Bypass. I have been unable to sell or even refinance this house. I know that there were meetings in the Monroe area this week to update residents on the current status of this project. I now live in Durham, NC and was not able to attend any of these. I would appreciate you sending me any information that you can concerning the latest on the Monroe Bypass.

My contact information is:

Kenneth A. Hoyle
4419 Lazyriver Drive

Durham, NC 27712-9546
kenahoyle@gmail.com

919-479-1556 (home)
704-668-3178 (cell)

Thank you,
Kenneth A. Hoyle

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A2-111

Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Thursday, December 19, 2013 10:26 PM
To: Gibilaro, Carl; Harris, Jennifer
Subject: Fwd: Bypass

Follow Up Flag: Follow up
Flag Status: Flagged

Sent from my iPhone

Begin forwarded message:

From: Jerry Haigler <mfixitjmh@aol.com>
Date: December 19, 2013 at 9:49:00 PM EST
To: <jarobbins@ncdot.gov>
Subject: Bypass

I am Jerry Michael Haigler at 205 S Forest Hills Sch Rd,Marshville,NC 28103 mfixitjmh@aol.com

I attended the meeting on 12-10-13 at the Aig Building and listing to both sides Pro & Cond.

The presentation went well,nothing was said and showed was in a good report.It was well presented.

I am all for the project It needs to be started,it is long over due.Looking to see ground being moved.

1 The opposition never said anything negative about the road in it self was wrong, They just don't want it.

There was nothing said that made good sents to stop the road. To much time and money has been spent

They talked about growth of 1 percent.To me a road cannot make growth,people is the one's that create growth where it is needed.

The Road's main purpose is to get from A to B in a safe and quicker travel desantation. NC has got behind in making things better and safer for travel. I know it will make things better give it a chance

What I really fill that is wright between two sides are whats the best justaification for each side,who gets to share the project,anyone can if they chose to use it.No one said we have to use it I do not under stand how those that don't want it to keep those that do with out a good reaon. If NC say we can pay for it it is find with me. I know it is a lot of money ,it would not have coast as much if it was started when it was suppose to.I understand what NC is trying to do is

1
cont | make a better way of travel from the coast to the mountains quicker and safer and all in between. It is not about use here in this area it is all over the state to be able to use the road and be able to stop anywhere they need to.

I do not know what else to say on this matter but let it get started soon Jerry Haigler

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A2-112

Gibilaro, Carl

From: Harris, Jennifer <jhharris1@ncdot.gov>
Sent: Wednesday, December 11, 2013 6:13 PM
To: monroe
Subject: Fwd: monroe bypass comment

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

Subject: monroe bypass comment
From: anniepl23@carolina.rr.com
To: "Harris, Jennifer" <jhharris1@ncdot.gov>
CC:

1 | It seems to me so simple, if you didn't have to make the new bypass a toll road things would be a lot different. I am aware that you can't make an existing road a toll road. But you can create a new elevated Road for Truckers and those who are traveling south and east. Creating OVERPASSES and eliminating those long traffic lights that are the cause of the all the problems on Route 74. The accidents that happen are because of those traffic lights. Truckers don't have the space to stop and cars are trying to beat the yellow light before it turns red.

You can make a highway that has off and on ramps for the service road. If you research " Sunrise Highway on eastern Long Island NY" about mid 80's . The money you will save will make up for the lack of toll. You will not have to buy homes that are in the way, you can stop the research that has been wasting money for over 20 years. You don't have to rip up farm land and animal Habitats. You will need less interchanges.

2 | The thing is that someone out there is going to profit from this bypass. There is money being passed as I type this. The Contractor Boggs Paving is a perfect example of what is happening. The free BBQ, at the same time as the hearing, what was that about. I am not against better roads but look at all the corrections you are making to 485 around the Pineville area. Those extra lanes should have been put in when 485 was build. But it was all to the advantage of someone else not us the people. Thank you for giving me this opportunity to say something.

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Gibilaro, Carl

From: Gibilaro, Carl
Sent: Monday, December 16, 2013 10:48 PM
To: 'Richard'
Cc: monroe@ncdot.gov; Jamille Robbins; monroerightofway@ncdot.gov
Subject: RE: Monroe ByPass

Richard,

The North Carolina Turnpike Authority contacted local jurisdictions in March 2010 requesting input regarding bicycle and pedestrian accommodations along roadways crossing the Monroe Connector/Bypass as well as any planned future greenways. As included in the Sept 2010 Request For Proposal for the Design Build teams, All bridges crossing the Connector/Bypass "shall have sufficient width, length and barrier rail to provide sidewalk and bicycle accommodations constructed as part of this project as noted in the Roadway Scope of Work." While, accommodations will be made on the Stinson Hartis bridge, the North Carolina Department of Transportation currently has no plans to provide bicycle and pedestrian facilities along Stinson Hartis Road beyond the construction limits of the Connector/Bypass project. I would suggest contacting the Town of Indian Trail to determine if the Town has any long range plans to include these facilities along Stinson Hartis Road.

Carl Gibilaro, PE
Group Manager, Transportation Design and Planning - Mid Atlantic
Associate Vice President

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Twitter: www.twitter.com/atkinsglobal | Facebook: www.facebook.com/atkinsglobal
LinkedIn: www.linkedin.com/company/atkins | YouTube: www.youtube.com/ws Atkinsplc

From: Richard [mailto:richard@perigee.net]
Sent: Wednesday, December 11, 2013 12:20 PM
To: monroerightofway@ncdot.gov
Cc: monroe@ncdot.gov
Subject: Monroe ByPass

Good morning,

I am fully aware of the new Monroe ByPass and think it is a great idea. I wanted to find out a contact to discuss the literal thousands of cyclists that use the current roads through the proposed Matthews connector at Oakdale and Stinson Hartis that will now be going away. We are interested in having bike lanes put in on Stevens Mill Rd that would reroute these cyclists around the new ByPass safely.

This may seem like a small detail but not to many in the area. Any assistance in directing me to who I can discuss this matter would be greatly appreciated. I would like to consider this part of the overall plan to make this a viable project to all concerned.
Many thanks

Richard Moody
1819 Kilmonack Ln
Charlotte, NC 28270

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A2-113

1

Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Friday, January 03, 2014 1:17 PM
To: Harris, Jennifer; Gibilaro, Carl; Noonkester, Jennifer R
Subject: FW: monroe bypass

From: Jack Ritterskamp [mailto:jackritterskamp@gmail.com]
Sent: Saturday, December 21, 2013 8:45 PM
To: Robbins, Jamille A
Subject: monroe bypass

Jamille

Very glad to have gotten a chance to talk to you the other evening (12-11) at Next Level church, in Stallings. I turned in a written version of what we talked about, but it was, of necessity, very terse. I am going to do a more detailed version via e-mail so that you will again have record of what I had to say, rather than having to remember it.

1 First and foremost: the "preferred alternative" at the Matthews end of the bypass is the worst possible choice as far as I am concerned.

2 During the early days, when we had information concerning the various alternatives the "preferred alternative" was more expensive than the route which takes off immediately from the interchange of I-485 & US-74. I presume the reason was that it was going to require more expensive property acquisition from all the businesses which are located along current US-74. Also, the construction will be more disruptive of the already busy traffic. In addition, after disrupting the actual businesses during construction there will be significant hindering of their operation AFTER it's all done. They will be reachable only from the access roads, which means that a potential customer will have to know about the existence of the business in time to get off the major roadway some distance prior to actually reaching the business ... their will be no "drop-in" customers. And if the business is located on the "north" side of the east-west highway people traveling east will not be able to see the business at all, as the major roadway will be solid-fill elevated.

In short you will pay more for the property, pay more for the construction and virtually destroy all the businesses that exist on the current roadway for most of the distance from the McKee Rd intersection until almost Indian Trail Rd ... a matter of some 2-1/2 or 3 miles of businesses.

3 There were only three significant arguments which I heard voiced at earlier meetings which give any justification for the "preferred alternative" being used. Those were all very self-serving to someone or some group. The first was that the Toyota dealership would save considerable money by not having to pay as much for their access via McKee Rd, as the toll-payers would supply the money. The second was that revising the interchange of I-485 & US-74 would impact the Mecklenburg County sportsplex by some fifty (50) feet. I mean ... the loss of fifty feet of nothing but trees!!!! The third was that the lady who was mayor of Stallings at the time (some 3-4 years ago) did not want the road too near her home. It was OK for it to impact OTHERS, but not HER!!!

All of these arguments, to me, are totally ridiculous when compared with the harm and hardship they are causing others. The route I'm suggesting, with immediate departure from US-74 will actually bring the road

closer to my home ... but I DON'T CARE about any negative impact it may have on our home value ... because THAT IS WHERE IT BELONGS!!!

4 The other issue that we touched on briefly was the toll booths on the straight-through lanes if you go with the "preferred alternative", lanes that anyone would normally expect to use on a direct route from point A to point B. As currently shown on the access road detail (Stallings Rd area) anyone wishing to go from Charlotte to Indian Trail, for instance, would have to use the access roads or go straight and pay a toll ... going in either direction. This is absolutely insane for a number of reasons. For a start the straight route has always been free in this area. Now you would charge them for taking the direct route. Absurd! The second (or maybe the primary reason) is that you are first and foremost an employee of the state HIGHWAY department, not the turnpike authority. The job of the highway department is to MOVE cars ... to pump them through an area, NOT make them turn to the side, routed onto a minor roadway and sit through numerous traffic signal cycles ... the very essence of CAUSING A TRAFFIC JAM ... the exact opposite of what you are paid to do!

Of course, if you skip the "preferred alternative" and take the sensible route this last problem will be no longer of any concern as it will not exist.

I hope that these thoughts will be taken into consideration by someone, at some time, and reach the conclusion that the "preferred alternative" is not a good route and eliminate a lot of expense and hassle for a lot of people.

Regards, Jack Ritterskamp

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Friday, January 03, 2014 4:07 PM
To: Gibilaro, Carl; Noonkester, Jennifer R; Harris, Jennifer
Subject: FW: Monroe Bypass

From: Paul Saleeby [mailto:psaleeby@hotmail.com]
Sent: Friday, January 03, 2014 3:51 PM
To: Robbins, Jamille A
Subject: Monroe Bypass

Jamille Robbins
NCDOT

Jamille, I am the pastor of Benton Heights Presbyterian Church in Monroe. We are also the church at the "crossroads" of Hwy 601 North (Concord Hwy) at the proposed crossing of the Monroe Bypass. For quite some time all indications were that the Bypass would cross a little further north than now indicated. Obviously, that was viewed as a boon for our church's location. However, the latest routes have the Bypass so close to the church that it potentially impedes access by our northern driveway. In speaking to a couple of NCDOT representatives at the December 10th meeting at the Union County Agricultural Center, they were aware of this concern and certainly wanted me to bring it to your attention.

Not only is the northern driveway greatly used by our members (especially since our church offices are located on that side of the building), but our five day a week daycare uses it for the safety of our children. State required us to designate our southern driveway as an entry for parents, drop their children off at the rear of the building, then proceed to the northern driveway as an exit.

I believe I speak for our Board of Elders when I say we understand progress, growth, and accessibility. That pertains to our roadways, but it also pertains to our churches. The concrete barrier wall proposed in the widening of 601 will already be a huge hindrance in allowing any left turns in or out of our church's property. I implore you to consider not impeding us further by removing the needed access and egress both driveways provide.

Thank you,
Paul M Saleeby

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Gibilaro, Carl

From: SAILOR LEASING <sailorllc@yahoo.com>
Sent: Saturday, January 04, 2014 4:21 AM
To: monroe@ncdot.gov; ajtata@ncdot.gov; elcurran1@ncdot.gov; dean.arp@ncleg.net; tommy.tucker@ncleg.net; bill.brawley@ncleg.net; rwcook@ci.charlotte.nc.us; bkilgore@monroenc.org
Subject: Tell NCDOT to take the Monroe Bypass off the table NOW!

To whom it may concern:

- 1 Tell NCDOT to take the Monroe Bypass off the table NOW!
- Fix existing roads and bridges rather than building new toll roads.

Sincerely,
Alex Becker
2941 Matoka Trail
Matthews, NC 28104
sailorllc@yahoo.com
850-774-2170

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 9:32 AM
To: Harris, Jennifer; Gibilaro, Carl; Noonkester, Jennifer R
Subject: FW: Monroe bypass

From: flo caudle [mailto:fcaudle@hotmail.com]
Sent: Friday, January 03, 2014 8:06 PM
To: Robbins, Jamille A
Subject: Monroe bypass

Name: Flo Caudle
Mailing Address: 718 Caudle Road Peachland, NC 28133

E-Mail address: fcaudlle@hotmail.com

How did you hear about the meeting? Family

Which meeting did you attend? December 10, 2013 Union Cty Agricultural Center

1. I am most interested in the eastern portion of the bypass, near Marshville, NC.

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3. The information was presented very well just as it has always been. the only suggestion I have is get it built.

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 9:04 AM
To: Harris, Jennifer; Gibilaro, Carl; Noonkester, Jennifer R
Subject: FW: Comment petition for proposed NC Turnpike near Monroe
Attachments: HP12112232716_LDAPMAIL_12272013-201640.PDF

From: Ron Burks [mailto:Ron.Burks@sekologistics.com]
Sent: Saturday, January 04, 2014 3:36 PM
To: Robbins, Jamille A
Subject: FW: Comment petition for proposed NC Turnpike near Monroe

1
Happy New Year. Just fyi, have had some gushing rains lately and the lake floods over the driveway as it overwhelms the drainage pipe. This normally happens. The ravages of the water below is swift and strong and would destroy any road. It is very rough. Another reason to build further down or not at all as there are plenty of places to exit that neighborhood.

*Thanks,
Ron Burks*

From: Ron Burks
Sent: Friday, December 27, 2013 8:31 PM
To: 'jarobbins@ncdot.gov'
Cc: 'ron B'
Subject: Comment petition for proposed NC Turnpike near Monroe

Hi Jamille,

2
These comments are grave concerns regarding my property at 2250 Stallings Road where they want to put a road through to the Forest Park neighborhood. They want to butt the road up to and also impose on my property. There is no sense in this. It is much more wetland in my area just below the lake where massive water runoffs forge huge creekbeds and wetland. There less and less as you go down and there is plenty of room towards the creek. There are many big old trees on and near my property that would have to be taken down. It makes no sense. Also it is dangerous for cars being just below the bottom of the hill. All headlights at proposed road coming out of the neighborhood would shine directly into the windows of the house across the street. Who would want that? These are 3 reasons it is a bad idea. There are no good reasons this road cannot be moved down about 100 to 200 feet or more downward. There are many good reasons why it should be moved more downward.

I would be glad to meet with someone if needed and appreciate the opportunity to voice my concerns and hope they can be addressed to the best of everyone's ability to accommodate alternatives.

Thanks for the help,

*Ron Burks
2250 Stallings Road*

Matthews, NC. 28104
(704) 756-7807 cell
(704) 882-7957 home

*All transactions with SEKO Worldwide are subject to our Terms and Conditions. Terms and conditions are available upon request or at <http://www.sekologistics.com/terms-conditions>.

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A2-117

Gibilaro, Carl

From: Harris, Jennifer <jhharris1@ncdot.gov>
Sent: Monday, January 06, 2014 4:41 PM
To: Gibilaro, Carl; Noonkester, Jennifer R; Gurak, Jill S; Scott Slusser (SSLUSSER@ncdoj.gov); george.hoops@dot.gov
Cc: Robbins, Jamille A
Subject: FW: Monroe Bypass-Corridor Support
Importance: High

FYI

From: Nancy Duncan [mailto:nancy@unioncountycoc.com]
Sent: Monday, January 06, 2014 4:40 PM
To: Robbins, Jamille A; Harris, Jennifer
Subject: Monroe Bypass-Corridor Support
Importance: High

Dear Jamille and Jennifer,

- 1 Census data showed Union County was the fastest growing county in North Carolina from 2000 to 2010. And today, Union County remains one of the fastest growing counties in NC. Union County's population is expected to grow to 225,878 in 2016 which will be an increase of 24,000 residents over 2010.
- 2 Union County has one of the highest commute times in the region. The 2010 Census data shows the average commute time for Union County residents was 27.8 minutes which is 11% higher than the regional average. One out of five Union County commuters travels more than 45 minutes to work.
- 3 The Monroe Connector/Bypass has been under discussion for over thirty years. Meanwhile, traffic on Highway 74 in Union County has continued to grow causing major congestion. This congestion has been a major source of concern for the Chamber-member businesses located along existing US74. Local residents avoid traveling US74 whenever possible and for those businesses located on US74 but not at an intersection with a traffic light, it has become an obstacle to their business' growth and in some cases, their on-going viability.
- 4 Manufacturing businesses located in Union County are among the county's largest employers. These same manufacturers must move goods to market in a timely manner to remain competitive. Tractor-trailer vehicles make up more than 20% of the traffic using US74 in Union County. The stop-and-go traffic creates delays in moving the goods to market and more importantly, is a safety concern.
- 5 This project is needed by not only Union County, but the region. An alternative high-speed thoroughfare without the interruption of traffic lights will provide greater access to eastern Union County which is important to our county. We believe improving accessibility to Wingate University, ranked eighth among "Best value colleges and universities in the South based on quality and net cost" by *U.S. News & World Report* is another opportunity for our county and our region. In addition, improving access to the Port of Wilmington for the Charlotte region is good for our state. The Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo.
- 6 Continued construction delays have caused increased costs to NCDOT; negative impact to Union County residents and businesses who own property affected by the construction of this project; and the continued congestion on US74 negatively impacts our environment, quality of life, safety of our citizens, and local businesses.
- 7 The Final Environmental Impact Study indicated there would be no negative impact to the Carolina Heelsplitter, or the plant species (Schweinitz's sunflower and Michaux's sumac) in the project area.

Thank you very much,

Nancy McCoy Duncan, IOM
Director of Business Development
UNION COUNTY CHAMBER OF COMMERCE
Offices in Monroe and Waxhaw, NC
Mailing: PO Box 1789, Monroe NC 28111
(O) 704 289 4567 Ext. 11 (F) 704 282 0122 (M) 704 221 1770
nancy@unioncountycoc.com
www.UnionCountyCoC.com

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A2-118

Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 5:57 PM
To: Gibilaro, Carl; Noonkester, Jennifer R
Subject: FW: Monroe Bypass

From: Ron Brown [mailto:ron@sucontractors.com]
Sent: Monday, January 06, 2014 5:16 PM
To: Robbins, Jamille A; Harris, Jennifer
Subject: Monroe Bypass

Jamille and Jennifer,

Let me start off by letting you know that I am very much in favor of the Monroe Bypass being constructed as soon as possible. I have lived in Union County for almost 30 years. When I moved here you could travel on Hwy 74 from Margaret Wallace Road in Charlotte to Dickerson Boulevard in Monroe without a single traffic light to slow you down. Now there are 17 traffic lights in that same 15 mile stretch of roadway so I think I can speak about the needs of Union County travelers much better than any lawyer from the SELC.

1 I have been to the meetings and listened to the opponents of the bypass and I could not further disagree with some of their rational to opposing the bypass. Union County is one of the fastest growing counties in the nation and that is not going to stop with or without the bypass and the traffic on Highway 74 is probably not going to get much better with the bypass constructed. My contention is what is traffic on Hwy 74 going to be like 20 years from now without the bypass.

2 I live in a neighborhood (Rolling Hills Subdivision) that is adjacent to Hwy 74. I have to turn on to 74 everyday as I leave my neighborhood, I think I have a pretty good perspective of what traffic is like on that road. The major problem we have is the 18 wheeler traffic. I cannot tell you how many times my family and I have either seen or been involved in very close calls at the stoplight leaving our neighborhood. These close calls are the 18 wheelers running the red light to avoid having to make another stop. There is a major safety problem and we all have been very fortunate that there has not been more people killed at these intersections. (there have been some fatalities in the past).

I cannot think of a better reason to build the bypass than to save lives of people traveling on Highway 74.

PLEASE get this project started as soon as possible!!!!

Ron L. Brown
Executive Vice-President
State Utility Contractors, Inc.
P.O. Box 5019
Monroe, NC 28111-5019
704-289-6400
ron@sucontractors.com

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 5:58 PM
To: Gibilaro, Carl; Noonkester, Jennifer R
Subject: FW: Support of the Monroe Bypass

From: Kathy Bragg [mailto:kathy.bragg@unionshelter.org]
Sent: Monday, January 06, 2014 5:08 PM
To: Robbins, Jamille A; Harris, Jennifer
Subject: Support of the Monroe Bypass

Dear NCDOT administrators,

Please read this correspondence in support of the Monroe Bypass. As the Executive Director of Union County Community Shelter (Homeless Shelter and Soup Kitchen), I see every day the negative consequences that limited job growth in Union County and the city of Monroe has on families. The long awaited Monroe Bypass would certainly make an impact in bringing new businesses to this community, helping existing business grow, and facilitate job growth for so many of the area's unemployed and underemployed. Please consider the following points:

A2-119

- Census data showed Union County was the fastest growing county in North Carolina from 2000 to 2010. And today, Union County remains one of the fastest growing counties in NC. Union County's population is expected to grow to 225,878 in 2016 which will be an increase of 24,000 residents over 2010.
- Union County has one of the highest commute times in the region. The 2010 Census data shows the average commute time for Union County residents was 27.8 minutes which is 11% higher than the regional average. One out of five Union County commuters travels more than 45 minutes to work.
- The Monroe Connector/Bypass has been under discussion for over thirty years. Meanwhile, traffic on Highway 74 in Union County has continued to grow causing major congestion. This congestion has been a major source of concern for the Chamber-member businesses located along existing US74. Local residents avoid traveling US74 whenever possible and for those businesses located on US74 but not at an intersection with a traffic light, it has become an obstacle to their business' growth and in some cases, their on-going viability.
- Manufacturing businesses located in Union County are among the county's largest employers. These same manufacturers must move goods to market in a timely manner to remain competitive. Tractor-trailer vehicles make up more than 20% of the traffic using US74 in Union County. The stop-and-go traffic creates delays in moving the goods to market and more importantly, is a safety concern.
- This project is needed by not only Union County, but the region. An alternative high-speed thoroughfare without the interruption of traffic lights will provide greater access to eastern Union County which is important to our county. We believe improving accessibility to Wingate University, ranked eighth among "Best value colleges and universities in the South based on

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quality and net cost" by *U.S. News & World Report* is another opportunity for our county and our region. In addition, improving access to the Port of Wilmington for the Charlotte region is good for our state. The Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo.

- Continued construction delays have caused increased costs to NCDOT; negative impact to Union County residents and businesses who own property affected by the construction of this project; and the continued congestion on US74 negatively impacts our environment, quality of life, safety of our citizens, and local businesses.
- The Final Environmental Impact Study indicated there would be no negative impact to the Carolina Heelsplitter, or the plant species (Schweinitz's sunflower and Michaux's sumac) in the project area.

2

Tragically, Union County families lose their homes or find themselves wondering where their next meal might come from in large part due to the inability of "liveable wage" jobs being able to keep pace with this community's astounding population growth over the past 30 years. As housing and grocery costs rise, so must our ability to employ citizens and keep them employed. This community is not competitive in attracting and maintaining employers who can meet the demand for jobs with the Hwy 74 congestion. It is absolutely broken and requires a longterm remedy! The Monroe Bypass issue is not just an issue of convenience; quite frankly, it is an issue of livelihood and quality of life for many. Please support a swift response to moving the Monroe Bypass Project forward.

Thank you,

--
Kathy Bragg
Executive Director

Union County Community Shelter
311 E. Jefferson Street
Monroe, NC 28112
704-261-3499 Direct Office Line
980-328-1699 Cell
704.289.5300 Main Shelter Line

kathy.bragg@unionshelter.org
www.unionshelter.org

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 5:56 PM
To: Gibilaro, Carl; Noonkester, Jennifer R; Harris, Jennifer
Subject: FW: Monroe Bypass Concern

From: Derek Foellmer [mailto:dfoellmer@podscharlotte.com]
Sent: Monday, January 06, 2014 5:20 PM
To: Robbins, Jamille A
Subject: Monroe Bypass Concern

To Whom it May Concern,

1 As a local business based on Stinson Hartis Rd in Indian Trail, we have some reservations regarding the current plans to Dead-end Oak Springs Rd and terminate its connection with Stinson Hartis Rd. Our Business services the greater Charlotte Metro area and the most efficient way for our drivers to get to Rt 74 is to use Oak Springs. The termination of this connection with the only alternatives being utilizing the intersection of Rt 74 & Indian Trail Fairview Rd (an already overburdened and very lengthy wait) or the new Bypass (at a cost), will have a detrimental impact on our business. I understand that Stinson Hartis Rd will have a bridge over the Bypass, and would like to recommend keeping Oak Springs and Stinson Hartis connected in some manner so that the bridge will see more use and be more beneficial to all parties involved.

2-120
Sincerely

Derek Foellmer
General Manager
Portable Storage Systems, Inc.
7171 Stinson Hartis Rd
Indian Trail NC 28079
Ph: 704-882-1401
Fax: 704-882-1183



The Best Moving & Storage Idea Ever.™

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Gibilaro, Carl

From: Robbins, Jamille A <jarobbins@ncdot.gov>
Sent: Monday, January 06, 2014 6:01 PM
To: Gibilaro, Carl; Harris, Jennifer; Noonkester, Jennifer R
Subject: FW: comments re monroe bypass

From: Doug Marsh [mailto:doug.marsh55@yahoo.com]
Sent: Monday, January 06, 2014 3:22 PM
To: Robbins, Jamille A
Subject: comments re monroe bypass

1 My name is Doug Marsh, a resident of Stallings ,N.C.(15120 Idlewild rd, matthews, 28104, Union county) . My comment involves the intersection of Stinson Hartis rd. and Oak Spring Road and the proposed bypass. As drawn the bypass goes under a proposed bridge for Stinson Hartis , and Oak Spring is dead ended. This seems totally illogical... Stinson Hartis is now a half circle with both ends intersecting Indian Trail Fairview rd. and therefor a bridge serves no purpose (if Oak Spring is deadended), because Stinson Hartis traffic could simply go the other direction. But Oak Spring Rd should not be dead ended , because it has a tremendous amount of traffic , much more than Stinson Hartis, and dead ending it will have a detrimental effect on traffic @ 74 and Indian Trail fairview , (at Chick Fil A), where traffic backups are legendary, and cause drivers that used Oak Spring to drive further, and burden other roads and intersections needlessly. A large percentage of the Old Hickory Business Park sends service trucks and deliveries through Oak Spring Road. Also other residents . such as myself , use it as a way to get from Indian Trail to Stallings , and beyond. It seems very logical to me that a simple, cost effective solution, that would produce and maintain connectivity, would be to Build a short connector road to connect Oak Spring to Stinson Hartis just north /east of the new bridge construction, problem solved , connectivity preserved, It just makes sense. Thanks, Doug Marsh , 704-361-1409 -cell , doug.marsh55@yahoo.com

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Gibilaro, Carl

From: Harris, Jennifer <jhharris1@ncdot.gov>
Sent: Monday, January 06, 2014 8:58 PM
To: Gibilaro, Carl; Noonkester, Jennifer R; Gurak, Jill S; Robbins, Jamille A
Subject: Fwd: Monroe Bypass

Fyi

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

Subject: Monroe Bypass
From: Jack Hargett <jackhargett@hargettelectric.com>
To: "Harris, Jennifer" <jhharris1@ncdot.gov>
CC:

Jennifer,

1 As a lifelong resident of Union County, I have seen US Hwy. 74 become a congested section of highway that is
a major source of concern for many of the local businesses. Local residents avoid traveling on US 74 whenever
possible and thus the businesses located along US 74 lose business. This congestion also slows commerce as
tractor trailers coming to and from the port of Wilmington are caught in the long string of traffic signals
between Monroe and Charlotte. This bypass would help eliminate this congestion. Please move forward with
the construction.

AE-121

--

Jack Hargett

HE HARGETT
ELECTRIC COMPANY
(formerly Long Wiring Co.)
(704)283-8505 P / (704) 289-3183 F
jackhargett@hargettelectric.com
www.hargettelectric.com

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Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-001	Richard Ewen	1	Please contact me about this Bypass. I don't want to live next to a major roadway and want to know if the state will buy this property.	An email was sent to Mr. Ewen on November 29, 2013, requesting a phone number where he could be contacted and to notify him of the December Public Hearings. No additional communication was received.
E-002	Donna Hammond	1	I live on Monroe Road, when will this passage connect with the Chestnut Connector?	There are currently no plans to connect the Chestnut Connector to the Monroe Connector/Bypass. The Chestnut Connector Project is being developed and will ultimately be constructed by the Town of Indian Trail. The project is currently divided into three sections: 1) Matthews Indian Trail Road (SR 1367) to US 74 2) Gribble Road to Old Monroe Road (SR 1009) 3) Gribble Road to Matthews Indian Trail Road (SR 1367) The sections of the project from Matthews-Indian Trail Road to US 74 and Old Monroe Road to Gribble Road are being funded by the current transportation bond the Town recently passed with the section from Matthews-Indian Trail Road to US 74 currently under construction. The Town expects the section from Old Monroe Road to Gribble Road to open in 2017-18.
E-003	John Powell	1	The Monroe bypass corridor must connect to I-485 directly. The failure to start at I-485 made the planners look foolish. If this is not the case, don't bother to start. The political backlash will never end by the voters in this area.	The Monroe Connector/Bypass preferred alternative will tie into existing US 74 prior to I-485. In this area, there will be a controlled access facility to I-485 and frontage roads to access adjacent properties.
E-004	Lance Dunn	2	It may be legal, but it's not ethical. FREE BBQ from Bypass contractor to sway NCDOT at public hearings.	See response to Document C-041, Comment #1.
E-004	Lance Dunn	3	Who benefits besides Drew Boggs, paving companies with existing fraud charges, and the politicians owning land in the Bypass path?	See response to Document C-017, Comment #12.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-004	Lance Dunn	4	Not the people who use 74, it negatively impacts improvements there and downtown development.	See response to Document C-017, Comment #9.
E-004	Lance Dunn	5	No time savings for those in the corridor. Not the people and communities being displaced, give the land back.	Travel time savings are expected for those wanting to avoid existing US 74 and willing to pay a toll. See response to Document C-059, Comment #3.
E-004	Lance Dunn	6	Not the environment and the stress on the already impaired Lake Twitty drinking water watershed.	See response to Document C-017, Comment #7. Prior to project construction, a Section 401 Water Quality Certification must be obtained from the NC Department of Environment and Natural Resources - Division of Water Resources.
E-004	Lance Dunn	7	Do we benefit from an unnecessary 800 Million dollar tax expenditure when less than 80 million (1/10 the price) will fix and increase the traffic flow? We shouldn't have to pay greater property taxes to support the infrastructure on DOT's 1% growth estimate (ridiculous-at those levels why bother building it).	See response to Document C-017, Comment #s 4 and 11.
E-004	Lance Dunn	8	Hwy 74 needs improvements similar to the ones visible on 601 south, limited turns, crossings and access. These will improve current traffic flow, speeds and times; which are now estimated by the DOT to save an end to end traveler only ten minutes by taking the bypass. It's even less of a savings for most residents because they don't drive the full distance and it's three miles out of the way.	See response to Document C-059, Comment #3.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-004	Lance Dunn	9	Perhaps many years down the road, when the time comes for a bypass, we won't suffer by getting things out of order and it will be a true connector directly from 485 towards the beach well east of Marshville with less interchanges and no tolls so it works the way it should and not be a bankrupt fiasco like the toll road around Greenville, SC.	See response to Document C-003, Comment #2 and response to Document C-060 Comment #5.4 .
E-004	Lance Dunn	10	Let those land speculators work on all the vacant buildings along Hwy 74 rather than create more.	See response to Document C-017, Comment #10 .
E-004	Lance Dunn	11	Stewart's Creek and the Stumplick Branch, which will be crossed by the Connector/ Bypass will be heavily impacted by construction at the US-601 and NC-200 interchanges. Perhaps officials should take a closer look at what's been happening at Jordan Lake in Wake County, where development along the creeks that feed it is wreaking havoc with water quality in the reservoir (and the legislature is refusing to let upstream corrective measures be taken).	See response to Document C-017, Comment #7 and Document E-004, Comment #6 . There are several Special Project Commitments related to water quality (Commitments 7, 8, 9, 10, and 11) listed in Section PC of the <i>Final Supplemental Final EIS</i> .
E-005	Brian Harle	1	I tried to take a quick look at the EIS but was overwhelmed by the sheer size of it. I'm sure they were included, but I could not find Level of Service diagrams for US 74 intersections comparing existing conditions with both 2030 Build/No Build options. The official project description specifically states "The purpose of the project is to improve mobility and capacity within the project study area.....". The project study area most certainly includes all of the intersections along existing US 74. If the proposed connector/bypass does not significantly improve levels of service along US 74, I	See response to Document C-017, Comment #s 3 and 11 and Document C-059, Comment #5 . Levels of service along existing US 74 under each of the Detailed Study Alternatives for 2035 and for the No-Build scenario for 2030 are compared in the <i>Final Year 2035 Build Traffic Operations Technical Memorandum</i> (PBS&J, April 2009) in Table 5-2. This memorandum is available on the project website: www.ncdot.gov/projects/monroeconnector . In comparing the levels of service and delay for Alternative D (the Preferred Alternative) and the No-Build scenario, traffic flow improves on existing US 74 with Alternative D in place.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
			<p>must agree that it is a big waste of money which would be better spent on improvements to the existing roadway. If the studies do show improvements to the levels of service (and a subsequent improvement to highway safety), I certainly approve of the project.</p>	
E-005	Brian Harle	2	<p>I do have to question whether the proposed highway will really attract the traffic that is projected. I am not a highway planner, but my observations are that the vast majority of traffic on US 74 in the study area is generated by the commercial and industrial development in close proximity to US 74. I doubt that a lot of drivers will be attracted to a facility that will save them less than 10 minutes of travel time, especially a facility that will be a toll road. I do not foresee using it a lot myself. My only hope is that it will, indeed, remove a significant amount of traffic from the existing roadway.</p>	<p>Regarding travel time savings, see response to Document C-059, Comment #3.</p> <p>As discussed in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i>, the question of how the Monroe Connector/Bypass would affect traffic volumes on the US 74 corridor was addressed. In all the comparisons evaluated, traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place.</p>
E-005	Brian Harle	3	<p>Finally, I had difficulty sifting through all the information to find all the alternatives that were considered before the preferred alternative was selected. I hope that one alternative was to convert the existing highway into an expressway with a parallel collector/distributor system to service the adjacent businesses. I don't know if the required roadway width is available or if it is economically viable, but it is at least worth consideration.</p>	<p>See response to Document C-017, Comment #11.</p> <p>As shown in Figure 2-1b of the <i>Draft Supplemental Final EIS</i>, one of the alternatives studied (PSA G) was a controlled access highway along existing US 74 with one-way frontage roads on either side. This alternative would have significant human environmental impacts (including relocation of businesses), substantial disruption during construction, and more impacts to streams compared to new location alternatives. NCDOT also developed a Revised PSA G to reduce impacts and costs, and improve operations. Additional evaluation confirmed that PSA G and Revised PSA G would not be reasonable or practicable and therefore they were eliminated from further consideration.</p>

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
				The alternatives analysis process is summarized in Section 2 of the <i>Draft Supplemental Final EIS</i> and detailed discussions of the analysis of alternatives to improve existing US 74 are presented in Sections 2.2.2.5 and 2.4.4.3 of the <i>Draft EIS</i> .
E-006	Bill Brewer	1	<p>My business Brewer-Hendley Oil Co. is located at 207 N. Forest Hills School Rd in Marshville, N.C. and I am in favor of building The Monroe Connector/Bypass. I am disappointed that it has taken this long to get this project to this point.</p> <p>Every morning I enter Highway 74 from Rolling Hills Dr. for my drive to Marshville and every afternoon I make the return trip. Because of traffic (both trucks and automobiles), stoplights, and driveways it is a slow and sometimes dangerous trip.</p> <p>Brewer-Hendley Oil Co. is a fuel and lubricants distribution co. so we operate tankers, tractor trailers, and medium duty box trucks. Every day the majority of our trucks head west on Highway 74 for the trip thru Monroe to make daily deliveries. The standstill traffic in Monroe makes this an expensive and hazardous time for our company.</p> <p>Union County and Monroe have been fortunate to have leaders that think about future needs and they both are in favor of building this road. This road is needed today and will be needed more in the future. If it is not built it will be a tremendous regret for our area in the future.</p>	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-007	Carolynn Ruth	1	Preferred Alternative DSA D will have a significant impact to Public Storage’s Property at 13015 E Independence Blvd in Matthews (marked in pink on the attached plan, downloaded from the Project website), because the road expansion will eliminate the Property’s parking lot.	Comment noted. NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals, but there are many unknowns. When the right-of-way process does resume, a right-of-way agent will contact you to discuss the acquisition process and address the concerns you have regarding the parking for your business.
E-007	Carolynn Ruth	2	When is right of way acquisition to begin? We would like to discuss mitigation plans as soon as possible, as it will take time to evaluate and design the most effective cure. We believe that the simplest and most cost effective way to replace the parking is for the Turnpike Authority to acquire for Public Storage a parcel of land on which to construct a new parking lot. The logical place for the relocated parking is the adjacent property to our south-east which shares a driveway with the Property. The alternative is to cut back a storage building. That would not only be a bigger burden on Public Storage, it would increase project costs by requiring greater construction expense and damaging the value of remainder by impairing its income producing ability.	See response to Document E-007, Comment #1.
E-008	Naru Patel	1	My property address is Country Inn & Suites, 2001 Mt Harmony Church Rd., Matthews, NC 28104. Please send me electronic copy of limited control access going in and out from my property to McKee Rd extension right at McGee Corp. I understand it is going to be in front of Northern Tools building.	As requested, DRAFT PRELIMINARY plan sheets were transmitted to Mr. Patel on December 18, 2013. If the Monroe Bypass project moves forward and if the design being developed by the existing design team is retained, the construction of a frontage road is proposed that would give access to US 74 from Independence Commerce Drive via McGee Road (a proposed signalized intersection).

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-009	Scott Gainer	1	I understand there are public hearings underway on the Monroe Bypass project. Can you please send us an update once these hearings have concluded including any new developments or time tables.	A full summary of the Public Hearings including transcripts are included in Section 3.1 of the <i>Final Supplemental Final EIS</i> . An updated schedule detailing project activities will be developed following approval of the Record of Decision. NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals.
E-009	Scott Gainer	2	Do you have any confidence level that construction will begin in 2014?	NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals.
E-010	Ken Hoyle	1	I own a house at 3310 Unionville-Indian Trail Road West, Indian Trail, NC 28079. For several years my property has been in limbo because of the confusion with the Monroe Bypass. I have been unable to sell or even refinance this house. I know that there were meetings in the Monroe area this week to update residents on the current status of this project. I now live in Durham, NC and was not able to attend any of these. I would appreciate you sending me any information that you can concerning the latest on the Monroe Bypass.	An email describing the current status of the project was sent to Mr. Hoyle on January 12, 2014. NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-011	Jerry Haigler	1	<p>The opposition never said anything negative about the road in itself was wrong. They just don't want it.</p> <p>There was nothing said that made good sense to stop the road. Too much time and money has been spent.</p> <p>They talked about growth of 1 percent. To me a road cannot make growth, people are the ones that create growth where it is needed.</p> <p>The Road's main purpose is to get from A to B in a safe and quicker travel destination. NC has got behind in making things better and safer for travel. I know it will make things better, give it a chance.</p> <p>What I really feel is right between the two sides is what is the best justification for each side. Who gets to share the project? Anyone can if they chose to use it. No one said we have to use it. I do not understand how those that don't want it can keep it from those that do without a good reason. If NC says we can pay for it, it is fine with me. I know it is a lot of money, it would not have cost as much if it was started when it was supposed to. I understand what NC is trying to do is make a better way of travel from the coast to the mountains quicker and safer and all in between. It is not about use here in this area it is all over the state to be able to use the road and be able to stop anywhere they need to.</p>	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-012	Anniep123	1	<p>It seems to me so simple, if you didn't have to make the new bypass a toll road things would be a lot different. I am aware that you can't make an existing road a toll road. But you can create a new elevated road for truckers and those who are traveling south and east. Creating OVERPASSES and eliminating those long traffic lights that are the cause of the all the problems on Route 74. The accidents that happen are because of those traffic lights. Truckers don't have the space to stop and cars are trying to beat the yellow light before it turns red.</p> <p>You can make a highway that has off and on ramps for the service road. If you research "Sunrise Highway on eastern Long Island NY" about mid 80's. The money you will save will make up for the lack of toll. You will not have to buy homes that are in the way, you can stop the research that has been wasting money for over 20 years. You don't have to rip up farm land and animal habitats. You will need less interchanges.</p>	<p>Comment noted. As shown in Figure 2-1b of the <i>Draft Supplemental Final EIS</i>, one of the alternatives studied for upgrading US 74 was a controlled access highway along existing US 74 with one-way frontage roads on either side. It was eliminated from consideration due to high levels of impacts compared to other alternatives. Other improvements to existing US 74 such as Superstreets, lower cost transportation system management alternatives, and standard arterial widening were studied and eliminated because they did not meet the documented purpose of the project or were found to not be reasonable and practicable.</p>
E-012	Anniep123	2	<p>The thing is that someone out there is going to profit from this bypass. There is money being passed as I type this. The Contractor Boggs Paving is a perfect example of what is happening. The free BBQ, at the same time as the hearing, what was that about? I am not against better roads but look at all the corrections you are making to 485 around the Pineville area. Those extra lanes should have been put in when 485 was build. But it was all to the advantage of someone else not us the people.</p>	<p>See response to Document C-041, Comment #1.</p>

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-013	Richard Moody	1	<p>I am fully aware of the new Monroe Bypass and think it is a great idea.</p> <p>I wanted to find out a contact to discuss the literal thousands of cyclists that use the current roads through the proposed Matthews connector at Oakdale and Stinson Hartis that will now be going away.</p> <p>We are interested in having bike lanes put in on Stevens Mill Rd that would reroute these cyclists around the new Bypass safely.</p> <p>This may seem like a small detail but not to the many in the area.</p>	<p>The North Carolina Turnpike Authority contacted local jurisdictions in March 2010 requesting input regarding bicycle and pedestrian accommodations along roadways crossing the Monroe Connector/Bypass as well as any planned future greenways. As included in the September 2010 Request For Proposal for the Design-Build teams, all bridges crossing the Connector/Bypass “shall have sufficient width, length and barrier rail to provide sidewalk and bicycle accommodations constructed as part of this project as noted in the Roadway Scope of Work.”</p> <p>While accommodations will be made on the Stinson Hartis Road bridge, the North Carolina Department of Transportation currently has no plans to provide bicycle and pedestrian facilities along Stinson Hartis Road beyond the construction limits of the Connector/Bypass project. You may contact the Town of Indian Trail to determine if the Town has any long range plans to include these facilities along Stinson Hartis Road.</p>
E-014	Jack Ritterskamp	1	<p>First and foremost: the "preferred alternative" at the Matthews end of the bypass is the worst possible choice as far as I am concerned.</p>	<p>Comment noted.</p>
E-014	Jack Ritterskamp	2	<p>During the early days, when we had information concerning the various alternatives the "preferred alternative" was more expensive than the route which takes off immediately from the interchange of I-485 & US-74. I presume the reason was that it was going to require more expensive property acquisition from all the businesses which are located along current US-74. Also, the construction will be more disruptive of the already busy traffic. In addition, after disrupting the actual businesses during construction there will be significant hindering of their operation AFTER it's all done.</p>	<p>See response to Document C-044, Comment #2.</p>

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
			<p>They will be reachable only from the access roads, which means that a potential customer will have to know about the existence of the business in time to get off the major roadway some distance prior to actually reaching the business ... there will be no "drop-in" customers. And if the business is located on the "north" side of the east-west highway people traveling east will not be able to see the business at all, as the major roadway will be solid-fill elevated.</p>	
E-014	Jack Ritterskamp	3	<p>There were only three significant arguments which I heard voiced at earlier meetings which give any justification for the "preferred alternative" being used. Those were all very self-serving to someone or some group. The first was that the Toyota dealership would save considerable money by not having to pay as much for their access via McKee Rd, as the toll-payers would supply the money. The second was that revising the interchange of I- 485 & US-74 would impact the Mecklenburg County Sportsplex by some fifty (50) feet. I mean ... the loss of fifty feet of nothing but trees!!!! The third was that the lady who was mayor of Stallings at the time (some 3-4 years ago) did not want the road too near her home. It was OK for it to impact OTHERS, but not HER!!!</p>	<p>Reasons for identifying Alternative D as the Preferred Alternative are documented in Section 3.2 of the <i>Draft Supplemental Final EIS</i>. Of the three reasons stated in the comment, only the Mecklenburg County Sportsplex was considered in that it is protected as a Section 4(f) property. Section 4(f) properties are afforded special considerations from federal actions. Section 4(f) resources include publicly-owned parks, recreation areas, and wildlife and waterfowl refuges as well as significant historic sites under public or private ownership.</p>

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-014	Jack Ritterskamp	4	The other issue that we touched on briefly was the toll booths on the straight-through lanes if you go with the "preferred alternative", lanes that anyone would normally expect to use on a direct route from point A to point B. As currently shown on the access road detail (Stallings Rd area) anyone wishing to go from Charlotte to Indian Trail, for instance, would have to use the access roads or go straight and pay a toll ... going in either direction. This is absolutely insane for a number of reasons. For a start the straight route has always been free in this area. Now you would charge them for taking the direct route. Absurd! The second (or maybe the primary reason) is that you are first and foremost an employee of the state HIGHWAY department, not the turnpike authority. The job of the highway department is to MOVE cars ... to pump them through an area, NOT make them turn to the side, routed onto a minor roadway and sit through numerous traffic signal cycles ... the very essence of CAUSING A TRAFFIC JAM ... the exact opposite of what you are paid to do!	See responses to Document C-037, Comment #2 and to Document C-044, Comment #5 .
E-015	Paul Saleeby	1	I am the pastor of Benton Heights Presbyterian Church in Monroe. We are also the church at the "crossroads" of Hwy 601 North (Concord Hwy) at the proposed crossing of the Monroe Bypass. For quite some time all indications were that the Bypass would cross a little further north than now indicated. Obviously, that was viewed as a boon for our church's location. However, the latest routes have the Bypass so close to the church that it potentially impedes access by our northern driveway.	Current design standards require control of access points to extend 1,000 feet beyond proposed interchange ramps. This requirement resulted in the preliminary designs identifying the control of access point along US 601 to extend to the approximate midpoint of the church property. This requires that the northern driveway access be closed and all traffic will be required to enter and exit at the southern entrance. This request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options to improve this access during final design.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
			<p>Not only is the northern driveway greatly used by our members (especially since our church offices are located on that side of the building), but our five day a week daycare uses it for the safety of our children. State required us to designate our southern driveway as an entry for parents, drop their children off at the rear of the building, then proceed to the northern driveway as an exit.</p> <p>The concrete barrier wall proposed in the widening of 601 will already be a huge hindrance in allowing any left turns in or out of our church's property. I implore you to consider not impeding us further by removing the needed access and egress both driveways provide.</p>	
E-016	Alex Becker	1	Take Monroe Bypass off the table. Fix existing roads and bridges rather than building new roads.	Comment noted.
E-017	Flo Caudle	1	I commute to Monroe daily and Charlotte several times a week. I can only imagine how much better this drive will be with the bypass completed. So one will use the bypass and then I will use the other road. If people do not wish to pay the toll to drive on the bypass then I will and they can continue to fight traffic on 74.	Comment noted.
E-017	Flo Caudle	3	The information was presented very well just as it has always been. The only suggestion I have is get it built.	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-018	Ron Burks	1	Just fyi, have had some gushing rains lately and the lake floods over the driveway as it overwhelms the drainage pipe. This normally happens. The ravage of the water below is swift and strong and would destroy any road. It is very rough. Another reason to build further down or not at all as there is plenty of places to exit that neighborhood.	See response to Document C-052, Comment #4.1.
E-018	Ron Burks	2	Remainder of Mr. Burks comments are copied in his comment form, Document C-052.	See Document C-052 for responses to remaining comments.
E-019	Nancy Duncan	1	Census data showed Union County was the fastest growing county in North Carolina from 2000 to 2010. And today, Union County remains one of the fastest growing counties in NC. Union County's population is expected to grow to 225,878 in 2016 which will be an increase of 24,000 residents over 2010.	Comment noted.
E-019	Nancy Duncan	2	Union County has one of the highest commute times in the region. The 2010 Census data shows the average commute time for Union County residents was 27.8 minutes which is 11% higher than the regional average. One out of five Union County commuters travels more than 45 minutes to work.	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-019	Nancy Duncan	3	The Monroe Connector/Bypass has been under discussion for over thirty years. Meanwhile, traffic on Highway 74 in Union County has continued to grow causing major congestion. This congestion has been a major source of concern for the Chamber-member businesses located along existing US74. Local residents avoid traveling US74 whenever possible and for those businesses located on US74 but not at an intersection with a traffic light, it has become an obstacle to their business' growth and in some cases, their ongoing viability.	Comment noted.
E-019	Nancy Duncan	4	Manufacturing businesses located in Union County are among the county's largest employers. These same manufacturers must move goods to market in a timely manner to remain competitive. Tractor-trailer vehicles make up more than 20% of the traffic using US74 in Union County. The stop-and-go traffic creates delays in moving the goods to market and more importantly, is a safety concern.	Comment noted.
E-019	Nancy Duncan	5	This project is needed by not only Union County, but the region. An alternative high-speed thoroughfare without the interruption of traffic lights will provide greater access to eastern Union County which is important to our county. We believe improving accessibility to Wingate University, ranked eighth among "Best value colleges and universities in the South based on quality and net cost" by <i>U.S. News & World Report</i> is another opportunity for our county and our region. In addition, improving access to the Port of	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
			Wilmington for the Charlotte region is good for our state. The Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo.	
E-019	Nancy Duncan	6	Continued construction delays have caused increased costs to NCDOT; negative impact to Union County residents and businesses who own property affected by the construction of this project; and the continued congestion on US74 negatively impacts our environment, quality of life, safety of our citizens, and local businesses.	Comment noted.
E-019	Nancy Duncan	7	The Final Environmental Impact Study indicated there would be no negative impact to the Carolina Heelsplitter, or the plant species (Schweinitz's sunflower and Michaux's sumac) in the project area.	Comment noted. The US Fish and Wildlife Service concurred with the Biological Conclusions for protected species included in the <i>Final EIS</i> in a letter dated December 16, 2013 (see Appendix B of the <i>Final Supplemental Final EIS</i>).
E-020	Ron Brown	1	I have been to the meetings and listened to the opponents of the bypass and I could not further disagree with some of their rationale to opposing the bypass. Union County is one of the fastest growing counties in the nation and that is not going to stop with or without the bypass and the traffic on Highway 74 is probably not going to get much better with the bypass constructed. My contention is what is traffic on Hwy 74 going to be like 20 years from now without the bypass.	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-020	Ron Brown	2	<p>I live in a neighborhood (Rolling Hills Subdivision) that is adjacent to Hwy 74. I have to turn on to 74 everyday as I leave my neighborhood, I think I have a pretty good perspective of what traffic is like on that road. The major problem we have is the 18 wheeler traffic. I cannot tell you how many times my family and I have either seen or been involved in very close calls at the stoplight leaving our neighborhood. These close calls are the 18 wheelers running the red light to avoid having to make another stop. There is a major safety problem and we all have been very fortunate that there has not been more people killed at these intersections (there have been some fatalities in the past).</p> <p>I cannot think of a better reason to build the bypass than to save lives of people traveling on Highway 74.</p> <p>PLEASE get this project started as soon as possible!!!!</p>	Comment noted.
E-021	Kathy Bragg	1	Initial comments were duplicates of Document E-019.	See responses to comments in Document E-019 .
E-021	Kathy Bragg	2	Tragically, Union County families lose their homes or find themselves wondering where their next meal might come from in large part due to the inability of "liveable wage" jobs being able to keep pace with this community's astounding population growth over the past 30 years. As housing and grocery costs rise, so must our ability to employ citizens and keep them employed. This community is not competitive in attracting and maintaining	Comment noted.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
			employers who can meet the demand for jobs with the Hwy 74 congestion. It is absolutely broken and requires a long-term remedy! The Monroe Bypass issue is not just an issue of convenience; quite frankly, it is an issue of livelihood and quality of life for many. Please support a swift response to moving the Monroe Bypass Project forward.	
E-022	Derek Foellmer	1	As a local business based on Stinson Hartis Rd in Indian Trail, we have some reservations regarding the current plans to dead-end Oak Springs Rd and terminate its connection with Stinson Hartis Rd. Our Business services the greater Charlotte Metro area and the most efficient way for our drivers to get to Rt 74 is to use Oak Springs. The termination of this connection with the only alternatives being utilizing the intersection of Rt 74 & Indian Trail Fairview Rd (an already overburdened and very lengthy wait) or the new Bypass (at a cost), will have a detrimental impact on our business. I understand that Stinson Hartis Rd will have a bridge over the Bypass, and would like to recommend keeping Oak Springs and Stinson Hartis connected in some manner so that the bridge will see more use and be more beneficial to all parties involved.	Comment noted. This request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options to improve this access during final design.

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-023	Doug Marsh	1	<p>My comment involves the intersection of Stinson Hartis Rd. and Oak Spring Road and the proposed bypass. As drawn the bypass goes under a proposed bridge for Stinson Hartis, and Oak Spring is dead ended. This seems totally illogical... Stinson Hartis is now a half circle with both ends intersecting Indian Trail Fairview Rd. and therefore a bridge serves no purpose (if Oak Spring is deadended), because Stinson Hartis traffic could simply go the other direction. But Oak Spring Rd should not be dead ended , because it has a tremendous amount of traffic , much more than Stinson Hartis, and dead ending it will have a detrimental effect on traffic @ 74 and Indian Trail Fairview, (at Chick Fil A), where traffic backups are legendary, and cause drivers that used Oak Spring to drive further, and burden other roads and intersections needlessly. A large percentage of the Old Hickory Business Park sends service trucks and deliveries through Oak Spring Road. Also other residents, such as myself, use it as a way to get from Indian Trail to Stallings, and beyond. It seems very logical to me that a simple, cost effective solution, that would produce and maintain connectivity, would be to build a short connector road to connect Oak Spring to Stinson Hartis just north /east of the new bridge construction, problem solved, connectivity preserved. It just makes sense.</p>	<p>Comment noted. This request will be forwarded to the design-build team, who in conjunction with NCDOT, will investigate options to improve this access during final design.</p>

Table A-2.2: Emailed Comments

Doc No.	Commenter	Comment No.	Comment	Response
E-024	Jack Hargett	1	As a lifelong resident of Union County, I have seen US Hwy. 74 become a congested section of highway that is a major source of concern for many of the local businesses. Local residents avoid traveling on US 74 whenever possible and thus the businesses located along US 74 lose business. This congestion also slows commerce as tractor trailers coming to and from the port of Wilmington are caught in the long string of traffic signals between Monroe and Charlotte. This bypass would help eliminate this congestion. Please move forward with the construction.	Comment noted.



January 2, 2014

Jennifer Harris
North Carolina Department of Transportation
1 South Wilmington Street
Raleigh, NC 27601
jhharris1@ncdot.gov

RE: Monroe Bypass: Draft Supplemental Environmental Impact Statement

Dear Ms. Harris:

Sustain Charlotte submits the following comments on the Draft Supplemental Final Environmental Impact Statement ("DSFEIS") for the Monroe Bypass. Sustain Charlotte is a nonprofit organization that works to inspire, inform, and facilitate a holistic and collaborative approach to building a vibrant and sustainable future for the entire Charlotte metropolitan region.

1 We urge NCDOT to take a more sustainable approach to the U.S. 74 corridor and invest public resources more wisely. The DSFEIS estimates that the Monroe Bypass will cost taxpayers \$898 million. Given the shifting priorities in North Carolina, the changing preferences of the state's residents and the diminished availability of transportation resources, we believe this money could be much better spent.

Purpose and Need

As you know, North Carolina, and the Charlotte region in particular, is facing a severe transportation funding shortfall. Many priorities for the region will not be met given the low levels of funding available. It would seem then, that NCDOT must be extremely careful to fully justify the need for a toll highway that will cost the state almost \$900 million. The DSFEIS, however, fails to legitimize any such need.

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- 2 The DSFEIS is based on outdated pre-recession data and dramatically overstates future population growth in Union County.
3 The DSFEIS assumes significant growth in traffic volumes along U.S. 74 despite the fact that there has been no traffic volume growth in the past decade.
4 The DSFEIS fails to calculate the extent to which current traffic in the corridor is local, and thus fails to determine who will actually pay a toll to use the new highway, and who will remain on U.S. 74.
5 The DSFEIS is overly focused on travel speeds. It gives no consideration given to other important considerations of transportation planning, such as improvement physical and mental health, improved options for low income and older adults, or improved transportation flexibility, that may be occasioned from a more multi-modal solution.

Alternatives Analysis

The very purpose of the National Environmental Policy Act is to present a range of alternatives to the public so that decisionmakers may be better informed as to which option they will pick. The alternatives analysis in the DSFEIS fails to achieve this purpose. Many alternatives are ignored, and the ones that are studied are reviewed with a flawed analysis.

- 6 The DSFEIS appears to completely ignore the success the small scale, low cost improvements have had improving traffic in the U.S. 74 corridor. Despite acknowledging that traffic speeds on U.S. 74 have increased significantly over the past several years in light of such improvements, the DSFEIS gives no real consideration as to how these improvements might be expanded to further to benefit local drivers.
7 The DSFEIS fails to give meaningful consideration to transit alternatives as part of a comprehensive solution for the corridor. Charlotte's 2030 transit plan, which includes the Lynx silver line to Matthews, is completely ignored, with no consideration given as to how improved buses along the U.S. 74 Corridor could sync with the vision for the greater Charlotte region. Representatives from CATS have noted that Union County is a potential transit market, with opportunities for expanded park-and-ride and better planned, more convenient Bus Rapid Transit. These options are ignored by the DSFEIS.



- 8 Transportation Demand solutions are also not fully considered in the DSFEIS. There is no discussion as to how staggered or flexible work schedules could be implemented to help reduce demand for travel during peak times. Such options are not out of the purview of NCDOT, which is working with local employers in Raleigh to adjust work schedules as part of its "Fortify" effort. Moreover, census data show that the number of Union County residents working from home has doubled in past decade, while the number of Union County workers commuting into Charlotte has decreased significantly. These trends indicate that flexible work schedules could be an important piece in lessening traffic on US 74 at peak periods.
9 While each of these solutions working alone may not accomplish the increased travel speeds sought for by NCDOT, working together they might accomplish significant improvements. The DSFEIS fails to consider how a suite of alternatives working together could improve traffic flow for local drivers.

Impacts Analysis

10 The impacts analysis in the DSFEIS is highly suspect. Like it did in its previous Environmental Impact Statement, NCDOT has simply assumed that Union County will keep growing at dramatic rates regardless of the availability of infrastructure. The DSFEIS thus assumes from the get-go that the Bypass will have little effect on air and water quality or the quality of life in the study area.

Conclusion

It has been decades since the concept of the Monroe Bypass project was first developed. Since then much has changed. Younger generations are favoring city living in place of the suburbs, and long daily commutes are becoming disfavored. Increasingly transportation choices, such as multi-modal alternatives or flexible work schedules, are gaining in popularity. The DSFEIS remains behind the times and fails to take account of these shifts, remaining with the same old approach of building highway after highway in a vain attempt to alleviate congestion. We simply don't have the resources to continue this outdated mind set, and it's time for a fresh look.

A fresh look at transportation options in Union County would show that much has changed since transportation planners began to study this project. While congestion still exists on U.S. 74, it continues to decrease, and travel speeds through the corridor are higher than ever. The dramatic impact of relatively inexpensive, small-scale improvements within the corridor has been proven. Travel behavior in the county has changed, with fewer workers commuting into Charlotte and many more working from home. And the county's growth rate, once the highest in North Carolina, is slowing considerably. It's time for a new look to determine what is really needed in the Greater Charlotte Region, and time to say good bye to the policies of the past.

Sincerely,

Shannon Binns
Executive Director
Sustain Charlotte



December 31, 2013

NCDOT Human Environment Section
Attn: Jamille Robbins
1598 Mail Service Center
Raleigh, NC 27699-1598

Dear Ms. Robbins,

We attended the meeting concerning the Monroe Bypass on December 9, 2013 at South Piedmont Community College. We appreciate the opportunity to become as informed as possible about the project, and how it will affect all of us who live and work along the affected area. We are particularly interested in the effect of the project upon First Baptist Church of Indian Trail, which is located at 732 Indian Trail Fairview Road, Indian Trail. We are just off of US 74 near the very congested intersection of US 74 and Indian Trail-Fairview Road. We have approximate 6,000 members of our church. On Sunday mornings, we have roughly 2,500 - 3,000 people who worship at our church, with almost all of the traffic exiting onto Indian Trail-Fairview Road. In addition, our school, Metrolina Christian Academy is located on our property. The school has 1,200 students and over 200 employees who all arrive and depart each day by car. With the other activities of the church, there are probably 15,000 vehicles per week that are accessing our church from Indian Trail-Fairview Road, most of which are then entering US 74. As you can see, we are very dependent upon accessibility from these two roads for our daily operations. We are writing to express our concerns on behalf of our congregation.

1 While it is obvious that the construction of the bypass will help traffic move through our area, and throughout Union County, we are concerned that other roads around us be left open and accessible. We are specifically speaking of Oak Spring Lane and Stinson-Hartis Road. These roads are vital to many who attend our church and school. For many who live north of US 74, these roads are the most direct path of accessing our facilities, and of reaching US 74. It appears that the current plans call for Oak Spring to be turned into a cul-de-sac, without having access to Stinson-Hartis Road. This would require many from the Stallings/Mint Hill/Hemby Bridge areas to go out of their way to go Idlewild Road to Hemby Bridge, then access Indian Trail-Fairview Road to get to our facilities or to US 74 rather than taking a more direct route that would utilize Oak Spring and Stinson-Hartis Road. This would add even more traffic onto these already busy two lane roads, and force them to go through the connector to the bypass on Indian Trail-Fairview Road, which will be a major access point to the bypass. The additional mileage that would be driven would also be more costly, use more gasoline and add more to air pollution. All of that could be avoided by simply keeping Oak Spring open and accessible onto Stinson-Hartis Road as it is today. We realize that intersection may need to change somewhat due to the path of the bypass, but it would be very helpful to the community for Oak Spring to remain open to through traffic.

2 Also, there is a related proposal currently in the works to convert intersections in Indian Trail entering US 74 to the new Superstreet Design. While we welcome anything that would improve congestion at these crowded intersections, the timing of this project is very critical to us, and we believe could be helpful to NCDOT as well. We would appreciate consideration given to converting the intersection at Indian Trail-Fairview Road and US 74 during the summer months when school is not in session. If it could be completed between a June 1 and August 15, it would make a huge difference in the number of cars entering the intersection from construction, as our school would be out and our weekday traffic onto US 74 would be reduced by probably 90%. This would be a reduction of easily 2,000

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vehicles per day during construction. This would lessen danger on construction workers during the project, and be a huge help to the motorists who access our property on a regular basis. The new traffic pattern could be in place by the time school started, and we could send material out to the school parents ahead of time providing assistance on navigating the changes to accessing the road. We would think that the same thing would exist on the South side of Indian Trail Road, since Indian Trail Elementary School is less than one mile from US 74 on the same road.

It is our sincere desire to be a good corporate citizen during these times of drastic change in our area. As further hearings will be needed in the future to inform the public of these changes, we would welcome the opportunity to share our facilities for such a public meeting. Thank you for all the work that you have put into this project, and to all the efforts to make our roads better and safer for all of us.

Sincerely,

Dr. Mike Whitson
Senior Pastor

Rev. Sammy Thomas
Executive Pastor

cc: J. Scott Cole, P.E.
Deputy Division Engineer
Division of Highways - Division 10

12/2013

NCDOT,

I am Rodney Mullis, I live @ in Hemby Bridge, NC. I Am totally against you wasting our tax dollars on building a new expensive road, when we should be repairing the roads that we already have. You are taking family land, that has been in the family over 100 years. Once the expensive road is built, then there is maintenance on the road, that will be a burden on all taxpayers for many, many years. This proposed toll road will never be paid for with tolls collected, so stop wasting our tax dollars. Repair the roads that we already have!

Rodney Mullis

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1/2014

NCDOT,

I Am writing in regards to the Proposed Toll Road (Morice Connector/ Bypass. This has got to be one of the most stupid ideas you have had in awhile.

This Bypass will not ease traffic on US 74 (Independence Blvd) like you are telling people. Why don't you try telling the truth to the taxpayers. We all deserve that. This is a very very expensive road that will never get paid for from the tolls collected! You know that but, do you care? Know you don't. And the big Crooks like Boss, will make off like the bandits they are. Thanks to folk like you - Pat on the Back: money in the pockets - laughing all the way to the bank.

You should all search your hearts and think with them same - It will effect all of us and our children? grandchildren forever: ever. Please fix the roads that we have to travel on every day. And fix 74 with the great: wonderful ideas to make it into a Super street! This will cost a fraction of the Huge amount of a useless toll Road.

Comments on the SDEIS for Monroe Bypass

January 6, 2014

I appreciate the opportunity to comment on the draft of the final EIS and other issues related to the proposed Monroe Bypass. My comments at the Public Hearing on December 11 are on file but given the 3 minute time limit at the hearing, it is necessary to make additional comment to address the multiple concerns with the document and the evaluation process. There was insufficient time allowed between the late November release of the SDEIS and scheduled hearings to complete a thorough review and analysis, but I have followed the project for a number of years and have reviewed the new EIS in some depth. I am very disappointed that many of the deficiencies from the original EIS that prompted the court to rule against DOT in 2012 have not been addressed in the new document. I will outline and elaborate on more of those concerns in this written response.

Incomplete and Biased Information to Decision Makers

I have served as Mayor of the Town of Stallings for the past 8 years with my term ending December 9, 2013. In that capacity I served as the delegate on the MUMPO board and was Vice Chair of the board for two years 2011-2012. I heard numerous updates from NCTA and NCDOT on the project. Updates typically included progress toward milestones such as acquiring the ROD, permit approvals, LGC review of financial plans, and bid results. There was very limited factual information on data to support the project or the rationale for elimination of some alternatives. The overriding assumption appeared to be that the project was inevitable and only minor details could be influenced.

- 1. The 26+ alternatives evaluated were essentially all iterations of the same alternative. The process started with a desired outcome and structured measurements and analyses to support and justify a predetermined conclusion while omitting data that might frustrate that goal. This is perhaps most clearly evident in the fact that NCDOT has stated repeatedly in public meetings that they are "committed" to building the project, implying that the outcome of the EIS evaluation and the public hearings are irrelevant.
- 2. Improvements to Highway 74 were eliminated early in the process without thorough evaluation of the types of improvements that were feasible, the costs of various improvements, specific data about the impacts to businesses and homes on existing alignment as compared with other alternatives. Use of frontage roads, bridges, and superstreet design were not evaluated. The Stantec Study conducted in 2007 was never presented to MUMPO and staff notes include comments that "NCTA would not be in favor of changes to US 74 that would have a competing interest with the bypass." (US 74 Revitalization Study meeting notes January 18, 2011). Such statements create the impression that relevant information regarding other alternatives may have been deliberately withheld from decision makers.

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We live on family land that cannot be replaced or copied in anyway!
We urge you all to reconsider this move that you are pushing down our throats. Please listen to the common people that will not be getting rich off this idea off the toll Road -
I am very much opposed to the Toll Road!

Rhonda Mullis

4 3. Improvements to Highway 74 were evaluated only as a single either/or option. There was no consideration given to improvements to Highway 74 in combination with improvements to Old Monroe Road, Idlewild/Secrest Shortcut, or Highway 218 or to the benefit of accelerating the Silver light rail line to CPCC which has been delayed for lack of available funding.

Critical Data to Assess Current and Future Use of the Bypass was not Collected

One of the most obvious questions for a project of this scale would be who will use it. That would call for a hard look at who is traveling in the corridor now, where did they come from and where are they going.

- 5 1. The SDEIS report does not include an origin and destination study despite the importance of that information having been pointed out repeatedly. In an email response to Mayor Paxton, Ms. Harris reported that 78% of survey respondents indicate that their trip began in Monroe, Indian Trail, Charlotte or Matthews and 75% were destined for Monroe, Charlotte, or Matthews which suggests traffic in the corridor is primarily local and would not likely use the bypass. (SDEIS Appendix 2)
- 6 2. Staff reports acknowledge that trucking companies are split about whether they will use the bypass, yet the new SDEIS makes no attempt to evaluate that further (US 74 Revitalization Study meeting notes January 18, 2011). Given that trucks typically provide 40-50% of toll revenue, this is a critical omission of data. A recent article about opening of the Intermodal Rail Yard at the Charlotte airport indicates it will take 393,000 long haul truck trips off the roads each year. The facility is not mentioned in the analysis. The general public has been told by promoters of the bypass that it will take the truck traffic off 74, but there is no data to support that assumption. There is data to show that the truck traffic within Stallings around I485 will more than double that of the “no build” alternative with increases of 11% after the bypass is built. Data provided by Ms. Harris about truck traffic in 2012 shows an increase in truck traffic in all segments of the corridor except for 3 in the far eastern part of the county.

Changing Landscape not Appropriately Addressed

There have been highly significant changes in the region over the course of the lengthy study period for this project. Those changes render the data collected in earlier years invalid or at best, in question. Since 2007 there has been an economic recession, a serious slowing of development, a decreasing number of out of county commuters, less car travel in general.

7 1. The pace of growth in Union County has dropped from 62.8 % from 2000 to 2010 to its current 1.7% annual growth. Moreover, the majority of growth has occurred in the south and west portions of the county near Ballantyne and far removed from the 74 corridor.

8 2. No adjustments were made in 2035 projections for traffic despite the current data showing 0% increase in traffic over the past 12 years.

9 3. Recent minor improvements to 74 have demonstrated significant gains in travel speeds and time savings, yet those improvements were not evaluated and nor are the benefits accounted for in the SDEIS of other improvements scheduled for implementation such as conversions of some intersections on 74 to superstreet designs.

10 4. The expansion of the Monroe Charlotte Airport and surrounding industrial development and potential development is not mentioned just as the previously mentioned Intermodal Rail yard was ignored. Project Legacy in Marshville, historically included when convenient and omitted when not, is also not mentioned.

Justification has been Augmented and Misrepresented

11 Conversations with key legislators, Representatives Bill Brawley and Dean Arp, reveal a misunderstanding about any flexibility in use of the bonds previously sold for the project. This misunderstanding may well be shared by others in the state legislature. These gentlemen have indicated support for the project primarily to avoid legal liability that could arise from shifting bond funds to other projects. That matter was discussed with LGC prior to issuing the bonds and funds can be used for other toll projects which would allow other sources to be freed up for alternatives not currently funded in the TIP.

12 A second justification described by local legislators and top administrators at NCDOT is that the bypass will facilitate transport of goods from Asheville to the port at Wilmington, improving the state’s status for economic development. I do not recall that having been put forth as a purpose or benefit of the project until support recently began to erode. There is no data in the SDEIS to address that purpose.

Comparisons to LOS for similar highways is Absent

13 When the definition of purpose for the project establishes a target speed of 65 mph and minimum of 50 mph as essential criteria, the stated purpose basically ensures that all other options will fail. Few, if any, major highways in the Charlotte region operate at that level during peak travel times though acceptable speeds are evident during non-peak. The study did not include any comparative data for I77, I485, I85, or 49/29 or other major highways in our region. The argument that Union County is the only county adjacent to Mecklenburg that does not have a high speed interstate facility was also refuted by Hartgen as inaccurate and as a newly invented criteria for evaluating projects that is not supported by NCDOT’s new prioritization matrix.

Diminishing Return on Investment

14 Current predictions for time savings are significantly lower than those of documents published in 2009 which described 29-32 minutes saved, thus diminishing the cost benefit of the project. (Citizens Summary March 2009). Travelers going from end to end are now expected to save 8-10 minutes in travel time when the bypass opens. Projections of increased time savings for future travelers are based on the assumption

14 cont that traffic will get worse on 74. Costs for the project are now expected to fall between \$845 and \$923 Million. That is a cost of \$100 million per minute saved.

Prior Public and Political Support was based on Faulty Perceptions of Benefits

15 Public support of the Monroe Bypass is based on the belief that the bypass will significantly relieve the congestion on Highway 74 and remove most of the truck traffic, making the road safer for local traffic. The Union County Chamber of Commerce in collaboration with NCDOT and Boggs Paving held a breakfast meeting for community leaders in February 2013 to promote the bypass as a remedy for congestion and a catalyst for economic development. The Chamber President, Sharon Rosche, was later featured in a follow up newspaper article hailing the benefits of the bypass as promoting growth and attracting commercial development to the eastern part of the county. NCDOT may not be responsible for the personal agendas of these individuals or their misinterpretation of data, but NCDOT has failed to publicly clarify the true purpose or to address these popular inaccuracies. Ms. Harris claimed a lack of understanding of the question when an SELC attorney asked her to speak to the impact to congestion on 74 at the public hearing on December 9. When the question was raised at MUMPO about attempts to clarify confusion about use of bond funding for other projects, division 10 engineer, Louis Mitchell, indicated that was not the responsibility of NCDOT staff. Many disagree. In the absence of real data and candid disclosure about the limited time savings, the lack of improvement in congestion on 74, and removal of truck traffic, special interests who support the project continue to publicize erroneous assumptions about project benefits. Legislators play a significant role in decisions regarding the Monroe Bypass and other major transportation projects as demonstrated in the recent removal of funding for the Gaston Parkway. Clear and complete disclosure regarding impacts or lack of positive benefit serve an important function in a public education and decision making process.

16 Recently a more informed public has spoken in favor of less costly alternatives that will address more pressing needs for congestion relief and mobility in the region.

- 17 1. Four towns in Union County have adopted resolutions supporting alternatives to the bypass through unanimous votes of their board. These boards understand the serious restraints for transportation funding and have issued a call for more responsible prioritization and spending. Copies of the resolutions are attached to these comments and should be included in the administrative record to be used in the project decision making process.
- 18 2. A core group of elected officials, concerned citizens and business owners has organized to bring more complete and accurate information to the public. The group includes two former county commission chairpersons, and four mayors who were on record supporting the bypass prior to learning more details of the project. Unfortunately two towns, Monroe and Indian Trail refused to allow their boards and constituents to hear a presentation about the myths and contradictions of the project.
- 19 3. The Facebook Page "Fix It First" has quickly received a number of supporters since its founding on December 27, 2013.

The Contract with Monroe Bypass Constructors Is in Limbo

20 There are currently 29 federal indictments against Monroe Bypass Constructors, the group awarded the contract for the bypass construction. Trial has been postponed until September 2014. NCDOT has refused to terminate the contract despite these charges and has made payments to Boggs Paving in excess of \$1.6 million since May of 2012.

21 1. The court ordered design work to stop in May 2012. NCDOT has since reported to MUMPO that the project would be able to start immediately once the new ROD and permits are received because they will have "a fully designed project" and it will no longer be a design-build project. When public hearings were conducted December 9, 10, and 11 of 2013, the original maps were presented. Updated maps and design work was not made available to the public.

22 2. Payments made to Boggs include reimbursement for activities in which employees engaged in activities to "promote" the bypass. These payments are possibly illegal and clearly unethical and inappropriate expenditures of taxpayer funds.

Transportation Experts are Critical of the Quality of Analysis for SDEIS

23 David T. Hartgen, PH.D., P.E, a professor at UNCC in transportation studies and traffic analysis, has reviewed the SDEIS and written a critique of the work. He concludes that the "traffic forecasts presented in the SDEIS are too uncertain and insufficiently supported to be the basis for decision-making regarding the Monroe Connector/Bypass." His report will be available to decision makers and is not delineated here.

Serious Adverse Impact for the Town of Stallings

- 24 The Monroe Bypass will have serious adverse impacts for the Town of Stallings. The elevated roadway will create a 20 foot wall through the one mile stretch on 74 essentially dividing the town in half. The anticipated benefit from the opportunity for redevelopment of some low quality commercial business in the corridor is essentially eliminated by current design that reduces ROW and preserves current use of property. There are serious concerns about storm water management and impact to a residential community alongside the elevated roadway which have not been clearly addressed. The intersection at Matthews- Indian Trail Road and Stallings Road, approximately ¼ mile off Highway 74, is adversely impacted but without mitigation by NCDOT.
- 25 Concerns about abrupt termination of a high speed freeway in close proximity to the I 485 interchange and a short distance from a traffic signal at Highway 51 in the Town of Matthews poses serious safety and traffic flow issues.
- 26

In conclusion, the SDEIS continues to show major flaws in analysis of data and omissions of critical data that is needed for a valid and comprehensive evaluation of the project. Broad local support for alternatives suggests a shift of priority to less costly improvements that will effectively address congestion and traffic flow between Union County and Charlotte through the existing 74 corridor is a more appropriate and responsible use of limited transportation funds.

Monroe Connector/Bypass Comments
January 6, 2014

Lynda M. Paxton
112 Eaglecrest Drive
Matthews, NC 28104
704-882-1083
LPaxton@carolina.rr.com

Name: **Frederick Becker III**
Mailing Address: **6603 Sadler Rd., Waxhaw, NC 28173**
Email Address: rick.becker@yahoo.com
How did you hear about the meeting? **Emails from other local elected officials**
Which meeting did you attend? **December 9, 2013 and December 10, 2013**

Attachments:
Town of Hemby Bridge Resolution of Opposition to the Construction and Location of the Monroe Connector Bypass
Town of Weddington Resolution Supporting Alternatives To The Monroe Bypass
Town of Mineral Springs Resolution Supporting Alternatives to the Monroe Bypass
Town of Marvin Resolution Supporting Alternatives to The Monroe Bypass

cc. Jennifer Harris
Carl Gibilaro
Jamille Robbins
Louis Mitchell
Loretta Barren
Tony Tata
Ned Curran

In answer to question #4, I do not feel that a thorough analysis has been performed in the Draft Supplemental Final Environmental Impact Statement (DSFEIS). Specifically, I believe that 1) the residential growth figures in the "build" study are understated, and did not reflect a sufficient combination of analytical methodologies; 2) a comparison of "build with nine interchanges" vs "build with two interchanges" has not been made; and 3) several very viable and more cost-effective alternatives to constructing the Monroe Connector/Bypass were not considered.

1. The "build" scenario understates the amount of development that will occur

The DSFEIS anticipates a "build" residential growth figure of 1% more than the "no-build" figure for the study period, based on an estimated 1,800 acres of additional residential development. Methodologies used to arrive at this estimate included MPO projections and other considerations such as accessibility.

I believe, based on over 20 years of studying residential growth patterns in the suburban Charlotte region with 14 of those years as an elected municipal official, that construction of the Monroe Connector/Bypass with nine interchanges in parts of Union County that are, in many cases, "in the middle of nowhere" and are currently underserved by convenient automobile transportation links to Charlotte will result in the addition of *far* more than 1,800 acres of residential development. In fact, even a cursory look at the Union County GIS maps reveals many thousands of acres of undeveloped farmland and woodland in large (50+ acre) tracts within a 2-mile radius of each of the nine proposed interchanges. Furthermore, most of these tracts are not owner-occupied, and a majority of them are owned by Limited Liability Corporations and other speculative real estate investment entities, demonstrating that these tracts are being held for new development as soon as "something" happens. I submit that that "something" is the construction of the Monroe Connector/Bypass.

Union County, aside from a brief slowdown during the nationwide real-estate slowdown, has experienced exceedingly high rates of residential development over the past 15 years. However, this development has been concentrated where existing arterial roads lead to Charlotte. The land around the nine future Monroe Connector/Bypass interchanges has experienced comparatively little development activity because it is not near convenient highway access to Charlotte.

2. The DSFEIS failed to conduct a study of historical regional residential construction activity. Specifically, Interstate 485, which actually has fewer interchanges per mile than are proposed for the Monroe Connector/Bypass, is a good basis for regional comparison. I-485 has been constructed over a period of 20 years, and the land ownership and development sequence around

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2 cont proposed Monroe Connector/Bypass interchanges very closely mimics the early phases for land around the I-485 interchanges. Looking at just the John Street, Providence Road, Rea Road, and Johnston Road interchanges, one sees extremely high levels of residential development. Before I-485 and those interchanges were built, that land consisted of thousands of acres of undeveloped woodland and farmland, similar to the land around the Monroe Connector/Bypass interchange sites. Real estate investment entities bought up large tracts of that I-485 land prior to highway construction – just as has been done along the Monroe Connector/Bypass – and then, as interchanges opened, development took place at breakneck speed. Tens of thousands of residential units sprang up within a few years at just those four interchanges while, prior to the planning of I-485, Mecklenburg County hadn't even intended to extend utility lines into the area.

2 cont To believe that the exact same thing will not happen at the Monroe Connector/Bypass interchanges is to ignore local development history. And therein lies one of the DSFEIS's major flaws: that 1% "build" residential development figure. That figure is ridiculously low. At the very least, the NCTA should conduct an analysis of the ownership history of the Union County land in question, compare it to the development history of the I-485 interchange land, and supplement the MPO "build" projections with some very well documented historical data.

The consequences, both environmental and economic, of that massive amount of additional development will be huge. The DSFEIS *must* arrive at a much more realistic projection for residential development under the "build" scenario and revise the secondary environmental effects accordingly. Water withdrawals from the Yadkin and Catawba rivers, sewer discharges into those same rivers, thousands of acres of impervious surface and the associated runoff, air-quality problems from the tens of thousands of new commuter automobiles in the relatively small area, loss of wildlife habitat, loss of tree canopy, loss of productive farmland, and various other environmental issues will plague a five-mile-wide by 20-mile-long (64,000-acre) area along the Connector/Bypass route. Because detrimental secondary environmental effects on such a potentially massive scale are not even being considered, the very purpose of the DSFEIS is not being met.

2. What would be the effect of eliminating all of the interchanges except those at the ends?

Throughout the EIS process for the Monroe Connector/Bypass, the NCTA has maintained that the purpose for the project is to improve mobility *through* Union County. The NCTA has stated that the project is not intended to improve conditions for local users on US-74 and is not intended to (nor expected to) induce significant development along its 20-mile length. Most recent DSFEIS figures anticipate induced growth of only 1% from building the highway.

3 With those facts in mind, I have repeatedly asked NCTA and NCDOT officials why the seven interchanges along the Monroe Connector/Bypass are even necessary. Why not simply eliminate them? This road is, after all, being promoted as a "bypass", so what is the purpose of all these interchanges? I have been told that "the interchanges are needed for accessibility and growth". But the project is not expected – or intended – to generate growth! With that in mind, there should be *no* downside to eliminating the interchanges. In fact, there should only be an *upside*: a huge reduction in cost. Those seven interchanges probably account for 10% - 20% of the total project cost. Eliminating them would free up as much as \$150 million or more to be used for

3 cont some badly-needed transportation projects in Union County that would actually improve mobility *within* the county, and would have *no* negative effect on the stated purpose of the Monroe Connector/Bypass: to improve mobility through the region.

Until NCDOT adequately answers the question "why not eliminate the interchanges" with an answer that is consistent with the project's stated purpose, the DSFEIS has not properly addressed a significant issue about the project. Based on the claimed growth figures and the project's stated purpose, answers to that question that have been forthcoming thus far are not supported by the facts, and lead one to conclude that either NCDOT is not answering the question honestly or accurately, or is simply planning to waste millions of dollars on those unnecessary interchanges.

3. A broad-based scenario of dispersed traffic along parallel routes has not been adequately considered

4 From the start of the EIS process, NCDOT has only considered two alternatives: build the Monroe Connector/Bypass on a new right-of-way, or widen existing US-74 to eight or more lanes and wipe out most of the businesses along the highway. The second alternative is so impractical that the only apparent viable alternative appears to be "build the Monroe Connector/Bypass". It is almost as if NCDOT "cherry-picked" an alternative that would lead to a foregone conclusion!

A "mobility package" consisting of a series of improvements to US-74, improvements to at least two existing parallel roads, and the construction of a few new short connectors has not been given adequate consideration.

For example, NCDOT's own study by Stantec provided a few very low-cost, high "bang-for-the-buck" improvements to US-74 that would have immediate and relatively long-term benefits. At this time, only the very smallest of those improvements have been made – primarily signal timing and phasing – and already the Level of Service on US-74 has improved according to data in the DSFEIS. Construction of several "superstreet" intersections has now been scheduled, and past experience with the superstreet design has shown that such intersections are *very* effective.

Other direct improvements to US-74 that could be undertaken at somewhat greater cost – although *far* less than construction of the Monroe Connector/Bypass – are addition of service roads in the most congested areas, leaving "express lanes" for through traffic, and construction of grade separations (overpasses) at key intersections.

Both Secrest Shortcut Road and Old Charlotte Highway run parallel to US-74 and could be upgraded for better traffic movement. Old Charlotte Highway is already predominantly commercial and industrial for much of its length, and is additionally a direct feeder to the Monroe Airport, the Monroe Corporate Center, and the Aeropointe Industrial Centre.

The eastern leg of the Monroe Road Loop is a short "bypass" that is on regional transportation planning maps, but is not scheduled for construction anytime soon. This short highway, and possibly a few more like it, have the potential to improve traffic *through* the region in much the



same way as the Connector/Bypass promises to do, at a much lower cost and with much less disruption to local residents and property owners.

Conclusion

5 [The Draft Supplemental Final Environmental Impact Statement leaves many questions unanswered, and has the potential to lead our region in a harmful direction. It is essential that NCDOT address the issues raised in these comments, and find solutions to our local and regional transportation problems that are ess costly, less damaging, and more practical than the Monroe Connector/Bypass.

January 3, 2014

Mr. Jamille Robbins
NCDOT Human Environment Section
1598 Mail Service Center
Raleigh, NC 27699-1598

RE: Monroe Connector/Bypass

Dear Mr. Robbins:

I am writing to you today on behalf of our Chamber member businesses and the thousands of local residents employed by them to express support of the construction of the Monroe Connector/Bypass.

1 [As you know, Census data showed Union County was the fastest growing county in North Carolina from 2000 to 2010. And today, Union County remains one of the fastest growing counties in NC. Union County's population is expected to grow to 225,878 in 2016 which will be an increase of 24,000 residents over 2010.

2 [Union County has one of the highest commute times in the region. The 2010 Census data shows the average commute time for Union County residents was 27.8 minutes which is 11% higher than the regional average. One out of five Union County commuters travels more than 45 minutes to work.

3 [The Monroe Connector/Bypass has been under discussion for over thirty years. Meanwhile, traffic on Highway 74 in Union County has continued to grow causing major congestion. This congestion has been a major source of concern for the Chamber-member businesses located along existing US74. Local residents avoid traveling US74 whenever possible and for those businesses located on US74 but not at an intersection with a traffic light, it has become an obstacle to their business' growth and in some cases, their on-going viability.

4 [Our manufacturing business members located in Union County are among the county's largest employers. These same manufacturers must move goods to market in a timely manner to remain competitive. Tractor-trailer vehicles make up more than 20% of the traffic using US74 in Union County. The stop-and-go traffic creates delays in moving the goods to market and more importantly, is a safety concern.

A2-150

5 It is clear that this project is needed by not only Union County, but the region. An alternative high-speed thoroughfare without the interruption of traffic lights will provide greater access to eastern Union County which is important to our county. We believe improving accessibility to Wingate University, ranked eighth among "Best value colleges and universities in the South based on quality and net cost" by *U.S. News & World Report* is another opportunity for our county and our region. In addition, improving access to the Port of Wilmington for the Charlotte region is good for our state. The Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo.

6 Continued construction delays have caused increased costs to NCDOT; negative impact to Union County residents and businesses who own property affected by the construction of this project; and the continued congestion on US74 negatively impacts our environment, quality of life, safety of our citizens, and local businesses.

7 Enclosed are copies of resolutions in support of the construction of the Monroe Connector/Bypass adopted by Union County Board of Commissioners, City of Monroe, Town of Stallings, Town of Indian Trail, Town of Marshville, the Monroe-Union County Economic Development Board of Advisors, Wingate University, the Union County Public School Board of Education, and the Union County Chamber of Commerce Board of Directors. In addition, a letter from a local couple, Anthony and Brenda Spierings, who own land in Monroe affected by this project. Their letter expresses their concern with the delays in construction and the negative impact the delay has had on their lives.

I hope these comments along with the additional documents provided will assist NCDOT in moving forward with this important project. If you have questions or need additional information, please contact me.

Sincerely,



Patricia T. Kahle
President

Enclosures

A2-151

April 2, 2013

"We Need Help"

Our names are Anthony & Brenda Spierings. We live in Monroe, NC

We need some help.

There is a by-pass going from Wingate to I-485, as you have probably heard about.

1 The problem we and several other people have is the by-pass is touching our lands and it keeps us in limbo. This has been going on since 1995(first file we have on it)

We had a business here at that time and we had a buyer for it, then we saw in the paper the bypass was coming right thru the middle of our property. So, he backed out.

Then over the years when nothing happened we again put it up for sale. Same thing, had buyers but again the road got changed so no deals.

Now we are to the present day, and are not sure exactly what they are taking. We again have the property up for sale, but - what will we have to sell??? They say they may take a little bit more.

2 We understand the highway department will be going back to court (for having the wrong analysis) – so our available property may change again. And it is hard to interest someone when we

2
cont

are not sure what we will have!!!!!! First was the Tar heel mussel (which we understand was never found there) How can the same thing go to court 4 times? How many appeals does one get?

The way the highway people tell us, is the money is there to build the road. But, as long as it is in the courts it will not be a reality.

When driving thru Union County you can see we really need the road. Rt. 74 is almost impossible to drive on.

A2-152

3

We are hoping now that we have a governor from our side of the state we might finally get some help in the roads department, instead of a lot of the money staying around Raleigh.

4

We really hope you can see through to help us with this problem. We are tired of being in limbo on this matter. Seventeen years is enough. Either build it or drop it.

Anthony & Brenda Spierings

2716 Morgan Mill Road,
Monroe, NC 28110 #704-226-9296.

*2716 Morgan Mill Rd
Monroe, NC 28110*

*Brenda Spierings
Anthony M. Spierings*

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-001	Sustain Charlotte	1	We urge NCDOT to take a more sustainable approach to the US 74 corridor and invest public resources more wisely.	Comment noted.
L-001	Sustain Charlotte	2	The DSFEIS is based on outdated pre-recession data and dramatically overstates future population growth in Union County.	We evaluated the Charlotte Regional Transportation Planning Organization (CRTPO) 2014 socioeconomic (SE) projections for Union County (<i>Review of New CRTPO Socioeconomic Projections</i> , Michael Baker Engineering, Inc., May 2014). The 2014 SE projections suggest that future growth may be slower than projected in the previous 2009 SE projections developed by MUMPO (now CRTPO). The 2014 SE projections suggest that growth may be delayed for a decade. However, our evaluation of the 2014 SE projections shows that growth and impacts due to the project would not be significantly different if the 2014 SE projections were to be used in our analysis. [Note: The CRTPO adopted the <i>2040 Metropolitan Transportation Plan</i> , which includes the 2014 socioeconomic projections, on April 16, 2014. FHWA issued a conformity determination on May 2, 2014.]
L-001	Sustain Charlotte	3	The DSFEIS assumes significant growth in traffic volumes along U.S. 74 despite the fact that there has been no traffic volume growth in the past decade.	See response in Appendix E-4, Table 1, Comment #40 .
L-001	Sustain Charlotte	4	The DSFEIS fails to calculate the extent to which current traffic in the corridor is local, and thus fails to determine who will actually pay a toll to use the new highway, and who will remain on U.S. 74.	As discussed in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> , the question of how the Monroe Connector/Bypass would affect traffic volumes on the US 74 corridor was addressed. In all the comparisons evaluated, traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place. Traffic models predict the usage of roadways within a set area but do not identify each particular user, rather they predict the number of vehicles using a particular roadway segment. Local versus through traffic was considered in the analysis. The project's traffic forecasts were developed using the Metrolina

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
				<p>Regional Travel Demand Model. Origin-destination surveys across the region were a part of the overall model’s development.</p> <p>Toll revenue projections, which are part of the project financing process, are documented in <i>Final Report: Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study</i> (Wilbur Smith, October 2010) which does predict those motorists willing to pay a toll.</p>
L-001	Sustain Charlotte	5	<p>The DSFEIS is overly focused on travel speeds. It gives no consideration given to other important considerations of transportation planning, such as improvement physical and mental health, improved options for low income and older adults, or improved transportation flexibility, that may be occasioned from a more multi-modal solution.</p>	<p>The full range of transportation options considered for the project is documented in Section 2 of the <i>Draft Supplemental Final EIS</i>. The Charlotte Region Transportation Planning Organization’s <i>2035 Long Range Transportation Plan</i> addresses all transportation modes for the region.</p> <p>The project’s impacts on low income and minority populations were considered, as summarized in Section 1.3.1.5 of the <i>Final EIS</i>. The evaluation determined the project would not have a disproportionately high and adverse impact on these populations.</p>
L-001	Sustain Charlotte	6	<p>The DSFEIS appears to completely ignore the success the small scale, low cost improvements have had improving traffic in the U.S. 74 corridor. Despite acknowledging that traffic speeds on U.S. 74 have increased significantly over the past several years in light of such improvements, the DSFEIS gives no real consideration as to how these improvements might be expanded to further to benefit local drivers.</p>	<p>While traffic speeds have increased, as acknowledged in the <i>Draft Supplemental Final EIS</i> and <i>Final Supplemental Final EIS</i>, those speeds are less than the posted speed limits and such small scale improvements do not meet purpose and need. An NCDOT analysis of superstreet improvements along the corridor (<i>US 74 Corridor Superstreet and Traditional Intersection Capacity Analysis</i>, NCDOT, November 2012, included in Appendix C of the <i>Review of the report titled, Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013, prepared by the Hartgen Group for the Southern Environmental Law Center</i> [HNTB, May 2014]), included in Appendix E of the <i>Final Supplemental Final EIS</i>, shows such improvements would not improve traffic speeds to meet purpose and need. See responses in Appendix E-4, Table 1, Comment #s 26 and 30.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-001	Sustain Charlotte	7	<p>The DSFEIS fails to give meaningful consideration to transit alternatives as part of a comprehensive solution for the corridor. Charlotte’s 2030 transit plan, which includes the Lynx silver line to Matthews, is completely ignored, with no consideration given as to how improved buses along the U.S. 74 Corridor could sync with the vision for the greater Charlotte region. Representatives from CATS have noted that Union County is a potential transit market, with opportunities for expanded park-and-ride and better planned, more convenient Bus Rapid Transit. These options are ignored by the DSFEIS.</p>	<p>A full range of alternatives was considered for the project, as first documented in Section 2 of the <i>Draft EIS</i>. In addition, discussion of the Qualitative First Screening for the Travel Demand Management, Transportation System Management, Mass Transit, and Multi-Modal Alternatives combining information from the <i>Draft EIS</i>, the <i>Alternatives Development and Analysis Report</i> (PBS&J, April 2008), and the <i>US 74 Corridor Study</i> (Stantec, July 2007) is provided in <i>Final EIS</i> Section 3.3.2 under Comment 3.</p> <p>As discussed in Section 3.3.2 of the <i>Final EIS</i>, CATS planned transit line from Uptown Charlotte to just east of I-485, the LYNX Silver Line (also known as the Southeast Corridor Rapid Transit Project) has been delayed until after 2020 and CATS is not currently developing this project. NCDOT believes public transportation is an important component of a region’s overall transportation system, but it has been determined to not be a reasonable alternative for the proposed project.</p> <p>It is the purpose of the CRTPO’s <i>2035 Long Range Transportation Plan</i> and the newly adopted <i>2040 Metropolitan Transportation Plan</i> (adopted by CRTPO on April 16, 2014) to identify and prioritize a comprehensive system of proposed transportation improvements, of which the Monroe Connector/Bypass is a part. The Monroe Connector/Bypass project does not preclude planning for other improvements, including transit service.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-001	Sustain Charlotte	8	Transportation Demand solutions are also not fully considered in the DSFEIS. There is no discussion as to how staggered or flexible work schedules could be implemented to help reduce demand for travel during peak times. Such options are not out of the purview of NCDOT, which is working with local employers in Raleigh to adjust work schedules as part of its “Fortify” effort. Moreover, census data show that the number of Union County residents working from home has doubled in past decade, while the number of Union County workers commuting into Charlotte has decreased significantly. These trends indicate that flexible work schedules could be an important piece in lessening traffic on US 74 at peak periods.	See response to Document L-001, Comment #7 . Travel demand management measures such as flexible work schedules were considered as the Travel Demand Management (TDM) Alternative. As summarized in Section 2.2.2 of the <i>Draft EIS</i> , the TDM Alternative was determined to not be able to meet the purpose and need for the project and was eliminated from consideration.
L-001	Sustain Charlotte	9	While each of these solutions working alone may not accomplish the increased travel speeds sought for by NCDOT, working together they might accomplish significant improvements. The DSFEIS fails to consider how a suite of alternatives working together could improve traffic flow for local drivers.	See response to Document L-001, Comment #s 6 and 7 . As documented in Section 2 of the <i>Draft Supplemental Final EIS</i> , a range of alternatives were considered for the project, including mass transit, upgrading existing roadways and combinations of upgrading existing roads with new location segments, and multi-modal alternatives. Existing corridors considered for upgrading were US 74 (in its entirety or in part), Old Monroe Road/Old Charlotte Highway, and Secret Shortcut Road. These alternatives were found to not to meet the project purpose and need or found not to be reasonable, as reaffirmed in the <i>Draft Supplemental Final EIS</i> . It should also be noted that the region’s <i>2035 Long Range Transportation Plan</i> considers all transportation modes, including transit and freight movement, along with roadway improvements, in a comprehensive transportation plan for the area.

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
				<p>The CRTPO, the agency in charge of developing and implementing transportation projects of all modes for the region, continues to support the Monroe Connector/Bypass and it is included in the <i>2040 Metropolitan Transportation Plan</i>.</p>
L-001	Sustain Charlotte	10	<p>The impacts analysis in the DSFEIS is highly suspect. Like it did in its previous Environmental Impact Statement, NCDOT has simply assumed that Union County will keep growing at dramatic rates regardless of the availability of infrastructure. The DSFEIS thus assumes from the get-go that the Bypass will have little effect on air and water quality or the quality of life in the study area.</p>	<p>The indirect and cumulative impacts of the proposed project are documented in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013), summarized in Section 4.5 of the <i>Draft Supplemental Final EIS</i> and included as Appendix E of the <i>Draft Supplemental Final EIS</i>. As noted in Appendix B of the updated Quantitative ICE Report, the population growth rates from the MPO data used in the <i>Draft Supplemental Final EIS</i> show projected growth from 2010 to 2030 in Union County would average less than 3 percent per year. During the period from 1990 to 2010, Union County experienced average annual growth rates of nearly 4 percent to over 5.5 percent. Also, as noted in Section 4.2 of the updated Quantitative ICE report, many factors other than transportation infrastructure play a major role in the potential for growth and development. The conditions and circumstances of Union County (as documented in Appendix B of the Quantitative ICE report) suggest that higher than average growth will occur with or without the construction of the proposed project.</p> <p>The Charlotte Regional Transportation Planning Organization (CRTPO) 2014 socioeconomic (SE) projections for Union County were evaluated (<i>Review of New CRTPO Socioeconomic Projections</i>, Michael Baker Engineering, Inc., May 2014). The 2014 SE projections suggest that future growth may be slower than projected in the previous 2009 SE projections developed by MUMPO (now CRTPO). The 2014 SE projections suggest that growth may be delayed for a decade. However, our evaluation of the 2014 SE projections shows that growth and impacts due to the project would not be significantly different if the 2014 SE</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
				projections were to be used in our analysis. [Note: The CRTPO adopted the <i>2040 Metropolitan Transportation Plan</i> , which includes the 2014 socioeconomic projections, on April 16, 2014. FHWA issued a conformity determination on May 2, 2014.]
L-002	First Baptist Church	1	While it is obvious that the construction of the bypass will help traffic move through our area, and throughout Union County, we are concerned that other roads around us be left open and accessible. We are specifically speaking of Oak Spring Lane and Stinson-Hartis Road. These roads are vital to many who attend our church and school. For many who live north of US 74, these roads are the most direct path of accessing our facilities, and of reaching US 74. It appears that the current plans call for Oak Spring to be turned into a cul-de-sac, without having access to Stinson-Hartis Road. This would require many from the Stallings/Mint Hill/Hemby Bridge areas to go out of their way to go Idlewild Road to Hemby Bridge, then access Indian Trail-Fairview Road to get to our facilities or to US 74 rather than taking a more direct route that would utilize Oak Spring and Stinson-Hartis Road. This would add even more traffic onto these already busy two lane roads, and force them to go through the connector to the bypass on Indian Trail-Fairview Road, which will be a major access point to the bypass. The additional mileage that would be driven would also be more costly, use more gasoline and add more to air pollution.	Comment noted. This request will be forwarded to the design-build who, in conjunction with NCDOT, will investigate options to improve this access during final design.

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			All of that could be avoided by simply keeping Oak Spring open and accessible onto Stinson-Hartis Road as it is today.	
L-002	First Baptist Church	2	Also, there is a related proposal currently in the works to convert intersections in Indian Trail entering US 74 to the new Superstreet Design. While we welcome anything that would improve congestion at these crowded intersections, the timing of this project is very critical to us, and we believe could be helpful to NCDOT as well. We would appreciate consideration given to converting the intersection at Indian Trail-Fairview Road and US 74 during the summer months when school is not in session.	Comment noted.
L-003	Rodney Mullis	1	I am totally against ya'll wasting our tax dollars on building a new expensive road, when we should be repairing the roads that we already have.	See response to Document C-017, Comments #11 and #13.
L-003	Rodney Mullis	2	Once the expensive road is built, then there is maintenance on the road that will be a burden on all taxpayers for many many years.	Comment noted. There are annual maintenance costs associated with all transportation facilities.
L-003	Rodney Mullis	3	This toll road will never be paid for with tolls collected so stop wasting our tax dollars. Repair the roads we already have.	See response to Document C-017, Comment #1.
L-004	Rhonda Mullis	1	This has got to be one of the most stupid ideas ya'll have had in a while.	Comment noted.

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-004	Rhonda Mullis	2	This Bypass will not ease traffic on US 74 (Independence Blvd) like ya'll are telling people. Why don't ya'll try telling the truth to the tax payers. We all deserve that.	See response to Document C-017, Comment #3.
L-004	Rhonda Mullis	3	This is a very expensive road that will never get paid for from the tolls collected! Ya'll know that but do you care? No you don't. And the big crooks like Boggs will make off like the bandits that they are – Thanks to folks like ya'll – Pat on the back and money in the pockets laughing all the way to the bank!	Comment noted. Regarding toll revenue, see response to Document C-060, Comment #5.4.
L-004	Rhonda Mullis	4	It will affect all of us and our children and grandchildren forever and ever. Please fix the roads that we have and travel on every day.	Comment noted.
L-004	Rhonda Mullis	5	Fix 74 with the great and wonderful ideas to make it into a superstreet! This will cost a fraction of the huge amount of a useless toll road.	See response to Document C-059, Comment #6. Creating a superstreet along the length of US 74 in the study area was considered and determined not to meet the project's purpose. However, portions of US 74 are currently slated to be converted into a superstreet facility as separate projects.
L-004	Rhonda Mullis	6	We urge you to reconsider this move you are pushing down our throats. Please listen to the common people that will not be getting rich off this idea – off the toll road.	Comment noted. This project has been the number one priority of the region for many years. It was in the Charlotte Region Transportation Planning Organization's (CRTPO's) <i>2035 Long Range Transportation Plan</i> , and is also included in the CRTPO <i>2040 Metropolitan Transportation Plan</i> which was developed and approved with input from municipalities within the CRTPO's jurisdiction. The CRTPO was formerly known as the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).
L-005	Lynda Paxton	1	I heard numerous updates from NCTA and NCDOT on the project. Updates typically included progress toward milestones such as acquiring the ROD, permit approvals, LGC	NCDOT disagrees with this comment. There was a large amount of coordination and data exchange with MUMPO (now called the CRTPO) during the EIS process. Ms. Paxton was a member of the MUMPO in her role as Mayor of Stallings, so it is assumed the

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			<p>review of financial plans, and bid results. There was very limited factual information on data to support the project or the rationale for elimination of some alternatives. The overriding assumption appeared to be that the project was inevitable and only minor details could be influenced.</p>	<p>updates referred to in the comment are those provided to MUMPO and Stallings.</p> <p>On February 26, 2007, MUMPO accepted NCTA’s invitation to become a Participating Agency for the Monroe Connector/Bypass project. In NCTA’s invitation letter (included in <i>Draft EIS</i> Appendix A-5), MUMPO’s role as a participating agency was as follows:</p> <ol style="list-style-type: none"> 1) Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis. 2) Participate in coordination meetings and joint field reviews as appropriate. 3) Timely review and comment on documents provided for your agency’s input during the environmental review process. <p>During the preparation of the <i>Draft EIS</i>, NCTA / NCDOT staff met with MUMPO Technical Advisory Committee (TAC) on twelve occasions and the MUMPO Technical Coordinating Committee (TCC) on 23 occasions. In addition to providing project updates, input was requested and received from MUMPO and TCC members regarding the Purpose and Need and alternatives development for the project. Section 9.2.3.2 of the <i>Draft EIS</i> provides an overview of the topic of discussion for each of these meetings. No official correspondence was received from MUMPO during the development of the <i>Draft EIS</i> however correspondence was received from the following MUMPO members: Town of Indian Trail, Town of Matthews, City of Monroe, Town of Stallings. These correspondences can be found in Appendix A-9 of the <i>Draft EIS</i>.</p> <p>During the preparation of the <i>Final EIS</i>, NCTA / NCDOT staff met with MUMPO TAC on five occasions and the MUMPO TCC on eleven occasions. Discussions during these meetings included the</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
				<p>identification of the Preferred Alternative and the Least Environmentally Damaging Practicable Alternative. Section 3.2.3 of the <i>Final EIS</i> provides an overview of the topics of discussion for each of these meetings. Comments from MUMPO on the <i>Draft EIS</i> are also included in Appendix B2 of the <i>Final EIS</i>.</p> <p>Detailed minutes of all the above presentations are available on the CRTPO website: http://www.crtpo.org/about-us/mpo-meetings and http://www.crtpo.org/about-us/tcc-meetings.</p>
L-005	Lynda Paxton	2	<p>The 26+ alternatives evaluated were essentially all iterations of the same alternative. The process started with a desired outcome and structured measurements and analyses to support and justify a predetermined conclusion while omitting data that might frustrate that goal. This is perhaps most clearly evident in the fact that NCDOT has stated repeatedly in public meetings that they are “committed” to building the project, implying that the outcome of the EIS evaluation and the public hearings are irrelevant.</p>	<p>NCDOT disagrees with this comment.</p> <p>See response to Document L-001, Comment #s 5 thru 10.</p>
L-005	Lynda Paxton	3	<p>Improvements to Highway 74 were eliminated early in the process without thorough evaluation of the types of improvements that were feasible, the costs of various improvements, specific data about the impacts to businesses and homes on existing alignment as compared with other alternatives. Use of frontage roads, bridges, and superstreet design were not evaluated. The Stantec Study conducted in 2007 was never presented to MUMPO and staff notes include comments that “NCTA would not be in favor of changes to US</p>	<p>See response to Document L-001, Comment #s 5 and 7. Section 2.4 of the <i>Draft Supplemental Final EIS</i> documents the low cost improvements to existing US 74 that were considered.</p> <p>The commenter is incorrect. The NCDOT has implemented improvements to US 74 including many of those recommended in the 2007 Stantec study. This is discussed in Section 2.4 and shown in Table 2-2 of the <i>Draft Supplemental Final EIS</i>. In addition to the US 74 improvements discussed in Section 2.4 of the <i>Draft Supplemental Final EIS</i>, NCDOT is recommending superstreet improvements to the US 74 corridor between Indian Trail-Fairview Road and Wesley Chapel-Stouts Road and at the intersection with Rocky River Road (STIP Projects W-5520 and W-</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			74 that would have a competing interest with the bypass.” (US 74 Revitalization Study meeting notes January 18, 2011). Such statements create the impression that relevant information regarding other alternatives may have been deliberately withheld from decision makers.	5210L). These and other safety improvements could be implemented in the future, but would still not provide for high-speed travel on existing US 74. It should also be noted that construction of the Monroe Connector/Bypass would not preclude any of these safety projects on existing US 74.
L-005	Lynda Paxton	4	Improvements to Highway 74 were evaluated only as a single either/or option. There was no consideration given to improvements to Highway 74 in combination with improvements to Old Monroe Road, Idlewild/Secrest Shortcut, or Highway 218 or to the benefit of accelerating the Silver light rail line to CPCC which has been delayed for lack of available funding.	<p>NCDOT disagrees with this comment. Regarding transit, see response to Document L-001, Comment #7.</p> <p>As summarized in Section 2 of the <i>Draft Supplemental Final EIS</i>, a range of alternatives were considered for the project and reanalyzed as part of the <i>Draft Supplemental Final EIS</i>. Alternatives considered included upgrading existing roadways and combinations of upgrading existing roads with new location segments.</p> <p>Existing corridors considered for upgrading were US 74 (in its entirety or in part), Old Monroe Road/Old Charlotte Highway, and Secrest Shortcut Road and found to not to meet the project purpose and need.</p> <p>Upgrading NC 218 was not considered an option for this project, as it is outside the project study area and too far north to serve regional high speed travel from near I-485 to between Wingate and Marshville. NC 218 is within the Goose Creek basin, which has been identified as a habitat for the federally-endangered Carolina heelsplitter mussel. The selected alternative has no direct impact or indirect impact to the Goose Creek watershed.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-005	Lynda Paxton	5	<p>The SDEIS report does not include an origin and destination study despite the importance of that information having been pointed out repeatedly. In an email response to Mayor Paxton, Ms. Harris reported that 78% of survey respondents indicate that their trip began in Monroe, Indian Trail, Charlotte or Matthews and 75% were destined for Monroe, Charlotte, or Matthews which suggests traffic in the corridor is primarily local and would not likely use the bypass. (SDEIS Appendix 2)</p>	<p>Also see responses to Document L-006, Comment #34 and Appendix E-4, Table 1, Comment #15.</p>
L-005	Lynda Paxton	6	<p>Staff reports acknowledge that trucking companies are split about whether they will use the bypass, yet the new SDEIS makes no attempt to evaluate that further (US 74 Revitalization Study meeting notes January 18, 2011). Given that trucks typically provide 40-50% of toll revenue, this is a critical omission of data. A recent article about opening of the Intermodal Rail Yard at the Charlotte airport indicates it will take 393,000 long haul truck trips off the roads each year. The facility is not mentioned in the analysis.</p> <p>The general public has been told by promoters of the bypass that it will take the truck traffic off 74, but there is no data to support that assumption. There is data to show that the truck traffic within Stallings around I-485 will more than double that of the “no build” alternative with increases of 11% after the bypass is built. Data provided by Ms. Harris about truck traffic in 2012 shows an increase in truck traffic in all segments of the corridor</p>	<p>NCDOT disagrees with this comment. Studies conducted for the financing of the project adequately considered the use of the toll facility by trucks in projecting toll revenue for toll revenue bonds. Table 6-8 of the <i>Final Report Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study</i> (Wilbur Smith Associates, October 2010) estimates that approximately 17 percent of the 2030 weekday gross toll revenue on the Monroe Connector/Bypass will be from Class 2 and Class 3 vehicles (i.e., medium and heavy trucks), and 83 percent from Class 1, two-axle vehicles.</p> <p>Along existing US 74, the percentage of trucks is expected to be less with the project in place compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks) (<i>NCDOT STIP Project R-3329 & R-2559 Revised Monroe Connector Bypass No-Build Traffic Forecast Memorandum</i>, HNTB, March 2010).</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			except for 3 in the far eastern part of the county.	
L-005	Lynda Paxton	7	The pace of growth in Union County has dropped from 62.8 % from 2000 to 2010 to its current 1.7% annual growth. Moreover, the majority of growth has occurred in the south and west portions of the county near Ballantyne and far removed from the 74 corridor.	See response to Document L-001, Comment #2 While growth is not occurring at the previous rate from 2000 to 2010, Union County has continued to grow through 2012 and projections show growth continuing through 2030. Data from CRTPO (MUMPO) was used as the basis for development of No-Build and Build scenarios for the project Future Land Use Study Area (FLUSA). These projections did not have a blanket assumption that all of Union County would be growing at the same rate. Rather, the MUMPO projections used information from area planners and took into account past and projected growth patterns throughout the FLUSA and allocated growth into relatively small Traffic Analysis Zones (TAZs).
L-005	Lynda Paxton	8	No adjustments were made in 2035 projections for traffic despite the current data showing 0% increase in traffic over the past 12 years.	Reasons why an update to the 2035 Traffic Forecasts is not necessary are explained in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> . In addition, as presented in Section 2.1 of the <i>Final Supplemental Final EIS</i> , new MRM14v1.0 data from CRTPO was considered. As detailed in the <i>Monroe Connector/Bypass Traffic Forecast Summary</i> (HNTB, November 2013, superseded May 2014), the conclusions summarized in <i>Draft Supplemental Final EIS</i> Section 2.5.2 remain unchanged; namely, the Build Scenario forecasts remain valid and an updated forecast is not warranted. See response in Appendix E-4, Table 1, Comment # 40 .

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-005	Lynda Paxton	9	Recent minor improvements to 74 have demonstrated significant gains in travel speeds and time savings, yet those improvements were not evaluated and nor are the benefits accounted for in the SDEIS of other improvements scheduled for implementation such as conversions of some intersections on 74 to superstreet designs.	<p>Contrary to the comment, these improvements are acknowledged and were considered in Sections 1.2.4 and 2.4 of the <i>Draft Supplemental Final EIS</i>. A complete list of these improvements is included in Table 2.2 of the <i>Draft Supplemental Final EIS</i>.</p> <p>As discussed in Section 2.4, even with the implementation of these improvements, existing US 74 experiences congestion during peak travel periods and existing average speeds along US 74 are less than posted speed limits and less than 50 mph during peak travel periods. These Transportation System Management improvements, while providing some short-term benefits, would continue to not meet the purpose and need for the Monroe Connector/Bypass project.</p>
L-005	Lynda Paxton	10	The expansion of the Monroe Charlotte Airport and surrounding industrial development and potential development is not mentioned just as the previously mentioned Intermodal Rail yard was ignored. Project Legacy in Marshville, historically included when convenient and omitted when not, is also not mentioned.	<p>Planned growth associated with the expansion of the Monroe Charlotte Airport and surrounding industrial development is incorporated in the future land use models prepared as part of this project.</p> <p>Page 61 of the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) addresses Legacy Park. Legacy Park is not a reasonably foreseeable development. Current information indicates the current proposal is highly speculative and unlikely to develop in a foreseeable timeframe.</p>
L-005	Lynda Paxton	11	Conversations with key legislators, Representatives Bill Brawley and Dean Arp, reveal a misunderstanding about any flexibility in use of the bonds previously sold for the project. This misunderstanding may well be shared by others in the state legislature. These gentlemen have indicated support for the project primarily to avoid legal liability that could arise from shifting bond funds to other projects. That matter was discussed with LGC	<p>The comment appears to be based on the commenter’s personal recollection of conversations with third-parties. NCDOT has not received any communication from the legislators mentioned in the comment. Furthermore, discussions of whether the existing bonds can be utilized on other transportation projects do not aide the agencies in their decision-making process under NEPA.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			prior to issuing the bonds and funds can be used for other toll projects which would allow other sources to be freed up for alternatives not currently funded in the TIP.	
L-005	Lynda Paxton	12	A second justification described by local legislators and top administrators at NCDOT is that the bypass will facilitate transport of goods from Asheville to the port at Wilmington, improving the state's status for economic development. I do not recall that having been put forth as a purpose or benefit of the project until support recently began to erode. There is no data in the SDEIS to address that purpose.	<p>The following statement has been included in the <i>Draft EIS, Final EIS</i> and <i>Draft Supplemental Final EIS</i> in discussions of the need for the proposed action: "US 74 is the major east-west route connecting the Charlotte region, a major population center and freight distribution point, to the North Carolina coast and the port at Wilmington (North Carolina's largest port)." This statement has not been described as a purpose or benefit of project.</p> <p>US 74 as a whole, of which the Monroe Connector/Bypass would be a part, is a Strategic Highway Corridor (SHC). As stated in Section 1.5.1.1 of the <i>Draft EIS</i>, SHCs are sets of highways vital to moving people and goods to destinations within and just outside of the state.</p>
L-005	Lynda Paxton	13	When the definition of purpose for the project establishes a target speed of 65 mph and minimum of 50 mph as essential criteria, the stated purpose basically ensures that all other options will fail. Few, if any, major highways in the Charlotte region operate at that level during peak travel times though acceptable speeds are evident during non-peak. The study did not include any comparative data for I-77, I-485, I-85, or 49/29 or other major highways in our region. The argument that Union County is the only county adjacent to Mecklenburg that does not have a high speed interstate facility was also refuted by Hartgen as inaccurate and as a newly invented criteria for evaluating	<p>The commenter is incorrect; the <i>Draft Supplemental Final EIS</i> did not make such a statement. High-speed is defined as 50 mph or greater, with alternatives compared for their ability to meet average speeds of 50 mph or more, not 65 mph.</p> <p>NCDOT disagrees that the stated purpose ensures all other options will fail. As found in Section 1.1.2 of the <i>Draft Supplemental Final EIS</i>, the purpose of the project is to improve mobility and capacity within the project study area by providing a facility for the US 74 corridor from near I-485 in Mecklenburg County to between the towns of Wingate and Marshville in Union County that allows for high-speed regional travel consistent with the designations of the North Carolina SHC program and the North Carolina Intrastate System, while maintaining access to properties along existing US 74. See note below.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			projects that is not supported by NCDOT's new prioritization matrix.	Also see response in Appendix E-4, Table 1, Comment #19. NOTE: The State legislation regarding the Intrastate System was recently repealed by the State Legislature in Session Law 2013-183, signed by the Governor on June 26, 2013. The <i>Final Supplemental Final EIS</i> includes an errata section updating the project purpose to remove reference to the NC Intrastate System. High speed travel is still designated for the corridor in the NC SHC program, so the substantive statements of the project purpose remain unchanged.
L-005	Lynda Paxton	14	Current predictions for time savings are significantly lower than those of documents published in 2009 which described 29-32 minutes saved, thus diminishing the cost benefit of the project. (Citizens Summary March 2009). Travelers going from end to end are now expected to save 8-10 minutes in travel time when the bypass opens. Projections of increased time savings for future travelers are based on the assumption that traffic will get worse on 74. Costs for the project are now expected to fall between \$845 and \$923 Million. That is a cost of \$100 million per minute saved.	See response to Document C-059, Comment # 3. NCDOT disagrees with the analysis of costs per minute saved included in this comment. Costs stated in the comment assume a single use of one vehicle over the life of the project. This scenario is highly unlikely. While not an evaluation factor for the project, costs per minute saved are expected to be much lower than stated in this comment.
L-005	Lynda Paxton	15	Public support of the Monroe Bypass is based on the belief that the bypass will significantly relieve the congestion on Highway 74 and remove most of the truck traffic, making the road safer for local traffic. The Union County Chamber of Commerce in collaboration with NCDOT and Boggs Paving held a breakfast meeting for community leaders in February 2013 to promote the bypass as a remedy for	This comment mischaracterizes the referenced February 2013 meeting. The meeting held on February 5, 2013, was hosted by the Union County Chamber of Commerce. The Chamber invited NCDOT (Mr. John Underwood) to speak on the status of all of NCDOT's scheduled improvements for area roads, not just the Monroe Connector/Bypass. NCDOT representatives often attend meetings to provide information on current and proposed projects. These meetings include presentations to local government agencies, homeowner associations, etc. NCDOT does

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			<p>congestion and a catalyst for economic development. The Chamber President, Sharon Rosche, was later featured in a follow up newspaper article hailing the benefits of the bypass as promoting growth and attracting commercial development to the eastern part of the county. NCDOT may not be responsible for the personal agendas of these individuals or their misinterpretation of data, but NCDOT has failed to publicly clarify the true purpose or to address these popular inaccuracies.</p>	<p>not have control over any statements the Chamber chooses to make.</p> <p>The project’s purpose and need has remained consistent throughout the EIS process and has been clearly stated in the NEPA documents and public meeting materials. As stated in the introduction to the <i>Draft Supplemental Final EIS</i> Section 1, “based upon a review of new information and public and agency comments received to date, the purpose and need for the project remain unchanged.”</p> <p>As stated in Section 1.1.2 of the <i>Draft Supplemental Final EIS</i>, the purpose of the project is “to improve mobility and capacity within the project study area by providing a facility for the US 74 corridor from near I-485 in Mecklenburg County to between the towns of Wingate and Marshville in Union County that allows for high-speed regional travel consistent with the designations of the North Carolina SHC program and the North Carolina Intrastate System, while maintaining access to properties along existing US 74.” (SEE NOTE BELOW)</p> <p>As described in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> (Question 6), traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place, thereby improving traffic flow conditions along existing US 74 compared to the No-Build scenario.</p> <p>NOTE: The State legislation regarding the Intrastate System was recently repealed by the State Legislature in Session Law 2013-183, signed by the Governor on June 26, 2013. The <i>Final Supplemental Final EIS</i> includes an errata section updating the project purpose to remove reference to the NC Intrastate System. High speed travel is still designated for the corridor in the NC SHC program, so the substantive statements of the project purpose remain unchanged.</p>

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Doc No.	Commenter	Comment No.	Comment	Response
L-005	Lynda Paxton	16	<p>In the absence of real data and candid disclosure about the limited time savings, the lack of improvement in congestion on 74, and removal of truck traffic, special interests who support the project continue to publicize erroneous assumptions about project benefits. Legislators play a significant role in decisions regarding the Monroe Bypass and other major transportation projects as demonstrated in the recent removal of funding for the Gaston Parkway. Clear and complete disclosure regarding impacts or lack of positive benefit serve an important function in a public education and decision making process.</p>	<p>See response to Document C-059, Comment # 3 for information about travel time savings.</p> <p>NCDOT used the best available data to objectively evaluate and disclose the likely effects of the project. To date, no commenters have offered better data for FHWA and NCDOT to consider.</p>
L-005	Lynda Paxton	17	<p>Four towns in Union County have adopted resolutions supporting alternatives to the bypass through unanimous votes of their board. These boards understand the serious restraints for transportation funding and have issued a call for more responsible prioritization and spending. Copies of the resolutions are attached to these comments and should be included in the administrative record to be used in the project decision making process.</p>	<p>Comment noted. Resolutions regarding the project from local governments and other entities are included in Appendix A-3 of the <i>Final Supplemental Final EIS</i>. Resolutions were passed both supporting the project and encouraging consideration of alternatives to the Monroe Connector/Bypass. Governments passing resolutions supporting the project represent a much greater portion of the population of Union County.</p> <p>In addition, other resolutions are included in Appendix A-3 from the Monroe-Union County Economic Development Board, Wingate University, and the Union County Board of Education. These resolutions support the project. Appendix A-3 also includes a resolution in opposition of the project from the Town of Stallings.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-005	Lynda Paxton	18	A core group of elected officials, concerned citizens and business owners has organized to bring more complete and accurate information to the public. The group includes two former county commission chairpersons, and four mayors who were on record supporting the bypass prior to learning more details of the project. Unfortunately two towns, Monroe and Indian Trail refused to allow their boards and constituents to hear a presentation about the myths and contradictions of the project.	Comment noted. These groups have not offered data or quantitative analysis for FHWA and NCDOT to consider as part of the NEPA process. All comments and information submitted to NCDOT and FHWA have been considered, as documented in this <i>Final Supplemental Final EIS</i> .
L-005	Lynda Paxton	19	The Facebook Page “Fix It First” has quickly received a number of supporters since its founding on December 27, 2013.	Comment noted.
L-005	Lynda Paxton	20	There are currently 29 federal indictments against Monroe Bypass Constructors, the group awarded the contract for the bypass construction. Trial has been postponed until September 2014. NCDOT has refused to terminate the contract despite these charges and has made payments to Boggs Paving in excess of \$1.6 million since May of 2012.	The commenter is incorrect; there are no indictments against Monroe Bypass Constructors. Boggs Paving and its principals have been indicted, and FHWA and NCDOT are handling the Boggs Paving contractor accordingly based on federal and state regulations.
L-005	Lynda Paxton	21	The court ordered design work to stop in May 2012. NCDOT has since reported to MUMPO that the project would be able to start immediately once the new ROD and permits are received because they will have “a fully designed project” and it will no longer be a design-build project. When public hearings were conducted December 9, 10, and 11 of 2013, the original maps were presented. Updated maps and design work was not made	The commenter is incorrect. The court did not order design work to stop. NCDOT instructed the design-build team to stop after FHWA rescinded the ROD following the Fourth Circuit Court decision. The design-build contract is still in effect at this time. NCDOT intends to move the project forward upon receipt of all necessary approvals. If a decision is made to terminate the current contract, other conventional methods of design and construction, such as design-bid-build would be considered for the project.

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			available to the public.	Maps presented during the December 2013 Public Hearings were those of the Detailed Study Alternatives prepared during the NEPA process. Design information shown was all identified as preliminary and subject to change.
L-005	Lynda Paxton	22	Payments made to Boggs include reimbursement for activities in which employees engaged in activities to “promote” the bypass. These payments are possibly illegal and clearly unethical and inappropriate expenditures of taxpayer funds.	Payments were incorrectly made to MBC for time spent outside that allowed by the specifications; specifically time spent working with local support groups. Once aware of the oversight in its review of the cost records, NCDOT has directed MBC to revise and resubmit its cost records to remove those times and provide a corresponding credit back to NCDOT for the overpayment.
L-005	Lynda Paxton	23	David T. Hartgen, PH.D., P.E, a professor at UNCC in transportation studies and traffic analysis, has reviewed the SDEIS and written a critique of the work. He concludes that the “traffic forecasts presented in the SDEIS are too uncertain and insufficiently supported to be the basis for decision-making regarding the Monroe Connector/Bypass.” His report will be available to decision makers and is not delineated here.	NCDOT and FHWA are in receipt of Dr. Hartgen’s report and have reviewed and considered it. Responses to Dr. Hartgen’s report are included in Appendix E-4, Table 1 of the <i>Final Supplemental Final EIS</i> . The reliance on traffic modeling and forecasts are firmly grounded in regulation. NCDOT and FHWA are directed by guidance and regulations to use MPO planning tools, such as the travel demand model. See 23 CFR 450.212; 23 CFR Part 450 Appendix A q. 13; and 23 CFR 771.111(a)(2). Furthermore, the agencies are entitled to select their own methodology as long as the methodology is reasonable.
L-005	Lynda Paxton	24	The Monroe Bypass will have serious adverse impacts for the Town of Stallings. The elevated roadway will create a 20 foot wall through the one mile stretch on 74 essentially dividing the town in half. The anticipated benefit from the opportunity for redevelopment of some low quality commercial business in the corridor is essentially eliminated by current design that reduces ROW and preserves current use of property.	NCDOT has received from the Town of Stallings three resolutions in regard to the Monroe Connector/Bypass. The first dated November 13, 2007 states the Towns support of Alternative 2, which would align the project along the existing US 74 from I-485 to just east of Stallings Road. This alignment is included as part of the preferred alternative. A copy of this resolution is included in Appendix A6 of the <i>Draft EIS</i> . A second resolution dated March 11, 2013 expresses the Town’s support for the project. A copy of this resolution can be found in Appendix A-3 of the <i>Final Supplemental Final EIS</i> . Both resolutions are signed by former Mayor Paxton. A third resolution regarding the Monroe

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
				Connector/Bypass, signed by Mayor Wyatt Dunn, was passed by the Town of Stallings on March 24, 2014 in opposition to the Monroe Bypass project and requests that NCDOT seriously consider studying other transportation alternatives to the Monroe Bypass to alleviate congestion and address safety concerns on US 74.
L-005	Lynda Paxton	25	There are serious concerns about storm water management and impact to a residential community alongside the elevated roadway which have not been clearly addressed. The intersection at Matthews- Indian Trail Road and Stallings Road, approximately ¼ mile off Highway 74, is adversely impacted but without mitigation by NCDOT.	Community Resources are addressed in Section 1.3.1.2 of the <i>Final EIS</i> and Section 4.3 of the <i>Draft Supplemental Final EIS</i> . Hydraulics engineers have reviewed the proposed designs and determined the new entrance road could be designed to function adequately and meet required regulatory and NCDOT hydraulic guidelines.
L-005	Lynda Paxton	26	Concerns about abrupt termination of a high speed freeway in close proximity to the I-485 interchange and a short distance from a traffic signal at Highway 51 in the Town of Matthews poses serious safety and traffic flow issues.	All designs utilize appropriate and accepted design criteria.
L-006	SELC			SELC COMMENTS AND RESPONSES ARE PROVIDED IN TABLE A-2.4.
L-007	Dr. Hartgen			RESPONSES TO DR. HARTGEN’S REPORT ARE PROVIDED IN APPENDIX E-4, TABLE 1.

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-008	Frederick Becker	1	<p>The "build" scenario understates the amount of development that will occur.</p> <p>The DSFEIS anticipates a "build" residential growth figure of 1% more than the "no-build" figure for the study period, based on an estimated 1,800 acres of additional residential development. Methodologies used to arrive at this estimate included MPO projections and other considerations such as accessibility.</p> <p>I believe, based on over 20 years of studying residential growth patterns in the suburban Charlotte region with 14 of those years as an elected municipal official, that construction of the Monroe Connector/Bypass with nine interchanges in parts of Union County that are, in many cases, "in the middle of nowhere" and are currently underserved by convenient automobile transportation links to Charlotte will result in the addition of far more than 1,800 acres of residential development. Most of these tracts are not owner-occupied, and a majority of them are owned by Limited Liability Corporations and other speculative real estate investment entities, demonstrating that these tracts are being held for new development as soon as "something" happens. I submit that that "something" is the construction of the Monroe Connector/Bypass.</p>	<p>The commenter's opinion is noted. However, the commenter offered no analysis to support the comment. The ICE analysis accounts for indirect and cumulative growth associated with the project.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-008	Frederick Becker	2	<p>The DSFEIS failed to conduct a study of historical regional residential construction activity. Specifically, Interstate 485, which actually has fewer interchanges per mile than are proposed for the Monroe Connector/Bypass, is a good basis for regional comparison. I-485 has been constructed over a period of 20 years, and the land ownership and development sequence around proposed Monroe Connector/Bypass interchanges very closely mimics the early phases for land around the I-485 interchanges.</p> <p>To believe that the exact same thing will not happen at the Monroe Connector/Bypass interchanges is to ignore local development history. And therein lies one of the DSFEIS's major flaws: that 1% "build" residential development figure. That figure is ridiculously low. At the very least, the NCTA should conduct an analysis of the ownership history of the Union County land in question, compare it to the development history of the I-485 interchange land, and supplement the MPO "build" projections with some very well documented historical data.</p>	<p>See response to Document L-008, Comment #1.</p> <p>As discussed in Section 4.5.1 of the <i>Draft Supplemental Final EIS</i>, local development history was not ignored. As stated in Section 4.5.1, existing conditions and trends in the study area were reviewed to update baseline conditions. Interviews were conducted with local planners, and new planning documents were reviewed.</p> <p>As summarized in Table 4-6 in Section 4.5.4 of the <i>Draft Supplemental Final EIS</i>, total residential land use is expected to increase 13 percent between the baseline (2010) and the 2030 No-Build Scenario. With the project in place, an additional 1,800 acres of residential development (1 percent) is expected beyond that which is already projected to occur under the No-Build Scenario.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-008	Frederick Becker	3	<p>I have repeatedly asked NCTA and NCDOT officials why the seven interchanges along the Monroe Connector/Bypass are even necessary. Why not simply eliminate them? This road is, after all, being promoted as a "bypass", so what is the purpose of all these interchanges? I have been told that "the interchanges are needed for accessibility and growth". But the project is not expected – or intended – to generate growth! With that in mind, there should be no downside to eliminating the interchanges. In fact, there should only be an upside: a huge reduction in cost. Those seven interchanges probably account for 10% - 20% of the total project cost.</p> <p>Until NCDOT adequately answers the question "why not eliminate the interchanges" with an answer that is consistent with the project's stated purpose, the DSFEIS has not properly addressed a significant issue about the project. Based on the claimed growth figures and the project's stated purpose, answers to that question that have been forthcoming thus far are not supported by the facts, and lead one to conclude that either NCDOT is not answering the question honestly or accurately, or is simply planning to waste millions of dollars on those unnecessary interchanges.</p>	<p>See response to Document L-008, Comment #1.</p> <p>The proposed locations of interchanges along the Preferred Alternative are consistent with those included in the CRTPO 2035 <i>Long Range Transportation Plan</i> (LRTP). Prior to the <i>Final EIS</i>, several interchanges, including Unionville-Indian Trail Road, Rocky River Road, and Forest Hills School Road were reviewed considering both traffic volumes, as well as potential toll revenue, to determine if they could be removed. These proposed interchanges were determined to be necessary to serve projected traffic demand in the design year 2035, as well as to support toll revenue bonds required to finance the project, however it was determined that the Forest Hills Road interchange could be a modified interchange that would have a smaller footprint or be removed altogether.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-008	Frederick Becker	4	<p>From the start of the EIS process, NCDOT has only considered two alternatives: build the Monroe Connector/Bypass on a new right-of-way, or widen existing US-74 to eight or more lanes and wipe out most of the businesses along the highway. The second alternative is so impractical that the only apparent viable alternative appears to be "build the Monroe Connector/Bypass". It is almost as if NCDOT "cherry-picked" an alternative that would lead to a foregone conclusion!</p> <p>A "mobility package" consisting of a series of improvements to US-74, improvements to at least two existing parallel roads, and the construction of a few new short connectors has not been given adequate consideration.</p>	See responses to Document L-001, Comment #s 5, 6 and 7.
L-008	Frederick Becker	5	<p>The Draft Supplemental Final Environmental Impact Statement leaves many questions unanswered, and has the potential to lead our region in a harmful direction. It is essential that NCDOT address the issues raised in these comments, and find solutions to our local and regional transportation problems that are less costly, less damaging, and more practical than the Monroe Connector/Bypass.</p>	<p>This comment does not specify what questions remain unanswered. The <i>Draft Supplemental Final EIS</i> as well as this <i>Final Supplemental Final EIS</i> and <i>Record of Decision</i> all meet the requirements of the National Environmental Policy Act (NEPA), 23 U.S.C. 109(h) and 23 U.S.C. 138 (Section 4(f) of the DOT Act) and the reporting requirements of 23 U.S.C. 128.b along with Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 CFR 1500- 1508) and FHWA's Environmental Impact and Related Procedures (23 CFR 771).</p> <p>All comments received on the <i>Draft Supplemental Final EIS</i> are addressed in Appendix A and Appendix E-4 of the <i>Final Supplemental Final EIS</i>.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-009	Union County Chamber of Commerce	1	Census data showed Union County was the fastest growing county in North Carolina from 2000 to 2010. And today, Union County remains one of the fastest growing counties in NC. Union County's population is expected to grow to 225,878 in 2016 which will be an increase of 24,000 residents over 2010.	Comment noted.
L-009	Union County Chamber of Commerce	2	Union County has one of the highest commute times in the region. The 2010 Census data shows the average commute time for Union County residents was 27.8 minutes which is 11% higher than the regional average. One out of five Union County commuters travels more than 45 minutes to work.	Comment noted.
L-009	Union County Chamber of Commerce	3	The Monroe Connector/Bypass has been under discussion for over thirty years. Meanwhile, traffic on Highway 74 in Union County has continued to grow causing major congestion. This congestion has been a major source of concern for the Chamber member businesses located along existing US 74. Local residents avoid traveling US74 whenever possible and for those businesses located on US74 but not at an intersection with a traffic light, it has become an obstacle to their business' growth and in some cases, their on-going viability.	Comment noted. Existing conditions along US 74 are discussed in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> .

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
L-009	Union County Chamber of Commerce	4	Our manufacturing business members located in Union County are among the county's largest employers. These same manufacturers must move goods to market in a timely manner to remain competitive. Tractor-trailer vehicles make up more than 20% of the traffic using US 74 in Union County. The stop-and-go traffic creates delays in moving the goods to market and more importantly, is a safety concern.	Comment noted. Existing conditions along US 74 are discussed in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> .
L-009	Union County Chamber of Commerce	5	It is clear that this project is needed by not only Union County, but the region. An alternative high-speed thoroughfare without the interruption of traffic lights will provide greater access to eastern Union County which is important to our county. We believe improving accessibility to Wingate University, ranked eighth among "Best value colleges and universities in the South based on quality and net cost" by U.S. News & World Report is another opportunity for our county and our region. In addition, improving access to the Port of Wilmington for the Charlotte region is good for our state. The Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo.	Comment noted.
L-009	Union County Chamber of Commerce	6	Continued construction delays have caused increased costs to NCDOT; negative impact to Union County residents and businesses who own property affected by the construction of this project; and the continued congestion on US 74 negatively impacts our environment,	Comment noted.

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Doc No.	Commenter	Comment No.	Comment	Response
			quality of life, safety of our citizens, and local businesses.	
L-009	Union County Chamber of Commerce	7	Enclosed are copies of resolutions in support of the construction of the Monroe Connector/Bypass adopted by Union County Board of Commissioners, City of Monroe, Town of Stallings, Town of Indian Trail, Town of Marshville, the Monroe-Union County Economic Development Board of Advisors, Wingate University, the Union County Public School Board of Education, and the Union County Chamber of Commerce Board of Directors. In addition, a letter from a local couple, Anthony and Brenda Spierings, who own land in Monroe affected by this project. Their letter expresses their concern with the delays in construction and the negative impact the delay has had on their lives.	Comment noted. The letter from Anthony and Brenda Spierings has been included as Document L-010. The resolutions are included in Appendix A-3 of the <i>Final Supplemental Final EIS</i> .
L-010	Anthony & Brenda Spierings	1	<p>The problem we and several other people have is the by-pass is touching our lands and it keeps us in limbo. This has been going on since 1995 (first file we have on it).</p> <p>We had a business here at that time and we had a buyer for it, then we saw in the paper the bypass was coming right thru the middle of our property. So, he backed out.</p> <p>Then over the years when nothing happened we again put it up for sale. Same thing, had buyers but again the road got changed so no deals.</p>	<p>Comment noted. Current preliminary designs have identified the placement of a frontage road along the front of the parcel at 2704 Morgan Mill Road to maintain access to the property. It is unknown at this time exactly to what extent your property will be impacted. This will be determined during final design.</p> <p>NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals, but there are many unknowns. When the right-of-way process does resume, a right of way agent will contact you to discuss the acquisition process. The NCDOT will follow the state and federal regulations and policies for right-of-way acquisition and relocation of all required properties.</p>

Table A-2.3: Letters.

Doc No.	Commenter	Comment No.	Comment	Response
			Now we are to the present day, and are not sure exactly what they are taking. We again have the property up for sale, but what will we have to sell??? They say they may take a little bit more.	
L-010	Anthony & Brenda Spierings	2	<p>We understand the highway department will be going back to court (for having the wrong analysis) - so our available property may change again. And it is hard to interest someone when we are not sure what we will have!!!!!! First was the Tar heel mussel (which we understand was never found there) How can the same thing go to court 4 times? How many appeals does one get?</p> <p>The way the highway people tell us, is the money is there to build the road. But, as long as it is in the courts it will not be a reality.</p>	NCDOT intends to move the project forward as quickly as possible following the receipt of all necessary approvals, but there are many unknowns. When the right of way process does resume, a right of way agent will contact you to discuss the acquisition process.
L-010	Anthony & Brenda Spierings	3	We are hoping now that we have a governor from our side of the state we might finally get some help in the roads department, instead of a lot of the money staying around Raleigh.	Comment noted.
L-010	Anthony & Brenda Spierings	4	<p>We really hope you can see through to help us with this problem. We are tired of being in limbo on this matter.</p> <p>Seventeen years is enough. Either build it or drop it.</p>	Comment noted.
L-011	SELC (4/8/14 and 4/10/14)			SELC COMMENTS AND RESPONSES ARE PROVIDED IN TABLE A-2.5.

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 919-967-1450

601 WEST ROSEMARY STREET, SUITE 220
CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

January 6, 2014

VIA E-MAIL AND FEDEX

Jennifer Harris
North Carolina Department of Transportation
1 South Wilmington Street
Raleigh, NC 27601
jhharris1@ncdot.gov

RE: Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement

Dear Ms. Harris:

On behalf of the North Carolina Wildlife Federation, Clean Air Carolina and the Yadkin Riverkeeper, the Southern Environmental Law Center ("SELCL") submits the attached comments on the Draft Supplemental Final Environmental Impact Statement ("DSFEIS") for the Monroe Connector/Bypass. In addition, we submit a report by transportation expert David T. Hartgen, which reviews NCDOT's traffic forecasts for the project.¹ Dr. Hartgen concludes that the forecasts are inadequate to support decisionmaking.

The comments below identify severe deficiencies in the DSFEIS which call into question the advisability of proceeding further with the \$900 million Bypass. The key shortcomings include the following:

New Trends: Much has changed since NCDOT first began to study the Monroe Connector/Bypass in 2007. But the DSFEIS, which appears to be written only to justify a new highway, disregards any new information suggesting the merits of a different approach.

- Travel speeds along the U.S. 74 corridor have improved dramatically in the past five years, increasing by 10-15 mph in that short time span.
- Traffic volumes in the corridor have remained flat for the past decade.
- The Bypass, which was originally anticipated to save commuters travelling its full length 29-32 minutes, is now estimated to save a mere 8-12 minutes in the opening year.
- Growth in previously fast-growing Union County has slowed significantly, particularly in the Bypass study area.
- Transportation resources have become increasingly scarce.

¹ David T. Hartgen, Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013 (Dec. 26, 2013) [hereinafter "Hartgen Report 2013"], Attachment 1.

- The cost of the project has skyrocketed to almost \$900 million.
- A principal contractor for the project has been indicted for fraud in highway contracting and has been suspended from bidding on federal projects.

1 [cont] These new trends all suggest that an expensive new-location toll-highway may no longer be the best solution for Union County or the state of North Carolina.

2 [Alternatives: Travel in Union County still needs improvement, and fortunately there are solutions available. Yet once more the DSFEIS rejects all cost-effective alternatives out of hand and looks only at the costly, destructive Bypass.

- Transportation expert David T. Hartgen has declared the traffic forecasts in the DSFEIS inadequate to support decisionmaking.
- The past five years have demonstrated that low-cost, small-scale improvements can result in dramatic improvements to travel speeds on U.S. 74. But the DSFEIS once more fails to consider how such improvements may be expanded to improve travel in Union County for a fraction of the cost of the Bypass.
- The DSFEIS fails to look at how a suite of alternatives including upgrades to U.S. 74, a parallel road network and expanded transit and freight rail services, might work together to improve mobility in the corridor.
- The analysis of alternatives in the DSFEIS is based on outdated and overstated traffic data which manufactures the conclusion that the Bypass is inevitable.

3 [Impacts: After being chastised by the United States Court of Appeals for the Fourth Circuit for presenting the public with inaccurate information, NCDOT has finally clarified its methodologies, and the full extent of its flawed analysis is now laid bare.

- The "No-Build" analysis in the DSFEIS is based on an assumption that disregards entirely the constraining impact a congested U.S. 74 might have on future growth, thus dramatically understates the level of growth attributable to increased highway capacity, such as the Monroe Bypass.
- The DSFEIS continues to assert that minimal growth will result from the Bypass, despite statements at all levels of government, including from NCDOT, to the contrary.
- The DSFEIS fails to consider fully how growth may be redistributed, and how a shift in growth away from the Charlotte metro area may impact air quality.

4 [Disregard for the Public Process: Despite the clear mandate from the United States Court of Appeals for the Fourth Circuit that NCDOT must use the NEPA process to accurately and transparently inform the public, NCDOT has continued to foster a climate of misinformation.

- NCDOT paid a contractor for the Bypass to create a fake grassroots group and spread information about the Bypass that was entirely contrary to the findings

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in the EIS. The contractor also hosted a pro-Bypass BBQ at the site of the public NEPA hearing, again espousing misinformation.

- NCDOT knows that there is substantial confusion about the purpose of the Bypass, with many local residents expecting it to improve congestion on U.S. 74 and promote economic growth. Yet the Department has done nothing to publicly clarify the true project’s purpose and anticipated impact.

I. INTRODUCTION

The National Environmental Policy Act (“NEPA”) is the nation’s keystone environmental law designed to ensure careful decision making and a rational consideration of impacts and alternatives. It is the foundation of “a national policy of protecting and promoting environmental quality.” *Hughes River Watershed Conservancy v. Glickman*, 81 F.3d 437, 443 (4th Cir. 1996). For major federal actions that will significantly impact the environment, NEPA requires that agencies develop an Environmental Impact Statement (“EIS”).

Because NCDOT’s initial EIS was found to be inadequate, the Department has prepared this Supplemental statement, the DSFEIS. Regulations from the Council on Environmental Quality provide that a Supplemental EIS shall be prepared, circulated and filed “in the same fashion” as a draft and final statement.” 40 C.F.R. § 1502.9 (c)(4). As such, the Supplemental Statement should follow all standard NEPA requirements starting with the consideration of the project’s purpose and need, a thorough analysis of alternative solutions to meet that need, and an analysis of the environmental impacts of project alternatives. *See id.* NCDOT’s SDFEIS for the Monroe Bypass fails at every step.

II. STATEMENT OF PURPOSE AND NEED

A properly targeted and well-defined Statement of Purpose and Need is paramount to NEPA, as it guides the agencies’ scope of review. 40 C.F.R. § 1502.13. The United States Court of Appeals for the Fourth Circuit has recognized this principle, for example noting that “[o]nly alternatives that accomplish the purposes of the proposed action are considered reasonable, and only reasonable alternatives require detailed study. So how the agency defines the purpose of the proposed action sets the contours for its exploration of available alternatives.” *Webster v. United States Dep’t of Agric.*, 685 F.3d 411, 422 (4th Cir. 2012).

The stated purposes of the Monroe Connector/Bypass in the DSFEIS remain unchanged from the previous EIS, and are:

- 1) To construct a facility that allows for safe, reliable, high-speed regional travel in the U.S. 74 Corridor between I-485 in Mecklenburg County and the Town of Marshville in Union County, in a manner consistent with the North Carolina Strategic Highway Corridors Vision Plan for U.S. 74 and the designation of U.S. 74 on the North Carolina Intrastate System.

- 2) Improve mobility in the U.S. 74 corridor within the project study area, while maintaining access to properties along existing U.S. 74.²

A. The Statement of Purpose and Need Is Improperly Narrow

6
The Statement of Purpose and Need in the DSFEIS is overly narrow and written in such a way that it precludes meaningful consideration of a full range of alternatives, per the requirements of NEPA. 40 C.F.R. § 1502.13. Because the Statement of Purpose and Need forms the basis upon which to compare alternatives, an agency is not permitted “to contrive a purpose so slender as to define competing ‘reasonable alternatives’ out of consideration.” *Simmons v. US Army Corps of Eng’rs*, 120 F.3d 664, 666 (7th Cir. 1997). Here, NCDOT has done just that and, as a result, the whole NEPA document is rendered both meaningless and unlawful.

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cont
NCDOT’s Statement of Purpose and Need includes so many specific elements there is no chance that any option other than the predetermined new-location bypass could meet the requirements. The project must apparently allow for “high-speed” travel, which is again specifically defined as being consistently over 50 mph.³ The project must stretch from one very specific location (I-485) to another specific location (Marshville).⁴ And the project must maintain access to properties along U.S. 74.⁵ Each of these elements is arbitrary, and in combination they form a statement that is “so unreasonably narrow that only one alternative . . . [could ever] accomplish the goals of the agency’s action,” rendering the EIS a “foreordained formality.” *Simmons* 120 F.3d at 666; *see also Webster*, 685 F.3d at 422.

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cont
The “high-speed” element, with its very specific speed limit of 50 mph, is noted to have its origin in the Strategic Highway Corridor (“SHC”) Vision Plan.⁶ This external planning product was not subject the public participation requirements of NEPA, and therefore cannot be transferred into the NEPA process without opportunity for public comment and consideration.⁷ Without the SHC document, it becomes clear that the requirement of 50 mph is an artifice designed to constrain alternatives to only those that involve a new-location highway. The corridor is currently operating at an average speed of 44 mph, a vast improvement over past years, and significant additional improvements are planned and funded for next year. By setting 50 mph as a requirement, it seems that NCDOT has hoped to avoid consideration of many lower-cost solutions that would not require a toll and would provide real congestion relief to Union County drivers. Removal of this artificial limit would allow a more comprehensive approach to solutions for the corridor, and a true unconstrained look at the costs and benefits of different options.

² See NCDOT, Final Statement of Purpose and Need for the Monroe Connector/ Bypass (Feb. 2008), available at http://www.ncdot.gov/projects/monroconnector/download/FinalMonroe_PN_020608.pdf.

³ Draft Supplemental Final Environmental Impact Statement [hereinafter “DSFEIS”] at 1-3, 2-3, available at <http://www.ncdot.gov/projects/monroconnector/>.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Moving Ahead for Progress in the 21st Century (“MAP-21”), Section 1310, 23 U.S.C. § 168(d)(4).

7 The locations mandated in the Statement of Purpose and Need are similarly arbitrary. There is no rational reason why the small rural town of Marshville must be the end of the project. Looking at NCDOT’s own maps of current traffic congestion, it is clear that the majority of congestion occurs around Monroe.⁸ Long before Marshville, the speed of traffic along U.S. 74 increases to 50 mph and higher.⁹ By setting the beginning and end points of the Bypass into the Statement of Purpose and Need, NCDOT again constrains consideration of alternatives, precluding consideration of options that would deal with the true congestion hotspots in the corridor.¹⁰

8 The most arbitrary of the constraints placed in the Statement of Purpose and Need is the requirement that any alternatives must “maintain access to properties along existing U.S. 74.” Requiring that access be maintained to properties along existing U.S. 74, while neglecting the many properties that must be taken to build a new-location Bypass, has no rational basis. Many of the farms and homes that stand in the path of the highway, as currently planned, have been in their owners’ families for over one hundred years. The only basis for valuing the businesses along U.S. 74 and giving no value to the homes, farms and businesses that must be taken by the Bypass is to preclude consideration of alternatives that focus on improvements to U.S. 74 itself.

8 cont The arbitrary nature of these requirements is further exacerbated by the fact that they have little to do with the stated need. To establish a “need” for the Bypass, NCDOT has set forth (now outdated) data showing that U.S. 74 is congested, but has then constructed a project purpose that does not address the stated need. In fact, as explained, many of the constraints actually serve to eliminate consideration of options that would meet the stated need.

We understand NCDOT has been charged by the legislature to build the Monroe Bypass, but despite the deference that is generally according to an agency’s selection of purpose and need, that deference does not go so far as to give agencies “license to fulfill their own prophecies, whatever the parochial impulses that drive them.” *Citizens Against Burlington v. Busey*, 938 F.2d 190, 196 (D.C. Cir. 1991). As explained below, the common misunderstanding of the project’s purpose and the recent improvements to U.S. 74 require that the statement be revisited. We urge NCDOT to craft a new Statement of Purpose and Need that properly allows for a full range of alternatives for improving mobility in Union County.

B. The Convoluted Statement of Purpose and Need Is Commonly Misunderstood.

9 Given the convoluted nature of the Statement of Purpose and Need, it is not surprising that it is commonly misunderstood by both the general public in the Union County area and by decisionmakers at many levels. Many in the community mistakenly believe that the purpose of the Bypass is to relieve current levels of congestion on existing U.S. 74 — something that the Bypass is neither intended nor expected to achieve. This misunderstanding is unsurprising. The Statement of Purpose and Need states that the Bypass is intended to “improve mobility in the

⁸ DSFEIS at 1-9-1-12.

⁹ *Id.*

¹⁰ See discussion of traffic hot-spots below, section (III)(C)(1)(i).

9 cont U.S. 74 corridor.” For NCDOT, this means the “corridor” in general, but it is not hard to see how the general public would assume that the statement applied to U.S. 74 itself. We have pointed out this common misinterpretation to NCDOT on several occasions,¹¹ but the agency has taken no steps to clarify its meaning to the public.

10 Other misunderstandings about the purpose of the Bypass are also common throughout Union County. Many local residents, including several who spoke during the recent public comment period, believe the Bypass is intended to improve safety by taking truck traffic off of U.S. 74. Others believe the project is intended to bring significant growth to Union County, and even to neighboring Anson County.¹² Unfortunately, NCDOT has refused to correct these misapprehensions, and, in some cases, has even gone so far as to itself advance similar theories. Such actions—intentionally misleading the public about the purpose and nature of the proposed road—violate the very essence of NEPA which is to foster greater, not lesser, understanding of major federal actions.

11 Even state officials working on the project are confused by the project’s convoluted Statement of Purpose and Need. Alan Johnson, the assigned staff member from the Division of Water Quality (“DWQ”) detailed his own confusion in an e-mail to the Bypass study team.¹³ He explained that he had understood that the purpose of the bypass was “to relieve traffic congestion on Hwy 74” and was thus surprised to learn that travel time was not expected to be affected by the project.¹⁴ He went on to mention his additional surprise regarding NCDOT’s conclusion that “growth is inevitable” regardless of the road.¹⁵ Mr. Johnson concluded by asking: “So if the road doesn’t affect growth, and it doesn’t affect travel times, what is the purpose of the road?”¹⁶ A good question.

1. Resolutions containing misleading information

12 The most striking example of the misunderstandings surrounding the Bypass was the pro-Bypass resolution circulated last spring. As we explained in our March 6, 2013 letter to Transportation Secretary Tata, the Union County Chamber of Commerce distributed a resolution supporting the Monroe Bypass to a large number of local elected bodies and other partners in Spring of 2013.¹⁷ The resolution listed several reasons why Union County residents should support the Bypass, the vast majority of which promoted the Bypass’s ability to spur growth and

¹¹ See, e.g., Letter from Frank Holleman and Kym Hunter, SELC, to Jennifer Harris, NCDOT, re Monroe Connector/Bypass: Supplemental Environmental Analysis (Nov. 30, 2012) [hereinafter “SELC comments Nov. 2012”], at 28-30.

¹² See, e.g., DSFEIS at A1-81; letter from Roland Bibeau, Novant Health Matthews Medical Center, to SELC (Oct. 11, 2013), Attachment 2.

¹³ DSFEIS at C1-96.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Letter from Kym Hunter, SELC, to Gen. Anthony Tata, NCDOT (Mar. 6, 2013), Attachment 3.

fix current congestion on U.S. 74, directly contradicting NCDOT's own review of the Bypass.¹⁸ After noting the many misunderstandings present in the resolution, SELC sent a letter to NCDOT, the State agency responsible for disseminating information about proposed transportation projects, calling on the agency to act swiftly to clarify the true facts about the Bypass so that the public and decisionmakers could work with accurate information.¹⁹ With our letter we included an annotated copy of the resolution demonstrating the many ways in which it was inconsistent with NCDOT's own data and analysis.²⁰

We received no response to this letter. Only in November, eight months after the resolution was brought to NCDOT's attention, did the agency offer any acknowledgement of the resolution, and that response was buried in an appendix to the recently published DSFEIS.²¹ Even this response did not directly address any misunderstandings, but focused instead on attempting to distinguish points in SELC's analysis of the resolution. In doing so, NCDOT served only to foster further confusion. For example, noting that the public may be confused about the purpose of the Bypass, SELC wrote that "NCDOT states that improving U.S. 74 is not a stated purpose of the Bypass, nor is it an anticipated result."²² In response, NCDOT simply quoted the entire purpose statement, parroting the confusing language without any additional commentary.²³

In the eight months between the inception of this misleading resolution and the publication of the DSFEIS, the resolution was passed by at least eight groups. The City of Monroe, the Union County Board of Commissioners, the Indian Trail Town Council, the Union County Public Schools, the Town of Stallings, the Town of Marshville, and the Town of Waxhaw have passed versions of the resolution, all espousing the belief that the Bypass will serve as a major driver of growth within the county and will solve current congestion problems on existing U.S. 74.²⁴ Most troubling was passage of the resolution by the Mecklenburg-Union Metropolitan Planning Organization ("MUMPO") (now the Charlotte Region Transportation Planning Organization "CRTPO").²⁵ As the local arm of the transportation planning process,

¹⁸ *Id.*; Resolution for Cities, County, Civic Organizations — Annotated by the SELC (Mar. 6, 2013), Attachment 4 [*hereinafter* "Annotated Resolution"].

¹⁹ Letter from Kym Hunter, SELC, to Gen. Anthony Tata, NCDOT (Mar. 6, 2013), Attachment 3.

²⁰ Annotated Resolution, Attachment 4.

²¹ DSFEIS at A1-35.

²² *Id.*

²³ DSFEIS at A1-39 (response to Comment #19), A1-40 (response to Comment #26).

²⁴ Town of Indian Trail, Resolution (Apr. 9, 2013), Attachment 5; Town of Indian Trail, Town Council Supports Monroe Bypass Project (Apr. 11, 2013), Attachment 6; City of Monroe, City Council Meeting Packet, at 35-37 (Mar. 5, 2013), Attachment 7; Union County Board of Commissioners, Minutes of Monday, March 18, 2013 Regular Meeting, at 26-29 (Apr. 1, 2013), Attachment 8; Union County Commissioners and Manager, News Release: Board Wants Swift Action on Monroe Bypass (Mar. 19, 2013), Attachment 9; County chamber pushing Bypass, THE HOME NEWS (Mar. 14, 2013), Attachment 10; Stallings Town Council, Minutes of Town Council Meeting of the Town of Stallings, North Carolina, at 9 (Mar. 11, 2013), Attachment 11; Minutes of the Meeting of the Waxhaw Board of Commissioners Meeting, at 41-44 (Apr. 23, 2013), Attachment 12.

²⁵ Mecklenburg-Union Metropolitan Planning Organization, Resolution to Support Prompt Action for the Construction of the Monroe Bypass (Mar. 20, 2013), Attachment 13.

MUMPO has the responsibility for both making local planning decisions and informing local citizens about the potential impacts of a project. The version of the resolution passed by MUMPO affirmatively stated its reasoning for urging swift action on the Bypass as being that "the Monroe Bypass will stimulate economic and commercial development," and that "the Monroe Bypass will ease congestion on U.S. Highway 74 and other routes."²⁶ Yet, NCDOT has repeatedly stated that the Bypass is likely to be responsible for very limited growth in Union County²⁷ and is not expected to ease current levels of congestion.²⁸ Moreover, the Department crafted a Statement of Purpose and Need that specifically declines to consider improvements to U.S. 74 congestion.²⁹ And yet, despite being fully aware that MUMPO passed this resolution, NCDOT did nothing to correct the facts about the project and the message coming from this federally mandated planning body.³⁰

12 cont Both NCDOT and MUMPO had a duty to correct the misunderstandings being circulated about the Bypass and make sure that local support for the project was based on accurate information. By refusing to address publicly the reality of what can be anticipated if the Bypass is constructed, these bodies failed to serve the public citizens they represent. Worse, internal NCDOT documents suggest that the resolution was in fact put together by the contractors who are being paid to construct the Bypass and that payments from NCDOT went to fund both the creation of the resolution and its dissemination.³¹

2. False statements by NCDOT

13 cont NCDOT has gone further than failing to correct misapprehensions about the Bypass; in fact, the Department has gone so far as to actively foster the confusion. For example, Ned Curran, Chairman of the North Carolina Board of Transportation, has stated in addresses to both MUMPO and the Board of Transportation that the Monroe Bypass is necessary to address high unemployment rates in the eight counties through which U.S. 74 passes as it runs from Mecklenburg County to the coast, in particular Anson County.³² We noted in our November 2012 comments that another Board of Transportation member, John Collet, published an opinion piece in the newspaper stating both that the Bypass would "create jobs" and "relieve congestion."³³ NCDOT does nothing to correct these false claims in the DSFEIS. Moreover,

13 cont

²⁶ *Id.*

²⁷ See, e.g., DSFEIS at E1-84, E1-93, E1-98.

²⁸ See, e.g., DEIS (2009), table 7; DEIS errata (showing future traffic volumes on U.S. 74 are expected to be considerably higher with or without the bypass).

²⁹ DSFEIS at 1-3.

³⁰ E-mail from Jamal Alvi, NCDOT, to NCDOT's Monroe Bypass Team, RE: MUMPO resolution (March 21, 2013), Attachment 14.

³¹ See discussion below, Section (VI)(A)(2).

³² MUMPO, *Summary Minutes of September 18, 2013 Meeting*, Attachment 15; personal communication from MUMPO member Lynda Paxton; see also NC Board of Transportation meetings in October and December, attended by SELC attorney Kym Hunter; public remarks by Jim Trogdon, formerly COO of NCDOT, in a presentation to the Joint Legislative Transportation Oversight Committee on October 4, 2013, also attended by SELC attorney Kym Hunter.

³³ SELC comments, Nov. 2012, at 5.

13 cont NCDOT's own Secretary, Tony Tata, has publically stated both that the Bypass will bring dramatic growth to Union County and that it will improve congestion on U.S. 74, such as in a speech at a meeting of the North Carolina Chamber of Commerce's inaugural Transportation and Infrastructure Summit in April 2013.³⁴

14 Additionally, as discussed in more detail below, NCDOT has worked with the contractor for the Bypass, Boggs Paving, to further foster confusion about the purpose and impacts of the Bypass.³⁵ Working with NCDOT, Boggs Paving put together a website promoting the ability of the Bypass to relieve congestion for U.S. 74 and bring dramatic economic development to Union County. Additionally, Boggs Paving put together community meetings promoting the same false suggestions. Boggs even hosted a BBQ on the same day and at the same location as the NEPA public hearing for the Bypass, stating in its invitation that "[t]his bypass is a crucial piece of infrastructure that Union County needs to *unlock our road congestion* and improve transportation in our county."³⁶ By working with the contractor to promote supposed purposes for the Bypass which it knows to be false, NCDOT further corroded the NEPA process.

C. **NCDOT Must Revisit the Project's Stated Need in Light of New Information.**

The Statement of Purpose and Need was initially contrived seven years ago with review conducted in 2007 and a Final Statement published in 2008. Since that time there have been considerable changes in the study area. The DSFEIS fails entirely to incorporate any of these changes into the NEPA analysis. As explained below, changes in growth expectations, current levels of traffic and congestion, and the success of alternatives all add up to a significantly changed state of affairs in Union County. We urge NCDOT to revisit the Statement of Purpose and Need in light of these changes and create a new statement based on current data that will transparently allow the public and decisionmakers to evaluate a range of alternatives as NEPA intended.

1. **The NC Intrastate System**

16 The DSFEIS recognizes U.S. 74 as a route of statewide importance as it both connects Union County to Mecklenburg County, and the Charlotte region to the port at Wilmington.³⁷ The DSFEIS then explains that NCDOT has designated the U.S. 74 corridor as a Strategic Highway Corridor ("SHC"), as part of the North Carolina Intrastate System, and as part of the National Highway System Strategic Highway Network ("STRAHNET"). The DSFEIS notes that the SHC and NC Intrastate designations call for the corridor to serve high-speed regional

³⁴ The event was attended by SELC attorney Kym Hunter, who listened to and recorded the Secretary's remarks.

³⁵ See discussion below, Section (VI)(A)(1).

³⁶ Monroe Bypass Constructors, Union County supporters of the Monroe Bypass host free community BBQ and rally, press release (Dec. 2013), Attachment 16.

³⁷ DSFEIS at 1-1-1-2.

16 cont travel,³⁸ ignoring that the North Carolina General Assembly has recently repealed the Intrastate System legislation.³⁹

2. **Conditions in the U.S. 74 corridor**

17 The DSFEIS explains that the need for the Monroe Bypass is based on the fact that U.S. 74 currently experiences congestion during peak periods of the day, pointing to travel-time field surveys showing that certain specific segments of the corridor experience travel speeds of 37-41 mph (westbound) and 42-45 mph (eastbound).⁴⁰ The DSFEIS then concludes that a bypass is needed because the corridor does not currently operate as a high-speed facility (average speed of 50 mph or greater), nor will it in the future without substantial improvements.⁴¹ The draft explains that congestion "will only get worse because traffic volumes are expected to increase in the future due to projected growth in Union County."⁴² These statements fail to acknowledge that: (1) Travel times have improved and congestion has decreased in the U.S. 74 corridor; (2) small scale alternatives have been successful; and (3) growth projections for the future have decreased.

i. **Decreased congestion**

NCDOT based its initial Statement of Purpose and Need on travel time data from 2007. At that time the agency showed peak travel time along the U.S. 74 corridor as 50 minutes, with an average peak speed of 24 mph, and expected that by 2030 the travel time would increase to 70 minutes, with an average speed of 17 mph.⁴³

18 These projections have been shown to be dramatically overstated. Since NCDOT's original analysis, traffic *volumes* in Union County have remained fairly stable, while corridor improvements have caused travel *speeds* in the corridor to improve dramatically. NCDOT's recent 2013 data shows that current travel time along U.S. 74 is now 30 minutes at peak with an average peak speed of about 44 mph, 20 mph faster than was observed in 2007.⁴⁴ As the DSFEIS recognizes, with just these minimal improvements, peak travel time speeds are now closely approaching the speed limit throughout much of the U.S. 74 corridor. Further, the DSFEIS demonstrates that congestion is not prevalent throughout the study area, but rather

³⁸ DSFEIS at 1-2.

³⁹ North Carolina Session Law 2013-183 at Section 4.9 (repealing N.C. Gen. Stat. 136-179).

⁴⁰ DSFEIS at 1-3.

⁴¹ *Id.*

⁴² *Id.* at 1-3.

⁴³ DEIS (2009) at 1-18 (table 1-5).

⁴⁴ Memorandum from Bradley Reynolds, HNTB, to Jennifer Harris, NCDOT, RE: U.S. 74 Corridor Travel Time Comparison (October 2013), at 2, available at <http://www.ncdot.gov/projects/monroconnector/download/U.S.74CorridorTravelTimeMemoFinal102413.pdf>.

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18 cont limited to a few key hotspots.⁴⁵ In other parts of the corridor, the magic speed of 50 mph is already accomplished, and in several more sections it is close.⁴⁶

19 It is likely that NCDOT's predictions of 70 minute travel times and speeds of 17 mph by 2035 are also greatly overstated. As mentioned, traffic volumes in the corridor have seen very little increase in the past ten years, and there is no evidence presented in the EIS as to why they would be expected to increase to the dramatic levels previously forecast. Additionally, the traffic forecasts used by NCDOT to analyze future levels of congestion did not take into account the recent improvements to the U.S. 74 corridor, or improvements that have been scheduled and funded in the near future. This failure again serves to overstate the congestion problem.

ii. Success of Alternatives along U.S. 74

Following the recommendations of the Stantec Study, NCDOT has implemented to great effect a wide variety of targeted, relatively low cost traffic improvements throughout the length of U.S. 74 in the project study area.

For example, NCDOT has optimized signal timing at 23 intersections along the length of U.S. 74 through the study area.⁴⁷ Traffic signal optimization involves the implementation of ideal timing settings to govern the operation of a traffic signal. This process can minimize stops and delays, fuel consumption, and air pollution emissions, and can maximize progression along an arterial like U.S. 74. Signal optimization has been found to be an incredibly cost-effective congestion management effort, especially in comparison to expensive alternatives like new construction. In fact, FHWA has noted that the benefit ratio can be as high as 40 to 1.⁴⁸ And because traffic signals can be easily optimized without any changes to the roadway's existing footprint, the effort successfully maintains access to existing businesses.

NCDOT has also added additional turn-lanes and turn-lane storage for several U.S. 74 intersections such as at Unionville-Indian Trail Road, Faith Church Road/Harris Teeter Distribution Center, Wesley Chapel-Stouts Road/Sardis Church Road, Chamber Drive, Rocky River Road, Poplin Place/Wellness Boulevard, Hanover Drive, and Dickerson Boulevard.⁴⁹ Similarly, NCDOT has reconfigured lane assignments at U.S. 74's intersections with Stallings Road, Unionville-Indian Trail Road, and Poplin Place/Wellness Boulevard.⁵⁰

20 Additionally, the original traffic projections do not take into account the impact of Union County's recent bus service to Charlotte. Since 2008, the Charlotte Area Transit System

⁴⁵ DSFEIS at 1-9-1-12.

⁴⁶ *Id.*

⁴⁷ Richard W. Baucom, *US 74 Highway Improvements in Union County, NC: 2007 - March 2013*, table (Mar. 25, 2013), Attachment 17.

⁴⁸ S. Lawrence Paulson, *Managing Traffic Flow Through Signal Timing*, FHWA's PUBLIC ROADS, Vol. 65 No. 4 (Jan/Feb 2002), available at <http://www.fhwa.dot.gov/publications/publicroads/02janfeb/timing.cfm>.

⁴⁹ Richard W. Baucom, *US 74 Highway Improvements in Union County, NC: 2007 - March 2013*, table (Mar. 25, 2013), Attachment 17.

⁵⁰ *Id.*

20 cont ("CATS") has provided the 74X Union County Regional Transit Service. The bus service visits two locations in Union County — the Monroe K-Mart and Union Town Center — and transports riders to several locations in Charlotte, including the Charlotte Transportation Center as well as the major intersection of College and 11th, thereby removing many drivers from U.S. 74 during peak travel times.⁵¹ In July 2013, Union County extended its contract with CATS to continue this service.⁵²

The observed impacts of the improvements to U.S. 74 have been striking. As noted above travel speeds in the corridor are now much faster than they were when NCDOT first began the NEPA process. It is not surprising, therefore, that one engineer, discussing the improvements, joked that the dramatic results jeopardized the need for the Bypass, stating:

"I just hope the Toll Road Authority does not get wind of what we have done to move traffic on U.S. 74, they may object strenuously!"⁵³

21 And yet more improvements are forthcoming. As acknowledged in the DSFEIS, six million dollars in superstreet improvements have been scheduled to improve the section of U.S. 74 that runs through Indian Trail.⁵⁴ The superstreets will be implemented in 2015, before the proposed Bypass would be built.⁵⁵ NCDOT has estimated that 20 per cent more vehicles will get through a superstreet intersection during rush hour than a traditional intersection, indicating that these planned superstreets are likely to have a great effect on peak congestion in the U.S. 74 Corridor.⁵⁶ The DSFEIS fails to analyze the impact of these planned improvements and how they might, in conjunction with improvements that have already been made, reduce the need for as large scale a project as the proposed Bypass.

iii. Reduced growth in Union County

22 In addition to the failure to look at improved travel speeds and the success of alternative solutions, the DSFEIS also fails to consider recent changes to growth trends in Union County. The DSFEIS considers data on Union County's population growth through only 2010,⁵⁷ failing to recognize the major changes in Union County growth trends since 2010. This is exemplified by the fact that the DSFEIS incorrectly states that Union County is the fastest growing county in North Carolina.⁵⁸ Though this statistic may have been true several years ago, today there are at

⁵¹ Union County, July 24 Union Update, *County Extends Contract with CATS for Bus Service to Charlotte* (July 24, 2013), Attachment 18.

⁵² *Id.*

⁵³ E-mail from Wilbur C. Garner, Moffatt & Nichol, to Dean Harris, NCDOT, RE: U.S. 74 @ Stallings (Apr. 8, 2011), Attachment 19.

⁵⁴ DSFEIS at 2-12; MUMPO, Aug. 21, 2013 Summary Meeting Minutes, at 2, Attachment 20.

⁵⁵ DSFEIS at 2-12.

⁵⁶ Carl Gibilaro, *MonroeBypassFacts.com Meeting Summary*, prepared for NCDOT (December 3, 2012), Attachment 21.

⁵⁷ DSFEIS at 1-4.

⁵⁸ DSFEIS at 1-2.

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cont. least ten counties that are growing faster than Union County.⁵⁹ In fact growth in Union County has slowed down considerably to an average annual growth rate of 1.7 per cent between 2010 and 2012.⁶⁰ Growth in the study area has slowed even more significantly, with much of the new growth on the southern and western edges of the county — not an area expected to impact U.S. 74 traffic greatly.⁶¹

Further, as noted above, despite Union County’s previous experience of high growth rates, traffic volumes have remained steady. In November 2012, NCDOT’s Congestion Management Section reported that after analyzing the Average Annual Daily Traffic Maps for the previous ten years, it found that traffic volumes on U.S. 74 had remained steady for the past decade.⁶² Reasons given for this apparent contradiction include the fact that a smaller percentage of workers are now commuting from Union County to Charlotte⁶³ and the hypothesis that drivers may be finding alternative routes to avoid U.S. 74.⁶⁴ Whatever the reason, if traffic was not increasing when socio-economic growth was high, it seems unlikely that it would increase at a much greater rate now that socio-economic growth has slowed.

23 In sum, the growth experienced over the past seven years has been vastly different to the forecast underlying the original statement of need. Traffic volumes have not increased, but traffic speeds have. Small scale improvements have been planned and implemented along U.S. 74 and have been successful. Population growth in the study area has slowed. In light of these changes, NCDOT should carefully reevaluate the Statement of Purpose and Need. Rather than just looking at current data and dismissing it as showing only that peak speeds are still below 50 mph, NCDOT should more carefully consider what the data shows is really needed and what might be achieved. Congestion is mostly found in key hotspots, and there are potential alternatives, smaller scale and less expensive than the Bypass, which might address this congestion. Further, the average travel speed in the corridor is fast approaching the sought after 50 mph, and indeed over half the corridor is now running at that speed.

3. Public and agency involvement in the purpose and need

In 2008, NCDOT arrived at the Statement of Purpose and Need after a process that included the public and all relevant environmental resource agencies.⁶⁵ As noted in the DSFEIS, a formal “scoping letter” was distributed seven years ago on January 5, 2007, and the purpose

⁵⁹ Hartgen Report 2013, at 6, Attachment 1.

⁶⁰ E-mail from Ken Gilland, Baker Corporation, to Scudder Wagg et. al., Baker Corporation, RE: DRAFT USACE Presentation (Population estimates) (Feb. 14, 2013), Attachment 22.

⁶¹ Hartgen Report 2013, at 14, Attachment 1.

⁶² Memorandum from Michael Reese, NCDOT, to Sean Epperson, NCDOT, U.S. 74 Corridor Superstreet and Traditional Intersection Capacity Analysis, at 1 (Nov. 5, 2012), Attachment 23.

⁶³ DSFEIS at 1-4.

⁶⁴ Wilbur Smith Associates, Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study, prepared for NCTA, at 2-5 (2010), available at http://www.ncdot.gov/projects/monroconnector/download/monroe_FEIS_ComprehensiveTrafficRevenueStudy.pdf [hereinafter Traffic and Revenue Study 2010].

⁶⁵ DSFEIS at 1-3–1-4.

and need was discussed with resource agencies at five separate coordination meetings in 2007.⁶⁶ Public comment on the purpose and need was also solicited in 2007 at a Citizens’ Informational Workshop.⁶⁷ The need was considered and established based on the conditions in the U.S. 74 corridor at that time (2007) when traffic on was travelling at significantly lower speeds that it is today, taking 20 minutes longer to travel the corridor at peak times.⁶⁸ As detailed above, much has changed in the past seven years and the public and resource agencies should be given a full opportunity to establish an updated statement based on 2014 conditions, trends and opportunities. Yet the DSFEIS notes that there has been no additional public or agency outreach on this important question that defines the scope for the whole NEPA process.⁶⁹

III. ALTERNATIVES ANALYSIS

23b In its rejection of NCDOT’s previous EIS for this project, the United States Court of Appeals for Fourth Circuit reiterated the consistent message of NEPA jurisprudence: that NEPA requires that agencies to “[r]igorously explore and objectively evaluate all reasonable alternatives.” *N.C. Wildlife Federation*, 677 F.3d at 602 (citing 40 C.F.R. § 1502.14(a)). Yet the DSFEIS demonstrates that NCDOT has performed no such rigorous new analysis. Instead, the transportation agencies have continued to base their alternatives analysis on flawed traffic forecasts, and still refuse to evaluate fully all reasonable alternatives to the Monroe Bypass.

A. The Alternatives Analysis Is Based on Flawed Traffic Forecasts

Underlying NCDOT’s DSFEIS are the existing and future traffic forecasts for both the Build and No-Build scenarios, developed in 2008 based on data available at that time.⁷⁰ Of particular focus are the Martin/Alexiou/Bryson 2030 No-Build traffic forecasts, the primary forecasts used to analyze project alternatives.⁷¹ The 2030 No-Build forecast volumes showed significant congestion in the U.S. 74 corridor, a fact used by NCDOT both to demonstrate a need for the project and to eliminate project alternatives.⁷² Later, Wilbur Smith Associates (“WSA”) (now CDM Smith) conducted a 2035 No-Build as an update to these forecasts for the sole purpose of confirming the “assumption that the traffic volumes on existing U.S. 74 would stay the same or increase from 2030 to 2035 if no roadway improvements took place.”⁷³ Because the WSA forecast confirmed the assumption, NCDOT determined it was not necessary to update the operational analyses for the No-Build alternative.⁷⁴ The transportation agencies later admitted in

⁶⁶ *Id.* at 1-3.

⁶⁷ *Id.* at 1-4.

⁶⁸ *Monroe Bypass Draft Environmental Impact Statement (2009)*, at 1-18 (table 1-5), available at http://www.ncdot.gov/projects/monroconnector/download/monroe_DEIS_PurposeNeed.pdf.

⁶⁹ DSFEIS at 1-3.

⁷⁰ *Id.* at G-5.

⁷¹ *Id.*; see also *id.* at G-35.

⁷² *Id.* at G-35.

⁷³ *Id.*

⁷⁴ *Id.*; see also *id.* at G-9.

the FEIS *errata* that the 2035 No-Build alternative forecast was overestimated, and included a revision to some of the projections, but did not revisit the alternatives analysis.⁷⁵

1. The failure to conduct new forecasts violates NEPA.

The transportation agencies have since determined that the 2035 forecasts remain valid for the purposes of the DSFEIS, explaining that the forecasts were “only used to show that conditions will worsen in the future,” and that “additional future traffic analyses were not needed to document the present need for the project.”⁷⁶ Thus, the alternatives analysis in the DSFEIS essentially remains based on the 2008 projections for 2030. NCDOT has justified the decision to continue relying on these old traffic forecasts because: (1) no new alternatives have been identified, (2) the current let date of the project is less than the future forecast year plus 20 years, (3) the study area is not experiencing growth not previously considered in the forecast, and (4) the traffic forecast is not five years older than the Base Year.⁷⁷ The decision is apparently based on a memorandum entitled “Guidelines to Determine When to Request an Updated Traffic Forecast.”⁷⁸ The memo sets out that the determination of when traffic forecasts should be redone should be based on cognizance that such forecasts “can adversely affect the project’s cost, schedule, and budget.”⁷⁹

First, we should note that based on NCDOT’s own narrow parameters a new traffic forecast is needed. New project alternatives, such as upgrades to Secret Shortcut and Old Monroe Road in combination with U.S. 74 improvements, were identified in our previous comment letter.⁸⁰ Moreover, the study area, while not experiencing *more* growth than previously considered in the forecasts is experiencing considerably less growth, a fact that is equally important when it comes to the ramifications for the alternatives analysis.

More importantly, however, the extent of an agency’s NEPA responsibilities is not curtailed by the agency’s considerations of its own costs, schedule, or budget. Such considerations do not relieve an agency of a legal duty to perform a full and adequate NEPA review. “Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA.” 40 C.F.R. § 1500.1(b). Such accuracy ensures that agencies take a “hard look” at environmental effects of proposed projects and that relevant information is available to the public. *Glickman*, 81 F.3d at 445-46 (holding that the economic assumptions underlying an EIS are subject to “narrowly focused review” to determine whether they “impair[ed] fair consideration of a project’s adverse environmental effects”).

⁷⁵ FEIS (2010) at A-3.

⁷⁶ DSFEIS at G-2.

⁷⁷ *Id.* at G-9.

⁷⁸ NCDOT, *Guidelines to Determine When to Request an Updated Traffic Forecast* (Feb. 24, 2009), available at <https://connect.ncdot.gov/projects/planning/TPB%20Systems%20Planning/Requesting%20an%20Updated%20Traffic%20Forecast.pdf>, (cited in DSFEIS at G-9).

⁷⁹ *Id.*

⁸⁰ SELC comments, Nov. 2012, at 35-36.

Moreover, agencies have a duty to “insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements.” 40 C.F.R. § 1502.24. The continued reliance on outdated traffic forecasts that have now been shown to be overstated to an alarming degree fails to “satisfy the requirements of NEPA,” and the DSFEIS “cannot provide the basis for an informed evaluation or a reasoned decision.” *Sierra Club v. US Army Corps of Eng’rs*, 701 F.2d 1011, 1030 (2d Cir. 1983).

2. The traffic forecasts data ignores recent history

Reliance on up-to-date data is imperative for the NEPA process. A long line of federal courts have held that agency reliance on data that is stale or inaccurate invalidates environmental review. *See, e.g., Northern Plains Resource Council, Inc. v. Surface Transp. Bd.*, 668 F.3d 1067, 1085-86 (9th Cir. 2011) (ten-year old survey data for wildlife “too stale” thus reliance on it in EIS was arbitrary and capricious); *Lands Council v. Powell*, 395 F.3d 1019, 1031 (9th Cir. 2005) (six year-old survey data for cutthroat trout was “too outdated to carry the weight assigned to it” and reliance on that data violated NEPA); *Seattle Audubon Soc. v. Espy*, 998 F.2d 699, 704-05 (9th Cir. 1993) (reliance on “stale scientific evidence” regarding owl population data without adequate discussion of scientific uncertainty violated NEPA). Courts have been clear that the quality of data must be proportional to the weight the agency assigns to it in its analysis. Here, the accuracy of the traffic forecast data underlies both the purpose and need for the project and the entire analysis of alternatives.

We asked Dr. David T. Hartgen, P.E., Ph.D., to review the traffic forecasts for the Monroe Bypass.⁸¹ Dr. Hartgen has 45 years of experience in transportation planning and analysis and is a Professor Emeritus at the University of North Carolina at Charlotte.⁸² Hartgen is familiar with the Bypass project and the U.S. 74 corridor⁸³ and in fact is cited often by NCDOT in the DSFEIS.⁸⁴ After his review Dr. Hartgen concluded that “traffic forecasts presented in the DSFEIS are too uncertain and insufficiently supported to be the basis for decision-making regarding the Monroe Connector/Bypass”⁸⁵ explaining that the DSFEIS “*simply ignores the last 12 years of history regarding traffic trends on U.S. 74.*”⁸⁶

As NCDOT’s own observed traffic counts demonstrate, the rate of growth in traffic volume originally forecast for the U.S. 74 corridor is wildly out of sync with reality. Dr. Hartgen notes that NCDOT’s observed traffic data since 2000 shows that along the portion of U.S. 74 at the Mecklenburg-Union line, just west of the project end, the traffic has grown on average just 0.15%/year (a total of 1.8% in 12 years), and has actually declined since 2005.⁸⁷ He also notes

⁸¹ Hartgen Report 2013, Attachment 1.

⁸² *Id.* at 35-38.

⁸³ *Id.* at 3.

⁸⁴ *See, e.g.,* ICE Appendix L.

⁸⁵ Hartgen Report 2013, at 4, Attachment 1.

⁸⁶ *Id.* at 18.

⁸⁷ *Id.* at 17.

that near the city of Monroe, growth has been modest at approximately 0.4%/year.⁸⁸ Dr. Hartgen also demonstrates that observed traffic volumes at the eastern edge of the project have declined since 2000.⁸⁹

26 Yet the traffic forecasts used to analyze alternatives in NEPA documents require traffic volumes to skyrocket. As demonstrated in HNTB’s Traffic Forecast Summary, the percent volume increase from NCDOT’s 2012 AADT that must be realized to reach the 2035 No-Build Projection ranges from 22% to 81%, with an average of 53% increase in volume.⁹⁰ Dr. Hartgen explains that the implied percent changes from current volumes which range from 1.3 to 5.4% per year, are 5-10 times faster than the recent twelve years of observed traffic volumes.⁹¹ Though the DSFEIS recognizes that traffic counts from 2007 to 2012 show “zero change,”⁹² the transportation agencies offer no explanation of how to reconcile their projections of radical increases in traffic volume with the reality of flat-lined growth rates over the last twelve years.

Dr. Hartgen also notes that these trends pre-date the 2008 recession, and have continued in the recession’s wake, providing strong evidence these trends do not represent a short term trend, but rather “a huge change in prior trends.”⁹³

27 Further, Union County is no longer experiencing anywhere near the level of growth as in 2008, indicating that expectations of massive increases in traffic are no longer justifiable. As Dr. Hartgen notes, Union County’s growth rate has fallen sharply since the project’s first FEIS, falling from 4.9%/year from 2000-2010 to just 1.7%/year, based on the most recent census data.⁹⁴ Moreover, even when Union County’s population was growing, traffic volumes remained stable. As Dr. Hartgen details in his report, in spite of the previous high growth in Union County “*traffic on U.S. 74 has not increased substantially since 2000.*”⁹⁵ The transportation agencies have never explained why, in the face of such evidence, increased population would necessarily result in more drivers using the U.S. 74 Corridor. With population growth now slowing, the huge increase in drivers seems even less likely.

Dr. Hartgen has also outlined other significant flaws in the traffic forecasts. Importantly, the traffic forecasts do not include the majority of traffic improvements already instituted along the U.S. 74 corridor, nor do they anticipate future planned improvements.⁹⁶ As detailed above, NCDOT has instituted a wide range of small-scale improvements along U.S. 74, such that traffic conditions on U.S. 74 are now vastly different from the environment in which the transportation agencies’ consultants first developed the future No-Build traffic forecasts. Dr. Hartgen explains

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⁸⁸ *Id.*
⁸⁹ *Id.* at 17-18.
⁹⁰ DSFEIS at G-9 and G-22, table 5.
⁹¹ Hartgen Report 2013, at 18, Attachment 1.
⁹² DSFEIS at 4-20.
⁹³ Hartgen Report 2013, at 18, Attachment 1.
⁹⁴ *Id.* at 14 (citing census.gov).
⁹⁵ *Id.* at 17 (emphasis in original).
⁹⁶ *Id.* at 13.

27a that it is “likely that the improvements made so far also helped to improve the current operating speeds in the 44-mph range, given that traffic volumes have not increased and INRIX speeds show an increase over time.”⁹⁷ As such, Dr. Hartgen argues that “at the very least, the planned improvements should be coded into the regional network and used as the basis for all forecasts.”⁹⁸ Moreover, future planned improvements, such as the superstreet installations described above,⁹⁹ may be “equally effective” at improving traffic condition such that they also should be considered in the traffic forecasts.¹⁰⁰

27b We applaud NCDOT’s efforts to improve traffic conditions in the U.S. 74 Corridor, and recognize that traffic experts such as Dr. Hartgen anticipate future planned improvements will surely continue to dramatically improve traffic conditions.¹⁰¹ When these improvements are paired with the steady to declining traffic volumes observed over the past twelve years, the result is a significant, sustained divergence from the 2008 traffic forecasts used to underpin both the Statement of Purpose and Need and the Alternatives Analysis. NCDOT’s continued reliance on these forecasts is both bad policy, considering the \$900 million investment, and a violation of NEPA.

3. Socio-economic data underlying the traffic forecasts is also significantly flawed.

The validity of the traffic forecasts is also undercut by several flaws in the socio-economic data that underlies their creation. Because the socio-economic data underlying the forecasts now appears to be dramatically overstated, it is likely that the forecasts were similarly overstated, creating serious implications for the analysis of alternatives.

i. Outdated, inaccurate socio-economic data

28 As NCDOT admits, the forecasts of traffic are not based on the most recent available socio-economic data.¹⁰² The traffic forecasts underlying the Draft FEIS are based on 2005 socio-economic data, yet the transportation agencies verify that they could have, at the very least, updated their model with 2009 socio-economic data.¹⁰³ Instead, the transportation agencies considered the 2009 socio-economic data only to verify a continued demand on the U.S. 74 Corridor,¹⁰⁴ yet did nothing to quantify or otherwise detail any differences that the use of such data might make on the forecasts themselves. Moreover, even more up-to-date forecasts of socioeconomic growth have recently been put together by Dr. Steven Appold. These new projections show considerably lower growth rates than previously forecast, and indicate that the

⁹⁷ *Id.* (citing DSFEIS at 1-6).
⁹⁸ *Id.*
⁹⁹ See Section (II)(C)(2) above.
¹⁰⁰ Hartgen Report 2013, at 13, Attachment 1.
¹⁰¹ *Id.*
¹⁰² DSFEIS at G-12–G-13.
¹⁰³ *Id.*
¹⁰⁴ *Id.* at G-13.

growth that is expected will be located close to Mecklenburg, rather than in the eastern part of the county.¹⁰⁵ Rather than review and respond to projections that have serious implications for NCDOT's analysis, the agency has chosen to ignore them.¹⁰⁶ Further, as Dr. Hartgen notes, the recent (2010-12) population growth rate for Union County has been much slower at just 1.7%/year, calling into serious question the use of 2009 socio-economic data, as opposed to more recent numbers.¹⁰⁷

29 Indeed, as Dr. Hartgen has detailed in his report, the population forecasts used to forecast traffic are "probably significantly overstated."¹⁰⁸ Dr. Hartgen goes on to outline and discuss several critical and flawed assumptions underlying the projections relied upon by NCDOT.¹⁰⁹ For example, with regard to Dr. Hammer's "top-down" forecasts, Dr. Hartgen explains that the assumption that the United States will maintain past growth rates is now untenable, given the recent recession, noting that current growth rates for the United States are now one third to one half of the estimates the Hammer study relies upon, and points out that the employment/population ratio is the lowest in 50 years.¹¹⁰

Dr. Hartgen also criticizes the assumption that the Charlotte region will continue to excel relative to other regions,¹¹¹ explaining that North Carolina and the Charlotte region "was very hard-hit in the recession, with large banks and other employers shedding jobs inordinately, and unemployment remains significantly above the U.S. and NC levels," having the effect of "slow[ing] the local employment growth to a crawl," none of which was considered in NCDOT's projections.¹¹²

30 Additionally, Dr. Hartgen questions Dr. Hammer's assumption that Union County will attract a relatively large share of regional growth,¹¹³ explaining that the majority of Union County's recent growth "was driven not by local county economic activity but by proximity to Charlotte, particularly in the Ballantyne area," which has now slowed significantly.¹¹⁴ Dr. Hartgen also notes that reliance on Dr. Hammer's projections for the purposes of traffic forecasts for the study area is in error, as the Dr. Hammer study and the recent Baker review do not

¹⁰⁵ See discussion in SELC Comments, Nov. 2012, at 15-16, citing e-mail from Stephen Appold to Bjorn Hansen, Scot R. Sibert, Anna Gallup, Ruchi Agarwal, Amy Helms, C. Chorak, Robert Cook, Dana Stooegenke, D. Hooper, D. Ritsema, K. Wolf, Evan Lowry, M. Sandy, Wendy Bell, Bernie Yacobucci, Nadine Bennett, Joe McLelland, R. Black (Oct. 17, 2012), Attachment 24; see also Dr. Steve Appold, Projections Compared Excel Sheet, at "counties" sheet (Sept. 20, 2012), Attachment 25 (Appold projects 70,176 jobs in Union County in 2035, whereas Hammer projects 141,704; Appold projects 66,730 jobs in Union County in 2030, whereas Hammer projects 128,494).

¹⁰⁶ See, e.g., DSFEIS at A1-74.

¹⁰⁷ Hartgen Report 2013, at 14, Attachment 1.

¹⁰⁸ *Id.* at 20.

¹⁰⁹ *Id.* at 21-23.

¹¹⁰ *Id.* at 22.

¹¹¹ DSFEIS, ICE Appendix H, at 6.

¹¹² Hartgen Report 2013, at 22, Attachment 1.

¹¹³ *Id.*

¹¹⁴ *Id.*

30 cont discuss the location of that growth within Union County and thus "overlook the fact that the most of the Union County growth has been *outside* of the Bypass study area."¹¹⁵

These overstated Hammer projections were then used by Paul Smith as the foundation for the sub-area allocation of county-level population and "population-chasing employment" control totals to "transportation analysis zones" ("TAZs") based on vacant residential acres and travel time to employment, which remain as the totals used in the most recent DSFEIS.¹¹⁶ Dr. Hartgen explains that this error is significant, because "if the Hammer-based forecasts of population growth by county are high, then the TAZ forecasts will be high in the same proportion."¹¹⁷

ii. Single set of socio-economic data

As noted during litigation and in our 2012 comments, the previous alternatives analysis for the Monroe Bypass was flawed because it relied on traffic forecasts that used a single set of socio-economic data for both "Build" and "No-Build" alternatives and thus failed to take account of induced growth and its impact on traffic patterns and volumes. We appreciate that NCDOT has finally taken some time to consider this issue, although we disagree with its conclusion.

31 As discussed below, NCDOT's analysis of induced growth is fundamentally flawed due to an improper assumption in the "No-Build" forecast.¹¹⁸ That forecast failed to take into account the constraining effect heavily congested infrastructure might have on future growth and thus vastly overstated the likely levels of growth without the Bypass. As a result, the analysis severely downplayed the difference between future "Build" and "No-Build" scenarios. Thus, when NCDOT's consultants examined the impact of induced growth on NCDOT's traffic forecasts they were working with flawed data which showed an improperly low level of growth attributable to the Bypass.¹¹⁹ Moreover, the consultants failed to analyze properly the difference in trip volume and distribution due to the likely redistributed growth patterns that will result from the Bypass.¹²⁰

Further, even if NCDOT's cursory analysis of this issue were sufficient, we disagree with agency that the difference of 3-4% in traffic volumes is so negligible that it need not be given any consideration or further study.¹²¹ Moreover, the 3-4% difference presented is for Union County as a whole. The percentage difference is likely much higher in the study area.¹²²

¹¹⁵ *Id.* (emphasis added).

¹¹⁶ *Id.* at 23 (citing DSFEIS at 2-15, 4-25).

¹¹⁷ *Id.*

¹¹⁸ See discussion below, section (IV)(A)(1).

¹¹⁹ DSFEIS at G-16-G-17.

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *Id.*

We are pleased to see FHWA acknowledge that there are circumstances in which reliance on a single set of socio-economic forecasts for traffic forecasts is inappropriate.¹²³ Once a proper indirect and cumulative effects analysis has been performed for the project, we expect the Monroe Bypass will be such a circumstance.

4. The flawed traffic forecasts bias the analysis of alternatives

32 Even if the NCDOT is correct that the U.S. 74 Corridor will continue to experience congestion, a point not clear in light of the agency's grave failure to evaluate the impacts of planned future transportation improvements outlined above.¹²⁴ Such a conclusion does not support the decision to perform no new traffic forecasts. The No-Build forecasts are necessary not only to support the idea that increasing traffic volumes on U.S. 74 require some solution, but also to evaluate a range of alternatives to address the problem. NEPA requires agencies to present a full detailed picture of alternatives and their differing environmental impacts for the benefit of decision makers, including permitting agencies and the public. 40 C.F.R. § 1502.14; *Nat'l Audubon Soc'y*, 422 F.3d at 185. This information forms the "clear basis for choice among options." 40 C.F.R. § 1502.14.

32a Rather than use accurate forecasts to compare transparently a range of alternatives, NCDOT has used the bogus, overstated projections to justify its choice of a new-location Bypass as the only possible solution to area congestion.¹²⁵ As noted in the DSFEIS, the development and evaluation of alternatives began with the selection of the Detailed Study Alternatives ("DSA") included in the DEIS, documented in the Alternatives Development and Analysis Report (PBS&J, April 2008),¹²⁶ as well as further studies of existing U.S. 74 documented in the Upgrade Existing U.S. 74 Alternatives Study (HNTB, April 2009).¹²⁷

The process documented in these studies demonstrates that the transportation agencies' alternatives analysis explicitly relied upon the WSA 2035 traffic forecasts, as well as a separate WSA forecast for the Improve Existing U.S. 74 Alternative.¹²⁸ These forecasts were used to help determine each alternative's potential to meet initial criteria, including whether the alternative addressed the need to improve mobility and capacity in the U.S. 74 corridor.¹²⁹ The Draft EIS specified that to be carried forward "an alternative must provide more than a minor improvement" as compared to the future No-Build scenario, indicating that the degree to which the alternative was able to address mobility and capacity in the corridor was of particular importance.¹³⁰

¹²³ *Id.* at G-3.

¹²⁴ See discussion above, section (II)(C)(2).

¹²⁵ DEIS (2009) at 2-3-2-4.

¹²⁶ DSFEIS at 2-1.

¹²⁷ *Id.*

¹²⁸ Draft EIS (2009) at 2-3.

¹²⁹ *Id.* at 2-4.

¹³⁰ *Id.*

For example, alternatives such as the Transportation Management System ("TSM") Alternative, which consists of low-cost, minor transportation improvements to increase the capacity of the existing facility, were eliminated in the First Qualitative Screening because "the amount of traffic projected for 2030 along U.S. 74 would overwhelm the effectiveness of minor TSM improvements."¹³¹ Similar reasoning was cited as part of the decision to eliminate the Mass Transit/Multi-Modal Alternative.¹³²

33 As such, the traffic forecasts were integral not just to determining if there was any need for the project, but also in screening and analyzing different project alternatives. Accordingly, simply verifying that the U.S. 74 Corridor will continue to experience high demand may "substantiate the viability of and need for" *some sort of project* in the corridor,¹³³ but it does nothing to reevaluate transparently and publicly the relevant success of *different project alternatives*, as NEPA requires. The vast disparity between observed recent traffic patterns and the traffic projections used in the EIS demonstrate that NCDOT must revisit its alternatives analysis. By relying on outdated and flawed projections, NCDOT has vastly overstated future traffic volumes, thereby making alternatives to the Bypass look less promising. Instead, changed conditions necessarily require that the transportation agencies reevaluate alternatives based on realistic, up-to-date traffic projections grounded in valid assumptions about growth and traffic volumes.

33a We are concerned that the refusal to properly forecast future traffic is becoming a regular practice for NCDOT. It is quickly becoming a matter of course for NCDOT to fail to engage in proper forecasting, thereby failing their NEPA duty to analyze impacts and cumulative effects of a project.¹³⁴

B. The Alternatives Analysis Fails to Analyze Patterns of Traffic in the Corridor

34 In addition to its reliance on outdated and fundamentally flawed traffic forecasts, the alternatives analysis also fails to answer a key question: Where are travelers in the U.S. 74 corridor going? The DSFEIS fails entirely to look at the percentage of traffic in the corridor that is local, i.e. moving within a town or traveling from one town along U.S. 74 to another, the percentage that is commuting into Charlotte, and the percentage that is traveling through the corridor. Without some knowledge of this basic information, it is impossible to determine what alternatives will be most effective for the corridor.

¹³¹ Monroe Connector/Bypass Project Alternatives Development and Analysis Report, at 1-7-1-8 (Apr. 2008), available at http://www.ncdot.gov/projects/monroconnector/download/monroe_DEIS_AltsReport_Rev.pdf.

¹³² *Id.* at 1-10.

¹³³ DSFEIS at G-13.

¹³⁴ Letter from Kym Hunter, SELC, to Jamielle Robbins, NCDOT, RE: *Environmental Assessment for the I-77 High Occupancy/Toll Lanes project* (Aug. 1, 2013), Attachment 26; NCDOT, *Finding of No Significant Impact for the I-77 High Occupancy/Toll Lanes*, B4-12-B4-13, available at http://www.ncdot.gov/projects/i77HOTlanes/download/I3311C_5405_4750AA_FONSI_101613.pdf, Attachment 27.

We raised this point in our November 2012 comment letter,¹³⁵ but in response the transportation agencies asserted that no further analysis is necessary as MUMPO supports the project and the Traffic & Revenue Study shows the project to be financially feasible with tolls.¹³⁶ The transportation agencies also point to the NCDOT's October 24, 2012 response letter to Stallings Mayor Lynda Paxton for "[d]etails about traffic patterns, mixes and volumes,"¹³⁷ and appear to rely solely on this letter to address the issue.¹³⁸ Yet as the paltry mishmash of percentages listed without explanation in NCDOT's letter to Mayor Paxton demonstrates,¹³⁹ NCDOT has never studied the existing or projected percentages of local versus through traffic, nor has NCDOT ever applied these limited findings to the analysis of alternatives in the DSFEIS.

The data cited in the letter to Mayor Paxton comes from the WSA's Comprehensive Traffic & Revenue Study, which was not completed as part of the EIS.¹⁴⁰ Rather, the data was collected as part of an extremely limited Origin-Destination Study.¹⁴¹ In a recent report to NCDOT by its consultant CDM Smith (formerly Wilbur Smith Associates, who performed the Traffic & Revenue Study),¹⁴² the consultant noted the deficiencies of the study, admitting that the Origin-Destination Study provides little to no information on truck traffic.¹⁴³ The consultant explained that "[t]ypically truck drivers do not respond to mail-back survey requests" of the type used in the Traffic & Revenue Study, citing the response rate at about 1-2%.¹⁴⁴ The consultant further admitted that the survey was specifically "geared toward obtaining a successful survey of passenger vehicles," not data on trucks, which likely make up much of the through traffic in the corridor.¹⁴⁵ Similarly, the survey was conducted in March and April, months that are certainly not representative of levels of through-traffic passenger cars headed to the coast during peak beach season (Memorial Day to Labor Day).¹⁴⁶ NCDOT has also publically admitted outside of the NEPA process that it "has not projected the amount of traffic that will travel throughout (end to end) the entire corridor versus accessing within the corridor at interchanges."¹⁴⁷

¹³⁵ SELC comments Nov. 2012 at 38-39.

¹³⁶ DSFEIS at A1-85.

¹³⁷ *Id.*

¹³⁸ DSFEIS at G-2 ("Mr. Gardner [FHWA] asked how local traffic vs. through traffic was addressed in the traffic impact analysis and upon review of the letter to Mayor Paxton (Oct. 24, 2012) found the explanation included to have adequately addressed this issue.").

¹³⁹ DSFEIS at C3-6-C3-7.

¹⁴⁰ DSFEIS at C3-6 (Traffic and Revenue Study 2010).

¹⁴¹ *Id.* at 3-1.

¹⁴² *Id.* at A1-25.

¹⁴³ *Id.* at A1-26.

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ Traffic and Revenue Study 2010, at 3-1.

¹⁴⁷ *US-74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes*, at 3 (Jan. 18, 2012), Attachment 28.

35
cont

The engineering firm O'Connell & Lawrence ("OCL") also critiqued the transportation agencies' origin-destination study in a recent report for several reasons. One concern OCL raised was the substantial disparity between the number of trips originating and ending in Charlotte, the dominant employment and population center in the region.¹⁴⁸ OCL found that this disparity indicates that the location of the survey handout locations should have been adjusted to provide a better cross-section of drivers.¹⁴⁹ OCL also noted the low percentages of trucks as opposed to passenger vehicles responding to the survey was alarming, as it was significantly different from the percentage breakdown among actual vehicles on the road.¹⁵⁰

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NCDOT's failure to analyze the percentages of local and through traffic necessarily undercuts the validity and thoroughness of their alternatives analysis. Without any comprehensive study of where traffic is going in the U.S. 74 Corridor, the transportation agencies have no clear vision of the actual usage of U.S.74. In fact, this point is made within the Traffic & Revenue Study itself. As the "Report of Independent Economic," completed as part of the Comprehensive Traffic & Revenue Study, recognizes "the U.S. 74 corridor handles a significant volume of extra-regional traffic," referencing specifically the traffic going from the Charlotte area to the Port of Wilmington and the beaches near Wilmington and Myrtle Beach, and *vice versa*.¹⁵¹ The report explains that "no good source of data for drivers of long distances travel through US 74 exists," outlining the difficulty in estimating long-distance passenger and truck traffic based on existing figures.¹⁵²

Because the intent of the Bypass is to speed travel from one end of the corridor to another, knowledge about the percentage of traffic making that trip is necessary for projecting usage of the facility and divergence of traffic from U.S. 74, both key to determining how well different alternatives meet the stated purpose and need. Such information is also essential for determining the impacts of different project alternatives, specifically, how much traffic is expected to remain on U.S. 74 and whether levels of truck traffic will decline.

Before the NCDOT continues forward with the Bypass, it is essential that they analyze who exactly is going to use it. Only then can it perform a thorough analysis of different alternative solutions. To do so, the transportation agencies must conduct a full origin-destination study to determine whether this is indeed the case. As CDM Smith has suggested, this study could be performed in such a way that is specifically targeted towards determining the percentages of local as opposed to through traffic, such as through visually collecting the phone numbers/company names off of truck-cab doors at survey sites and conducting phone interviews

¹⁴⁸ O'Connell & Lawrence, Inc., *A Closer Look at U.S. 74: Challenges & Opportunities*, prepared for SELC, at 15 (2013), [hereinafter "OCL report"].

¹⁴⁹ *Id.*

¹⁵⁰ *Id.* at 16.

¹⁵¹ DSFEIS at ICE Appendix K, Kenan Institute of Private Enterprise, Technical Memorandum: *Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study Initial Report of Independent Economist*, prepared for NCTA, at 31 (updated Mar. 1, 2010), available at <http://www.ncdot.gov/projects/monroeconnector/download/ICEAppendixKReportIndepEco.pdf>.

¹⁵² *Id.* at 31-33.

regarding route patterns and the potential for paying tolls or staying on the non-tolled road.¹⁵³ Similarly, the OCL report recommended that the Wilbur Smith Associates origin-destination study could be expanded by increasing the number of survey collection points and increasing the time spent collecting the origin-destination data.¹⁵⁴ OCL also recommended that a separate commercial driver origin-destination study could be performed to highlight the difference between passenger vehicle and commercial vehicle traffic patterns.¹⁵⁵ The transportation agencies could also better stagger their data collection throughout the year and include weekend surveying to get a better idea of beach-going through traffic.

36a Only once a proper study is performed and alternatives analyzed will it be appropriate to ask whether MUMPO (now the Charlotte Regional Transportation Planning Organization “CRTPO”), still supports the project.¹⁵⁶ Indeed, Mayor Lynda Paxton, a former MUMPO delegate and previous Vice-Chair, has shown significant interest in a thorough origin-destination study, making clear both that MUMPO members do not yet have this information and that they find it important.¹⁵⁷

C. The Transportation Agencies Must Consider a Full Range of Reasonable Alternatives and Combinations of Alternatives.

Agencies have a “duty under NEPA . . . to study all alternatives that appear reasonable and appropriate for study at the time of drafting the EIS, as well as significant alternatives suggested by other agencies or the public during the comment period.” *Roosevelt Campobello Int’l Park Comm’n. v. US EPA*, 684 F.2d 1041, 1047 (1st Cir. 1982) (internal quotation marks omitted). Only unreasonable alternatives can be eliminated. 40 C.F.R. § 1502.14(a). NCDOT’s review of a range of alternatives has not been updated in almost a decade.

37 Documents from 2006 show how the alternatives analysis for the 2009 EIS was simply recycled from the analysis that came before it, with decisions made to eliminate alternatives before the NEPA process even formally began.¹⁵⁸ This old analysis was then dumped once more into the DSFEIS, with no true consideration given to any transportation improvement other than the Bypass. Given the outdated nature of this analysis and the changed circumstance described above, NCDOT must reinitiate its alternative analysis from the beginning and use updated traffic forecasts to consider a full range of alternatives, and combinations of those alternatives, to satisfy NEPA’s mandate.

¹⁵³ See DSFEIS at A1-26.

¹⁵⁴ OCL report, at 15-17.

¹⁵⁵ *Id.* at 17.

¹⁵⁶ DSFEIS at A1-85.

¹⁵⁷ *Id.* at C3-6–C3-7.

¹⁵⁸ Memorandum from Jill Gurak and Carl Gibilaro, PBS&J, to Jennifer Harris, NCDOT (Oct. 19, 2006), Attachment 29.

1. Improvements to Existing U.S. 74

38 As we have regularly emphasized in our comments to NCDOT, a complete alternatives analysis must give full consideration to upgrades to U.S. 74. We have already begun to see that the implementation of a wide variety of recent small-scale, low-cost traffic improvements to the corridor has dramatically improved traffic flow along U.S. 74.¹⁵⁹ As outlined above, NCDOT’s measures to implement many of the improvements suggested in the Stantec Study have been a great success, and other planned and funded improvements are likely to have an even greater impact.¹⁶⁰ These observed effects, when coupled with steady-to-waning traffic volumes detailed above, indicate that a renewed study of the Improve Existing U.S. 74 Alternatives is necessary. Failure to give “substantial treatment” to this reasonable alternative to building the proposed highway without providing “adequate justification for its omission” is necessarily arbitrary and a violation of NEPA. *Southeast Alaska Conservation Council v. FHWA*, 649 F.3d 1050, 1059 (9th Cir. 2011).

i. Targeting congestion hotspots

NCDOT’s most recent data demonstrates that the U.S. 74 corridor is hampered by patches of congestion in specific hot spots, rather than corridor-wide traffic problems. As such, NCDOT’s alternative analysis should seriously consider a series of targeted improvements to address congestion hot spots, rather than constructing an expensive, massive new-location highway.

For example, one problem area appears to be from Fowler Secret Road to US 601. But as NCDOT recognizes, much of the slowdown in this area is due to the density of traffic lights in this area.¹⁶¹ The DSFEIS notes that the two densest areas of traffic signals are from Fowler Secret Road east to Secret Shortcut Road (3.5 traffic signals per mile), and from Stafford Road just east of US 601 North to Campus Park Drive just west of US 601 South (3.7 traffic signals per mile).¹⁶² The DSFEIS quantifies the impact of this spacing as placing an extra 9-16 percent travel time on corridor users.¹⁶³ The alternatives analysis should consider targeted improvements to address this particular hot spot, such as another superstreet facility in addition to those planned for Indian Trail, or eliminating some of the dense signalized crossings.

38a Other targeted improvements to existing U.S. 74 were identified by the Stantec Study, as outlined in Table 3-5 of the DSFEIS.¹⁶⁴ Several of these improvements have been implemented with great success throughout the corridor, as outlined above.¹⁶⁵ Others, such as the superstreets

¹⁵⁹ See section (II)(C)(2)(ii)above.

¹⁶⁰ *See id.*

¹⁶¹ DSFEIS at 1-13.

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ DSFEIS at 3-13–3-14.

¹⁶⁵ *See* section (II)(C)(2)(ii) above.

38a cont planned for Indian Trail, are expected to have an impressive impact as well.¹⁶⁶ Yet NCDOT decided to dismiss these targeted, small-scale alternatives out of hand for failure to meet the project's purpose and need.

This assessment is based entirely on outdated, inaccurate traffic forecasts.¹⁶⁷ The DSFEIS dismisses the improvements listed in Table 3-5 of the Final EIS (those improvements identified by the Stantec Study) by noting that they would not achieve high-speed travel. To reach this conclusion, the DSFEIS relies on 2008 estimates which projected that implementing the Stantec improvements would result in an average 2015 peak travel speed of between 29 to 30 mph.¹⁶⁸ But, as recognized by Dr. Hartgen in his report, after implementing just some of these solutions, NCDOT has already observed average peak travel speeds well above these projections, with the average peak travel speed now 44 mph.¹⁶⁹

39 The documents supporting the DSFEIS further demonstrate NCDOT's pattern of relying on outdated traffic forecasts to dismiss viable Improve Existing U.S. 74 alternatives. For example, in an October 2012 memorandum evaluating the Stantec Study, NCDOT staff dismiss the traffic improvements suggested in the Stantec Study as failing to provide any long-term benefit because the road would be "overwhelmed by projected traffic in the corridor," relying explicitly on a comparison with old traffic forecasts performed for the original NEPA analysis.¹⁷⁰ To examine properly this low-cost alternative, NCDOT must take a fresh look at the likely ability of these improvements based on valid updated traffic forecasts, and taking into account the success of the improvements that have been implemented to date and present that analysis to the public.

ii. U.S. 74 Revitalization Study

40 Since publication of the original EIS, four local government entities representing communities along U.S. 74 in the study area have begun their own investigation into improving existing U.S. 74 by funding the U.S. 74 Revitalization Study. The Study is a coordinated effort on the part of Union County, the Town of Stallings, the Town of Indian Trail, the City of Monroe, MUMPO and NCDOT.¹⁷¹ The Study, now in draft, was intended to develop a coordinated land-use, urban design, economic development, and multi-modal transportation plan, to be implemented by the local governments and NCDOT.¹⁷² Though the transportation agencies are correct that it was not the purpose of the study to develop alternatives to the

¹⁶⁶ DSFEIS at 2-12.

¹⁶⁷ *Id.* at 2-9; Memorandum from Bradley Reynolds, HNTB, to Christy Shumate, NCDOT, *STIP R-3329/R-2559 Monroe Connector/Bypass* (Oct. 18, 2012), available at <http://www.ncdot.gov/projects/monroeconnector/download/MemotofileStantecU.S.74CorridorStudy101812.pdf> [hereinafter "Stantec Memo"]

¹⁶⁸ *See id.*

¹⁶⁹ *Id.* at 1-7-1-8; Hartgen report 2013, at 13.

¹⁷⁰ Stantec Memo, at 3.

¹⁷¹ *US-74 Corridor Revitalization Study: Draft Corridor Revitalization Plan*, Project Overview, available at <http://www.U.S.74corridor>, Attachment 1C [hereinafter "Draft U.S. 74 Revitalization Plan"].

¹⁷² *Id.*

40 cont Bypass,¹⁷³ the draft plan catalogues a series of feasible upgrades to improve traffic flow along U.S. 74 in the study area which should have been evaluated by the transportation agencies as part of a suite of improvements to the existing facility.¹⁷⁴ At the very least, the transportation agencies should consider the following improvements recommended and described in greater detail in the draft U.S. 74 Revitalization Study:

- Indian Trail Road to Crooked Creek
 - Recommended 6-lane suburban boulevard typology¹⁷⁵
- Crooked Creek to Laurel Creek
 - Recommended 6-lane suburban boulevard¹⁷⁶
- Laurel Creek to Breckonridge Centre Drive
 - Recommended 4-lane suburban boulevard
 - Recommended conversion of 2 intersections to signalized intersections¹⁷⁷
- Breckonridge Centre Drive to Wilson Avenue/Kempsar Lane
 - Recommended 4-lane multiway boulevard without parking
 - Recommended 2-lane local street or 2-lane suburban boulevard for arterial Rocky River Road
 - Anticipated signalized intersection for Rocky River Road¹⁷⁸
- Wilson Avenue/Kempsar Lane to John Moor Road/Fowler Secret Road
 - Recommended 4-lane suburban boulevard or 4-lane multiway boulevard¹⁷⁹
- John Moore Road/Fowler Secret Road to Carroll Street/Rolling Hills Drive
 - Recommended 4-lane suburban boulevard¹⁸⁰
- Carroll Street/Rolling Hills Drive to Williams Road
 - Recommended 4-lane suburban boulevard (assuming an aggressive access management approach accompanies future development)¹⁸¹
- Williams Road to Dickerson Boulevard
 - Recommended 4-lane multiway boulevard with parking (if parallel road network implemented) or 6-lane multiway boulevard with parking (if parallel road network not implemented)¹⁸²
- Dickerson Boulevard to Concord Avenue

¹⁷³ DSFEIS at A1-84.

¹⁷⁴ *Draft U.S. 74 Revitalization Plan*, Attachment 30; *see also* HNTB, Union County Commissioners Progress Briefing (May 7, 2013), Attachment 31.

¹⁷⁵ *Draft U.S. 74 Revitalization Plan*, Attachment 30, at 38-39.

¹⁷⁶ *Id.* at 41.

¹⁷⁷ *Id.* at 44.

¹⁷⁸ *Id.* at 44-45.

¹⁷⁹ *Id.* at 47.

¹⁸⁰ *Id.*

¹⁸¹ *Id.* at 48.

¹⁸² *Id.* at 50.

- Recommended 6-lane multiway boulevard (but without additional lane on southbound 74)¹⁸³
- Skyway Drive/US 601 to Stafford Street
 - Recommended 6-lane multiway boulevard with parking¹⁸⁴
- Stafford Street to Walkup Avenue
 - Recommended 6-lane multiway boulevard with parking¹⁸⁵

iii. Frontage roads along U.S. 74

41 [Another recommendation included in both Dr. Hartgen's report and the U.S. 74 Revitalization Study draft report is the development of frontage roads along portions of U.S. 74. A frontage road, also known as a local access or service road, is a local road which runs parallel to a higher-speed, limited-access road, and is intended to maintain access to business or other locations along the corridor. As Dr. Hartgen illustrates, the transportation agencies have confusingly failed to consider frontage roads, or even partial frontage roads as part of a suite of improvements along U.S. 74.¹⁸⁶ He notes that the alternatives analysis should rightly include evaluation of such options that may take a minimal, or minor, number of existing properties along existing U.S. 74.¹⁸⁷ Such consideration would be logical, given the vast number of properties that will be taken by the Bypass.

NCDOT has implemented similar on-current-alignment upgrades along U.S. 74 in the adjacent Mecklenburg County, yet did not consider them as an alternative, or as part of a suite of alternatives, for this project. For example, as part of a suite of improvements to Independence Boulevard (U.S. 74 in Mecklenburg County), NCDOT intends to convert a portion of Independence Boulevard to an expressway.¹⁸⁸ The plan involves several particular improvements functioning together to improve traffic flow. NCDOT's plan involves their removal of existing traffic signals at Sharon Amity Road and Idlewild Road.¹⁸⁹ NCDOT also plans to widen the existing six-lane roadway to include four general purpose lanes and one bus lane in each direction.¹⁹⁰ The agency will also build bridges, or grade separations, at interchanges with Sharon Amity Road, Idlewild Road, and Conference Drive.¹⁹¹ The transportation agencies have offered no explanation as to why such alternatives were possible

¹⁸³ *Id.* at 51.

¹⁸⁴ *Id.* at 55.

¹⁸⁵ *Id.* at 57.

¹⁸⁶ Hartgen Report 2013, at 8, Attachment 1.

¹⁸⁷ *Id.*

¹⁸⁸ NCDOT, *U.S. 74 Widening & Improvements*, available at <http://www.ncdot.gov/projects/U.S.74WideningImprovements/>, Attachment 32; see also, CRTPO, *Independence Blvd. Widening (Sharon Amity to Conference Drive)*, available at <http://www.crtpo.org/independence-blvd-widening-sharon-amity-conference-drive>, Attachment 33.

¹⁸⁹ NCDOT, NCDOT will begin setting barrier walls on Independence Boulevard in Mecklenburg County (June 12, 2013), available at <https://apps.ncdot.gov/newsreleases/details.aspx?r=8383>, Attachment 34.

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

(and in fact preferable) along one stretch of U.S. 74 but was given scant attention as an alternative for improving the stretch of U.S. 74 at issue here, just one county over.

2. Development of a parallel road network

42 [The transportation agencies should also consider the value of improvements to other Union County roads that could provide local drivers with alternative routes and thereby lessen local traffic congestion on U.S. 74. Such efforts at creating a parallel road network, in conjunction with other targeted improvements to U.S. 74 itself, could function to leave U.S. 74 to serve as a high-speed corridor while still maintaining access to existing businesses.

We raised the consideration of improvements to Old Monroe Road and Old Charlotte Highway in our November 2012 comment letter,¹⁹² but received the response, without analysis, that such improvements were found not to meet the project purpose and need.¹⁹³ This response fails to recognize that the combinations of a parallel road *network*, working together with other target improvements, could serve to meet the project's purpose and need. *Rankin v. Coleman*, 394 F. Supp. 647, 657-59 (E.D.N.C. 1975). Below are listed some examples of projects the transportation agencies should consider.

i. Old Monroe Road/Old Charlotte Highway

Old Monroe Road runs parallel to U.S. 74 along its southwestern side, crossing the entire length of the City of Monroe. As such, improving Old Monroe Road offers the opportunity to address one of the greatest congestion hot spots along U.S. 74.¹⁹⁴ In fact, certain segments of Old Monroe Road and Old Charlotte Highway are already under consideration for widening to multi-lane facilities in Matthews, Stallings, and Indian Trail.¹⁹⁵ NCDOT has underway a three-section plan to widen Old Monroe Road from Matthews to Indian Trail, with Section A widening the road from Interstate 485 toward Charlotte, Section B from Interstate 485 to Stallings Road, and Section C from Stallings Road to Wesley Chapel-Stouts Road.¹⁹⁶ And in August 2013, NCDOT hosted public meetings regarding plans to improve approximately 6.5 miles of Old Monroe Road through Matthews, Stallings, and Indian Trail, including plans to widen the existing two-lane roadway to a multi-lane facility with accommodations for pedestrians and bicycles.¹⁹⁷

¹⁹² See SELC comments Nov. 2012, at 35-36.

¹⁹³ DSFEIS at A1-83.

¹⁹⁴ See Figure 1 at 31 and Figures 1-4 attached.

¹⁹⁵ See, e.g., Business leaders, NCDOT discuss Monroe Bypass, UNION COUNTY WEEKLY (Feb. 8, 2013), Attachment 35; Indian Trail, Stallings, NCDOT working on Old Monroe plans, UNION COUNTY WEEKLY (Nov. 30, 2012), Attachment 36; Widening coming for Old Monroe Road?, UNION COUNTY WEEKLY (Aug. 24, 2013), Attachment 37.

¹⁹⁶ Heather Smith, *Charrette weighs plans for Old Monroe Road*, THE ENQUIRER JOURNAL (Aug. 31, 2013), Attachment 38.

¹⁹⁷ NCDOT, *Notice of Multi-Day Design Charrette for E. John Street/Old Monroe Road (State Road 1009) Improvements Through Matthews, Stallings, and Indian Trail*, Attachment 39.

Such improvements to Old Monroe Road would provide local traffic with a neighboring alternative to U.S. 74 through some of the most congested portions of U.S. 74, allowing local travelers the option to move more easily through Monroe’s core business district without relying on U.S. 74. And many local drivers currently use Old Monroe/Old Charlotte Roads to bypass U.S. 74, indicating that these improvements would be likely to have a great impact.¹⁹⁸

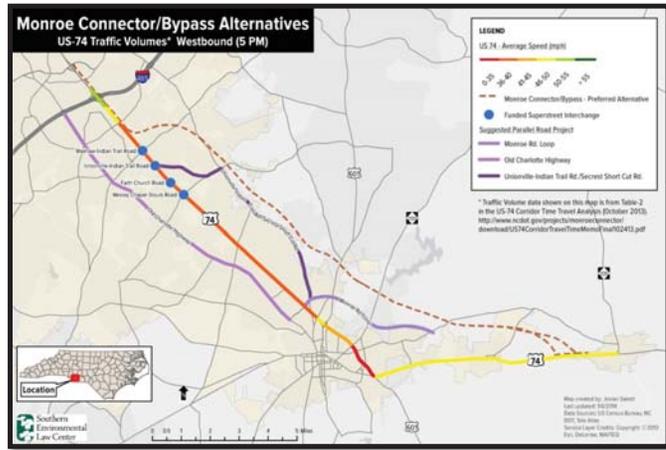


Figure 1. Examples of projects to develop a parallel road network, such as along Old Charlotte Hwy/Old Monroe Rd (in red), Secrest Short Cut Rd (in green), and the Monroe Rd Loop (in blue), which could make significant strides towards targeting congestion hot spots on U.S. 74.¹⁹⁹

ii. Monroe Road Loop

Another parallel road that could greatly alleviate a congestion hot spot is the Monroe Road Loop. The project would be a new road to continue the recently completed Martin Luther King Boulevard from Secrest Short Cut Road near Monroe Mall to Walkup Road at the east end of Monroe. This project is already included on the 2040 MTP Candidate Projects List.²⁰⁰ Much smaller and less expensive than the Monroe Bypass, this “mini-bypass” would create additional

¹⁹⁸ U.S.-74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes, at 1 (Jan. 18, 2012), Attachment 28.

¹⁹⁹ See also Figures 2, 3 & 4 attached.

²⁰⁰ CRTPO 2040 MTP Candidate Projects (Aug. 21, 2013), available at http://www.crtpo.org/PDFs/LRTP/2040/2040_MTP_Candidate_Projects_List.pdf Attachment 40.

access in the most congested part of the corridor, helping to alleviate one of the biggest congestion hotspots.²⁰¹

iii. Secrest Shortcut

NCDOT should consider improvements to Secrest Shortcut for the same reason. Because Secrest Shortcut runs parallel to U.S. 74 along its northeastern side, improvements to the road could provide local drivers with another option to avoid congestion along U.S. 74. Because Secrest Shortcut falls almost directly within the proposed pathway of the Monroe Connector/Bypass from Hemby Bridge to Fowler Road, it could service many of the same users expected along the proposed Bypass.

iv. Other small scale projects

42a The U.S. 74 Revitalization submits extensive suggestions for additional small-scale projects, which taken together, could serve to provide a broad parallel road network. Chapter 7 of the draft is devoted to detailing these suggestions of particular roadways to connect including:

- Secrest Shortcut Road to Wilkes Drive
- Wilkes Drive to Stafford Street
- Stafford Street to Morgan Mill Road
- Poplin Place to Roland Drive
- Roland Drive to Williams Road
- Williams Road to Dickerson Boulevard
- Dickerson Boulevard to Patton Avenue
- Patton Avenue to Skyway Drive²⁰²

The Study Draft also details suggestions to develop a parallel road network in both Indian Trail and Stallings that the transportation agencies should consider.²⁰³ These suggestions primarily involve improving existing roadways and building new connections over vacant land, rather than demolishing 95 households, 47 businesses and 499 acres of active agricultural land.²⁰⁴

3. **Public transit**

43 As in our previous comment letters, we again encourage the transportation agencies to take a closer look at transit options in the corridor as part of a comprehensive solution to improving mobility. The transportation agencies eliminated this solution from further study in

²⁰¹ See Figure 1 at 31 and Figures 1-4 attached.

²⁰² Draft U.S. 74 Revitalization Plan, at 63-71, Attachment 30.

²⁰³ *Id.* at 69-71.

²⁰⁴ See DSFEIS at 3-4-3-5.

the First Qualitative Screening, citing its inability to “noticeably improve mobility and capacity in the project study area as well as a finding that it would not divert enough vehicular traffic.”²⁰⁵

Such a response ignores the viability of increased transit as one part of a functioning comprehensive solution. As we noted in our November 2012 letter, the benefits and likely success of increased transit in the U.S. 74 corridor has been discussed at length in conjunction with the U.S. 74 Revitalization Study. Though this study was not commissioned to evaluate alternative to the Bypass, the study’s purpose is irrelevant to its finding that increased transit may be a viable option to address transportation concerns in the U.S. 74 Corridor.²⁰⁶ Representatives of the Charlotte Area Transit System (“CATS”) noted that they see U.S. 74 as a potential transit market,²⁰⁷ and have noted benefits to users such as savings in gas and parking expenses, as well as reduced driver frustration,²⁰⁸ a major concern for drivers in the U.S. 74 Corridor. And expanded transit services, in conjunction with other alternatives, have a significant ability improve traffic conditions in the corridor by diverting drivers from the corridor at peak times.

While Union County transit ridership may currently be slightly lower than other surrounding areas, it is increasing.²⁰⁹ The U.S. 74 Revitalization Study suggests that demand for increased transit services will continue to grow in Union County as it continues to develop, and argues that the expert stakeholders interviewed believe more commuters can be lured to use transit if there were “a robust transit system [] created in collaboration with other jurisdictions in Union County, Mecklenburg County, Town of Matthews, City of Charlotte, and CATS.”²¹⁰

Introducing transit services to areas which have traditionally relied primarily on personal-vehicle-based travel requires time to ramp up ridership and reach critical service levels such that services are dependable and well understood. NCDOT can play an active role in encouraging such reliance and expanding area transit, as they have done well in their efforts to promote transportation alternatives in conjunction with the Fortify project in the Raleigh area. For example, NCDOT is investing an additional \$12 million in public transportation to add more buses and bus routes and to identify new park-and-ride options as part of its efforts to ease

²⁰⁵ See *id.* at 2-8, A1-84; NCTA, Draft Alternatives Development and Analysis Report (Nov. 5, 2007), at 1-9–1-11, available at http://www.ncdot.gov/projects/monroconnector/download/monroe_archives_AltsDevRptAllScreenings110607.pdf.

²⁰⁶ Draft U.S. 74 Revitalization Plan, at 3, Attachment 30.

²⁰⁷ U.S. 74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes, at 1 (Jan. 18, 2012), Attachment 28.

²⁰⁸ *Id.*

²⁰⁹ Draft U.S. 74 Revitalization Plan, at 16, Attachment 30.

²¹⁰ *Id.* at 78.

congestion along I-40/440,²¹¹ and has been actively promoting these transit services both online and in the press.²¹²

CATS representatives have also suggested a variety of ways the transportation agencies can encourage greater ridership in Union County, such as by providing more park-and-ride locations and more turn-around locations for buses, thereby making CATS operations easier.²¹³ The CATS representatives also stated that the current Bus Rapid Transit stations in Union County are not ideally located in relation to U.S. 74, but that there will be opportunities in the near future to plan for more convenient locations.²¹⁴ They suggested that park-and-rides could be an interim solution for Union County residents seeking to access the express routes into Mecklenburg County.²¹⁵ And CATS has expressed the intent to extend bus rapid transit across the county line.²¹⁶ As such, we urge the transportation agencies to study more closely expanded transit options as part of a suite of solutions for managing congestion on U.S. 74.

4. Freight rail

As in previous comment letters, we again urge NCDOT to consider increased rail freight options as an alternative that would help alleviate some of the truck traffic from U.S. 74. We regularly hear local area drivers cite commercial truck traffic as one of greatest problems facing the U.S. 74 corridor. For example, at the recent December public hearings in Union County, the need to remove truck traffic from U.S. 74 was regularly referenced by hearing attendees as one of the primary reasons for wanting the Bypass.

NCDOT has argued that freight rail expansion would not address the project purpose and that freight rail improvements would not eliminate the truck usage of U.S. 74,²¹⁷ and in the latest document, asserts that freight rail would not address the purpose of improving mobility and capacity by providing a facility that allows for high speed regional travel.²¹⁸ While we agree that freight rail alone will not solve transportation problems in the U.S. 74 corridor, NCDOT has

²¹¹ NCDOT, *Fortify: Frequently Asked Questions*, available at http://ncdot.gov/fortifync/resources/docs/Fortify_FAQ.pdf, Attachment 41; Dawn Curry, *Free bus may be faster than Fortify traffic freeze*, TRIANGLE BUSINESS JOURNAL, Attachment 42.

²¹² See, e.g., NCDOT, *Fortify: Transit Options*, available at <http://ncdot.gov/fortifync/transit-options/>, Attachment 43; NCDOT, *Fortify Powerpoint Presentation*, available at <http://ncdot.gov/fortifync/resources/docs/NCDOTPowerPointFORTIFY1182013.ppt>, Attachment 44; NCDOT, *Fortify: Driver Information*, available at <http://ncdot.gov/fortifync/driver-info/>, Attachment 45; Dawn Curry, *Massive I-40/440 rebuild means Raleigh must 'Fortify' through 2016*, TRIANGLE BUSINESS JOURNAL (Oct. 28, 2013), Attachment 46; Bruce Sicheloff, *Road Worrier: NCDOT says not to worry about 3 years of Beltline misery – be happy!*, NEWS & OBSERVER (October 28, 2013), Attachment 47.

²¹³ U.S.-74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes (Jan. 18, 2012), Attachment 28.

²¹⁴ *Id.*

²¹⁵ *Id.*

²¹⁶ *Id.*

²¹⁷ FEIS (2010), Appendix B, at B-3-34 – B-3-35.

²¹⁸ DSFEIS at A1-83 – A1-84.

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cont still failed to provide any analysis of how expanded freight rail, in combination with other alternatives, could form an important part of the solution.

Further, shifting freight from commercial trucks to freight rail could serve particularly well at resolving high level commercial vehicle traffic which many local drivers consider to be the most pressing issue facing the U.S. 74 corridor. The average freight train can remove more than 280 trucks from highways in a single trip.²¹⁹ And such impacts are expected even in the Charlotte region; the recent expansion at the Charlotte Intermodal rail yard, for example, is projected to take 392,000 long-haul truck trips off the road each year in North Carolina as more goods move by train.²²⁰

5. Reduced interchanges

Each of the 25 variations on a new-location highway considered as preliminary study alternatives in the Third Quantitative Screening involved between seven to ten interchanges.²²¹ The transportation agencies should also fully evaluate alternative designs to the proposed toll road. The current design includes nine separate interchanges, though the transportation agencies have not articulated why so many interchanges are needed if the purpose of the road is to provide a high-speed facility from I-485 to Marshville. The transportation agencies have asserted that the interchanges are necessary to serve projected traffic demand in the target year as well as to support the toll revenue bonds required to finance the project.²²² And yet, because NCDOT is ignorant of the traffic patterns in the corridor, and the extent to which traffic is local, there is nothing to point to the elimination of interchanges being financially problematic. Indeed, as discussed below, it seems unlikely that travelers going from Charlotte to Stallings or Monroe would likely go out of their way and pay a toll to use the Bypass given the recent improvements to U.S. 74 and improved travel times in the corridor.

As with other alternatives, this alternative has been improperly dismissed out of hand based on the transportation agencies' reliance on faulty traffic forecasts. Regardless of whether the United States Army Corps of Engineers ("Corps") has expressed concern regarding the transportation agencies' failure to study this alternative,²²³ Section 404 of the Clean Water Act mandates that the agencies study and select the "Least Environmentally Damaging Practicable Alternative." 40 C.F.R. § 230.10(a). The transportation agencies' selection of the Preferred Alternative, in light of their failure to evaluate fully an alternative toll highway with less interchanges, is a failure of this statutory duty. As you are aware, the fact is the Corps revoked the 404 permit for the Monroe Bypass project on April 17, 2013.²²⁴ As such, the transportation agencies will be required to undergo the permitting process once again, which necessarily

²¹⁹ See, e.g., GoRail, *Rail Benefits*, Attachment 48.

²²⁰ Ely Portillo, *City hopes new rail yard kicks off boom around airport*, CHARLOTTE OBSERVER (Dec. 30, 2013), available at <http://www.charlotteobserver.com/2013/12/30/4576495/city-hopes-new-rail-yard-kicks.html#.UsrbnvRDvVs>; Attachment 49.

²²¹ DEIS (2009) at 2-26.

²²² DSFEIS at A1-85.

²²³ *Id.*

²²⁴ *Id.* at C1-170-C1-171.

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cont includes the opportunity for public comment. If the project proceeds that far we will be sure to raise this issue at that time directly with the Corps.

6. Transportation Demand Management

46 The DSFEIS also includes an insufficient analysis of Transportation Demand Management ("TDM") options that might work in conjunction with other alternatives by reducing demand for the road infrastructure. Conspicuously absent from the TDM analysis is any discussion of staggered or flexible work schedules. As Dr. Hartgen has noted, such options may be viable in the U.S. 74 Corridor, as most of the traffic using the facility is local.²²⁵ Dr. Hartgen also points out that recent census data demonstrates a significant increase in the number of Union County residents working at home, *doubling* from 3.4% in 2000, to 6.9% in 2012,²²⁶ indicating an increasing acceptance of telecommuting as a valid TDM option in the study area. Dr. Hartgen also recognizes that the number of Union County workers commuting outside of the county for employment has dropped dramatically in recent years, falling from 61% of Union County workers commuting outside of the County in 2006 to only 50% in 2009.²²⁷ Such a trend indicates that staggered or flexible work schedules could be increasingly effective to assist in managing peak traffic in the study area.

NCDOT has spent significant resources promoting the values of staggered or flexible work schedules to employers within the Raleigh area as part of its recent "Fortify" effort, indicating that they understand these TDM options can have significant impacts on peak traffic demand management.²²⁸ We encourage the transportation agencies to evaluate these TDM options as part of a suite of alternatives, which functioning together could significantly decrease demand on the U.S. 74 Corridor at peak travel periods.

IV. IMPACTS ANALYSIS

47 While NCDOT completely neglected to revisit the Statement of Purpose and Need or the alternatives analysis in this DSFEIS, it did spend more time reviewing its analysis of impacts. Unfortunately, rather than focus on presenting an accurate analysis of the likely impacts from the project, the agency instead limited its efforts to revising its *explanation* of minimal impacts from the \$900 million, twenty-mile new-location highway.

²²⁵ Hartgen report 2013, at 11, Attachment 1.

²²⁶ *Id.* (citing US Census data for 2012 and 2000, Attachments 50 and 51).

²²⁷ *Id.* at 16.

²²⁸ NCDOT, *Fortify: Employer Resources*, Attachment 52; NCDOT, *Fortify Powerpoint Presentation*, available at <http://ncdot.gov/fortifync/resources/docs/NCDOTPowerPointFORTIFY1182013.ppt>, Attachment 44; Bruce Sicheloff, *Road Worrier: NCDOT says not to worry about 3 years of Beltline misery – be happy!*, NEWS & OBSERVER (October 28, 2013), Attachment 47.

A2-199

A. Indirect and Cumulative Effects Analysis

1. NCDOT's new explanation

In its May 3, 2012 ruling the United States Court of Appeals for the Fourth Circuit explained that NCDOT had misled the public with regard to key assumptions underlying the analysis of Indirect and Cumulative Effects ("ICE"). *NC Wildlife Fed'n*, 677 F.3d at 604. In response NCDOT has now laid out in detail the true nature of those assumptions. By laying bare the full process, NCDOT has revealed an ICE analysis that is nonsensical. The analysis, which is supposed to look at the impact of transportation infrastructure on growth and development, is based on data that completely ignores the impact of transportation infrastructure. Now that the analysis is, at last, transparently open to the public, it is not surprising that NCDOT worked so hard to obscure this absurdity from the public.

The DSFEIS spends considerable time explaining that, while the Monroe Bypass was included in data used to create a "No-Build" scenario, its inclusion was not important because transportation infrastructure essentially had almost no impact on the forecasts of future growth used in the ICE analysis. The DSFEIS goes to great lengths to explain how transportation infrastructure was not factored in at each step of the analysis. The document explains that Dr. Hammer's "top down" projections were not sensitive to factors such as "large scale transportation projects."²²⁹ Similarly, the document explains that Paul Smith's "bottom up" allocation of growth was also barely influenced by transportation infrastructure. The one factor that might have included transportation infrastructure, "travel time to employment," was found not to have figured into the analysis to any great extent.²³⁰ In sum, the DSFEIS reports that "the methodology used does not incorporate the full accessibility impacts of major roadway projects."²³¹

This failure is staggering considering that in its previous EIS, NCDOT repeatedly explained how important transportation infrastructure is on changing levels and distribution of development. In the 2009 Qualitative ICE study, for example, NCDOT explained time after time that improving travel time to major employment centers through infrastructure investments would be one of the primary factors in determining where growth would go.²³²

In its review of NCDOT's new explanation of the methodology, FHWA appeared to recognize that not analyzing the impact of transportation infrastructure on development might be a problem for an EIS that deals with a major new highway project. FHWA noted that the new explanation may "raise the question why this model was used as the basis for analyzing the impact of a road project intended to move people over a twenty-mile distance to a job center in Charlotte."²³³ In response, NCDOT explained that because a different methodology was used

²²⁹ DSFEIS at E1-59–E1-64.

²³⁰ *Id.* at E1-64–E1-69.

²³¹ *Id.* at E1-79.

²³² *See, e.g.,* Qualitative ICE analysis (2009) at 6-7.

²³³ FHWA, NCDOT and Atkins, Comment Chart, excel sheet, Attachment 53.

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cont for the "build" scenario, any concern about the "No-Build" scenario is irrelevant.²³⁴ This explanation misses the point. To assess adequately environmental impacts from a project it is necessary to have both an accurate "build" scenario *and* an accurate "No-Build" scenario. Only by doing so can a reviewing agency determine the impact attributable to the project. *See Friends of Back Bay v. U.S. Army Corps of Engineers*, 681 F.3d 581, 588 (4th Cir. 2012) (explaining the importance of accurate baseline data to the NEPA process).

By focusing only on the adequacy of the "Build" scenario NCDOT completely neglects a key component of the analysis. It is just as important to know how Union County would grow without the road as it is to determine how much it will grow with the road. By its own adamant admission, NCDOT's "No-Build" scenario is based on analysis that does not take into account the impact of transportation infrastructure. In other words, NCDOT's analysis assumes that growth continues to carry on unabated regardless of how congested the infrastructure in the county would get in the absence of improvements or the Monroe Bypass. This is particularly staggering when one considers that NCDOT's own (albeit flawed) analysis suggests that by 2035 U.S. 74 will become so congested in the absence of the Bypass or other improvements that traffic speeds will be as low as 17 mph, and travel times through the corridor will be as high as 70 minutes.²³⁵ The idea that just as many people would want to move to Union County if it was an average of 25 minutes outside of Charlotte as they would be if it was over an hour outside of Charlotte belies simple common sense and long observed growth patterns.

49 Indeed, the DSFEIS itself demonstrates just how absurd and contradictory the analysis really is. For example, to support the idea that transportation infrastructure has no impact on growth in Union County, the DSFEIS states that "most of the county is already highly accessible with a well-connected roadway network and no major barriers limiting access from Union County to the major employment centers in Mecklenburg County."²³⁶ This statement apparently ignores findings elsewhere in the EIS that, without the Bypass or other improvements to U.S. 74, traffic speeds are expected to decrease to less than 20 mph and two thirds of intersections are expected to operate at Level of Service E or F.²³⁷ The very impetus for building the Bypass was the expectation that, without significant transportation investments, congestion in the corridor will become a "major barrier limiting access from Union County to the major employment centers in Mecklenburg county."²³⁸

The opinions of officials and planning staff in Union County similarly belie NCDOT's assumption that future levels of congestion would not contain levels of growth. Local planners, interviewed as part of the EIS make this clear. For example, Union County planners state that in absence of the Bypass growth, will be extremely limited in the eastern part of the county.²³⁹ Similarly, planners from Marshville state that congestion on U.S. 74 currently is an impediment

²³⁴ *Id.*

²³⁵ DEIS (2009) at 1-18 (table 1-5).

²³⁶ DSFEIS at E1-84.

²³⁷ FEIS (2010) at 1.1.2 and 1.1.8 (referenced by DSFEIS at 2-13).

²³⁸ DSFEIS at E1-84.

²³⁹ *Id.* at ICE Appendix A, regarding Union County.

to development.²⁴⁰ Likewise, the President of the Union County Chamber of Commerce stated that Union County often loses development projects “just because of travel time on U.S. 74.”²⁴¹ If current congestion on U.S. 74 is constraining development, it seems impossible that it would not be further constrained given NCDOT’s future projections.

Courts have recognized the absurdity of an analysis that fails to consider the impact on infrastructure in absence of new highway investments. *See, e.g., Highway J Citizens Grp. v. US Dep’t of Transp.*, 656 F. Supp. 2d 868, 887 (E.D. Wis. 2009). For example, in *Highway J Citizens Group v. US DOT*, a federal district court rejected a state Department of Transportation’s argument that development in Waukesha and Washington Counties, Wisconsin, would continue to occur at the pace it has previously whether or not additional infrastructure was added. *Id.* at 887-88. Refusing to buy into this counterintuitive and highly unlikely reasoning the court stated that: “[o]ne need not be an expert to reasonably suspect that if Highway 164 were not expanded development in the region would be constricted. Presumably, congestion on a two-lane Highway 164 would discourage development in the area, whereas expansion of the highway to four lanes would cause development to continue unabated.” *Id.* at 878.

If U.S. 74 was free flowing and expected to continue in that state it might be reasonable for NCDOT to exclude consideration of the impact of infrastructure in their No-Build analysis. But it is not, and NCDOT itself predicts that, without additional investments, the highway will get increasingly congested to the extent that commutes into Charlotte could take well over an hour. Given these predictions it seems highly unlikely that growth would continue to occur at the same rate it has in the past, and much more likely that growth would be impacted by the hugely increased travel times to the major employment center. Certainly, NCDOT has not presented any credible evidence to suggest why such congestion would not, in fact, be relevant.

2. Outdated socio-economic forecasts

NCDOT’s ICE analysis is further discredited because it relies on forecasts of future socio-economic growth that have been shown to be vastly overstated. Union County is no longer the fastest growing county in the state — it grew 2.2%²⁴² or less²⁴³ between 2010 and 2012. Other forecasts of growth have accounted for this shift — the Traffic and Revenue Study adjusted its forecasts of growth down (although not sufficiently), acknowledging that growth had slowed considerably due to the recession.²⁴⁴ FHWA, taking note of this data, asked if perhaps NCDOT should also be adjusting the forecasts down in light of the recession.²⁴⁵ NCDOT admitted that it “would be more accurate to so.”²⁴⁶ Nonetheless, the Department decided not to

²⁴⁰ *Id.* at ICE Appendix A, regarding Marshville.

²⁴¹ Email blast from Sharon Rosché, Union County Chamber of Commerce, *RE: Monroe Bypass – Let’s work to get this project moving!* (March 5, 2013), Attachment 54.

²⁴² E-mail from Ken Gilland, Baker Corporation, to Scudder Wagg et. al., Baker Corporation (Feb. 14, 2013), *RE: DRAFT USACE Presentation (Population estimates)*, Attachment 22.

²⁴³ Dr. Hartgen calculates the growth rate as 1.7% in his report. Hartgen Report 2013 at 6, Attachment 1.

²⁴⁴ ICE Appendix K, at 29-30.

²⁴⁵ FHWA, NCDOT and Atkins, Comment Chart, excel sheet, at Question 60, Attachment 53.

²⁴⁶ *Id.* at response to Question 60.

51 cont make any adjustment based on the rationale that both “No-Build” and “Build” forecasts would be affected equally.

This decision overlooks entirely the purpose of NEPA. First, as explained above the alternatives analysis would be significantly impacted by lower levels of socio-economic growth post-recession. One of NCDOT’s primary reasons for eliminating a variety of alternatives is that traffic growth is expected to be so extensive in the future that only a new-location Bypass will satisfy future needs. Second, the very purpose of an impacts analysis is to present a clear and accurate picture of what the future will look like with and without the Bypass. By continuing to use forecasts of growth that all admit are overstated, NCDOT fails to present accurately the reasonable analysis of impacts that NEPA requires.

NCDOT’s refusal to address current reality is made more egregious by the fact that experts have been working on, and are close to finalizing, updated estimates of growth for Union County that are significantly lower than those currently being used in the DSFEIS.²⁴⁷ The group of Charlotte MPOs, the Charlotte Regional Alliance for Transportation (“CRAFT”) commissioned Dr. Stephen Appold to create new updated socio-economic forecasts for the region to replace those currently employed by NCDOT. These new projections show growth occurring at a significantly lower rate than those created by Dr. Hammer. Indeed, the new projections suggest that growth previously anticipated to occur by 2030 will not occur, if at all, until 2040, a full decade later.²⁴⁸ NCDOT attempts to justify its failure to use these forecasts by explaining that the forecasts have not yet been fully finalized. It is absurd to knowingly use significantly incorrect forecasts just because the more accurate forecasts are not yet final, particularly when the accurate forecasts suggest a wildly different conclusion. As noted above NEPA requires agencies to use accurate data. 40 C.F.R. § 1500.1(b). This mandate does not include using data all know to be incorrect.

3. Location of growth

53 NCDOT’s forecasts of future growth may also be greatly overstated because they wrongly equate growth in Union County with growth in the study area. The DSFEIS fails to acknowledge that there are significant differences between the make-up of the county as a whole and the make-up of the study area. For example, the DSFEIS asserts that one reason the study area will continue to see strong growth in absence of the Bypass is that median household income is much higher than in other counties in the Charlotte area.²⁴⁹ But, within Union County median income is much higher on the western edge of the county, in areas outside of the study area. Dr. Hartgen makes note of this error in his report, explaining that much of the growth in Union County has been in places not served by the Bypass.²⁵⁰

²⁴⁷ *See* DSFEIS at C1-7 (describing Dr. Appold’s work as “analyzing the effects of the recession, which followed the very high growth period beforehand”).

²⁴⁸ *Id.* at A1-74.

²⁴⁹ *Id.* at C1-31.

²⁵⁰ Hartgen report 2013, at 16, Attachment 1.

4. Redistributed growth

54 In addition to its utterly flawed analysis of induced growth, NCDOT has also failed to properly examine how growth would be redistributed if the Bypass is constructed. While there is some discussion of this likely phenomenon in the ICE,²⁵¹ it is incomplete. The current analysis in the ICE looks at how growth may redistribute based on increased levels of accessibility. A map shows that based on the improved accessibility occasioned by the Bypass growth is expected to shift to the east, towards Wingate and Marshville.²⁵² The travel-time savings used for this accessibility analysis, however, range from 0-10 minutes. While this may be in line with what NCDOT expects to see at opening year, other data in the DSFEIS suggests that travel time savings would be higher by 2035. No explanation is given as to why these greater travel time savings are not used to analyze the redistribution of growth.

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54a Other than this exceedingly rough analysis, there is no description as to what redistributed growth might look like, and how communities that were previously seeing strong growth rates may feel the impact of the Bypass. For example, there is no consideration given to how Stallings or Indian Trail may be impacted as land in Marshville and Wingate becomes more desirable.²⁵³ A previous draft of the DSFEIS included a reference to growth migrating away from Downtown Monroe.²⁵⁴ After SELC brought attention to this comment in public meetings it was deleted from the EIS.²⁵⁵ Failing to disclose, and otherwise ignoring important impacts from the project, however, is inconsistent with the purpose of NEPA, which is to inform the public and decisionmakers, not to “sell” one particular outcome. If shifts in growth away from current population centers and downtowns are expected, that impact should be clearly and transparently explained in the EIS. A detailed analysis of redistributed growth is also important for fully disclosing environmental concerns such as impacts to water quality and endangered species, as was made clear by both the Environmental Protection Agency and the North Carolina Division of Water Quality during the development of the DSFEIS.²⁵⁶

5. Conflicting growth projections

As detailed in earlier comment letters, outside of the NEPA process local stakeholders and state-level officials have widely purported that the Bypass will drive dramatic new economic development in Union County and across the state. NCDOT has refused to reconcile publically the disparity between this widespread understanding of the Bypass’s likely impacts with their own projections of negligible growth. Further, the NCDOT itself regularly espouses

²⁵¹ DSFEIS at C2-203.

²⁵² DSFEIS at C2-244 (Map 14).

²⁵³ DSFEIS at E1-87

²⁵⁴ Compare NCDOT, *Appendix A - Comments Since the Final EIS*, Draft (June 2013), at 3, Attachment 55, with DSFEIS at Appendix A.

²⁵⁵ See, e.g., SELC, Presentation to Unionville and Fairview Town Councils (Oct. 1, 2013), at slide 18, Attachment 56.

²⁵⁶ Email from Chris Militscher, EPA, to Christy Shumate, NCDOT, RE: *Monroe Connector/Bypass* (R-3329/R-2559) Update and Documentation (Feb. 28, 2013), Attachment 57; DSFEIS at C1-95 (Memo from Alan Johnson, DWQ).

contradictory positions, and has in fact paid to support purportedly local stakeholders to perpetuate the belief in the Bypass’s ability to drive economic growth.

NCDOT is regularly confronted with the fact that knowledgeable stakeholders throughout Union County and the state strongly believe that constructing the Monroe Bypass will result in dramatic economic development. As documented in our November 2012 comment letter, groups and municipalities such as the Union County Chamber of Commerce, Charlotte Chamber of Commerce, City of Monroe, Town of Indian Trail, Charlotte Regional Partnership, and the Governor’s Logistic Task Force have regularly championed and planned for the future based on this understanding.²⁵⁷

i. Local voices

This understanding of the Monroe Bypass continues to pervade Union County and the State. For example, as noted above, at least eight communities and organizations — including the MUMPO, the City of Monroe, the Union County Board of Commissioners, the Indian Trail Town Council, the Town of Stallings, the Town of Marshville, and the Town of Waxhaw — have all passed versions of a resolution supporting construction of the Bypass in part because “the Monroe Bypass will stimulate economic and commercial development.”²⁵⁸

In the DSFEIS, the transportation agencies continue to dismiss the extensive and detailed demonstration of local stakeholders’ widespread belief presented in our November 2012 comment letter, stating only that the NCDOT analysis is more correct because “numerous local planners and others were interviewed and current adopted planning documents were reviewed” and that the DSFEIS “presents data and analysis.”²⁵⁹

A review of this “data and analysis,” however, confirms that local planners (1) have noticed a significant slowing of growth since the original EIS and (2) expect the Bypass to impact their communities. Planners from the Charlotte Mecklenburg planning board,²⁶⁰ the City of Monroe,²⁶¹ the Town of Stallings²⁶² and Union County²⁶³ all note that growth projections have slowed since the original analysis of the Bypass was performed.

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Likewise, many local planning officials appear to disagree with NCDOT’s that the Bypass will have minimal impact. Planners from Fairview state that they expect to see an impact, but are unsure what it will be.²⁶⁴ Planners from Marshville state expressly that “future growth in Marshville dependent on implementation of the Bypass” and note that congestion on U.S. 74

²⁵⁷ SELC comments Nov. 2012, at 3-6.

²⁵⁸ See resolutions at n. 23 & 24.

²⁵⁹ See, e.g., DSFEIS at A1-65, Comment No. 2 & 3.

²⁶⁰ DSFEIS, ICE Appendix A, regarding Charlotte-Mecklenburg Planning and Development.

²⁶¹ *Id.* ICE Appendix A, regarding City of Monroe.

²⁶² *Id.* ICE Appendix A, regarding Town of Stallings.

²⁶³ *Id.* ICE Appendix A, regarding Union County.

²⁶⁴ *Id.* ICE Appendix A, regarding Town of Fairview.

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cont

currently is an impediment to development.²⁶⁵ Those planners also expressly note that the town would increase utility capacity if the Bypass is constructed. Union County planners state that in absence of the Bypass, growth will be extremely limited in the eastern part of the county. The same planners expect growth to slow throughout the county if the Bypass is not constructed. An interview with Chris Platé, the Executive Director of Monroe Union County Economic Development (“MUCED”) reported similar findings.²⁶⁶

These surveys of local planners, which are confusingly written, are simply dumped in the EIS with no analysis of their findings.²⁶⁷ There is no indication as to how the opinions of the planners have been incorporated into the EIS and there is no explanation as to why many of the opinions of the local planners sit in direct opposition with NCDOT’s own assumptions and methodologies.

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Outside of the NEPA process groups with specialized knowledge about Union County’s potential for economic growth have also touted the Bypass as a likely driver of economic growth. For example, the MUCED group mentioned above recently recognized that the Bypass is key to the planned economic development efforts detailed in its 2013-2015 workplan.²⁶⁸ MUCED’s workplan outlines its plan to concentrate its recruitment and retention efforts on four “Areas of Focus:” Precision Manufacturing, Agri-Business, Logistics, and Commercial.²⁶⁹ In describing its focus on Logistic, the workplan lists the Monroe Bypass as the only “opportunity” of which to take advantage, and lists “Congestion/Inadequate Road System” as the only challenge.²⁷⁰ And publically, the MUCED has dedicated itself to continuing to support Bypass construction, recognizing the project would “bolster the county’s attractiveness for logistics work.”²⁷¹ The MUCED also uses the Bypass on its website to attract new business to the area.²⁷²

As President of the Union County Chamber of Commerce, Sharon Rosché was also convinced that the Bypass would bring dramatic growth and development to Union County. When asked about the studies conducted by NCTA and NCDOT finding the Bypass would result in negligible economic growth, Rosché “maintained that the bypass would bring new businesses and industry to Union County,” explaining that “[y]ou can do all the studies in the world but the reality is that I’ve got towns in Union County that have purchased water opportunities and sewer and are ready to build as soon as this thing goes over.”²⁷³ Rosché, as president of the Union County Chamber, was arguably one of the individuals most tapped into the details of county’s

²⁶⁵ *Id.* ICE Appendix A, regarding Town of Marshville.

²⁶⁶ *Id.* ICE Appendix A, regarding MUCED.

²⁶⁷ *Id.* ICE Appendix A.

²⁶⁸ Monroe-Union County Economic Development, *Work Plan 2013-15* (Jul. 2013), Attachment 58.

²⁶⁹ *Id.* at 2.

²⁷⁰ *Id.* at 10.

²⁷¹ Adam Bell, *Monroe-Union County Economic Development ready for action*, ROCK HILL HERALD ONLINE (Aug. 8, 2013), Attachment 59.

²⁷² Monroe Union County Economic Development, *Highway Access* (2013), Attachment 60.

²⁷³ Heather Smith, *Chamber resolution draws fire from Bypass opponent*, THE ENQUIRER JOURNAL (Mar. 6, 2013), Attachment 61.

economic potential and most knowledgeable about planned growth. She called the project “vital” to Union County,²⁷⁴ and noted that the region is experiencing growth in anticipation of the Bypass, stating that developers have purchased land along the bypass footprint, specifically in anticipation of a higher demand.²⁷⁵

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President Rosché cast further doubt on the validity of NCDOT’s studies, stating that “studies can say whatever you want them to say . . . [t]hey can use certain information, certain formulas and studies and have the result support what you want them to.”²⁷⁶ She explained that the problem is that NCDOT has not done the proper investigation, stating “NCDOT can do study after study, but if they talk to the people, talk to the residents of Union County, they would find that a lot of new growth will come with that road.”²⁷⁷ She went on to explain that “economic development and growth will come with a bypass, even if NCDOT studies show otherwise.”²⁷⁸

Indeed, Union County has begun planning for infrastructure to support the growth occasioned by the Bypass.²⁷⁹ For example, Union County’s Comprehensive Water and Wastewater Master Plan, recognizing the Bypass as a “growth driver” and a “[d]evelopment initiative,” details plans to extend water and sewer service to the areas at the Bypass’s proposed interchanges as well as residential development along the major feeder routes.²⁸⁰ The Plan projects that “[a]s a result of the development anticipated with the Monroe Bypass service area and in general on the eastside, the projected County wastewater flows going to the Monroe [wastewater treatment plant] will double over the planning period.”²⁸¹

In recognition of this expanded infrastructure need, the FY 2014-2019 Union County Capital Improvement Program allocates over \$1 million to increase wastewater capacity specifically to address “the need for an additional 3.0 MGD of capacity from the City of Monroe as a result of the Development anticipated with the Monroe Bypass.”²⁸² The plan also allocates over \$5 million to expand sewer services in the Lake Twitty Sewershed, justified by “the need

²⁷⁴ Adam Bell, *Despite hurdles, Union County Chamber pushes bypass plan*, CHARLOTTE OBSERVER (Apr. 16, 2013), Attachment 62; Adam Bell, *Chamber sticks by bypass plan*, CHARLOTTE OBSERVER (Apr. 17, 2013), Attachment 63.

²⁷⁵ Heather Smith, *Chamber resolution draws fire from Bypass opponent*, THE ENQUIRER JOURNAL (Mar. 6, 2013), available at <http://www.enquirerjournal.com/news/local/x1942451769/Chamber-resolution-draws-fire-from-Bypass-opponent>, Attachment 61.

²⁷⁶ *Id.*

²⁷⁷ *Id.*

²⁷⁸ *Id.*

²⁷⁹ Union County Chamber of Commerce, *Union County NOW: Comprehensive Guide to our Community*, at 24 (2012-2013), Attachment 64 at 54.

²⁸⁰ Black & Veatch, *Comprehensive Water and Wastewater Master Plan*, prepared for Union County, NC, at ES-4, ES-8, 4, 19, 3-9, 5-3 (Dec. 2011), Attachment 65.

²⁸¹ *Id.* at ES-8.

²⁸² Union County, *Proposed FY 2014-2019 Union County Capital Improvement Program*, at 35, available at <http://www.co.union.nc.us/Portals/0/Finance/ProposedFY2014toFY2019UCCIP%2004032013qqq.pdf>, Attachment 66; adopted at May 6, 2013 Union County Board of Commissioners Meeting, *minutes*, at 54, Attachment 67.

for providing a new Sewer Service area for new Commercial development expected in the immediate vicinity of the Monroe Bypass.”²⁸³

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Elsewhere in the study area, local elected officials also see the Bypass as a driver of growth in Union County, and not just in the eastern part of the county. For example, Indian Trail Mayor Michael Alvarez has stated that constructing the road will “promote business development in Indian Trail and throughout the county.”²⁸⁴ And the new Indian Trail comprehensive plan estimates that Indian Trail’s population will greatly increase by 2030, from approximately 35,000 residents to 60-80,000 residents, in a large part due to “the changes brought by the planned Monroe Bypass.”²⁸⁵

In fact, Indian Trail officials so strongly believe in the Bypass’s potential to drive growth in Union County that in October 2013, the Indian Trail Town Council meeting hosted presentations on the Bypass by NCDOT as well as three different pro-growth groups: MUCED, Union County Chamber of Commerce, and the Indian Trail Business Association.²⁸⁶ NCDOT staff sat by as Pat Kahle, the new president of the Union County Chamber of Commerce, discussed “gridlock on Highway 74” and the significant commuting times in Union County as reasons why the Chamber supported the Bypass, noting that building the Bypass can enhance business in Union County.²⁸⁷ Both Chris Platé of the MUCED and Indian Trail Business Association echoed these sentiments, focusing on the importance of the Bypass to expanding the local business community.²⁸⁸

Indian Trail Councilwoman Darlene Luther echoed these beliefs, stating “Everybody supports it for the development and economic vitality it brings,” . . . “And it will bring economic development. There’s no way that it can’t.” . . . “We’re getting a bypass that can bring economic development and it doesn’t cost the town a penny.”²⁸⁹ Though several NCDOT staff were present and presented other information about the Bypass at the meeting, none made any attempt to publically address or explore these beliefs.²⁹⁰

ii. Contradictory Positions at the State Level

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NCDOT has also failed to reconcile its predictions of minimal growth with those espoused elsewhere by both the Department of Transportation itself, and other state departments

²⁸³ *Id.* at 45.

²⁸⁴ Mayor Michael L. Alvarez, Indian Trail, Facebook post (Oct. 9, 2013), Attachment 68.

²⁸⁵ Heather Smith, *Indian Trail plans for 80,000 by 2030*, ENQUIRER JOURNAL (Aug. 29, 2013), Attachment 69; see also Indian Trail, *Draft Comprehensive Plan Update, Chapter 4: Market and Economic Analysis*, Attachment 70; Indian Trail, *Draft Comprehensive Plan Update, Chapter 6: Transportation*, Attachment 71.

²⁸⁶ Indian Trail Town Council, *Minutes of Town Council* (Oct. 8, 2013), Attachment 72.

²⁸⁷ Indian Trail Town Council, *Minutes of Town Council* (Oct. 22, 2013), Attachment 73; also see Payton Guion, *Monroe Bypass supporters make presentation at Indian Trail meeting; opposition not invited*, MECKLENBURG TIMES (Oct. 24, 2013), Attachment 74.

²⁸⁸ Indian Trail Town Council, *Oct. 22, 2013 Agenda* (Oct. 22, 2013), Attachment 73.

²⁸⁹ *Monroe, Indian Trail snub bypass opponents*, ENQUIRER JOURNAL (Oct. 12, 2013), Attachment 75.

²⁹⁰ Indian Trail Town Council, *Minutes of Town Council* (Oct. 22, 2013), Attachment 73.

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and officials. As we noted in our 2012 comment letter, the State Logistics Task Force Report, a document still very much in use at NCDOT,²⁹¹ highlights the Monroe Bypass as being “important or critical” for growth and development in Union County and beyond.²⁹² In response to our raising this apparent conflict NCDOT’s only response is to state in the DSFEIS that the scale of the Logistics Task Force Report is different to that of the EIS, and that “the report provides no specific reasons or supporting data for the key nature of the Monroe Connector/ Bypass”²⁹³ A similar response was given to the conflicting statements about the importance of the Bypass as noted in the state’s recent “Seven Portals Study.”²⁹⁴

It is unclear what NCDOT meant by this response. The Logistics Task Force report took over two years to complete, employed a team of 30 members, including the Lieutenant Governor and the Secretary of Transportation, and involved 24 separate stakeholder meetings throughout the state.²⁹⁵ At the result of two years of study it recommended specific infrastructure investments. The Seven Portals study was privately compiled for the Department at taxpayer expense and claims to assess “How Economic Development Can be Encouraged in North Carolina Through Infrastructure Investment.”²⁹⁶

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Does NCDOT contend that these two reports, which cost significant state resources, are essentially meaningless? If so, NCDOT should cease citing these studies and sharing them with the public. The Seven Portals study, for example, is currently being used by the North Carolina Board of Transportation in its new 25 year planning effort.²⁹⁷ If it is NCDOT’s contention that the analysis of the two studies is, in fact, without merit it should refrain from relying on them in the future. NCDOT should also consider the value of its current planning effort, the *Implementing Vision*,²⁹⁸ which, like its predecessors involves a significant investment of state resources.

²⁹¹ See, e.g., SELC comments Nov. 2012 at 5; see also NCDOT presentation before NC Board of Transportation, Economic Development & Intergovernmental Relations Committee, *Implementing Vision for Strategic Transportation Investments: a 25 year infrastructure plan* (Nov. 6-7, 2013), at slides 8-9, Attachment 76; NC Board of Transportation Economic Development & Intergovernmental Relations Committee, *Minutes of Oct. 2, 2013 Meeting*, Attachment 77; Handout from NC Board of Transportation Economic Development & Intergovernmental Relations Committee Oct. 2, 2013 Meeting, summary of recent statewide planning documents, prepared by NCDOT staff, Attachment 78.

²⁹² SELC comments Nov. 2012 at 5.

²⁹³ DSFEIS at A1-67.

²⁹⁴ *Id.* at A1-67.

²⁹⁵ *State Logistics Task Force Report*, at 8 (2011), available at http://www.ncdot.gov/download/Business/committees/logistics/GovernorsReport_Jun2012.pdf.

²⁹⁶ *Seven Portals Study* (Dec. 31, 2011), available at <http://www.ncdot.gov/doh/preconstruct/tpb/research/download/2010-34-0masterfinalreport.pdf>.

²⁹⁷ NC Board of Transportation Economic Development & Intergovernmental Relations Committee, *Minutes of Dec. 4, 2013 Meeting*, Attachment 79.

²⁹⁸ NCDOT presentation before NC Board of Transportation, Economic Development & Intergovernmental Relations Committee, *Implementing Vision for Strategic Transportation Investments: a 25 year infrastructure plan* (Nov. 6-7, 2013), at slides 8-9, Attachment 76.

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NCDOT's response to other contradictory statements was likewise unsatisfactory. In our 2012 comments we noted that while NCDOT stated in the EIS that the Bypass would result in minimal growth and development, it painted a different picture in its application for federal TIFIA funds.²⁹⁹ The TIFIA application touted the economic growth benefits of the Bypass, specifically mentioning the proposed Legacy Park. NCDOT's response to our concern about these contradictory statements was simply to state that because the project was ultimately unsuccessful in securing transportation funding it did not matter that two opposing assessments of the growth potential were presented in the different federal documents.³⁰⁰ This is not the first time that NCDOT has dismissed its untruthful statements to the public and other federal agencies by stating that the untruth did not matter.³⁰¹ Just as the Fourth Circuit noted, however, this assertion misses the key point — NCDOT is a public agency and should be honest in all its statements, whatever the ultimate outcome, a point that is especially important in the context of NEPA where the agency has a specific legal mandate to inform the public. *NC Wildlife Fed'n*, 667 F.3d at 603.

NCDOT has persisted to present contradictory predictions of growth attributable to the Bypass subsequent to the concerns raised in our 2012 letter. As noted above, Secretary Tata has publicly touted the Bypass as necessary to bring economic development to Union County. And on numerous occasions the Chair of the Board of Transportation, Ned Curran, has explained that the Bypass is important not just in bringing economic development to Union County, but also to Anson County and several counties beyond. NCDOT's division engineer, Louis Mitchell, has made similar claims. Moreover, when called upon to address misconceptions the Department has failed to do so.³⁰²

B. Cumulative Impacts

NEPA requires that an EIS disclose not just the direct and indirect impacts of a specific project, but also the cumulative impacts of the project when considered in conjunction with other "past, present, and reasonably foreseeable future actions regardless of what agency . . . or person undertakes such other actions." 40 C.F.R. § 1508.25(a)(2). Cumulative impacts may result from "individually minor but collectively significant actions taking place over a period of time." *Id.* § 1508.7. In determining whether a project will have a "significant" impact on the environment, an agency must consider "[w]hether the action is related to other actions with individually insignificant but cumulatively significant impacts." *Id.* § 1508.27(b)(7). "The purpose of the cumulative impact analysis is to provide readers with a complete understanding of the environmental effects a proposed action will cause." *N.C. Alliance for Transp. Reform, Inc. v. US DOT*, 151 F. Supp. 2d 661, 698 (M.D.N.C. 2001). The DSFEIS includes almost no discussion of cumulative impacts other than vague generalizations lumped into the ICE analysis. A robust cumulative impacts analysis is essential for NEPA compliance. Below we have listed several impacts associated with the Bypass that NCDOT must consider.

²⁹⁹ SELC comments Nov. 2012 at 14.

³⁰⁰ DSFEIS, Appendix A at A1-73.

³⁰¹ See Brief of Defendants-Appellees, *NC Wildlife Fed'n v. NCDOT*, No. 11-2210, at 53 (4th Cir. Jan. 19, 2012), Attachment 80.

³⁰² See discussion of resolution letter at section (II)(B)(1), above.

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1. U.S. 74 Economic Development Corridor

As noted above, the Chair of the Board of Transportation has frequently stated that the Monroe Bypass is necessary to address high unemployment rates in the eight counties through which U.S. 74 passes as it runs from Mecklenburg County to the coast.³⁰³ Similar claims about the project have been made by many state officials and legislators who promote the potential of the Bypass to spur growth statewide by connecting Charlotte to major ports like Wilmington, Charleston, and Savannah. Even the local MPO has proclaimed such a purpose for the road.³⁰⁴

The claims and statements align with a recent effort to identify and promote the development of a South Economic Development Corridor along U.S. 74 running from I-26 in Polk County to Wilmington.³⁰⁵ The development of this proposed U.S. 74 economic development corridor is intended to improve commerce between western North Carolina, the Charlotte Metropolitan area, Charlotte-Douglas International Airport, and the port of Wilmington, and would be an important east-west corridor across the state.³⁰⁶ County commissions in at least seven counties have passed resolutions in support of the corridor, including Rutherford, Polk, Cleveland, Scotland, Brunswick, Gaston, and Union counties.³⁰⁷

³⁰³ See, e.g., MUMPO, Summary Minutes of September 18, 2013 Meeting, Attachment 15.

³⁰⁴ See, e.g., Mecklenburg-Union Metropolitan Organization, *Resolution to Support Prompt Action for the Construction of the Monroe Bypass* (Mar. 20, 2013), Attachment 13.

³⁰⁵ Matthew Clark, *Can Interstate 74 create jobs?*, DAILY COURIER (Mar. 22, 2013), available at <http://www.thedigitalcourier.com/news/x145781448/Can-Interstate-74-create-jobs>, Attachment 81; Jessica Pickens, *Possibility of freeway-style interstate to connect NC up for discussion*, GASTON GAZETTE (Mar. 23, 2013), available at <http://www.gastongazette.com/news/local/possibility-of-freeway-style-interstate-to-connect-nc-up-for-discussion-1.116462>, Attachment 82; *Board supports Hwy. 74 alliance*, ENQUIRER JOURNAL (Oct. 9, 2013), Attachment 83; Matt Blackwell, NC's Rutherford County Economic Development, *Economic Development Benefits of Interstate Access* (May, 30, 2013), Attachment 84.

³⁰⁶ Matthew Clark, *Can Interstate 74 create jobs?*, DAILY COURIER (Mar. 22, 2013), available at <http://www.thedigitalcourier.com/news/x145781448/Can-Interstate-74-create-jobs>, Attachment 81; Jessica Pickens, *Possibility of freeway-style interstate to connect NC up for discussion*, GASTON GAZETTE (Mar. 23, 2013), available at <http://www.gastongazette.com/news/local/possibility-of-freeway-style-interstate-to-connect-nc-up-for-discussion-1.116462>, Attachment 82; *Board supports Hwy. 74 alliance*, ENQUIRER JOURNAL (Oct. 9, 2013), Attachment 83; Matt Blackwell, NC's Rutherford County Economic Development, *Economic Development Benefits of Interstate Access* (May, 30, 2013), Attachment 84.

³⁰⁷ Board supports Hwy. 74 alliance, ENQUIRER JOURNAL (Oct. 9, 2013), Attachment 83; Chairman Ronald J. Hawkins, Cleveland County Board of Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South Economic Development Corridor from I-26 to Wilmington Along the Existing Highway 74 Corridor (Mar. 21, 2013), Attachment 85; Chairman Michael V. Gage, Polk County Board of Commissioners, Resolution (Mar. 21, 2013), Attachment 86; Larry Sackett, Economic development efforts coming to U.S. 74, STAR NEWS ONLINE (Oct. 12, 2013), available at <http://www.starnews.com/article/20131012/ARTICLES/131019888>, Attachment 87; Chairman Phil Norris, Brunswick County Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South Economic Development Corridor From I-26 to Wilmington along the Existing Highway 74 Corridor (Oct. 7, 2013), Attachment 88; Chairman Guy McCook, Scotland County Board of Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South Economic Development Corridor from I-26 to Wilmington along the Existing Highway 74 Corridor (Sept. 3, 2013), Attachment 89; Chairman Charles McDowell, Columbus County Board of Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South

The resolutions state that the proposed corridor would create jobs across North Carolina in maritime, transportation, distribution, manufacturing and agriculture by providing greater access across the state, thus increasing opportunities for international trade.³⁰⁸

State planning documents, such as the Seven Portals Study and the North Carolina Maritime Strategy Final Report, demonstrate that this is not the pipe-dream of a few counties, but rather a state-wide effort to improve the U.S. 74 Corridor to connect the Port of Wilmington to important sites across the southern border of North Carolina, such as the Charlotte-Douglas Airport and I-26.³⁰⁹ In fact, NCDOT's own website indicates the agency also sees this vision for U.S. 74, recognizing that the Shelby Bypass "will improve vehicle capacity of the U.S. 74 Corridor, reduce future traffic congestion, increase safety and improve roadway continuity between I-26 and I-85."³¹⁰

At a more local level, such claims have been echoed by Chris Platé, executive director of MUCED, who called the Monroe Bypass "the most significant roadway project in North Carolina."³¹¹ Platé went on to state that the Monroe Bypass "affects all of the state's assets and trying to estimate its impact is very hard to do."³¹² He explained that without the Monroe Bypass, the port at Wilmington cannot compete with Charleston and Savannah, explaining that traffic to and from the port would remain bottlenecked in Union County.³¹³ Platé said the Monroe Bypass will "speed up that travel time," which he claims is important to the North Carolina business and military communities.³¹⁴ Platé explained that "[r]ight now, we have a

Economic Development Corridor from I-26 to Wilmington Along the Existing Highway 74 Corridor (Sept. 16, 2013), Attachment 90; Clerk Donna Buff, Gaston County Board of Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South Economic Development Corridor from I-26 to Wilmington Along the Existing Highway 74 Corridor (Sept. 26, 2013), Attachment 91; Union County Board of Commissioners, Resolution to Support the Development of an Alliance of Local Government and Business Leaders to Review and Promote Improvements to a South Economic Development Corridor from I-26 to Wilmington Along the Existing Highway 74 Corridor (2013), Attachment 92.

³⁰⁸ *Board supports Hwy. 74 alliance*, ENQUIRER JOURNAL (Oct. 9, 2013), Attachment 83.

³⁰⁹ *See, e.g., Seven Portals Study* (Dec. 31, 2011), available at <http://www.ncdot.gov/doh/preconstruct/tb/research/download/2010-34-0masterfinalreport.pdf>, at 115 ("There is a need to improve highway and rail access . . . to the Port of Wilmington via US 74 (future I-74) from Charlotte."); *North Carolina Maritime Strategy: Final Report* (June 26, 2012), available at http://www.ncdot.gov/download/business/committees/logistics/Maritime/NC_Maritime_final_report_2012-06-26.pdf, at 4, 74, 115; Message from Jeff Parker to Sec. Tony Tata, NCDOT, Facebook (Dec. 1, 2013), Attachment 93.

³¹⁰ NCDOT, *US 74 Bypass (Shelby Bypass)*, available at <http://www.ncdot.gov/projects/us74bypass/>, Attachment 94.

³¹¹ Payton Guion, *Monroe Bypass supporters make presentation at Indian Trail meeting; opposition not invited*, MECKLENBURG TIMES (Oct. 24, 2013), available at <http://mecktimes.com/news/2013/10/24/monroe-bypass-supporters-make-presentation-at-indian-trail-meeting-opposition-not-invited/>, Attachment 74.

³¹² Heather Smith, *Platé: Bypass is vital to Port of Wilmington*, ENQUIRER JOURNAL (Oct. 24, 2013), available at <http://www.enquirejournal.com/news/x2082475277/Plat-Bypass-is-vital-to-Port-of-Wilmington>, Attachment 95.

³¹³ *Id.*

³¹⁴ *Id.*

little gauntlet that people have to run," noting that U.S. 74 has 44 stop lights as it runs through Union County.³¹⁵

Though County Commissioners from the affected counties have met with NCDOT about the proposed U.S. 74 Economic Development Corridor,³¹⁶ the DSFEIS does not address the role of the Monroe Bypass as a central portion of such a corridor, nor does the DSFEIS consider the cumulative impact of other projects that form this corridor approach, such as the Bypasses around Shelby and Rockingham. Alternatively, if, as Chairman Curran has stated, is NCDOT's position that the Monroe Bypass only is expected to have such wide ranging impacts it is necessary that NCDOT expand the project study area so that all impacts can be properly studied and accounted for.

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2. HOT lanes: 485 and U.S. 74

NCDOT is currently planning a system of High Occupancy Toll ("HOT") Lanes in the Charlotte metro region. The system would include sections of I-485, and the stretch of U.S. 74/ Independence Blvd inside the beltway. In a May 5, 2012 presentation NCDOT explained that the Independence Blvd HOT lanes would connect with the Monroe Bypass.³¹⁷ The HOT lanes on 485 would stretch around to Independence Blvd., completing the system. Plans have continued to develop since that time with focus groups, design, and traffic and revenue studies for the projects.³¹⁸ In March 2013, the TIP was amended to program funds for a formal feasibility study of the U.S. 74 project.³¹⁹ Both the U.S. 74 and the I-485 projects are included on the CRTPO's fiscally constrained project list for its Metropolitan Transportation Plan to be built between 2016-2025.³²⁰

Project managers for the Monroe Bypass have been involved in the planning process for the new HOT-lane projects.³²¹ It is therefore surprising that there is no mention of the projects in the DSFEIS. The projects, a network of toll highways that would physically connect together, are certainly connected to the Monroe Bypass, and will without doubt have cumulative effects that should be considered. The traffic patterns from the different projects will likely impact each other, and the cumulative effects on air quality, noise, wildlife habitat, water quality, threatened and endangered species and cultural and historic resources should all be disclosed as part of the NEPA process. Analysis of these cumulative impacts is necessary for "a complete understanding

³¹⁵ *Id.*

³¹⁶ Matthew Clark, *Can Interstate 74 create jobs?*, DAILY COURIER (Mar. 22, 2013), available at <http://www.thedigitalcourier.com/news/x145781448/Can-Interstate-74-create-jobs>, Attachment 81.

³¹⁷ *Charlotte Fast Lanes Study: Phase III Results Summary*, Attachment 96.

³¹⁸ Presentation to MUMPO Technical Coordinating Committee, *Charlotte Region Fast Lanes Study: Phase III* (February 7, 2013), Attachment 97.

³¹⁹ MUMPO, *March 20, 2013 Meeting Summary Minutes*, Attachment 98.

³²⁰ CRTPO, *2040 Fiscally Constrained Project List*, Attachment 99; CRTPO, *2040 Metropolitan Transportation Plan: Fiscally Constrained Roadway Projects*, map, Attachment 100.

³²¹ Email from Jennifer Harris, NCDOT, to Scott Cole, NCDOT, RE: *NCTA-NCDOT Scope for the US 74-HOT Lanes Project* (January 24, 2013), Attachment 101.

of the environmental effects a proposed action will cause.” *N.C. Alliance for Transp. Reform, Inc. v. US DOT*, 151 F. Supp. 2d 661, 698 (M.D.N.C. 2001).

Courts have held that all reasonably foreseeable future actions must be considered in the NEPA document, including projects that are not yet fully finalized, and for which no funding has yet been allocated. *See, e.g., Western N.C. Alliance v. N.C. DOT*, 312 F. Supp. 2d 765, 771 (E.D.N.C. 2003) (quoting *Sierra Club v. Marsh*, 976 F.2d 763, 767 (1st Cir. 1992)). In *Western N.C. Alliance*, NCDOT prepared an EA for a highway project that expanded an existing highway and was in the vicinity of three future NCDOT projects. *Id.* at 771-73. The EA did not include the future projects in its cumulative impact analysis. *Id.* The Court stated that even though the designs were not finalized, funding had not been allocated, and no environmental documents had been prepared, the planning that had taken place for those projects was sufficient to “meaningfully evaluate” their cumulative impacts. *Id.* (holding that future projects were reasonably foreseeable where right of way acquisitions had been scheduled and the NCDOT had decided on minimum design specifications). Like the EA challenged in the *Western N.C. Alliance*, the DSFEIS fails to consider cumulative impacts from other closely related NCDOT projects. These projects are even further along than those considered in *Western N.C. Alliance*, as substantial planning has taken place for the projects and they are funded as part of CRTPO’s fiscally constrained MTP.

3. Other area road projects

In addition to the HOT lanes, there are several other road projects which should be included as part of a cumulative impacts analysis. The most obvious is the project described above, which will convert several intersections along U.S. 74 to superstreets.³²² Funding has been allocated for this project and construction is set to begin next year.³²³ Other projects include the widening of Old Monroe Road and Charlotte Avenue which are both also included in the fiscally constrained MTP.³²⁴

4. Legacy Park

We appreciate that in the DSFEIS NCDOT has taken the time to acknowledge and more fully investigate Legacy Park, a proposed 5,000 acre business park which would connect with the Monroe Bypass. NCDOT’s earlier effort to apparently purposefully obscure the Park and its associated development was inexcusable. We are disappointed that NCDOT still fails to acknowledge its role in the Park’s development. As we pointed out in our 2012 comments the Executive Director of the North Carolina Turnpike Authority actually flew to Florida to promote the Park, and a senior NCDOT staffer, Roberto Canales, sat on the task force to promote the park and create an associated intermodal station with CSX.³²⁵ The DSFEIS includes no explanation

³²² DSFEIS at 2-12.

³²³ *Id.*; see also MUMPO, Aug. 21, 2013 Summary Meeting Minutes, at 2, Attachment 20.

³²⁴ CRTPO, 2040 Fiscally Constrained Project List, Attachment 99; CRTPO, 2040 Metropolitan Transportation Plan: Fiscally Constrained Roadway Projects, map, Attachment 100; see also, UNION COUNTY WEEKLY, *Business leaders, NCDOT discuss Monroe Bypass* (Feb. 8, 2013), Attachment 35.

³²⁵ SELC comments, Nov. 2012 at 9-10.

as to why NCDOT could have been so thoroughly involved with the Park outside the NEPA process, but yet exclude it from the analysis of both indirect and cumulative impacts in the NEPA documents.³²⁶

While we appreciate the increased attention given to this project in the DSFEIS, we do not agree with NCDOT’s conclusion that the project is not reasonably foreseeable. CSX has noted that the Legacy site is one of the “best” in the Charlotte region.³²⁷ The site continues to be discussed in conjunction with the state’s Logistics Task Force and Seven Portals Studies, which are being newly invigorated by the North Carolina Board of Transportation.³²⁸ The project was even brought to the attention of the Secretary of Transportation recently via an inquiry on his facebook page.³²⁹ Further, while the full 5000 acre site may no longer go ahead as previously planned, there has been recent discussion of a new smaller 200-300 acre plan for the site.³³⁰ NEPA requires that this new plan be fully investigated and, if reasonably foreseeable, incorporated into the EIS. Yet, it is not clear if NCDOT has ever followed up on the information provided to them.³³¹

C. Impacts to Air Quality

NCDOT’s cursory analysis of air quality largely suffers from the same flawed assumptions that are noted above. The DSFEIS assumes that growth would continue unlimited without any transportation improvements in Union County and thus assumes that there are very few impacts associated with the Bypass. The flaw in this reasoning carries into the analysis of air quality. Higher emissions associated with the increased traffic likely to result from the Bypass and its associated development should be properly disclosed. Moreover, air quality may be severely impacted as a result of redistributed growth. NCDOT states that it employed a “conservative approach” to its analysis of induced growth because it did not “reallocate growth” to locations further east, despite the reallocation that might be expected due to increased accessibility occasioned by the Bypass.³³² While this may be a conservative approach overall, and is certainly conservative in terms of Goose Creek, the approach likely underestimates impacts to air quality. Growth shifting east will necessarily result in longer trips in the corridor with associated increases to VMT and air pollution.

We also remain concerned about the conformity determination made for the Charlotte region. As noted above, CRTPO’s Metrolina Regional Travel Demand Model is insensitive to the presence of the Monroe Bypass, yet this is the model that has been used to model

³²⁶ DSFEIS at A1-48.

³²⁷ NCDOT, *Appendix D, Response to comments* (DRAFT), at 9 (Response to Comment 20), Attachment 102.

³²⁸ See NCDOT Board of Transportation materials, at n. 297 and 298 above.

³²⁹ Message from Jeff Parker to Sec. Tony Tata, NCDOT, Facebook (Dec. 1, 2013), Attachment 93.

³³⁰ See, e-mail from Colin Mellor (NCDOT) to Scudder Wagg (Atkins), *re: Response to USFWS letter comments* (Aug. 23, 2013) Attachment 103; e-mail from Chris Plate (MUCED) to Jamal Alavi (NCDOT), *re: Legacy Park* (Aug. 21, 2013) Attachment 104.

³³¹ See, e-mail from Ken Gilland (Baker) to Jennifer Harris (NCDOT) *re: Response to USFWS letter comments* (Aug. 23, 2013), Attachment 105.

³³² DSFEIS at E1-7.

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D. Impacts to Water Quality and Endangered Species

Like air quality, NCDOT’s analysis of water quality and endangered species is hampered by its improper assumptions. Without an accurate analysis of the development likely to result from the Bypass there can be no thorough analysis of the increase in impervious surfaces and associated impacts to water quality and endangered mussels.³³³ Similarly, as discussed above, the redistribution of growth due to the Bypass can be tremendously important to water quality and associated impacts.

59 The analysis of water quality is also incomplete. As noted in the EIS, the full project has not yet actually been designed.³³⁴ Final design will be completed by the design-build team. Not only will this team be responsible for providing final designs for those sections of road not yet at the final design stage but the team will be able to redesign even those portions of roadway which NCDOT has presented to resource agencies as being fully designed. As such, important details about bridge crossings, dredge and fill locations, run-off and stormwater management are all currently unknown.

While generally these “design refinements” are supposed to decrease environmental impacts, recent experience with a similar toll highway, the Garden Parkway, shows otherwise. As reflected in the meeting minutes from a November 2011 meeting between DWQ, the Corps and NCDOT, the impacts to streams from the Garden Parkway were greater in the permit application than they were in the NEPA document.³³⁵ Even more troubling was the fact that the Corps appeared to anticipate that “future modifications” may “result in larger impacts” requiring the agencies to revisit “previous decisions/ concurrence points.”³³⁶ Such a scenario is not anticipated by North Carolina’s merger process and runs counter to the purpose of NEPA, which is to fully disclose all environmental impacts to the public, to decisionmakers, and to resource agencies.

59a An additional inadequacy is the failure of the NEPA document to include a mitigation plan for the project. While it is noted that mitigation credits have been purchased from EEP,³³⁷ there is no explanation as to where the mitigation is located or what it consists of. This is contrary to the requirement of NEPA that an EIS should include a discussion of “the means to mitigate adverse environmental impacts.” 40 C.F.R. 1502.16(h).

³³³ NCDOT’s internal documents reveal that even based on their flawed analysis some impact to pollutant loadings in Goose Creek would occur. Email from Michael Wood, Catena Group, to Monroe Bypass team, RE: ICE Comments (Aug. 1, 2013), Attachment 106.

³³⁴ DSFEIS at 3-11 to 3-12.

³³⁵ Meeting Minutes, Meeting between NCTA, DWQ, USACE (Nov. 22, 2011), Attachment 107.

³³⁶ E-mail from Monte Matthews, USACE, to Christy Shumate, NCDOT (Nov. 30, 2011) Attachment 108.

³³⁷ DSFEIS C1-1, C1-2.

1. Goose Creek

60 NCDOT’s failure to consider cumulative impacts, as noted above, has particular importance for water quality and endangered species concerns. One recent action which is not fully analyzed in the EIS is the lifting of the moratorium restricting the Goose Creek sub-basin from the Inter-Basin Transfer (“IBT”) between the Catawba River basin and the Rocky River basin.³³⁸ During the environmental review process, the United States Fish and Wildlife Service (“USFWS”) strongly objected to the “Finding of No Significant Impact” (“FONSI”) ascribed to the lifting of the moratorium.³³⁹ In comments, USFWS noted that the Site Specific Water Quality Management Plan (“SSWQMP”) for Goose Creek was insufficient to protect the federally endangered Carolina heelsplitter, and was therefore insufficient to support a FONSI.³⁴⁰ USFWS outlined suggestions of improvements to the SSWQMP that would better protect the heelsplitter.³⁴¹ Without those improvements, USFWS declined to endorse the installation of water lines into the Goose Creek watershed noting that it would “contribute to already degraded conditions and further comprise habitat in the Goose Creek system.”³⁴² Despite these concerns by a federal agency, there is no discussion if the DSFEIS of the cumulative impact of building the Monroe Bypass and the installation of new water lines with regards to water quality and endangered species.

61 The DSFEIS also fails to consider the cumulative impact of the proposed Charlotte HOT lane projects and the Monroe Bypass on water quality and endangered species in the Goose Creek watershed. While the DSFEIS asserts that growth attributable to the Bypass will largely be in the western part of the county and thus well away from Goose Creek,³⁴³ the HOT Lane projects connect to the Bypass in Mecklenburg County, and thus more likely to encourage growth in the eastern part of Union County, exactly where the Carolina heelsplitter is located. Any study of the combined cumulative effects of these major infrastructure investment and the installation of new water lines in the Goose Creek basin is completely absent from the DSFEIS, yet NEPA requires that precisely such impacts be analyzed and disclosed. “When several proposals . . . that will have cumulative or synergistic environmental impact upon a region are pending concurrently before an agency, their environmental consequences must be considered together.” *Kleppe v. Sierra Club*, 427 U.S. 390, 410 (1976).

62 The DSFEIS also suffers from over reliance on the SSWQMP as a surefire way to protect the Carolina heelsplitter from any impacts that the Bypass may have. For example, with regard to direct impacts of construction, the DSFEIS states that impacts will be avoided due to the

³³⁸ See North Carolina Environmental Management Commission, Hearing Officer’s Report (April 2013), Attachment 109.

³³⁹ Letter from Brian P. Cole, USFWS, to Lyn Hardison, NCDENR, RE: *Environment Assessment for the Addition of the Goose Creek Watershed to the Interbasin Transfer Certificate under Provisions of G.S. 143-215.221, Mecklenburg and Union Counties, North Carolina* (January 18, 2013), Attachment 110.

³⁴⁰ *Id.*

³⁴¹ *Id.*

³⁴² *Id.*

³⁴³ DSFEIS, Appendix A, Map 14, E1-87.

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62 cont SSWQMP.³⁴⁴ As noted by USFWS, however, the SSWQMP is insufficient to protect the Carolina heelsplitter.³⁴⁵ Similarly, NCDOT's claim that it will "strongly discourage" their contractors from working in the Goose Creek watershed has no meaning.³⁴⁶ Without an outright prohibition in the contract NCDOT's discouragement is inadequate. In fact, the DSFEIS specifically anticipates that "construction, staging, storage, refueling, borrow pit or spoil areas" may be used in the Goose Creek and Sixmile Creek watersheds by the contractor.³⁴⁷

V. PROJECT COST

Federal regulations require that a project receiving federal funding must be part of a fiscally constrained State Transportation Improvement Program. 23 C.F.R. §450.222. FHWA requires documents undergoing NEPA review to have at least one section as part of a STIP.³⁴⁸ Further, FHWA, guidance requires that cost estimate in the STIP mirror that in the NEPA documents.³⁴⁹

63 The Monroe Bypass can no longer be considered to be part of a fiscally constrained plan. First, the financial plan behind the project, which was to cover at least part of the cost of the project with toll revenue, is no longer viable. Several of the key assumptions behind the Traffic and Revenue Study published in 2010 are no longer valid. Second, the costs of the project have increased dramatically: While the STIP lists the cost of the project as \$789 million, the EIS suggests that the project will cost \$898 million. Third, the true cost of the project is likely higher even than that disclosed in the NEPA documents.

A. Traffic and Revenue Study

To assess whether the Monroe Bypass was financially viable in terms of toll revenue NCDOT commissioned a Traffic and Revenue Study. A final draft of this study was published in 2010. The study asserted to analyze the potential future growth in the study area, future traffic patterns and the willingness of future travelers to pay the toll to use the road. The study relied on 2010 operating speeds in the U.S. 74 corridor that were much lower than today's speed to forecast the travel time savings from the Bypass.³⁵⁰ Moreover, the Traffic and Revenue Study was based on a number of findings that were questionable in 2010 and are even more so today. In addition, the report acknowledged that it relied on a series of assumptions and explained that if any of those assumptions changed the report and its findings would no longer be valid. The

³⁴⁴ DSFEIS at C2-113.

³⁴⁵ Letter from Brian P. Cole, USFWS, to Lyn Hardison, NCDENR, *Re: Environment Assessment for the Addition of the Goose Creek Watershed to the Interbasin Transfer Certificate under Provisions of G.S. 143-215.221, Mecklenburg and Union Counties, North Carolina* (Jan. 18, 2013), Attachment 110.

³⁴⁶ Biological Assessment for the Monroe Bypass (2013) at 68, available at <http://www.ncdot.gov/projects/monroconnector/download/DraftMonroeBA102313.pdf>.

³⁴⁷ DSFEIS at PC-2.

³⁴⁸ *Transportation Planning Requirements and Their Relationship to NEPA Approvals*, FHWA (Feb. 9, 2011), available at http://www.fhwa.dot.gov/planning/tpr_and_nepa/tprandnepasupplement.cfm, Attachment 111.

³⁴⁹ *Id.*

³⁵⁰ Traffic and Revenue Study 2010, at 4-9.

original errors in the report and the deviation of recent experience away from those assumptions is discussed below.

1. Improvements to other infrastructure

One fundamental assumption in the Traffic and Revenue Study is that there will be no "additional capacity" added or improvements made to competing roadways such as U.S. 74.³⁵¹ The report explains how important operating conditions on area roadways are to the financial success of the bypass.³⁵² Noting that, "[p]eople's travel behavior and the number of vehicles that would use the proposed Monroe Connector/Bypass would be heavily influenced by the operating conditions on other area roadways in the study area."³⁵³ This is common sense, the better U.S. 74 flows the less likely drivers will be willing to pay a toll to use an alternative route. The report goes on to note that "it is important that reasonable assumptions are made regarding future improvements, since such improvements could have considerable effect on the number of vehicles that would use the Monroe Connector/Bypass."³⁵⁴

64 Since the report was published in 2010 a number of improvements have been made on U.S. 74 and, as discussed in detail above, traffic flow has improved substantially. The most recent observed average traffic speeds on U.S. 74 is 44 mph during peak times.³⁵⁵ These speeds are between 5-10 mph higher than those analyzed in the Traffic and Revenue Study.³⁵⁶ As a result, the travel time savings from the bypass are substantially lower than those forecast by Wilbur Smith.

The change in these travel time savings has serious implications for Wilbur Smith's revenue projections. In order to project future revenue from the bypass and set a proposed toll rate, Wilbur Smith conducted a "value of time" assessment to determine, essentially, how much money people would be willing to pay to save a certain amount of time. The value of time for travelers on the Bypass was determined to be approximately \$8/hour for cars and \$15-20/ hour for trucks.³⁵⁷ This allowed Wilbur Smith to set an opening year toll rate of \$2.58 for cars and \$10.27 for trucks (in 2010 dollars).³⁵⁸ Given the significantly decreased new travel time saving projections, to keep with these same toll rates, values of time would need to be considerably higher—\$18.50/ hour for cars and \$30-60/hour for trucks.

Furthermore, the Traffic and Revenue Study, which accounted only for future improvements programmed into the 2035 Transportation Improvement Program ("TIP"), did not recognize some additional improvements that have recently been programmed to further improve

³⁵¹ *Id.* at 6-4.

³⁵² *Id.* at 6-5.

³⁵³ *Id.*

³⁵⁴ *Id.*

³⁵⁵ DSFEIS at 1-7.

³⁵⁶ Traffic and Revenue Study 2010, at 2-15.

³⁵⁷ *Id.* at 2-16.

³⁵⁸ *Id.* at 6-11–6-14.

64 cont flow on U.S. 74.³⁵⁹ As discussed above, over \$6 million in superstreet improvements has now been programmed for U.S. 74, to be constructed by 2015. A new study recognizing past and future improvements to the surrounding roadways is essential to properly determining the anticipated future use of the Bypass and its ability to generate toll revenue. NCDOT cannot change the value of time held by potential users of the Bypass, and so it is likely that toll revenue will be significantly lower than previously projected. It is no wonder that behind closed doors NCDOT staffer Jennifer Harris stated that NCDOT “would not be in favor of changes to US-74 that would have a competing interest with the bypass,” as such improvements would have a negative impact on toll revenue.³⁶⁰

2. Traffic growth

65 As noted above, traffic levels along U.S. 74 have essentially been stable in the past decade, with some periods of decline. This reality is, again, inconsistent with the projections in the Traffic and Revenue Study. A check of the projections in the Traffic and Revenue Study show that they rely on a minimum of 2.2% annual traffic growth between Wingate and Monroe, 1.2% growth around Monroe, 4.9% growth west of Monroe and 4.4% growth at the western end of the corridor.³⁶¹ This traffic growth has not occurred resulting in further questions as to the validity of the Traffic and Revenue Study.

3. Socio-economic growth

A2-210 66 In addition to traffic growth in the corridor, the Traffic and Revenue Study also relied on high estimates of future economic growth. These estimates, which were reviewed by an independent economist, were revised down from the absurdly high estimates in the 2009 EIS. Nonetheless, they remain overstated based on the more realistic projections being estimated today.³⁶² As discussed above, the most up-to-date socio-economic projections for Union County, performed by Dr. Stephen Appold, estimate that levels of growth previously forecast for 2030 will, in fact, not occur until 2040. This shift in expectations is extremely significant for the revenue projections. The Traffic and Revenue Study notes that a significant departure from the economic growth predicted for the project study area could “materially affect traffic and revenue potential on the proposed Monroe Connector/Bypass.”³⁶³

4. Local Traffic

Unlike the DSFEIS which completely ignores the question of what trips are currently happening in the U.S. 74 corridor, the Traffic and Revenue study does make some (albeit extremely limited) attempt to discover how many trips in the corridor are local, versus how

³⁵⁹ *Id.*

³⁶⁰ *U.S. 74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes*, at 4 (Jan. 18, 2012), Attachment 28.

³⁶¹ Traffic and Revenue Study 2010, at 6-5.

³⁶² FHWA also appears to recognize that the traffic and revenue study was flawed and based on a “flawed premise.” See FHWA, NCDOT and Atkins, *Comment Chart*, excel sheet, at questions and responses 58-60, Attachment 53.

³⁶³ Traffic and Revenue Study 2010, at 6-5.

many are passing through the entire corridor. The analysis is incomplete, but based on the information that was gathered the vast majority of trips in the corridor are local. 24%-40% of trips originate in locations on either end of the Bypass.³⁶⁴ Of those trips it appears that over half end in the study area.³⁶⁵ Thus, based on the scant information collected by WSA it appears that a maximum of 12-20% of trips in the study area are travelling through the corridor from end to end. Other data in the report suggests that this number is likely less, traffic counts drop off sharply east of Monroe, suggesting that much of the traffic in the corridor around Monroe is actually local trips.

Given the low percentage of “through” traffic in the corridor, for the forecasts in the Traffic and Revenue Study to be correct a substantial number of local travelers would need to use the Bypass. This appears unlikely. Monroe, the primary source of traffic, lies two miles south of the Bypass and it is unclear that taking the Bypass would be beneficial for commuters travelling from that city. The distance from Monroe to Matthews is 17% longer via the Bypass than it is via U.S. 74. Given the recent and planned improvements on U.S. 74, and associated reduction in travel time savings from the Bypass, it seems unlikely that many of these local trips would, in fact, divert to the Bypass. Anecdotally, after numerous public meetings across Union County, we have rarely heard a single driver state that they personally intend to pay the toll and use the Bypass. Those who support the Bypass want it so that traffic can be taken off of U.S. 74, not so that they themselves can travel on it.

67 A new Traffic and Revenue Study should be completed, with careful attention given to the percentage of local and through traffic in the corridor. More analysis should be performed to see if local travelers really will be willing to pay a toll and divert to the Bypass, particularly in light of the recent and planned improvements to U.S. 74. Consideration should also be given to recent trends, for example census data shows that the percentage of people commuting to Charlotte from Union County has been decreasing.³⁶⁶

5. Other invalid assumptions

Several other assumptions in the Traffic and Revenue Study are also no longer valid. For example, the study is based on the assumption that the Bypass will open to traffic in 2015, a scenario which is now impossible.³⁶⁷ Additionally, the study assumes that gas will remain at \$3 a gallon in 2010 dollars, another assumption that has not held true.³⁶⁸

³⁶⁴ *Id.* at 3-5. Marshville, Wingate, Charlotte Wadesboro and Matthews are all origin locations that might use the Bypass — those account for 24% of trips. Another 15.8% of trips reported their origin destination as “other,” which may include locations outside of the corridor.

³⁶⁵ *Id.* at 3-6.

³⁶⁶ DSFEIS at 1-4.

³⁶⁷ Traffic and Revenue Study 2010, at 6-4.

³⁶⁸ *Id.* at 6-5.

6. Traffic and Revenue Studies Generally

It is also worth noting that generally traffic and revenue studies in the United States and around the world have tended to over-predict future toll revenue. Robert Bain, previously the Director of Standard & Poor's Infrastructure Finance Ratings practice and now the head of his own technical consultancy which analyzes transportation projects for banks and institutional investors, has made a study of this phenomenon. Bain's significant study of traffic forecasting demonstrates that toll road traffic forecasts are characterized by large errors and considerable optimism bias. For example, in a recent report of what has been described as "the largest study of toll road forecasting performance ever conducted," in which Bain reviewed commercial-in-confidence documentation released to project financiers and, over a 4-year period, compiled a database of predicted and actual traffic usage for over 100 international, privately financed toll road projects, Bain documented an "observed systematic tendency for overforecasting" such that the predicative accuracy of traffic models is poor.³⁶⁹

Bain's studies demonstrate that toll road forecasts have, on average, overestimated traffic by 20-30%, some even more.³⁷⁰ For example, he has found every toll road that has opened in Australia since 2005 has underperformed, many 40-60% below forecast revenues.³⁷¹ He also notes a JP Morgan study of fourteen American toll roads, which found many operating more than 30% below their forecasts.³⁷² Bain cites issues such as optimism bias, overconfidence, unjustified assumptions, insufficient attention to demand side issues, insufficient emphasis on the impact of future events, unrealistic sensitivity testing, a lack of candor regarding uncertainties and model limitations, insufficient independent peer review, and the practice of awarding bids to those submitting the highest traffic (and hence revenue) projections among the many reasons why traffic forecasting, particularly for toll roads, is systemically inaccurate.³⁷³

³⁶⁹ Robert Bain, *Error and Optimism Bias in Toll Road Traffic Forecasts*, TRANSPORTATION, Vol. 36, No. 5 (September 2009), Attachment 112.

³⁷⁰ Robert Bain and JW Plantagie, *Traffic Forecasting Risk: Study Update 2004* (October 2004), Standard & Poor's, Attachment 113; *see also* Robert Bain and L. Polakovic, *Traffic Forecasting Risk Study 2005: Through Ramp-Up and Beyond* (August 2005), Standard & Poor's, Attachment 114; Robert Bain and JW Plantagie, *Traffic Forecasting Risk: Study Update 2003* (November 2003), Standard & Poor's, Attachment 115.

³⁷¹ Robert Bain (2013), Toll Roads: Big Trouble Down Under, INFRASTRUCTURE JOURNAL, 17 January 2013, Attachment 116; N. Smith N, Robert Bain and S. Kanowski, An Investigation of the Causes of Over-Optimistic Patronage Forecasts for Selected Recent Toll Road Projects, GHD (for the Australian Department of Infrastructure and Transport), December 2011, Attachment 117.

³⁷² Robert Bain (2009), *Error and Optimism Bias in Toll Road Traffic Forecasts*, Transportation, Vol. 36, No. 5, September 2009, Attachment 112.

³⁷³ *See, e.g., id.*; Robert Bain, Big Numbers Win Prizes: Twenty-One Ways to Inflate Toll Road Traffic & Revenue Forecasts, PROJECT FINANCE INTERNATIONAL, Issue 406 (8 April 2009), Attachment 118; Robert Bain and M. Wilkins, The Credit Implications of Traffic Risk in Start-Up Toll Facilities, PROCEEDINGS OF THE EUROPEAN TRANSPORT CONFERENCE (September 9-11, 2002), Attachment 119; Robert Bain, The Wisdom of Crowds: A Survey of Forecasting Accuracy, DATA & MODELLING, Issue 8 (June 2011), 33-34, Attachment 120; Robert Bain, On the Reasonableness of Traffic Forecasts: A Survey of Predictive Capability, TRAFFIC ENGINEERING AND CONTROL, Vol. 52, No. 5 (May 2011), 213-217, Attachment 121; Robert Bain, And Now, the Traffic Report, TOLLWAYS, Journal of the International Bridge, Tunnel and Turnpike Association (Fall 2010), 69-76, Attachment 122.

In sum, the Traffic and Revenue Study produced in 2010 was based on a number of questionable assumptions and incomplete analysis. More recent data shows that many of the assumptions were overly optimistic. To properly assess the economic cost of the Bypass, a new Traffic and Revenue Study should be performed that looks more closely at the future users of the Monroe Bypass and determines, based on current and future conditions in the US 74 corridor. Given the frequent tendency of toll highways to underperform, such a study is imperative as a matter of state fiscal policy in addition to fulfilling the important NEPA requirement of disclosing project costs and benefits.

B. Consistency Between NEPA and the STIP

68 Federal guidance states that a NEPA document should include a discussion of a proposed project's relationship to the current TIP.³⁷⁴ The DSFEIS does include a discussion of the project's cost, but fails to relate that to the TIP, or explain the inconsistency between the most recent cost estimate and that in the TIP. This is problematic. As explained in the guidance, "[i]f there is a significant difference between the Project cost estimates in the final environmental document compared to the MTP and/or STIP/TIP, this potentially may impact the overall fiscal constraint demonstration and the mix of future projects selected for funding in the MTP and STIP/TIP if the Project is underfunded." The guidance thus explains that where a significant difference exists between the dollar amount programmed in the STIP and the amount estimated in the EIS a STIP amendment is necessary prior to the approval of a ROD by FHWA.³⁷⁵

The DSFEIS states that the Monroe Bypass is now expected to cost \$898 million, with a 30% chance that costs will be higher. This is almost \$110 million higher than the amount currently programmed in the STIP—\$789 million.³⁷⁶ \$110 million (18 times the cost of the Indian Trail superstreets project) is certainly "significant" difference in cost estimate. Indeed, the vast majority of other projects in CRTPO's MTP cost less than \$110 million.³⁷⁷ Yet, there is no discussion of this gap in costs in the EIS. The DSFEIS states only that the project "is included in the NCDOT 2012-2020 STIP" as a toll facility.³⁷⁸ The document then states that "current fiscally constrained planning documents do not have sufficient funds available from traditional sources in the foreseeable future to construct all priority projects in the state."³⁷⁹ Given that, as explained above, toll revenues are likely to be much lower than initially anticipated, and given that the cost of the project has sky-rocketed, the EIS should include significantly more analysis to demonstrate that the project remains part of a fiscally constrained plan.

³⁷⁴ FHWA, Office of Planning, Environment, & Realty Planning, *Transportation Planning Requirements and Their Relationship to NEPA Approvals: Supplement to January 28, 2008 Transportation Planning Requirements and Their Relationship to NEPA Process Completion* (Feb. 9, 2011), available at http://www.fhwa.dot.gov/planning/tpr_and_nepa/trandnepasupplement.cfm, Attachment 111.

³⁷⁵ *Id.*

³⁷⁶ North Carolina Statewide Transportation Investment Program "STIP" (last reviewed visited Jan. 5, 2013).

³⁷⁷ CRTPO, *2040 Fiscally Constrained Project List*, Attachment 99; CRTPO, *2040 Metropolitan Transportation Plan: Fiscally Constrained Roadway Projects*, map, Attachment 100.

³⁷⁸ DSFEIS at 1-1.

³⁷⁹ *Id.*

C. True Cost of the Project

69 While the EIS presents \$898 million as the expected cost of the project,³⁸⁰ internal documents from NCDOT demonstrate that the true cost of the project is likely to be much higher. Internal documents from NCDOT acknowledge that the project cost will be adjusted up “by some unknown amount.”³⁸¹ The reason for this unknown adjustment is that the groups of contractors holding the contract to build the project, the Monroe Bypass Constructors (“MBC”), have been attempting to negotiate a significantly increased price for the project.

After the Fourth Circuit ruled in 2012 invalidating the previous EIS for the Monroe Bypass, MBC stated its intent to file a claim for damages if NCDOT’s contract with them was terminated.³⁸² Rather than pursue the matter in court MBC stated that its auditor could calculate the cost of termination for \$60,000.³⁸³ NCDOT agreed to pay \$60,000 for MBC’s auditors to work out what the termination cost would be.³⁸⁴ On October 3, 2012 the auditors came out with a figure of \$38 million — plus additional costs for “loss of opportunity” etc.³⁸⁵ This included damages for other subcontractors including RK&K (\$1.8 million)³⁸⁶ and Summit (\$3.1 million).³⁸⁷

In the alternative, the MBC stated that they would hold off on a damages claim if NCDOT agreed to a contract escalation fee. MBC estimated that the escalation fee should be \$56 million.³⁸⁸ In an e-mail NCDOT staffer explains that Mark Foster, NCDOT’s chief financial officer surmised that this escalation fee was “fluffed up.”³⁸⁹ Nonetheless, NCDOT continued to explore the escalation fee with MBC and proposed various types of index structures to justify the increase.³⁹⁰

³⁸⁰ *Id.* at 3-11.

³⁸¹ *See, e.g.*, e-mail from Donna Keener, NCDOT, to Jennifer Harris, NCTA, *RE: Monroe info* (May 23, 2013), Attachment 123.

³⁸² Letter from James Triplett, MBC, to Shannon Sweitzer, NCTA, *Engineered Ordered Suspension of Work* (May 22, 2012), Attachment 124.

³⁸³ Letter from James Triplett, MBC, to Rick Baucom, NCDOT, *Change Order Due to Engineer Ordered Suspension – Calculation of Termination Cost* (Aug. 16, 2012), Attachment 125.

³⁸⁴ Letter from Rick Baucom, NCTA, to James Triplett, MBC, *Notice to Proceed – Calculation of Termination Cost* (Aug 20, 2012), Attachment 126.

³⁸⁵ Independent Accountants’ Report on Potential Costs of Termination, Attachment 127.

³⁸⁶ Letter from JT Peacock, RKK, to Jim Triplett, MBC, *Summary of Estimated Cost or Damages to RKK* (Sept. 13, 2012), Attachment 128.

³⁸⁷ Letter from James Parker, Summit Design and Engineering, to James Triplett, MBC, *Calculation of Cost for Summit CEI Contract Termination* (Sept. 7, 2012), Attachment 129.

³⁸⁸ Monroe Bypass Contract Extension/Termination Data, Attachment 130.

³⁸⁹ E-mail from Ricky Greene to Ronald Hancock, NCDOT, *Monroe Bypass Meeting* (Aug. 10, 2012), Attachment 131.

³⁹⁰ E-mail from James Triplett, MBC, to Ronald Hancock & Rick Baucom, NCDOT, *Observations* (Aug. 9, 2012), Attachment 132; e-mail from Ronald Hancock to Jim Triplett, MBC, *Construction Cost Index* (Aug. 20, 2012), Attachment 133; e-mail from Ronald Hancock, NCDOT, to Rick Baucom, NCDOT, *TA Project* (Feb. 1, 2013),

In December 2012, the MBC gave details of its proposed escalation costs, including an index related mechanism for adjusting the original bid. In January 2013 NCDOT responded to the theory, and then added some additional details/adjustments in writing on April 1, 2013.³⁹¹ On June 28, 2013 NCDOT followed up their April letter with a letter giving the MCB a deadline to respond to the proposal.³⁹² On July 24, 2013, one of the three contractors that comprised the MBC group, Boggs Paving, and several of its key officers including Drew Boggs and Kevin Hicks were placed under indictment.³⁹³

Since the indictment, NCDOT has continued to move forward as if MBC will retain the contract for the Bypass. The most recent discussions between MBC and NCDOT occurred this fall and centered around a series of potential agreement items, where various costs would be indexed, other costs would be re-bid etc.³⁹⁴ The original document stated that NCDOT could not terminate this agreement unless the total price came 10% above the “revised engineers’ estimate.”³⁹⁵ The new agreement would expire June 2015,³⁹⁶ and the understanding at that time was that ROD would be issued Feb 2014.³⁹⁷

The most recent communications from MBC suggest an alternative arrangement. In a letter dated October 29, 2013, MBC asked NCDOT to pay \$9.2 million dollars prior to any further engagement in the contract by MBC. The letter then explained that subsequent to a new Notice to Proceed on the project MBC would “re-price” the project and amend the contract.³⁹⁸ We do not know if NCDOT agreed to this demand and in a recent news report the Department stated that the Department “has not made a decision with Boggs and this existing contract.”³⁹⁹ What is clear, however, is that the future contract price for the Bypass is not yet certain, and likely to be significantly higher than that forecast in the DSFEIS.

Attachment 134; e-mail from Richard Baucom, NCDOT, to Ronald Hancock, Ricky Greene, Ronald Davenport, Donna Keener, and David Mincey, NCDOT, *Monroe Bypass – Construction Cost Index Discussion*, Attachment 135.

³⁹¹ Letter from Rick Baucom, NCDOT, to James Triplett, MBC, *Adjustment of Contract Bid Amount Due to Project Delay* (Apr. 1, 2013), Attachment 136.

³⁹² Letter from Rick Baucom, NCTA, to James Triplett, MBC, *Adjustment of Contract Bid Amount* (June 28, 2013), Attachment 137.

³⁹³ *US v. Boggs Paving, Inc.*, Bill of Indictment, No. 3:13CR204_MOC (W.D.N.C. Jul. 2, 2013), Attachment 138.

³⁹⁴ Notes from September 6, 2013 Meeting, re *Adjustment of Monroe Bypass Contract Bid Due to Delay*, Attachment 139; E-mail from Ronald Hancock to Ricky Green, Rick Baucom, Louis Mitchell, Terry Gibson, and Lamar Sylvester, NCDOT, *Draft Continuation Language* (Sept. 27, 2013), Attachment 140.

³⁹⁵ Draft Terms & Conditions for Updating of Project Cost Estimate, Attachment 141.

³⁹⁶ Notes from September 6, 2013 Meeting, re *Adjustment of Monroe Bypass Contract Bid Due to Delay*, Attachment 139.

³⁹⁷ *Id.*

³⁹⁸ Letter from James E. Triplett, MBC, to Rick Baucom, NCDOT, *RE: MBC Position – Design Build T.I.P. Project R-3329/R-2559, NCTA Project C202587: Monroe Connector/Bypass Project – Mecklenburg & Union Counties* (Oct. 29, 2013), Attachment 142.

³⁹⁹ Steve Harrison, *To Build Monroe Bypass DOT staying with Indicted Contractor*, for now, CHARLOTTE OBSERVER (Jan. 4, 2013) available at <http://www.charlotteobserver.com/2014/01/03/4586177/to-build-monroe-bypass-dot-staying.html#storylink=cpy>, Attachment 143.

It is worth noting that Boggs Paving has a history of poor work and cost overruns.⁴⁰⁰ For example, recently City of Monroe officials have fought awarding an airport repair contract to Boggs Paving, citing “late work, poor work quality and projects that went millions over the contract budget.”⁴⁰¹ They pointed to past experiences with Boggs Paving, such as a 2009 relocation of Goldmine Road and expansion of the Charlotte Monroe Executive Airport, in which Boggs Paving went 191 days past the contract date, included \$748,769 in additional unsubstantiated monetary claims, and extended a traffic detour for eight months when the contract called for just 30 days.⁴⁰² Another project to extend a runway at the Monroe Airport took 710 days when the contract stated it would be completed in 330 days, and cost an additional \$1,980,904 above the contract price.⁴⁰³ A subcontractor on this project also sued Boggs Paving, claiming it was never paid for the work it did on Boggs’ behalf.⁴⁰⁴ Further, as the former Director of Construction responsible for overseeing Boggs’ work on the Bypass noted:

“Trust has never been their strong suit.”⁴⁰⁵

In sum, the DSFEIS fails to demonstrate that the Monroe Bypass is part of constrained financial plan. The assumptions behind the 2010 Traffic and Revenue Study are no longer valid, and toll revenue is likely to be much less than expected. The cost of the project has increased, and is likely to increase even further. There is no analysis or explanation in the EIS as to where the additional money will be found to make up the difference.

And not only do these failures violate FHWA’s planning requirements. By failing to disclose the true cost of the project while also overstating the likely benefits from the selected alternative NCDOT once again violates the public disclosure requirements of NEPA. Courts have been clear that an EIS which fails to disclose the accurate costs and benefits of a project is necessarily arbitrary and capricious. In *Hughes River Watershed Council*, for example, the Fourth Circuit found that the Corps of Engineers violated NEPA because its EIS for a proposed dam construction project overstated recreation benefits, a defect which impacted 32% of the project’s total economic benefits. 81 F.3d at 447. By overstating the economic benefits of the project, the EIS was unable to serve its function of allowing decisionmakers to balance the environmental impacts and economic benefits of the project. *Id.* at 446-48.; *see also Johnston v. Davis*, 698 F.2d 1088, 1094 (10th Cir. 1983) (unqualified use of artificially low discount rate in economic analysis resulted in misleading EIS that violated NEPA); *Sierra Club v. Sigler*, 695 F.2d 957, 975-76 (5th Cir. 1983) (“The Corps cannot tip the scales of an EIS by promoting possible benefits while ignoring their costs There can be no ‘hard look’ at costs and benefits unless all costs are disclosed.”).

⁴⁰⁰ *Monroe Paving Firm Still Wins N.C. Contracts Despite Lateness- Boggs Paving working on U.S. 74, Firm Says Standards Exceed Rules*, CHARLOTTE OBSERVER (DEC. 28, 2003), Attachment 144.

⁴⁰¹ Heather Smith, *State forced city to Use Boggs for contract*, ENQUIRER JOURNAL (Jul. 27, 2013), available at <http://www.enquirerjournal.com/news/x533461416/State-forced-city-to-use-Boggs-for-contract>, Attachment 145.

⁴⁰² *Id.*

⁴⁰³ *Id.*

⁴⁰⁴ *Id.*

⁴⁰⁵ Email from Shannon Sweitzer, NCDOT, to Jennifer Harris, NCDOT, *RE: Boggs Paving* (July 25, 2013), Attachment 146.

VI. THE PUBLIC DECISIONMAKING PROCESS

A core purpose of NEPA is to inform the public, decisionmakers and federal and state resource agencies so that they may make knowledgeable decisions about major actions. *DOT v. Pub. Citizen*, 541 US 752, 768-769 (2004). Consequently, “NEPA procedures emphasize clarity and transparency of process.” *N.C. Wildlife Fed’n*, 677 F.3d at 603 (citing *Pub. Citizen*, 541 U.S. at 756-57; *Methow Valley*, 490 U.S. at 350-51). Indeed, “clarity is at a premium in NEPA because the statute . . . is a democratic decisionmaking tool.” *Id.* (citing *Or. Natural Desert Ass’n v. BLM*, 625 F.3d 1092, 1121 n.24 (9th Cir. 2010)). “[A]gencies violate NEPA when they fail to disclose that their analysis contains incomplete information.” *Id.*

The Fourth Circuit underscored this point in its review of the previous EIS for the Bypass. *N.C. Wildlife Fed’n*, 677 F.3d at 603. The Court found that in its review that NCDOT failed to disclose important assumptions underlying key data, provided the public with erroneous information, and falsely responded to public concerns. *Id.* at 603-05. The Court noted that “[t]he very purpose of public issuance of an environmental impact statement is to ‘provid[e] a springboard for public comment,’” and that “agencies violate NEPA when they fail to disclose that their analysis contains incomplete information.” *Id.* at 603. The Court held that due to the agencies’ misleading actions the agencies failed to take the required “hard look.” *Id.* at 605. Despite being called out by the United States Court of Appeals for the Fourth Circuit for this behavior, NCDOT has continued to mislead the public in the new NEPA process, once again ignoring the fact that an EIS is intended as a “springboard for public comment” and a “democratic decisionmaking tool.” *Id.* (citing *Pub. Citizen*, 541 U.S. at 768; *Or. Natural Desert Ass’n*, 625 F.3d at 1121 n.24).

In pursuit of the pre-determined Bypass project, NCDOT has colluded with, and even funded, the project contractor to create a bogus Bypass support group espousing views contrary to those stated in the EIS. At the same time, the Department has failed to acknowledge the resolutions of four separate municipalities in Union County calling for alternative solutions to the Bypass. As noted above, NCDOT has continued to perpetuate misconceptions about the Bypass in order to “sell” it to local residents and has refused to correct frequent misunderstandings and misstatements by public officials and other community leaders. In so doing, NCDOT has once again rendered NEPA meaningless — rather than using the public process to inform the public NCDOT has propagated a series of contradictions and untruths that obscure the true purpose and impact of the proposed highway and prevent any meaningful public review.

A. Misleading Propaganda

Public records demonstrate that NCDOT has actively and financially⁴⁰⁶ supported a group espousing views completely contradictory to those embraced in the NEPA process. We were deeply troubled to learn that outside of the NEPA process, NCDOT has been actively

⁴⁰⁶ We understand that once we brought this grave deception to the public’s attention, and after a conversation on the matter between Division 10 Engineer Louis Mitchell and an SELC attorney, NCDOT has now asked the Monroe Bypass Constructors to refund some of this financial support. This does little to cure the fact that such support was offered in the first place. The damage of the misinformation disseminated with NCDOT funding has been done.

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cont perpetuating a picture of the Bypass's impacts and effect that is entirely at odds with the information it has presented within the NEPA process. Public records produced by NCDOT demonstrate that much of the purportedly local organized efforts in support of the Bypass were in fact orchestrated by the MBC, and specifically employees of Boggs Paving.

1. Keep Union County Moving

NCDOT has paid over \$1.8 million to the MBC since May 2012, when NCDOT issued a stop work order to MBC following the Fourth Circuit Court of Appeals ruled NCDOT had actively misled the public and resource agencies.⁴⁰⁷ These payments have been to support the

⁴⁰⁷ Our latest information from NCDOT indicates that NCDOT has paid at least \$1.8 million to the Monroe Bypass Constructors since May 2012. See Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending June 30, 2012 REVISED* (Aug. 7, 2012), Attachment 147; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending July 31, 2012* (Aug. 7, 2012), Attachment 148; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending August 31, 2012* (Sept. 7, 2012), Attachment 149; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending September 30, 2012 REVISED* (Oct. 5, 2012), Attachment 150; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending October 31, 2012* (Nov. 5, 2012), Attachment 151; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending November 30, 2012* (Dec. 6, 2012), Attachment 152; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending December 31, 2012* (Jan. 7, 2013), Attachment 153; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending January 31, 2013* (Feb. 6, 2013), Attachment 154; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending February 28, 2013* (Mar. 6, 2013), Attachment 155; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending March 31, 2013* (Apr. 5, 2013), Attachment 156; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending April 30, 2013* (May 6, 2013), Attachment 157; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending May 31, 2013* (June 7, 2013), Attachment 158; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending June 30, 2013* (July 7, 2013), Attachment 159; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending July 31, 2013* (Sept. 16, 2013), Attachment 160; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending August 31, 2013* (Sept. 20, 2013), Attachment 161; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending September 30, 2013* (Oct. 4, 2013), Attachment 162; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending October 31, 2013* (Nov. 7, 2013), Attachment 163; Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending November 30, 2013* (Dec. 5, 2013), Attachment 164; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 01* (Sept. 10, 2012), approved by FHWA on Sept. 12, 2012, Attachment 165; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 10* (Sept. 10, 2012), approved by FHWA on Sept. 12, 2012, Attachment 166; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 11* (Dec. 14, 2012), approved by FHWA on Mar. 4, 2013, Attachment 167; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 13* (Dec. 14, 2012), approved by FHWA on Mar. 4, 2013, Attachment 168; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 14* (Mar. 1, 2013), approved by FHWA on Mar. 4, 2013, Attachment 169; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 15* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 170; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 16* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 171;

MBC's "demobilization" and to keep certain staff on hand for whenever the project restarted. A portion of these payments initially went directly to fund MBC staff time spent creating and promoting a supposedly "grassroots" effort to push the Bypass forward, focused on delivering the message that the project will bring dramatic growth and development to Union County, a message which, as we have noted above, runs counter to NCDOT's analysis within the NEPA process.

These "outreach" activities are outlined in the force account records provided monthly by MBC to NCDOT, which are reviewed by both NCDOT and FHWA and approved quarterly for payment,⁴⁰⁸ and were raised to NCDOT staff during at least one conference call.⁴⁰⁹ The force account records include detailed individual timesheets. Timesheets for Boggs Paving employee Janie Auret demonstrate that NCDOT approved payments for at least 185 hours of staff time spent creating and promoting a pro-Bypass "local" group called Keep Union County Moving ("KUCM"). Under the guise of KUMC, NCDOT and FHWA paid Auret to work with Ron Sachs Communications, a public relations company, to plan open house events, create and maintain a facebook page, develop and maintain a website, and orchestrate publicity, all of which is focused on the ability of the Bypass to resolve current levels of congestion on U.S. 74 and bring dramatic economic growth and development to Union County.

For example, Auret's September 2012 individual time sheet lists 15 hours as "Stallings Town Council Meeting - Communicating with PR Firm for Bypass."⁴¹⁰ Subtracting the 2 hours from September 24, the night of the Stallings meeting,⁴¹¹ leaves 13 hours for the week communicating with a public relations firm (later identified as the Ron Sachs Company) about the Bypass. Appropriately, the KUMC Facebook page was launched in September 2012.⁴¹² The page declares that "Union County needs the Monroe Bypass and other responsible transportation solutions to improve traffic flow and stimulate business activity in the Highway 74 corridor."⁴¹³ The page describes the group as follows: "Keep Union County Moving supports building the

Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 17* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 172; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 18* (June 19, 2013), approved by FHWA on June 27, 2013, Attachment 173; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 19* (June 19, 2013), approved by FHWA on June 27, 2013, Attachment 174; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 20* (June 19, 2013), approved by FHWA on June 27, 2013, Attachment 175; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 21* (Sept. 10, 2013), approved by FHWA on Sept. 18, 2013, Attachment 176.

⁴⁰⁸ See, e.g., Attachment 164; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 01* (Sept. 10, 2012), approved by FHWA on Sept. 12, 2012, Attachment 165.

⁴⁰⁹ Summary from Conference Call of Ron Hancock, NCDOT, Rick Baucom, NCDOT, and Jim Triplett, MBC (Nov. 7, 2012) ("There is another local group forming that is for the project, and MBC will be assisting that community group in their efforts, including an upcoming Community Open House e Meeting."), Attachment 177.

⁴¹⁰ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending September 30, 2012 REVISED* (Oct. 5, 2012), Attachment 150 at 26.

⁴¹¹ *Id.*

⁴¹² Keep Union County Moving, *About Facebook page* (launched Sept. 1, 2012, last checked Oct. 31, 2013), Attachment 178.

⁴¹³ *Id.*

Monroe Bypass and other smart transportation ideas like making responsible improvements to Highway 74 to help reduce congestion for local traffic, create jobs and boost our local economy.”⁴¹⁴ Despite the fact that NCDOT and FHWA originally paid for the staff time spent creating and developing the KUMC’s facebook page,⁴¹⁵ the page purports that “This page is not affiliated with the North Carolina Department of Transportation.”⁴¹⁶

Auret’s October 2012 individual time sheets show that NCDOT paid for over 15 hours of her time spent “[a]ssisting with possible Open House meeting for the Bypass to be held in November. Researching date and venue.”⁴¹⁷ Auret’s November 2012 time sheet demonstrates that these efforts were related to a planned KUCM open house meeting. NCDOT thus originally paid for the following activities:

- Approximately 15.5 hours: “helping plan open house, organizing articles in papers about bypass”⁴¹⁸
- 15.5 hours: “Working with Communications Company to promote the Keep Union County Moving organization”
- 14.5 hours: “working with Keep Union County Moving Group to help plan their open house meeting”
- 15 hours: “Continuing to help with and plan open house, corresponding with Communications Company”⁴¹⁹

Auret’s December timesheet also included a claim for nearly 40 hours of work promoting publicity for the Bypass, including “[c]ontinuing work with PR firm to discuss meetings, plans, etc.,” and “[w]orking with PR Company to promote the web page.”⁴²⁰ Again, NCDOT and FHWA approved payments for each of these claimed activities.⁴²¹

Other sources help to detail some of Auret’s activities in October, November, and December 2012. For example, the PR/communications firm used by the Monroe Bypass

⁴¹⁴ *Id.*

⁴¹⁵ Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 13* (Dec. 14, 2012), approved by FHWA on Mar. 4, 2013, Attachment 167.

⁴¹⁶ Keep Union County Moving, *About Facebook page* (launched Sept. 1, 2012, last checked Oct. 31, 2013), Attachment 178.

⁴¹⁷ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, *RE: Engineered Ordered Suspension Claim-Force Account Records For Month Ending October 31, 2012*, at 24 (Nov. 5, 2012), Attachment 151.

⁴¹⁸ This listing also included a claim for “invoicing.” SELC does not know whether invoicing was in support of KUCM activities, and therefore has attempted to remove Auret’s invoicing time from the claimed hours based on invoicing hours from other months.

⁴¹⁹ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, *RE: Engineered Ordered Suspension Claim-Force Account Records For Month Ending November 30, 2012*, at 24 (Dec. 6, 2012), Attachment 152.

⁴²⁰ *Id.*

⁴²¹ Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 15* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 170; Agreement between NCDOT and MBC, *Supplemental Agreement: Change Order No. 16* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 171.

Constructors, Ron Sachs Communications (now renamed as Sachs Media Group), registered at least two Monroe Bypass-oriented domain names — StopTheMonroeBypass.com and YesMonroeBypass.com — on November 26, 2012.⁴²² The timing of the registration for the StopTheMonroeBypass.com domain name came just weeks after a community meeting was held for individuals opposing the Bypass, and the possibility of an anti-Bypass website was discussed. Ms. Auret attended that meeting (refusing to give state any affiliation and not mentioning any connection to Boggs Paving or NCDOT).⁴²³ Presumably NCDOT, through Ms. Auret and Mr. Sachs was attempting to forestall any public opposition to the project.

The entity which registered for KUMC’s own website domain name, www.keepunioncountymoving.com, is purposefully private;⁴²⁴ it was registered using Domains By Proxy, a service specifically designed to allow the confidential registration of internet domain names.⁴²⁵ Nonetheless, it is suggestive that the KUMC website was registered on the exact same date that Ron Sachs Communications registered the other two Monroe Bypass websites noted above: November 26, 2012,⁴²⁶ indicating that the website was likely also registered by the Ron Sachs company and Janie Auret as part of the MBC staff time paid for by NCDOT and FHWA.

This website, initially part-funded by NCDOT, directly contradicts the facts contained in NCDOT’s NEPA documents. For example, the website details the “unbearable” congestion on U.S. 74 and argues that “[b]uilding the Monroe Bypass is a Fast, Responsible, and Realistic Solution to this Major Problem.”⁴²⁷ The website also encourages visitors to submit an email address to show support for the Monroe Bypass, stating that “[i]n Just 4 Quick Seconds You Can Help Create Jobs, Reduce Gridlock and Grow Our Economy.”⁴²⁸ The website included a petition which stated that constructing the Monroe Bypass is essential to “create jobs, reduce traffic congestion and improve our economy” in Union County.⁴²⁹ As with the KUMC facebook page, the KUMC website expressly states that KUMC is not affiliated with NCDOT, even though Auret’s staff time devoted to creating and developing the website was approved and initially paid for by NCDOT.

November and December also showed a flurry of posting on the KUCM facebook page.⁴³⁰ Many of the postings present a picture of the Bypass that sits in direct contradiction to

⁴²² See POLO DOMAINS, *YESMONROEBYPASS.COM* (Nov. 1, 2012), and *STOPTHEMONROEBYPASS.COM* (Nov. 1, 2012), Attachment 179.

⁴²³ Monroe Community Meeting (see the 22/29 line), (Oct. 30, 2012), Attachment 180.

⁴²⁴ See POLO DOMAINS, *KEEPUNIONCOUNTYMOVING.COM* (Dec. 21, 2012), Attachment 181.

⁴²⁵ *Id.*; see Domains by Proxy, *Your identity is nobody’s business but ours* (last accessed Dec. 12, 2013), Attachment 182.

⁴²⁶ See POLO DOMAINS, *KEEPUNIONCOUNTYMOVING.COM* (Dec. 21, 2012), Attachment 181.

⁴²⁷ See Keep Union County Moving website, available at www.keepunioncountymoving.com (last accessed Oct. 31, 2013), Attachment 183.

⁴²⁸ *Id.*

⁴²⁹ See Keep Union County Moving (online petition), available at www.keepunioncountymoving.com (last accessed Oct. 31, 2013), Attachment 184.

⁴³⁰ See the following: Keep Union County Moving (Facebook post), *Do you have a right of way question?* (Nov. 1, 2012), Attachment 185; Keep Union County Moving (Facebook post), *Federal Judge OKs Plans for Monroe Bypass*

the information presented by NCDOT in the NEPA documents. For example, one post shared on a Charlotte Business Journal article which demonstrated a direct link between transportation infrastructure investment and business development,⁴³¹ a point which undermines the fundamental assumption underlying the ICE analysis that transportation infrastructure has extremely limited influence on growth. The KUCM facebook page uses the article to demonstrate “the great need to address transportation issues to protect our economy,” arguing that U.S. 74 is “congested and in poor condition” and beseeching visitors to “[r]educe congestion and build the bypass!”⁴³²

Another KUMC facebook post included a graphic comparing Union County commuting times to cities such as Atlanta and Washington, D.C. with the catchphrase “Time flies, unless you’re stuck on Highway 74. Union County has a longer average commute time than many major cities. Let’s build the Monroe Bypass to reduce gridlock and save time.”⁴³³ The KUMC facebook group posted another news story with the statement “Are you frustrated with heavy traffic on Highway 74? . . . Watch this story on WSOC Channel 9 to learn more about the group that has put the Monroe Bypass project in ‘time out.’ ” once more implying that building the Bypass is key to addressing the existing levels of heavy traffic on U.S. 74.⁴³⁴ Another post pits “Union County’s Future” against environmental concerns, stating the SELC “value[s] the Carolina Heelsplitter over our [Union County’s] transportation and economic future.”⁴³⁵ Yet another post cites building the Bypass as the solution to the “endless gridlock on Hwy 74.”⁴³⁶

Though NCDOT originally funded the staff time required to research and post this information to the website and facebook page, the Department has maintained the opposite within the NEPA process. As explained above, the transportation agencies have consistently stated within their NEPA documents that building the Bypass will not improve current levels of

(Nov. 1, 2012), Attachment 186; Keep Union County Moving (Facebook post), *Project Location Map* (Nov. 1, 2012), Attachment 187; Keep Union County Moving (Facebook post), *Charlotte Business Journal - 2012-11-02 digital edition* (Nov. 13, 2012), Attachment 188; Keep Union County Moving (Facebook post), *Time flies, unless you're stuck on Highway 74* (Nov. 16, 2012), Attachment 189; Keep Union County Moving (Facebook post), *9 Investigates: Group takes issue with some plans to alleviate traffic* (Nov. 16, 2012), Attachment 190; Keep Union County Moving (Facebook post), *Union County's Future vs. Virginia Environmental Trial Lawyers* (Nov. 26, 2012), Attachment 191; Keep Union County Moving (Facebook post), *Tired of endless gridlock on Hwy 74?* (invite to sign the Keep Union County Moving petition), (Dec. 6, 2012), Attachment 192.

⁴³¹ Keep Union County Moving (Facebook post), *Charlotte Business Journal - 2012-11-02 digital edition* (Nov. 13, 2012), Attachment 188; Erik Spanberg, *Transportation crisis taking a toll on N.C. economy*, CHARLOTTE BUSINESS JOURNAL (Nov. 2, 2012), Attachment 193.

⁴³² Keep Union County Moving (Facebook post), *Charlotte Business Journal - 2012-11-02 digital edition* (Nov. 13, 2012), Attachment 188.

⁴³³ Keep Union County Moving (Facebook post), *Time flies, unless you're stuck on Highway 74* (Nov. 16, 2012), Attachment 189.

⁴³⁴ See Keep Union County Moving (Facebook post), *9 Investigates: Group takes issue with some plans to alleviate traffic* (Nov. 16, 2012), Attachment 190.

⁴³⁵ See Keep Union County Moving (Facebook post), *Union County's Future vs. Virginia Environmental Trial Lawyers* (Nov. 26, 2012), Attachment 191.

⁴³⁶ Keep Union County Moving (Facebook post), *Tired of endless gridlock on Hwy 74?* (Invitation to sign the Keep Union County Moving petition), (Dec. 6, 2012), Attachment 192.

congestion on existing U.S. 74, nor will it have any more than a 2% impact on economic growth in Union County.

2. Union County Chamber of Commerce

NCDOT also originally paid for MBC staff to plan and support pro-Bypass events and other undertakings in partnership with the Union County Chamber of Commerce, one of the most active local proponents of the Bypass’s power to drive economic development, whose mission is to “enhance business growth” in Union County.⁴³⁷ As with KUCM, NCDOT originally paid MBC to work in congress with the Chamber to perpetuate pro-Bypass messaging that sits in direct contrast to the findings presented in the NEPA documents.

For example, the NCDOT approved payments for close to 100 hours of MBC staff time in January and February spent working with Ron Sachs Communication and the Union County Chamber of Commerce for the MBC to sponsor and promote a February 5, 2013 “Business Leaders’ Breakfast” on transportation, with a strong focus on the Monroe Bypass’s ability to spur economic growth.⁴³⁸ KUCM also promoted the event on its facebook page.⁴³⁹ At the event, attendees were provided with materials touting the expected results of the Bypass such as “encourage[ing] and support[ing] existing local businesses along Highway 74,” and “provid[ing] new opportunities for local businesses.”⁴⁴⁰ Ms. Auret’s time sheet demonstrates that NCDOT originally paid for the staff time involved in creating and printing these flyers.⁴⁴¹ NCDOT’s support of the breakfast is further demonstrated by the fact that the breakfast featured John Underwood, NCDOT’s District Engineer for Anson and Union counties, as its primary speaker.⁴⁴²

Similarly, starting in early March 2013 until just recently, the Chamber promoted a petition on their website’s homepage urging the transportation agencies to expedite construction

⁴³⁷ Union County Chamber of Commerce, *Chamber Mission/Vision*, available at http://www.unioncountycoc.com/vision_mission.html, Attachment 194.

⁴³⁸ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, *RE: Engineered Ordered Suspension Claim-Force Account Records For Month Ending January 31, 2012* (Feb. 6, 2013) at 29 Attachment 154; Lacey Hampton, *Chamber to focus on roads*, THE ENQUIRER JOURNAL (Jan. 28, 2013), available at <http://www.enquirerjournal.com/news/x3714373/Chamber-to-focus-on-roads>, Attachment 195; Lacey Hampton, *NCDOT reps talk road projects*, THE ENQUIRER JOURNAL (Feb. 2, 2013), available at <http://www.enquirerjournal.com/news/local/x1733190139/NCDOT-reps-talk-road-projects>, Attachment 196.

⁴³⁹ Keep Union County Moving (Facebook post), *Business Leaders Breakfast Invitation* (Jan. 31, 2013), Attachment 197.

⁴⁴⁰ Material from the Union County Chamber of Commerce’s Business Leaders Breakfast (April 2, 2013), Attachment 198.

⁴⁴¹ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, *RE: Engineered Ordered Suspension Claim-Force Account Records For Month Ending January 31, 2012* (Feb. 6, 2013) at 29 Attachment 154, *Agreement between NCDOT and MBC, Supplemental Agreement: Change Order No. 17* (Mar. 13, 2013), approved by FHWA on Mar. 15, 2013, Attachment 172.

⁴⁴² Material from the Union County Chamber of Commerce’s Business Leaders Breakfast (April 2, 2013), Attachment 198.

of the Bypass.⁴⁴³ Ms. Auret's March 2013 time sheet and the associated review form demonstrated that the transportation agencies approved payment for 15 hours of staff time spent "[w]ork[ing] with the Chamber of Commerce to get petition started, etc."⁴⁴⁴ The petition calls the Bypass a project that "create[s] jobs" and notes that it "will do wonders for employment opportunities, positive economic outcomes, etc."⁴⁴⁵ The signatures and associated comments on the petition reflect a public understanding that the project will greatly impact the county's economic growth.⁴⁴⁶ The Chamber repeated these claims on its public Facebook page, averring that "Building the Bypass will create hundreds of new construction jobs for area residents."⁴⁴⁷

Also that spring, as discussed above, the Union County Chamber began pushing local stakeholders to pass a resolution in support of expediting the Bypass.⁴⁴⁸ In February 2013, the Chamber sent letters to local stakeholder groups across the county urging those groups to pass its resolution.⁴⁴⁹ In these letters, the Chamber asserted the Bypass was essential to Union County's economic growth.⁴⁵⁰ Each letter included a sample resolution expounding on the specific ways in which the Bypass would spur growth. Among other claims, the resolution states that the Bypass would support and promote existing local businesses, attract new businesses to Union County by providing better access the Port of Wilmington and a better quality of life, and encourage student population growth at Wingate University, ultimately "creat[ing] hundreds of jobs in [the] community."⁴⁵¹ In public discussions of the resolution, the Union County Chamber explained that "there is a definite link between the bypass and economic development."⁴⁵²

⁴⁴³ Union County Chamber of Commerce, *Union County Chamber of Commerce Home Page*, available at <http://www.unioncountycoc.com>, Attachment 199.

⁴⁴⁴ Letter from Greg Miller, MBC, to Rick Baucom, NCDOT, RE: *Engineered Ordered Suspension Claim-Force Account Records For Month Ending March 31, 2013* (Apr. 5, 2013), at 27, Attachment 156; *Agreement between NCDOT and MBC, Supplemental Agreement: Change Order No. 19* (June 19, 2013), approved by FHWA on June 27, 2013, Attachment 174.

⁴⁴⁵ Petition: Union County, NC Businesses and Residents in support of getting moving on the Monroe Bypass, available at <http://www.ipetitions.com/petition/union-county-nc-buinesses-and-resident-in/>, Attachment 200.

⁴⁴⁶ *Id.*

⁴⁴⁷ Union County Chamber of Commerce, FACEBOOK (Mar. 1, 2013), available at <https://www.facebook.com/unioncountycoc/posts/10151309350419327>, Attachment 201.

⁴⁴⁸ Heather Smith, *Chamber presses for DOT action on Bypass*, THE ENQUIRER JOURNAL, available at <http://www.enquirerjournal.com/news/local/x1942451215/Chamber-presses-for-DOT-action-on-Bypass>, Attachment 202.

⁴⁴⁹ *See, e.g.*, Letter from Sharon Roche, President, Union County Chamber of Commerce, to Dr. Mary Eillis, Superintendent, Union County Public Schools (Feb. 28, 2013), Attachment 203; *County chamber pushing Bypass*, THE HOME NEWS (Mar. 14, 2013), Attachment 10.

⁴⁵⁰ *See, e.g.*, Letter from Sharon Roche, President, Union County Chamber of Commerce, to Dr. Mary Eillis, Superintendent, Union County Public Schools (Feb. 28, 2013), Attachment 203.

⁴⁵¹ *Id.*

⁴⁵² Heather Smith, *Chamber presses for DOT action on Bypass*, THE ENQUIRER JOURNAL, available at <http://www.enquirerjournal.com/news/local/x1942451215/Chamber-presses-for-DOT-action-on-Bypass>, Attachment 202; *see also Bypass resolution gains steam despite protests*, UNION COUNTY WEEKLY (Apr. 1, 2013), available at <http://www.unioncountyweekly.com/news/2013/04/bypass-resolution-gains-steam-despite-protests/>, Attachment 204.

As noted above, SELC wrote a letter to Secretary Tony Tata, drawing NCDOT's attention to the many inaccuracies in the Chamber's draft resolution and asking that NCDOT set out clearly the purpose and likely impact of the project so as to address the deep misunderstandings about the nature of the project which persist in throughout Union County, as demonstrated by the resolution.⁴⁵³ SELC included a copy of the Chamber's resolution annotated to demonstrate the dramatic inconsistencies between the transportation agencies' and Chamber's statements regarding the Bypass's likely impacts and effects.⁴⁵⁴ Even after SELC demonstrated that the claims made in the Chamber's resolution were in direct contrast to the information in the NEPA documents, NCDOT failed to respond until eight months later in the DSFEIS, and even then the response was simply buried in an appendix as a response to comments. In the meantime, the Union County Chamber of Commerce continued to publically promote the contradictory image of the Bypass outlined in the resolution which was passed by eight separate communities.⁴⁵⁵ No affirmative action has ever been taken by NCDOT to publicly address the prevalent misunderstandings about the Bypass.

B. Community Opposition to the Bypass

While NCDOT has been keen to support, and even fund, groups setting forward resolutions in favor of the Bypass based on false and misleading information, it has completely ignored any voices asking for alternative solutions. Many local stakeholders have begun to vocally call for alternatives to the Bypass. These stakeholders have taken the time to review NCDOT's actual data, rather than just listen to talking points. In doing so they have found data showing that the Bypass will not, in fact, fix current congestion issues on U.S. 74 and come to understand that the project has never been intended benefit local drivers.⁴⁵⁶ Given the high cost of the Bypass, these stakeholders have begun to question if the money might be better spent.

For example, in a recent resolution the Town of Weddington resolved that "prudent decision makers should focus on the most expedient and cost effective solutions for transportation and consider improvements to existing roads which yield a higher cost benefit."⁴⁵⁷ A resolution from Hemby Bridge recognizes that "there are other viable alternatives or solutions to address any current or growing traffic congestion on U.S. Highway 74 in Union County."⁴⁵⁸

⁴⁵³ Letter from Kym Hunter, SELC, to Gen. Anthony Tata, NCDOT (Mar. 6, 2013), Attachment 3.

⁴⁵⁴ Annotated Resolution, Attachment 4.

⁴⁵⁵ *See* n. 24 & 25, above.

⁴⁵⁶ *See, e.g.*, Board of Alderman, Town of Hemby Bridge, *Resolution of Opposition to the Construction and Location of the Monroe Connector Bypass* (June 27, 2013), Attachment 205; Mayor Walker F. Davidson, Town of Weddington, *Town of Weddington Resolution Acknowledging Support for Alternatives to the Monroe Bypass* (July 8, 2013), Attachment 206; Mayor Frederick Becker III, Town of Mineral Springs, *Resolution Expressing Support for Alternatives to Construction of the Monroe Connector/Bypass* (Sept. 12, 2013), Attachment 207; Mayor Pro Tem Anthony J. Burman, Village of Marvin, *A Resolution Expressing Support for Alternatives to Construction of the Monroe Connector/Bypass* (Nov. 12, 2013), Attachment 208; Letter from Rick Becker, Mayor of Mineral Springs, to Sec. Tony Tata, NCDOT (Sept. 24, 2013), Attachment 209a.

⁴⁵⁷ Mayor Walker F. Davidson, Town of Weddington, *Town of Weddington Resolution Acknowledging Support for Alternatives to the Monroe Bypass* (July 8, 2013), Attachment 206.

⁴⁵⁸ *Resolution of Opposition to the Construction and Location of the Monroe Connector Bypass*, Hemby Bridge (June 27, 2013), Attachment 205.

Similarly, the town of Mineral Springs resolved to “encourage[] the NCDOT to research, consider, and implement lower-cost alternative to the Bypass that will provide more effective solutions to current traffic congestion problems on US -74.”⁴⁵⁹ The Village of Marvin adopted nearly identical language pushing for alternatives to the Bypass which would actually address current congestion on U.S. 74.⁴⁶⁰

72 These resolutions demonstrate both a public outcry for a solution to current levels of congestion on U.S. 74, and a determination to spend transportation resources wisely. Other local elected officials such as Mayor Lynda Paxton of Stallings,⁴⁶¹ Councilman David Waddell of Indian Trail⁴⁶² and Mayor Libby Long of Fairview⁴⁶³ have voiced similar concerns. Despite this widespread call for alternatives, NCDOT has failed to even acknowledge the resolutions passed in Union County. The Comments and Coordination section of the DSFEIS does not include any of the resolutions, although NCDOT has included such resolutions in the past.⁴⁶⁴ This non-response from NCDOT indicates its failure both as a public agency generally, and also as a lead agency for the NEPA process. Rather than inform state citizens with accurate information and listen to the views of diverse stakeholders, the Department has instead chosen to foster false propaganda and ignore any input that does not comply with its predetermined decision.

We note that NCDOT has recently stated to interested parties that it did not receive copies of these resolutions, but this is simply not true.⁴⁶⁵

C. Public Involvement and Outreach

73 As noted above, a core purpose of NEPA is to inform the public and decisionmakers so that they may make knowledgeable decisions about major actions. *DOT v. Pub. Citizen*, 541 U.S. 752, 768-769 (2004). Generally then, with the publication of a major document like a DSFEIS, NCDOT performs specific activities to help communicate its findings to the public. The previous DEIS for the project, for example, included a Citizens’ Summary.⁴⁶⁶ This time

⁴⁵⁹ Mayor Frederick Becker III, Town of Mineral Springs, *Resolution Expressing Support for Alternatives to Construction of the Monroe Connector/Bypass* (Sept. 12, 2013), Attachment 207.

⁴⁶⁰ Mayor Pro Tem Anthony J. Burman, Village of Marvin, *A Resolution Expressing Support for Alternatives to Construction of the Monroe Connector/Bypass* (Nov. 12, 2013), Attachment 208.

⁴⁶¹ See, e.g., Stallings Mayor Lynda Paxton, website, Attachment 209b; Mayor Lynda Paxton, Facebook post (Nov. 3, 2012), Attachment 210; Mayor Lynda Paxton, Facebook post (Sept. 24, 2012), Attachment 213; Mayor Lynda Paxton, *Let’s put transportation planning in perspective*, Letter to the Editor, UNION COUNTY WEEKLY (Nov. 9, 2012), Attachment 212.

⁴⁶² See, e.g., Sharon Roberts, *Monroe Bypass supporters make presentation at Indian Trail meeting; opposition not invited*, MECKLENBURG TIMES (Oct. 24, 2013), Attachment 74.

⁴⁶³ Town of Fairview, Facebook post (Oct. 8, 2013), Attachment 214; Town of Fairview, Facebook post (October 2, 2013), Attachment 215.

⁴⁶⁴ FEIS (2010) at Appendix D (including City of Monroe Resolution and Town of Indian Trail Resolution).

⁴⁶⁵ See, e.g., Letter from Mayor Frederick Becker, III, mayor of Mineral Springs, to Secretary of Transportation Anthony Tata (Sep. 23, 2013) Attachment 209a; see also e-mail from Amy S. McCollum, Town Administrator for the Town of Marvin to Secretary of Transportation Anthony Tata, July 15, 2013, Attachment 217.

⁴⁶⁶ DEIS, *Monroe Connector/Bypass Citizens Summary* (March 2009), Attachment 216.

73 cont around, NCDOT produced no such summary, despite the fact that several key findings have changed significantly. For example, in the previous citizens’ summary it was stated that in the project’s opening year travel time savings for those using the Bypass from end to end would be 29-32 minutes.⁴⁶⁷ This estimate has now been revised down to 8-12 minutes, but no updated citizens’ summary has been created.

Perhaps more egregious is that even the DSFEIS excludes key facts that would be pertinent to decision makers. A review of earlier drafts of the DSFEIS show that many key facts previously included were eliminated from the ultimate version presented to the public. For example, initial drafts of the DSFEIS clearly stated the expected travel time benefits from the Bypass.⁴⁶⁸ Such statements were eliminated from the final version, and the public was left having to do the math themselves.⁴⁶⁹ Knowing how much time the Bypass is likely to save its users is not a minor point, and the deletion of these clear statements was inexcusable. Other key facts, such as the likelihood of the Bypass to redistribute growth away from downtown Monroe were likewise removed from the final public draft of the document.⁴⁷⁰

74 NCDOT had a chance to correct some of the prevalent misunderstanding about the Bypass at the three public hearings this fall. Unfortunately, the hearings were poorly managed from the outset. NCDOT released the DSFEIS on the 18th of November, yet a press release was not issue until November 21.⁴⁷¹ The Department then scheduled public hearings for the 8, 9 and 10 of December, right around the holidays. Given the vast size of the document and the complications of the holidays, Mayor Lynda Paxton of Stallings asked NCDOT if the hearings could be postponed and the public be afforded more time to review and formulate questions. This request was denied.⁴⁷² Worse, NCDOT mixed up the dates and locations of the public hearings in their initial publication, correcting the error less than a week before the public hearings were held.⁴⁷³ These errors would seem to violate NCDOT’s responsibility to give reasonable notice. 23 C.F.R. 771(h)(2)(iv).

75 The hearings themselves provided little pertinent information. Maps of the likely route were on display, although staff did note that the final design for the project has not yet been completed. The formal presentation focused primary on the ICE analysis and failed to touch on key questions that NCDOT knows the public is interested in, such as: How much growth and development is the project likely to bring to Union County; how much the current levels of congestion on U.S. 74 will be improved; how many minutes travelers taking the Bypass from

⁴⁶⁷ *Id.* at 4.

⁴⁶⁸ NCDOT, *Appendix A - Comments Since the Final EIS*, Draft (June 2013), at 25-26, Attachment 55.

⁴⁶⁹ Compare *id.* with DSFEIS Appendix A.

⁴⁷⁰ Compare NCDOT, *Appendix A - Comments Since the Final EIS*, Draft (June 2013), at 3, Attachment 55; DSFEIS at Appendix A.

⁴⁷¹ NCDOT, *NCDOT Hosts Public Hearings for Proposed Monroe Connector Bypass Project in Mecklenburg and Union counties* (Dec. 2, 2013), Attachment 218.

⁴⁷² CRTPO meeting Nov. 20, 2013.

⁴⁷³ NCDOT, *Public Hearing Notice, NCDOT to Hold Public Hearings Dec. 9, 10, & 11 for the Proposed Monroe Connector/Bypass Project which will Provide a Controlled Access Toll Road from I-485 In Mecklenburg County to U.S. 74 Near Marshville*, Attachment 219.

75 cont end to end can be expected to save; how much truck traffic is expected to divert to the Bypass; and how expensive the tolls will be. In fact, a common refrain during the hearings was that “nothing has changed” despite the fact that, as noted above, significant factors such as the current conditions on U.S. 74 and the success of alternatives are markedly different to those presented back in 2009.⁴⁷⁴

76 In an attempt to get public clarification of some of the key misunderstandings about the Bypass, SELC attorney Kate Asquith asked a most pertinent question of NCDOT during the public comment period. Namely: Is the Bypass expected to improve current levels of congestion on U.S. 74? NCDOT failed to give any coherent response to this straightforward question.⁴⁷⁵ Ms. Jennifer Harris, P.E., the lead engineer for the project, claimed first that she did not understand the question, then, that she didn’t have sufficient documents with her to answer the question, and, finally, that she would need to discuss the issue privately with Ms. Asquith. NCDOT refused to respond to any subsequent questions on any issue. This failure to publically clarify a fairly basic, but commonly misunderstood, aspect of the Bypass again shows NCDOT’s contempt for the NEPA process, and its abject failure to perform its duty to transparently inform the public.

Other public comments during the two public hearings included a variety of concerns about the project, including the very high cost, the inability of the Bypass to help local drivers, the confusing Statement of Purpose and Need, the questionable growth projections and the failure of the EIS to consider the percentage of local traffic in the corridor.⁴⁷⁶ Those in support of the Bypass primarily focused their comments on the hope that the project would take truck traffic off of U.S. 74, a contention that has not been studied in any detail by NCDOT.⁴⁷⁷

Another troubling aspect of the public meetings was the Monroe Bypass Supporters Barbecue and Rally hosted by NCDOT’s paid (and indicted) contractor, Boggs Paving, at the same time and location as the meeting.⁴⁷⁸ The rally took place in the room immediately adjacent to the transportation agencies’ public meeting on the DSFEIS in the hour immediately preceding the presentation and public comment portion of the hearing.⁴⁷⁹ Curiously, Boggs was able to plan this large event for the same location and time as the transportation agencies’ public

⁴⁷⁴ SELC attorneys Kym Hunter, Kate Asquith and Frank Holleman all attended the public hearings, as did Clean Air Carolina Executive Director June Blotnick.

⁴⁷⁵ Personal recollection from Ms. Asquith; Heather J. Smith, *Hearing on bypass draws inquiry*, ENQUIRER JOURNAL (Dec. 11, 2013), Attachment 220.

⁴⁷⁶ Jane Duckwall, Monroe Bypass opponents, supporters speak up, CHARLOTTE OBSERVER (Dec. 24, 2013), Attachment 211; Heather J. Smith, *Hearing on bypass draws inquiry*, ENQUIRER JOURNAL (Dec. 11, 2013), Attachment 220; Tenikka Smith, *Marshville mayor remains staunch supporter of Monroe Bypass*, WSOC-TV (Dec. 13, 2013), Attachment 222.

⁴⁷⁷ Jane Duckwall, Monroe Bypass opponents, supporters speak up, CHARLOTTE OBSERVER (Dec. 24, 2013), Attachment 211.

⁴⁷⁸ Monroe Bypass Constructors, Union County supporters of the Monroe Bypass host free community BBQ and rally, Press release (Dec. 2013), Attachment 16.

⁴⁷⁹ *Id.*; NCDOT, Public Hearing Notice, NCDOT to Hold Public Hearings Dec. 9, 10, & 11 for the Proposed Monroe Connector/Bypass Project which will Provide a Controlled Access Toll Road from I-485 In Mecklenburg County to U.S. 74 Near Marshville, Attachment 6E; NCDOT Bypass Suporter [sic] BBQ sign, Attachment 223.

hearing, though the transportation agencies’ initial public notice for that night’s hearing stated an incorrect location, a mistake that was not corrected until less than a week before the hearing.⁴⁸⁰

The rally, although apparently not funded by NCDOT, did utilize the same network set up by Boggs Paving employee Janie Auret in the past on NCDOT’s dime. Ms. Auret was listed as the point of contact on the press release and the event was publicized on the KUCM facebook page.⁴⁸¹ The rally was set up such that attendees had to register at a table manned by Janie Auret and sign a petition in support of constructing the Bypass in order to enter the room marked “Bypass Suporter [sic] BBQ” and receive a free barbecue sandwich.⁴⁸² Much like Ms. Auret’s previous activities, the publicity for the BBQ included statements in opposition to facts found in the NEPA documents. The press release stated that “This bypass is a crucial piece of infrastructure that Union County needs to unlock our road congestion and improve transportation in our county.”⁴⁸³ The post on the KUCM facebook page included the same information.⁴⁸⁴ In an interview with the local Monroe newspaper Ms. Auret stated that the rally was aimed at Union County residents who “believe the bypass will relieve traffic congestion.”⁴⁸⁵

VII. PREDETERMINED DECISIONMAKING

The Council on Environmental Quality’s NEPA regulations specifically require that an EIS be more than merely a “disclosure document,” stating that an “environmental impact statement shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made.” 40 C.F.R. §§ 1502.1, 1502.2(g). And the United States Court of Appeals for the Fourth Circuit itself has recognized that NEPA requires action and study based on “good faith objectivity rather than subjective impartiality.” *Fayetteville Area Chamber of Commerce v. Volpe*, 515 F.2d 1021, 1026 (4th Cir.1975).

In the Fourth Circuit’s written opinion regarding the Monroe Bypass, the Court made clear that the transportation agencies must reopen the NEPA process and fully reconsider its analysis of impacts and alternatives for the Bypass and present that new information to the public. *N C Wildlife Fed’n*, 677 F.3d at 605. The Court made clear that such “broad dissemination of information mandated by NEPA” would allow “the public and other government agencies to react to the effects of a proposed action at a meaningful time.” *Id.* at 601-02 (citing *Robertson*, 490 U.S. at 349). Despite this clear ruling that the decisionmaking

⁴⁸⁰ Heather Smith, *Boggs Paving holds bypass rally inquiry*, ENQUIRER JOURNAL (Dec. 7, 2013), Attachment 224; NCDOT, Public Hearing Notice, *NCDOT to Hold Public Hearings Dec. 9, 10, & 11 for the Proposed Monroe Connector/Bypass Project which will Provide a Controlled Access Toll Road from I-485 In Mecklenburg County to U.S. 74 Near Marshville*, Attachment 219.

⁴⁸¹ Monroe Bypass Constructors, *Union County supporters of the Monroe Bypass host free community BBQ and rally*, Press release (Dec. 2013), Attachment 16.

⁴⁸² NCDOT Bypass Suporter [sic] BBQ sign, Attachment 6C; NCDOT Bypass Suporter [sic] sign-ing table featuring Janie Auret, Attachment 225.

⁴⁸³ Monroe Bypass Constructors, Union County supporters of the Monroe Bypass host free community BBQ and rally, Press release (Dec. 2013), Attachment 16.

⁴⁸⁴ Keep Union County Moving, Facebook post (Dec. 9, 2013), Attachment 226.

⁴⁸⁵ Heather Smith, *Boggs Paving holds bypass rally inquiry*, ENQUIRER JOURNAL (Dec. 7, 2013), Attachment 224.

process must remain open until NEPA's requirements had been fulfilled NCDOT has moved forward treating the NEPA process as a mere paper exercise to justify a decision "already made." 40 C.F.R. § 1502.2(g).

A. Public Statements Assume Predetermined Outcome

In public statements following the Fourth Circuit's ruling, NCDOT made several public statements regarding its renewed NEPA review of the project, regularly asserting that it would result in no change in the outcome of the decisionmaking process.⁴⁸⁶ In June 2012, SELC wrote to both NCDOT and FHWA to express our clients' concerns that such statements suggested that any reconsideration of alternatives and impacts would be nothing more than an empty formality, rather than the full public re-analysis required by both NEPA and the Fourth Circuit.⁴⁸⁷

Yet such statements have continued, with the effect of encouraging local stakeholders to believe the Monroe Bypass a foreordained reality. For example, as Sharon Rosché, then the president of the Union County Chamber of Commerce, has explained that local stakeholders such as the Chamber's Board of Directors and other locally elected officials "assume[]" construction of the Monroe Bypass "is going to happen based on what the Secretary of Transportation reported to us."⁴⁸⁸ She went on to say that "they consider the dialog [sic] about if it should happen closed."⁴⁸⁹ NCDOT has also continued to assure citizens that the agency will build the Monroe Bypass, responding to citizen emails in order "to convey the Department's commitment to deliver this much needed project," and to assure citizens that NCDOT is "working diligently to address the remaining issues in order to build the project."⁴⁹⁰

NCDOT has also been publically planning other activities along U.S. 74 as if construction of the Bypass was guaranteed. For example, NCDOT staff have regularly indicated that the planned superstreet installations throughout Indian Trail, which were originally recommended in the Stantec Study, will not include the other Stantec recommended superstreet at Stallings Road because that intersection would be in the line of the Bypass were it to be built.⁴⁹¹ The transportation agencies have attempted to allege that they are not opposed to alternatives for improving U.S. 74 that would compete with the Bypass,⁴⁹² yet NCTA staff have said exactly the opposite outside of the NEPA process, stating that the agency "would not be in

⁴⁸⁶ See, e.g., Sharon McCloskey, *No Way Highway*, NORTH CAROLINA LAWYERS WEEKLY (May 14, 2012), Attachment 227; Heather Smith, *Appeals court blocks bypass*, ENQUIRER JOURNAL (May 2012), Attachment 228.

⁴⁸⁷ Letter from David Farren and Kym Hunter, SELC, to Scott Slusser, NCDOT (June 13, 2012), Attachment 229; letter from Farren and Hunter to Seth Wood, US DOJ (June 27, 2012), Attachment 230.

⁴⁸⁸ Email, from Sharon Rosche, Union County Chamber of Commerce, to Mayor Lynda Paxton, Stallings, RE: *Your resolution* (March 3, 2013), Attachment 231.

⁴⁸⁹ *Id.*

⁴⁹⁰ Email from Jennifer Harris, NCDOT, to Edith Taylor (May 14, 2013), Attachment 232; email from Jennifer Harris, NCDOT, to Tina Harris (March 21, 2013), Attachment 233 ("DOT is committed to moving forward with the project and are working diligently to get the project back onto schedule").

⁴⁹¹ See, e.g., Email from Scott Cole, NCDOT, to Jennifer Harris, NCDOT, et al., RE: *W-Project of Consideration* (June 21, 2013), Attachment 234.

⁴⁹² DSFEIS, at A1-38, A1-40.

77 cont favor of changes to US-74 that would have a competing interest with the bypass," as such improvements would have a negative impact on toll revenue.⁴⁹³

Similarly, NCDOT officials have perpetuated a public misunderstanding regarding the Monroe Bypass bonds, refusing to publically address the widely believed falsehood that the bonds can be used to fund only the Monroe Bypass. For example, at the December 2013 CRTPO meeting, Stallings Mayor Lynda Paxton asked NCDOT Division 10 Engineer Louis Mitchell what NCDOT was doing to correct the faulty impression that many legislators and decisionmakers have that the bonds cannot be used on other projects.⁴⁹⁴ Mitchell gave the curt reply that NCDOT was not responsible for educating the officials in Raleigh so they had not made any attempts to clarify.⁴⁹⁵

B. Payments to Monroe Bypass Contractors

78 The transportation agencies have also continued to divert taxpayer money to private contractors based on the assumption that the Bypass will be built. These payments have continued since the Fourth Circuit's ruling, before any local officials or other members of the affected public have had an opportunity to review the new analysis required by the Court. Such payments contravene the NEPA requirement that "[a]gencies shall not commit resources prejudicing selection of alternatives before making a final decision." 40 C.F.R. § 1502.2(f) Moreover, NCDOT appears to have made payments for services beyond the preliminary design work permitted by 23 C.F.R. § 771.113, again violated NEPA.

1. Premature contract with Monroe Bypass Constructors

In October 2011, SELC filed a notice to appeal our clients' Monroe Bypass NEPA case to the Fourth Circuit.⁴⁹⁶ At the same time two of our clients had an active case pending in the North Carolina Office of Administrative Hearings challenging the 401 Clean Water Act permit for the Bypass.⁴⁹⁷ Several weeks after our notice of appeal to the Fourth Circuit was filed — November 21, 2011 — NCDOT signed a contract with MBC to construct the Monroe Bypass.⁴⁹⁸ The transportation agencies then issued a Notice to Proceed to MBC. Because we were concerned that NCDOT might proceed with activities that would involve the divestment of significant resources towards the Bypass project we asked NCDOT and FHWA to expedite the Appeal in the Fourth Circuit.⁴⁹⁹ This request was denied.⁵⁰⁰

⁴⁹³ *U.S. 74 Corridor Revitalization Study Stakeholder Interviews: Transportation Meeting Notes*, at 4 (Jan. 18, 2012), Attachment 28.

⁴⁹⁴ Personal recollection of CRTPO delegate, Mayor Lynda Paxton of Stallings.

⁴⁹⁵ *Id.*

⁴⁹⁶ Notice of Appeal, *NC Wildlife Fed'n v. NCDOT*, No. 5:10-CV-476-D (EDNC Oct. 31, 2011), Attachment 235.

⁴⁹⁷ *NC Wildlife Fed'n v. DENR*, 11 EHR 2141 (2011) (voluntarily dismissed without prejudice), Attachment 236 and Attachment 237.

⁴⁹⁸ Contract between NCDOT and the Monroe Bypass Constructors for the Monroe Bypass at 1, Attachment 238.

⁴⁹⁹ Plaintiff-Appellants Motion to Expedite in *N.C. Wildlife Fed'n v. NCDOT* (4th Cir) (Nov. 30, 2011) Attachment 239.

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On May 3, 2012, the United States Court of Appeals for the Fourth Circuit ruled that NCDOT and FHWA violated NEPA in their review of the Monroe Bypass. Stressing the important public decisionmaking process that NEPA was designed to protect, the

Court required the transportation agencies to conduct, and release for public review, a new thorough analysis of the impacts of and alternatives to the Bypass. *NC Wildlife Fed'n v. NCDOT*, 677 F.3d 596 (4th Cir. 2012).

2. Demobilization and readiness payments to Monroe Bypass Constructors

About two weeks later on May 18, 2012, NCDOT gave a “stop work” order to the MBC.⁵⁰¹ Between the signing of the contract in November and the stop work order, the constructors were paid for \$35 million of work product.⁵⁰²

Following the stop work order, the Monroe Bypass Constructors demanded to be paid for “demobilization” and for NCDOT to continue to pay monthly fees to keep certain staff on hand for whenever the project restarted. The assumption at the foundation of these payments has been that construction of the Bypass has only been delayed by the required additional NEPA process, yet will be able to resume upon issuance of a new ROD, such that these monthly payments would be less costly overall than fully demobilizing and then remobilizing at a later date.⁵⁰³ Even as recently as October 29, 2013, MBC requested that the transportation agencies commit to payment of \$9,192,500.00, what they claimed to be the balance of the mobilization costs incurred by MBC, as such payment would “help MBC to stay poised for the issuance of an unlimited notice to proceed.”⁵⁰⁴ These fees have continued to be negotiated since May 2012,⁵⁰⁵ the claims together totaling over \$1.8 million as of November 2013, as detailed below.

⁵⁰⁰ *Id.*

⁵⁰¹ Letter from James Triplett, MBC, to Shannon Sweitzer, NCTA, *Engineered Ordered Suspension of Work* (May 22, 2012), Attachment 124.

⁵⁰² NCDOT spreadsheet totaling payments to MBC prior to stop work order, Attachment 240.

⁵⁰³ See, e.g., Notes from July, 13, 2012 Meeting, *re: Monroe Bypass TA*, Attachment 241; Letter from James Triplett, MBS, to Rick Baucom, NCDOT, *Change Order Due to Engineer Ordered Suspension – Minimum Maintenance Management* (July 19, 2012), Attachment 242; NCDOT Comments and MBC Responses, Attachment 243.

⁵⁰⁴ Letter from James E. Triplett, MBC, to Rick Baucom, NCDOT, *RE: MBC Position* (Oct. 29, 2013), Attachment 244.

⁵⁰⁵ Resumes for MBC Employees, Attachment 245; Additional Resumes for MBC Employees, Attachment 246; Notes from July, 13, 2012 Meeting, *re: Monroe Bypass TA*, Attachment 241; Letter from James Triplett, MBC, to Rick Baucom, NCDOT, *Change Order Due to Engineer Ordered Suspension – Minimum Maintenance Management* (July 19, 2012), Attachment 242; NCDOT Comments and MBC Responses, Attachment 243.

Payments		Some Specific Cost Breakdown		
Pay Period	Approved	Profit	Labor	Equipment
5/23/2012 - 6/30/2012	\$ 469,471.71	\$ 42,679.25	\$ 214,203.34	\$ 29,489.90
7/2012	\$ 217,664.75	\$ 19,787.70	\$ 141,150.08	\$ 20,397.08
8/2012	\$ 133,002.96	\$ 12,091.18	\$ 46,350.90	\$ 15,582.08
9/2012	\$ 124,743.36	\$ 11,340.31	\$ 83,845.48	\$ 14,821.30
10/2012	\$ 136,363.63	\$ 12,396.69	\$ 78,011.82	\$ 15,233.92
11/2012	\$ 86,854.54	\$ 7,895.87	\$ 62,752.89	\$ 13,851.38
12/2012	\$ 71,004.34	\$ 6,454.94	\$ 43,129.15	\$ 11,790.38
1/2013	\$ 66,792.60	\$ 6,072.05	\$ 47,586.16	\$ 12,834.38
2/2013	\$ 81,168.71	\$ 7,378.97	\$ 60,652.94	\$ 12,836.80
3/2013	\$ 83,442.15	\$ 7,585.65	\$ 60,857.16	\$ 13,499.34
4/2013	\$ 67,950.10	\$ 6,177.28	\$ 47,819.44	\$ 12,753.38
5/2013	\$ 68,864.58	\$ 6,260.42	\$ 53,368.23	\$ 13,235.92
6/2013	\$ 48,072.42	\$ 4,370.22	\$ 34,303.40	\$ 9,398.80
7/2013	\$ 41,966.44	\$ 3,817.86	\$ 27,324.66	\$ 9,653.92
8/2013	\$ 40,876.64	\$ 3,716.06	\$ 27,193.90	\$ 9,328.88
9/2013	\$ 44,015.50 (amount claimed)	\$ 4,001.41	\$ 29,707.05	\$ 9,021.84
10/2013	\$ 44,913.18 (amount claimed)	\$ 4,083.02	\$ 30,660.24	\$ 9,869.92
11/2013	\$ 38,690.91		\$ 29,588.07	\$ 9,102.84

	(amount claimed)	\$ 3,869.09		
Total	\$1,865,858.52	\$ 169,977.97	\$ 1,118,504.91	\$ 242,702.06

Figure 5. Supplemental payments to MBC based on engineered ordered suspension claim-force accounts.⁵⁰⁶ Please note that the figures for September-November 2013 are based solely on MBC's force account records.

As the force account records demonstrate, these payments include demobilization payments to sub-consultants,⁵⁰⁷ MBC staff time (both project-oriented and idle time), equipment costs, payments for utilities and space at the project office complex, and a 10% profit markup. We are greatly concerned that such a large investment of resources towards maintaining the contractors' readiness to quickly remobilize necessarily predisposes NCDOT towards selecting construction of the Monroe Bypass in direct contravention of NEPA and the court's mandate to keep the decisionmaking process open.

3. Preservation of the MBC bid

We understand that NCDOT believes it is important to continue paying the Monroe Bypass Constructors LLC in order to preserve the low-bid secured in 2011, when the project was in the midst of litigation.⁵⁰⁸ We first note that while the bid was well under the engineer's estimate, it was only about \$34 million under the next highest bid.⁵⁰⁹ Though certainly a difference in price, in the scheme of a \$900 million project still under consideration, such extreme efforts to preserve the MBC bid seem reckless, and have the effect of prematurely locking the transportation agencies into an alternative before the NEPA process is complete. This is particularly true given the poor quality of work that has generally been experienced from Boggs Paving, as noted above.

Moreover, as detailed above, the transportation agencies also appear to currently be in the process of negotiating an escalation price with the MBC.⁵¹⁰ Negotiating the details of an escalation price for construction of the Monroe Bypass strongly indicates that the agencies have predetermined the results of their NEPA reanalysis, and are simply going through the motions. Though the transportation agencies do appear to be under great pressure from the contractor to

⁵⁰⁶ See n. 407, above

⁵⁰⁷ In addition to the costs outlined in the force account records, see also, Letter from JT Peacock, RKK, to Jim Triplett, MBC, *RKK Invoice for May-June 2012* (June 28, 2012), Attachment 247; Letter from JT Peacock, RKK, to Jim Triplett, MBC, *Summary of Estimated Cost or Damages to RKK* (Sept. 13, 2012), Attachment 128; Letter from James Parker, Summit Design and Engineering, to James Triplett, MBC, *Calculation of Cost for Summit CEI Contract Termination* (Sept. 7, 2012), Attachment 129.

⁵⁰⁸ See letter from Louis L. Mitchell, Division Engineer, NCDOT, to Lynda M. Paxton, Mayor of Stallings (Sept. 5, 2013), Attachment 248.

⁵⁰⁹ NCDOT, Bid Results for Monroe Connector/Bypass (Oct. 28, 2010), Attachment 249.

⁵¹⁰ See discussion, at (V)(B)(6) above.

78b cont negotiate an escalation price, such outside pressure in no way alleviates the agencies' NEPA duty to perform a hard look at all alternatives.

Further, NCDOT's actions appear to overlook the continued viability of the MBC's bid. As noted above, one member of the Monroe Bypass Constructors LLC, Boggs Paving, was recently indicted in a major federal fraud scheme.⁵¹¹ Further, Styx Cuthbertson Trucking, Inc., another named co-conspirator in the Boggs indictment, was included as a subcontractor on the Monroe Bypass bid.⁵¹² If found guilty, both Boggs Paving and Styx Cuthbertson would be debarred from participating in any future federal contracts, and such a finding would raise the issue of whether the transportation agencies should continue to move forward with the Monroe Bypass contract. There is no mention of this indictment in the DSFEIS.

4. Payments for Aggregate Base Course

Following the Fourth Circuit's decision, the Monroe Bypass Constructors informed NCDOT that they had been stockpiling aggregate base course ("ABC") for the Monroe Bypass at the Lynches River Quarry, owned by an affiliate of MBC member Boggs Group called Buckhorn Materials.⁵¹³ MBC's own consultant, Summit, estimated that the volume of ABC was approximately 200,000 tons, while NCDOT's consultant, Mulkey Engineering, estimated that the volume of ABC was actually 25% less than MBC's estimate.⁵¹⁴ The MBC asked NCDOT to purchase the entirety of the ABC on July 13, 2013.⁵¹⁵ NCDOT appears to have agreed to purchase 95% of the ABC at that time for \$1.679 million as a "material pre-payment."⁵¹⁶ NCDOT did not negotiate a "buy back" provision in their agreement to purchase the ABC, and when NCDOT later asked MBC to consider a "buy back" agreement, in the case the project did not move forward, MBC refused explaining that neither they nor NCDOT had a use for the ABC if the project does not go ahead.⁵¹⁷

⁵¹¹ See *United States v. Boggs Paving, Inc.*, No. 3:13CR204_MOC (W.D.N.C. July 24, 2013), Attachment 138; see also FBI – Charlotte Division, *Monroe Construction Company and Six Co-Conspirators Indicted for Government Contract Fraud*, press release (July 24, 2013), Attachment 250; Sharon Roberts, *Monroe Bypass divides Union County communities: DOT suspends work but continues payments to contractors, including one facing unrelated felony charges*, MECKLENBURG TIMES (Oct. 16, 2013), Attachment 251; Becky Bereiter, *Contractor working on Monroe Bypass faces fraud charges*, NEWS 14 (July 25, 2013), Attachment 252.

⁵¹² *Id.*; see also excerpt from Monroe Bypass contract, Attachment 253.

⁵¹³ Boggs Group, *Buckhorn Materials* website, available at <http://www.boggs paving.com/buckhorn-materials>, Attachment 254

⁵¹⁴ Email from Andy Heath to Rick Baucom, NCDOT, ABC Stockpile (July 10, 2012), Attachment 255.

⁵¹⁵ NCDOT Comments and MBC Responses, Attachment 243.

⁵¹⁶ *Id.* at 4, Attachment 243; see also Monroe Bypass Contract Extension/Termination Data, Attachment 130; Letter from James Triplett, MBC, to Rick Baucom, NCDOT, *Initial/Informal Response to NCDOT/NCTA Comments for Partial Demobilization and Minimum Maintenance Management Costs* (July 30, 2012), Attachment 256.

⁵¹⁷ Letter from James Triplett, MBC, to Rick Baucom, NCDOT, *Initial/Informal Response to NCDOT/NCTA Comments for Partial Demobilization and Minimum Maintenance Management Costs* (July 30, 2012), Attachment 256; NCDOT Comments and MBC Responses, at 4, Attachment 243.

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After NCDOT purchased the ABC, the MBC then demanded that NCDOT pay them to either store the ABC or haul it to a prepared site adjacent to the Monroe Bypass right-of-way.⁵¹⁸ MBC estimates that continuing to store the ABC at the Buckhorn Quarry would cost \$670,000, in addition to a \$1,500 monthly rental fee, and a \$30,000 maintenance fee.⁵¹⁹ Alternatively, MBC stated it would charge NCDOT \$1.1 million for the hauling, citing the cost of \$5.50 per ton to haul 200,000 tons.⁵²⁰ The \$30,000 annual maintenance fee would also apply to this section.⁵²¹

It is unclear at this time how the ABC matter has been resolved; however, we note that the purchase of such material following the rescission of the ROD, while in the midst of a full NEPA review, necessarily constitutes the “commi[ssion of] resources prejudicing selection of alternatives before making a final decision.” 40 C.F.R. §1502.2(f). Paying Boggs to haul the materials to the construction site raised similar concerns. Further, the purchase of ABC is exactly the type of activity expressly prohibited under 23 C.F.R. § 771.113(a), which forbids “purchase of construction materials” until the Final EIS has been approved and the ROD has been signed, and none of the limited exceptions listed under part (d).

5. Right-of-way acquisition and other activities in the Bypass footprint

We also note that since the court’s ruling NCDOT has continued to move forward with activities to construct the Bypass. The agency has specifically given permission to the MBC to carry out salvage activities to properties within the Bypass footprint.⁵²² Surveying of Right-of-Way has continued unabated.⁵²³ Moreover, NCDOT has continued to purchase right-of-way along the Monroe Bypass route – supposedly under hardship provisions,⁵²⁴ and has plans to immediately begin efforts to restart full scale right-of-way acquisitions upon receipt of the ROD.⁵²⁵ Upon receipt of the ROD, NCDOT has also indicated that they plan to engage in acquisition preparation activities such as re-contacting all property owners and displacees, updating appraisals previously received as needed, resuming negotiations on “priority” parcels, ordering appraisals on remaining “priority” parcels not previously ordered, completing Replacement Housing Payment calculations on “priority” parcels, ordering Asbestos Survey

⁵¹⁸ Letter from Rich Moses, Buckhorn Materials, to Jim Triplett, MBC, *RE: concerning hauling and storage of ABC for MBC* (June 20, 2013), Attachment 257.

⁵¹⁹ Letter from Rich Moses, Buckhorn Materials, to Jim Triplett, MBC, *ABC Stone Hauling versus stockpiling inside Buckhorn Quarry* (Aug. 27, 2012), Attachment 258.

⁵²⁰ Monroe Bypass Contract Extension/Termination Data, Attachment 130; Letter from Rich Moses, Buckhorn Materials, to Jim Triplett, MBC, *RE: concerning hauling and storage of ABC for MBC* (June 20, 2013), Attachment 257.

⁵²¹ Letter from Rich Moses, Buckhorn Materials, to Jim Triplett, MBC, *ABC Stone Hauling versus stockpiling inside Buckhorn Quarry* (Aug. 27, 2012), Attachment 258.

⁵²² Email from Joseph Jeffers, NCDOT, to Richard Baucom, NCDOT, *RE: Acquired Monroe Parcels* (July 22, 2013), Attachment 261.

⁵²³ DSFEIS A3-2.

⁵²⁴ *See, e.g.*, Letter from Representative Dean Arp, NC House of Representative, to Sec. Tony Tata, NCDOT (May 21, 2013), Attachment 259.

⁵²⁵ NCDOT, *Monroe Bypass R-2559/R-3329: Right of Way Acquisition Re-Start*, Planning Document, Attachment 260.

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cont Reports on improved parcels acquired, ordering asbestos abatement, and ordering demolition of improvements after asbestos abatement is completed.⁵²⁶ They also plan to “[c]ommence normal acquisition activities on all remaining parcels” starting 30 days after the ROD issues.⁵²⁷

Other documents indicate even more detailed post-ROD plans. For example, within 90 days of the ROD being signed, NCDOT appears to intend to have finalized the purchase of all parcels in the eastern three miles of the project’s footprint and 25-50% of the remaining parcels in sections from the project’s eastern end to US 601, and plans to continue making full purchases through the rest of the project’s footprint.⁵²⁸

Such detailed plans premature in the midst of a NEPA process that is intended to guide the selection of a variety of possible alternatives, rather than justify a predetermined outcome.

VIII. COMBINED FEIS AND ROD

The DSFEIS states that NCDOT intends to follow the document with a combined Final EIS and ROD. This is a new option made possible in MAP-21. Federal guidance, however, shows that the Monroe Bypass NEPA process is ill-suited for such a combined document.⁵²⁹

80 As a primary matter, guidance states that if there are unresolved interagency disagreements over issues or additional coordination activities that need to be resolved then a combined FEIS and ROD is not appropriate.⁵³⁰ Several interagency issues remain with regard to the Monroe Bypass. As noted in the EIS, NCDOT has not yet obtained concurrence from the USFWS for its determinations under Section 7 of the Endangered Species Act. Moreover, despite the fact that the resource agencies had significant concerns about NCDOT’s analysis,⁵³¹ very few interagency meetings were held during the preparation of the DSFEIS. While usually NCDOT would hold regular meetings with all resource agencies involved in the project, no such meeting has been held since November of 2012, a full year prior the publication of this DSFEIS.⁵³² A mere three meetings with separate individual agencies have been held since that time. As a result, it is likely that other resource agencies will have substantial questions

⁵²⁶ *Id.*

⁵²⁷ NCDOT, *Monroe Bypass R-2559/R-3329: Right of Way Acquisition Re-Start, Planning Document*, Attachment 260.

⁵²⁸ NCDOT, *Monroe Bypass – Options / Timeline Bullet Points*, Attachment 262.

⁵²⁹ FHWA, *Interim Guidance on MAP-21 Section 1319 Accelerated Decisionmaking in Environmental Reviews*, available at <http://www.fhwa.dot.gov/map21/guidance/guideaccdecer.cfm>, Attachment 263.

⁵³⁰ *Id.*

⁵³¹ *See, e.g.*, DSFEIS C1-3, C1-36, C1-55, C1-73, C1-95, C1-170; email from Christopher A. Militscher, EPA, to Christy Shumate, NCDOT, *RE: Monroe Connector/Bypass (R-3329/R-2559) Update and Documentation* (Feb. 28, 2013), Attachment 264.

⁵³² DSFEIS at 5-4.

80 regarding NCDOT's latest analysis. The publication of a separate FEIS is likely to help provide
cont an opportunity to "resolve such disagreements."⁵³³

Importantly, federal guidance also states that a combined FEIS and ROD may not be appropriate where there is "a substantial degree of controversy."⁵³⁴ As shown above there is certainly a substantial degree of controversy surrounding the Bypass. Our clients have already pursued one round of litigation concerning the project, and continue to have significant concerns about NCDOT's analysis. Moreover, an increasing number of local elected officials and residents are speaking out in opposition to the project.

80a Finally, an expert transportation planner, Dr. David Hartgen, has raised serious concerns about the validity of the project's traffic forecasts.⁵³⁵ "[W]here comments from responsible experts or sister agencies disclose new or conflicting data or opinions that cause concern that the agency may not have fully evaluated the project and its alternatives, these comments may not simply be ignored." *Silva v. Lynn*, 482 F.2d 1282, 1285 (1st Cir. 1973). As NCDOT itself relies heavily on Dr. Hartgen's work in the DSFEIS, we assume they believe him to be "responsible." His critique of NCDOT's analysis requires NCDOT to produce either a new DSFEIS, or, at the very least, a stand-alone FEIS with new updated traffic forecasts that can be reviewed by the public, resource agencies and decisionmakers. Only then can any responsible decisionmaking about this \$900 million project occur.

We appreciate the opportunity to submit these comments at this time. Going forward, we urge NCDOT to conduct a thorough analysis of the Monroe Bypass and alternative solutions based on accurate data and taking into account changed circumstances. If it would be helpful to discuss any of our concerns we are happy to meet with you at your convenience.

Sincerely,



Kym Hunter
Staff Attorney



Kate Asquith
Associate Attorney

⁵³³ FHWA, *Interim Guidance on MAP-21 Section 1319 Accelerated Decisionmaking in Environmental Reviews*, at 4, available at <http://www.fhwa.dot.gov/map21/guidance/guideacceler.cfm>, Attachment 263.

⁵³⁴ *Id.*

⁵³⁵ See generally Hartgen Report 2013.

CC (via e-mail and US mail):

Tim Gestwicki, NCWF
Dean Naujoks, Yadkin Riverkeeper
June Blotnick, Clean Air Carolina
David Hartgen, the Hartgen Group
Scott Slusser, NCDOT
Secretary Tony Tata, NCDOT
Ned Curran, BOT
John Sullivan, FHWA
Brian Gardner, FHWA
Chris Militscher, USEPA
Liz Hair, USACE
Carl E. Pruitt, USACE
Marella Buncick, USFWS
Marla Chambers, NCWRC
Alan Johnson, NCDWR
Amy Simes, NCDENR
Bob Cook, CRTPO
Wyatt Dunn, Mayor of Stallings
Bobby G. Kilgore, Mayor of Monroe
Michael Alvarez, Mayor of Indian Trail
James P. Taylor, Mayor of Matthews
Kevin Pressley, Mayor of Hemby Bridge
John Ross, Mayor of Lake Park
Bill Braswell, Mayor of Wingate
Franklin Deese, Mayor of Marshville
Larry Simpson, Mayor of Unionville
Elizabeth Long, Mayor of Fairview
Frederick Becker, Mayor of Mineral Springs
Bill Deter, Mayor of Weddington
Joseph Pollino, Mayor of Marvin
Brad Horvath, Mayor of Wesley Chapel

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 919-967-1450

601 WEST ROSEMARY STREET, SUITE 220
CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

April 8, 2014

Via E-mail and U.S. Mail

Jennifer Harris
North Carolina Department of Transportation
1501 Mail Service Center
Raleigh, NC 27699-1501
jharris1@ncdot.gov

Re: Request for a Supplement to the Draft Supplemental Final Environmental Impact Statement for the Monroe Connector/Bypass

Dear Ms. Harris:

On behalf of our clients, the North Carolina Wildlife Federation, Clean Air Carolina, and the Yadkin Riverkeeper, the Southern Environmental Law Center (“SELC”) writes this letter to request the North Carolina Department of Transportation (“NCDOT”) to issue a supplement to its recent Draft Supplemental Final Environmental Impact Statement (“DSFEIS”) for the Monroe Connector/Bypass. Federal regulations require that an agency “shall” prepare a supplement to a draft environmental impact statement where “significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts” arise. 40 C.F.R. § 1502.9(c)(1). Significant new information has arisen since our previous comment letter, prompting new concerns that NCDOT should address before reaching a decision under the National Environmental Policy Act (“NEPA”).

I. NCDOT Must Issue a Supplement to its Recent DSFEIS.

a. NCDOT did not use the most accurate available model in validating its traffic forecasts.

Newly available information has brought to light the fact that NCDOT knowingly used an outdated traffic model to validate its traffic forecasts in its recent DSFEIS for the Monroe Connector/Bypass.

As you are aware, in May 2012, the United States Court of Appeals for the Fourth Circuit found NCDOT violated the NEPA in its consideration of the Monroe Connector/Bypass, and ordered the agency to reevaluate the project. *N.C. Wildlife Fed’n v. N.C. Dep’t of Transp.*, 677 F.3d 596, 605 (4th Cir. 2012). As part of this review, NCDOT was required to reevaluate the traffic forecasts underlying its NEPA analysis. But as we noted in our January 6, 2014 comments, NCDOT has not developed new traffic forecasts for the Bypass for its recent court-

1 cont ordered NEPA analysis.¹ Despite clear evidence that traffic conditions have drastically changed since NCDOT developed the original traffic forecasts, NCDOT choose merely to “validate” its original forecasts rather than develop new forecasts.²

The model used for this validation, however, was significantly outdated in ways that likely affected its outputs regarding the Bypass. NCDOT developed its original 2007/2030 traffic forecasts in June 2008 using the Metrolina Regional Travel Demand Model (“MRM”) version 05. It followed these forecasts with a series of supplemental forecasts and analyses using MRM version 06 in 2008-2010.³ In its recent reanalysis, NCDOT evaluated the original traffic forecasts using the “latest current version of the Metrolina Regional Travel Demand Model, MRM11v1.1” to confirm only that the 2035 forecast volumes were higher than 2030 No-Build volumes and therefore that U.S. 74 operations would worsen with higher 2035 No-Build forecast volumes.⁴

But the MRM has been updated, such that MRM version 11v1.1 was outdated when used in NCDOT’s validation process. The Charlotte Department of Transportation, the official custodian of the MRM, in cooperation with other transportation planning organizations in the region, has long been in the process of developing a more accurate version of the MRM, version 14v1.0, calibrated with fresh data.⁵ In particular, the MRM’s trip generation model was adjusted based on a 2012 household travel survey of 4,231 households (supplemented by a 2003 workplace survey of 185 establishments), and a 2012 non-freeway external survey.⁶ These results were used to calibrate, update, and refine the MRM such that MRM14v1.0 is a more accurate reflection of traffic conditions expected in the Metrolina region than previous models.⁷

NCDOT was certainly aware of the progress of the model update, which was discussed regularly at monthly Interagency Consultation Status meetings as part of the development of the Metrolina Conformity Analysis, meetings which typically included 5-7 NCDOT staff.⁸ The NCDOT contingent regularly included staff involved in review of the Monroe Bypass, such as Jamal Alavi.⁹ As such, NCDOT, and the Monroe Bypass team in particular, was aware that the

¹ Letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 14-21 (Jan. 6, 2014).
² Letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 16-18 (Jan. 6, 2014); see also David T. Hartgen, *Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS*, November 2013 (Dec. 26, 2013).
³ HNTB, *Monroe Connector/Bypass Traffic Forecast Summary*, prepared for NCDOT, at 2 (Nov. 2013).
⁴ <http://www.ncdot.gov/projects/monroconnector/download/FinalMonroeTrafficForecastSumMemo110813.pdf> at 6.
⁵ See, e.g., Transportation Conformity Analysis and Determination Report, Appendix C: Metrolina Interagency Consultation, available at http://www.crtpo.org/PDFs/MTP/2040/Appendix_C.pdf, Attachment 1; see also *Metrolina Region Model Output: 2015 Metrolina VMT Speed*, available at http://crmpo.org/Forms/Appendix_E_VMT_Speed.pdf, Attachment 2.
⁶ CRMPO and CDOT, *Conformity Analysis and Determination Report for the Metrolina Area 2040 Metropolitan Transportation Plans and for the FY 2012-2018 Transportation Improvement Programs*, draft, at 23 (February 11, 2014), available at http://www.crtpo.org/PDFs/MTP/2040/CDR_Draft_2014_02_Feb_11.pdf, Attachment 3.
⁷ Etc Institute, *2012 Metrolina Regional Household Travel Survey: Final Report*, at 80 (July 2012), available at http://www.crtpo.org/PDFs/Resources/2012_HouseholdTravelSurveyReport.pdf, Attachment 4; 2012 Non-Freeway External Survey, data (report forthcoming), Attachment 5.
⁸ Transportation Conformity Analysis and Determination Report, Appendix C: Metrolina Interagency Consultation, available at http://www.crtpo.org/PDFs/MTP/2040/Appendix_C.pdf, Attachment 1.
⁹ *Id.*

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new surveys were completed by summer of 2012, just as NCDOT was beginning its re-evaluation of the Monroe Bypass.

2 Even more, the improved model was available for NCDOT's use in evaluating the Bypass. The survey data was incorporated into the MRM and the 2010 horizon year was fully calibrated by October 2013, well before NCDOT published its DSFEIS for the Bypass.¹⁰ And the updated model was available at least in time for the agencies conducting the Metrolina Conformity Analysis to have completed all model runs for all conformity horizon years by early January 2014, just weeks after NCDOT published the DSFEIS, indicating that NCDOT could have developed similar such forecasts for the Bypass within the same period of time.¹¹

These updates to the MRM are very likely to influence the model's outputs regarding the Bypass's impacts on Union County traffic. For example, the Household Travel Survey collected data, by county, on a range of topics such as percentage regularly working from home, trip purpose, and length of trips of various types.¹² These factors are likely to be highly influenced by the presence or absence of a major new roadway connecting Union County to Mecklenburg County's larger job market. Similarly, the 2012 non-freeway external survey considered factors such as origin, destination, and vehicle size.¹³ Even more, the 2012 non-freeway external survey utilized survey points likely to provide significant information regarding potential use of the Monroe Bypass, such as along NC 218 at the Union/Anson County Line and U.S. 601 at the Chesterfield/Union County Line.¹⁴

3 Federal courts have long held that reliance on up-to-date data is imperative for the NEPA process, regularly finding that agency reliance on stale or inaccurate data invalidates environmental review.¹⁵ As such, we are concerned that NCDOT did not use the most accurate and recently available travel demand model in its review of the Bypass, despite clear indications that their chosen model was significantly outdated. This failure to use the updated model fits NCDOT's pattern of choosing to ignore more recent, accurate data in favor of data that supports their intention to build the preferred alternative. As we demonstrated in our January 6, 2014 comment letter, NCDOT also chose not to use the most recent available socio-economic data in reevaluating the Bypass, even though the more current data contradicted the study forecasts by showing considerably lower growth rates than previously forecast and indicating that the project

¹⁰ Transportation Conformity Analysis and Determination Report, Appendix C: Metrolina Interagency Consultation, Metrolina Region Transportation Conformity Interagency Consultation (IC) Status Meeting, minutes (October 31, 2013), available at http://www.crtpo.org/PDFs/MTP/2040/Appendix_C.pdf, Attachment 1.

¹¹ Transportation Conformity Analysis and Determination Report, Appendix C: Metrolina Interagency Consultation, Metrolina Region Transportation Conformity Interagency Consultation (IC) Status Meeting, minutes (January 16, 2014), available at http://www.crtpo.org/PDFs/MTP/2040/Appendix_C.pdf, Attachment 1.

¹² Etc Institute, *2012 Metrolina Regional Household Travel Survey: Final Report*, at 51, 56, 91-98 (July 2012), available at http://www.crtpo.org/PDFs/Resources/2012_HouseholdTravelSurveyReport.pdf, Attachment 4.

¹³ 2012 Non-Freeway External Survey, data (report forthcoming), Attachment 5.

¹⁴ *Id.*

¹⁵ See, e.g., *Northern Plains Resource Council, Inc. v. Surface Transp. Bd.*, 668 F.3d 1067, 1085-86 (9th Cir. 2011) (ten-year old survey data for wildlife "too stale" thus reliance on it in EIS was arbitrary and capricious); *Lands Council v. Powell*, 395 F.3d 1019, 1031 (9th Cir. 2005) (six year-old survey data for cutthroat trout was "too outdated to carry the weight assigned to it" and reliance on that data violated NEPA); *Seattle Audubon Soc. v. Espy*, 998 F.2d 699, 704-05 (9th Cir. 1993) (reliance on "stale scientific evidence" regarding owl population data without adequate discussion of scientific uncertainty violated NEPA).

3 would not even serve the growth that is expected.¹⁶ We now see that NCDOT also failed to consider the most recent traffic modeling data, though its own data demonstrated that the traffic patterns in the study area have changed dramatically in the last several years.¹⁷

We have noted in past comments that federal law demands NCDOT's NEPA review be based upon up-to-date information.¹⁸ Here, NCDOT's traffic forecasts are not only stale, they are contradicted by over a decade of recent data. As we demonstrated in our recent comments, NCDOT's traffic forecasts were based on assumptions that over a decade of observations have proven to be false, such that the traffic and growth patterns actually observed in the study area are wildly out of sync with NCDOT's dated forecasts.¹⁹ As such, NCDOT should supplement its environmental review with new traffic forecasts developed using the most recent version of the MRM.

b. Northern long-eared bat and Savannah liliput

4 We have recently learned through review of public records that, against the advice of the United States Fish and Wildlife Service ("USFWS"), NCDOT has also failed to study the project's potential impacts on the northern long-eared bat (*Myotis septentrionalis*) and the Savannah liliput (*Toxolasma pullus*). USFWS has been clear that both species currently await impending listing as endangered species under the Endangered Species Act ("ESA") and are likely to be put at further risk by construction of the Bypass. Under the ESA, the Section 7 prohibition against jeopardy and Section 9 prohibition against taking a listed species apply as soon as a species is effectively listed as endangered.²⁰ These prohibitions operate regardless of a proposed action's stage of completion, and so could significantly delay or even halt construction of the Bypass.²¹ As such, NCDOT's lack of analysis necessarily threatens to derail the project's construction.²²

USFWS has expressly warned NCDOT that both listings have the potential to significantly delay Bypass construction. The range for the northern long-eared bat includes the project study area.²³ USFWS has been studying a listing petition for the species since 2010, finally issuing a proposal to list the species as endangered this past October.²⁴ USFWS has told NCDOT that this listing is expected in October 2014.²⁵

¹⁶ See Letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 18 (Jan. 6, 2014).

¹⁷ *Id.* at 16-18; see also David T. Hartgen, *Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS*, November 2013 (Dec. 26, 2013).

¹⁸ Letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 16 (Jan. 6, 2014).

¹⁹ *Id.* at 14-21.

²⁰ 16 U.S.C. § 1536, 1538.

²¹ *Id.*; see also email from Marella Buncick, USFWS, to Jennifer Harris, NCDOT, George Hoops, FHWA, et al., *October Draft of the BA* (November 1, 2013), Attachment 6.

²² *Id.*

²³ *Id.*

²⁴ See Georgia Parham, *U.S. Fish and Wildlife Service Proposes Endangered Status for the Northern Long-eared Bat; Listing Not Warranted for Eastern Small-footed Bat*, press release (October 17, 2013), available at <http://www.fws.gov/midwest/endangered/mammals/nlba/NewsRelease17Oct2013.html>, Attachment 7; 12-Month Finding on a Petition To List the Eastern Small-Footed Bat and the Northern Long-Eared Bat as Endangered or

5 While we appreciate the greatest threat to the northern long-eared bat is White Nose syndrome, other major threats to the bat include habitat destruction and disturbance to hibernating and summer habitat, both of which could be implicated by construction of a new-location highway through the organism's habitat.²⁶ As such, USFWS recommended that NCDOT should evaluate the project's likely impacts on the species to avoid an inevitable later consultation and potential project shutdown.²⁷ Yet no such evaluation was documented in NCDOT's review of the project.

6 NCDOT also failed to follow USFWS's recommendation to evaluate the project's impacts on the Savannah lilliput, a mussel species known to exist in Union County.²⁸ USFWS has expressly warned NCDOT that the species is found in the South Fork Crooked Creek, which will be directly impacted by the project.²⁹ As USFWS has explained to NCDOT, the species is currently petitioned for listing as a federally protected species, and there is strong evidence to indicate that this listing is likely within the next few years.³⁰ If the species is listed before the project is completed, all project activities that could impact the species must halt while lengthy consultation occurs.

7 As such, we are concerned that NCDOT has failed to evaluate the Bypass's potential impacts on these species. NEPA itself requires such an evaluation of direct and indirect effects. 40 C.F.R. § 1508.8. And such evaluation will inevitably be required in the long term, and will almost certainly delay the project after much time and resources have already been committed. Even more, delaying the necessary consultation until such a late stage could result in significant expenses to avoid negative impacts to these fragile species, expenses that could be avoided with prudent evaluation early in the study process. To satisfy NEPA, and to avoid further jeopardizing these delicate species as well as unnecessary waste of taxpayer money on delay, eleventh-hour consultation, and potential project re-design, NCDOT must supplement its environmental review with an evaluation of the Bypass's impacts on these organisms before proceeding forward with the project.

Threatened Species, Listing the Northern Long-Eared Bat as an Endangered Species, 78 Fed. Reg. 61046 (October 2, 2013).

²⁵ Email from Marella Buncick, USFWS, to Jennifer Harris, NCDOT, George Hoops, FHWA, et al., *October Draft of the BA* (November 1, 2013), Attachment 6; Georgia Parham, *U.S. Fish and Wildlife Service Proposes Endangered Status for the Northern Long-eared Bat; Listing Not Warranted for Eastern Small-footed Bat*, press release (October 17, 2013), available at <http://www.fws.gov/midwest/endangered/mammals/nlba/NewsRelease17Oct2013.html>, Attachment 7.

²⁶ Georgia Parham, *U.S. Fish and Wildlife Service Proposes Endangered Status for the Northern Long-eared Bat; Listing Not Warranted for Eastern Small-footed Bat*, press release (October 17, 2013), available at <http://www.fws.gov/midwest/endangered/mammals/nlba/NewsRelease17Oct2013.html>, Attachment 7.

²⁷ *Id.*

²⁸ USFWS, *Species Profile: Savannah lilliput (Toxolasma pullus)*, available at <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=F02Q>, Attachment 8.

²⁹ Email from Marella Buncick, USFWS, to Jennifer Harris, NCDOT, George Hoops, FHWA, et al., *October Draft of the BA* (November 1, 2013), Attachment 6.

³⁰ *Id.*

c. The Town of Stallings opposes the project.

8 NCDOT should also reevaluate its selection of the preferred alternative in light of growing public opposition to the project. Last month, the Town of Stallings passed a unanimous resolution opposing the Monroe Connector/Bypass and calling for NCDOT to instead pursue alternatives to a new toll highway.³¹ The Stallings resolution describes the Bypass as "the wrong solution for Union County," and specifically "requests the North Carolina Department of Transportation [] listen to the concerns and desires of the citizens of the Town of Stallings and Union County; and seriously consider studying other transportation alternatives to the Monroe Bypass to alleviate congestion and address safety concerns on U.S. 74."³² This resolution is of particular importance, as the Town of Stallings just last year passed a resolution supporting the Bypass.³³ The town's new opposition resolution details the many reasons the town has changed course to now oppose the project, criticizing the DSFEIS for "contain[ing] many of the errors embedded in [the] previous EIS."

9 For example, Stallings explains that it is particularly concerned that the recent DSFEIS has demonstrated that the Bypass will not improve current congestion on U.S. 74. The resolution also expresses the town's dismay at the fact that the Bypass is now expected to save drivers at most only 8-12 minutes. The town expressed grave concern that despite these minimal benefits from constructing the Bypass, the Draft SFEIS did not fully reconsider any targeted, less expensive alternatives that could improve current levels of congestion. The resolution calls for greater study of such alternative improvements such as grade separations, additional lanes, service roads, superstreet improvements, and improving parallel routes. The town also expressed concerns that construction of the Bypass would endanger funding for future improvements to U.S. 74.

The resolution also raises the concerns outlined in the O'Connell and Lawrence study as well as the Hartgen Group's review of the of the DSFEIS described in our January 6 comment letter.³⁴ After reviewing these materials, the town has decided that the traffic forecasts presented in the DSFEIS are "too uncertain and insufficiently supported to be the basis for decision making regarding the Bypass." Stallings also articulated its concern that North Carolina's diminishing transportation budget should not be used to fund such an expensive and decreasingly beneficial project, noting the widening gulf in available transportation funding for more worthwhile transportation projects.

10 As such, Stallings has added its voice to the many other municipalities and other local stakeholders who have begun to call for alternatives to the Bypass. As we have noted, NCDOT failed to evaluate, or even acknowledge this growing public opposition to the project in its recent

³¹ Town of Stallings, *Resolution Opposing the Monroe Bypass Project* (March 24, 2014), Attachment 9; Steve Harrison, *Stallings votes to oppose Monroe toll road*, CHARLOTTE OBSERVER (Mar. 25, 2014), available at <http://www.charlotteobserver.com/2014/03/25/4793485/stallings-votes-to-oppose-monroe.html#UzMEAfVwU#storylink=cpy>, Attachment 10.

³² Town of Stallings, *Resolution Opposing the Monroe Bypass Project* (March 24, 2014), Attachment 9.

³³ Stallings Town Council, Minutes of Town Council Meeting of the Town of Stallings, North Carolina, at 9 (Mar. 11, 2013).

³⁴ See letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement* (Jan. 6, 2014).

10 DSFEIS.³⁵ In addition to Stallings, the towns of Hemby Bridge, Weddington, Mineral Springs, cont and Marvin have all also issued resolutions opposing the Bypass and sent notice of these resolutions to NCDOT. We have regularly noted that a core purpose of NEPA is to inform the public and decisionmakers so that they may make knowledgeable decisions about major actions. *DOT v. Pub. Citizen*, 541 U.S. 752, 768-769 (2004).

NCDOT cannot just ignore the growing public outcry in opposition to this project as it continues through its NEPA review; instead, NEPA requires NCDOT to supplement its environmental review by publically acknowledging and considering the escalating public opposition to this project. Instead, NCDOT must properly address the significant new information outlined above by issuing a supplement to its recent DSFEIS. 40 C.F.R. § 1502.9(c)(1).

II. Boggs Paving's Dirt/Fill Material Pile

11 We have also recently learned that Boggs Paving, a member of the Monroe Bypass Constructors joint venture which holds the contract on the Bypass, has been hauling and stockpiling a large amount of dirt and/or fill material on the border of Stallings, off Stallings Road near Interstate 485 near the site of the Bypass, without an approved development permit.³⁶ Initially Boggs Paving staff stated this material was for a new Wal-Mart project on Harris Blvd.³⁷ Boggs Paving also claimed to have a permit from the North Carolina Department of Environment and Natural Resources ("NCDENR"), though both NCDENR and NCDOT denied any prior knowledge of the activity when questioned by Union County Planning & Zoning officials.³⁸ Following an inquiry, Union County issued a Notice of Violation for the stockpile.³⁹ In response, Boggs Paving's attorney admitted that the material was in fact being hauled and stockpiled for the Bypass.⁴⁰ Despite this admission, NCDOT has continued to deny that this stockpiling is connected to the Bypass, and has denied that payments have been made for this activity.⁴¹

We have expressed numerous concerns related to NCDOT's premature contract and payments to the Monroe Bypass Constructors.⁴² As we have explained, such activities directly contravene the dictates of NEPA by entrenching NCDOT into a decision before the public decision-making process is complete. NEPA requires that an EIS be more than merely a "disclosure document," stating that an "environmental impact statement shall serve as the means of assessing the environmental impact of proposed agency actions, rather than justifying decisions already made." 40 C.F.R. §§ 1502.1, 1502.2(g). Federal case law further settles that

³⁵ *Id.* at 72-73.

³⁶ Kathryn Burcham, *Paving company in heap of trouble over dirt dump*, WSOC-TV (Feb. 27, 2014), available at <http://www.wsocvtv.com/news/news/local/paving-company-heap-trouble-over-dirt-dump/nd24P/>, Attachment 11.

³⁷ See email from Lynda Paxton to Kym Hunter, SELC, RE: *Boggs Dirt Mountain* (Feb. 25, 2014), Attachment 12.

³⁸ Kathryn Burcham, *Paving company in heap of trouble over dirt dump*, WSOC-TV (Feb. 27, 2014), available at <http://www.wsocvtv.com/news/news/local/paving-company-heap-trouble-over-dirt-dump/nd24P/>, Attachment 11.

³⁹ *Id.*

⁴⁰ See email from Kym Hunter, SELC, to Scott Slusser, NCDOT, RE: *Boggs and the Monroe Bypass* (Mar. 17, 2014), Attachment 13.

⁴¹ Email from Scott Slusser, NCDOT, to Kym Hunter, SELC, RE: *Boggs and the Monroe Bypass* (Mar. 20, 2014), Attachment 13.

⁴² See, e.g., letter from Kym Hunter and Kate Asquith, SELC, to Jennifer Harris, NCDOT, *Monroe Connector/Bypass: Draft Supplemental Environmental Impact Statement*, at 78-83 (Jan. 6, 2014).

the decision-making process must remain open until NEPA's requirements had been fulfilled. See, e.g., *Fayetteville Area Chamber of Commerce v. Volpe*, 515 F.2d 1021, 1026 (4th Cir.1975).

11 More specifically, any payments for such activities violate the NEPA requirement that cont "[a]gencies shall not commit resources prejudicing selection of alternatives before making a final decision." 40 C.F.R. § 1502.2(f). Moreover, the purchase of construction materials such as appear to be stockpiled at the site is exactly the type of activity expressly prohibited under 23 C.F.R. § 771.113(a), which forbids "purchase of construction materials" until the Final EIS has been approved and the ROD has been signed. As such, NCDOT must publically clarify its role in Boggs Paving's hauling and stockpiling activities described above and disclosing any past payments. Further, to comply with NEPA, NCDOT should also cease any future activities or payments of this type.

If it would be helpful to discuss any of our concerns we are happy to meet with you at your convenience.

Sincerely,



Kym Hunter
Staff Attorney



Kate Asquith
Associate Attorney

CC (via e-mail w/o enclosures and U.S. mail w/enclosures on CD):

June Blotnick, Clean Air Carolina
Tim Gestwicki, North Carolina Wildlife Federation
Dean Naujoks, Yadkin Riverkeeper
John F. Sullivan, FHWA
Louis Mitchell, NCDOT
Edward L. Curran, NCBOT
Chris Militscher, USEPA
Liz Hair, USACE
Carl E. Pruitt, USACE
Marella Buncick, USFWS
Marla Chambers, NCWRC
Alan Johnson, NCDWR
Amy Simes, NCDENR
Robert Cook, CRTPO

Gibilaro, Carl

From: Kate Asquith <kasquith@selcnc.org>
Sent: Thursday, April 10, 2014 5:26 PM
To: Harris, Jennifer
Cc: 'june@cleanaircarolina.org'; 'tim@ncwf.org'; 'dean@yadkinriverkeeper.org'; 'john.sullivan@dot.gov'; Mitchell, Louis L; Curran, Edward L; 'Militscher.Chris@epa.gov'; 'Sarah.E.Hair@usace.army.mil'; 'Carl.E.Pruitt@usace.army.mil'; 'marella_buncick@fws.gov'; Chambers, Marla J; Johnson, Alan; Simes, Amy; 'rwcook@ci.charlotte.nc.us'; Lou Ann Phelps; Larissa Via; Kym Hunter
Subject: RE: Monroe Connector/Bypass - Draft Supplemental Final EIS
Attachments: NCTA 2013 Annual Report.pdf; April 2014 CRTPO MTP and Draft Conformity Report Comment Response.pdf

Dear Ms. Harris,

I submit this brief addendum to our letter dated April 8, 2014. Additional information has come to our attention since that letter was mailed which we believe is relevant to your review of the Monroe Connector/Bypass.

12 First, as we have noted in our recent letters to you, we are concerned NCDOT used the Metrolina Regional Travel Demand Model ("MRM") and MRM socio-economic forecasts incorrectly in the Monroe Bypass DSFEIS. We have demonstrated that the MRM and the underlying socio-economic forecasts represent a future with the Bypass, and therefore are inappropriate for use in a No-Build scenario. Our concern was further confirmed yesterday in a publication by CRTPO, which reiterated that the MRM itself and the socio-economic projections underlying the MRM assume construction of the Bypass. CRTPO explained that the MRM "includes all projects in the fiscally constrained transportation plan, including the Monroe Bypass." It further stated that "[i]t has been clearly documented by the Union County staff that developed the socio-economic projections that they assumed all existing and committed projects would be built within the 2025 time horizon, and that includes the Monroe Bypass." We have attached a copy of CRTPO's statement to this email.

13 Second, we note that there is still much confusion concerning the cost of the Bypass. For example, in the CRTPO response discussed above, CRTPO claims there is no need to update the STIP, though the STIP cost for Bypass construction (\$789 million) is significantly below the cost listed in the DSFEIS (\$898 million). Similarly, the project cost listed in the North Carolina Turnpike Authority's Annual Report presented to the North Carolina Joint Legislative Transportation Oversight Committee ("JLTOC") last Friday listed the project cost as between \$650 and \$740 million. We are concerned that the vastly inconsistent cost figures presented in these public documents cloud the public's ability to evaluate this project. NCDOT must clarify the project's costs so the public can see exactly how much taxpayer money will be spent on the Bypass, especially in light of increasingly limited transportation funds available in North Carolina. A copy of the NCTA report is attached.

14 Third, in updating the JLTOC on April 4, Turnpike Director of Operations Terry Gibson gave a brief presentation of the only existing toll highway in North Carolina, the Triangle Expressway. In this presentation Mr. Gibson stated that 97% of traffic on the Triangle Expressway was attributable to 2-axel cars and 2% was attributable to 2-axel trucks. Just 1% of traffic on the Triangle Expressway is trucks with 3 or more axels. As we noted in our January 6, 2014 letter to you, one of the most pressing concerns voiced in support of the Bypass is the need to remove large trucks from U.S. 74, with many basing their support of the Bypass on a belief that the project will shift truck traffic from U.S. 74 to the Bypass. In fact, such comments made up much of the pro-Bypass comments at the public hearings last December. As we have noted, NCDOT has thus far failed to analyze the percentage of trucks likely to use the Bypass. The data from Triangle Expressway makes such an analysis even more pressing.

As always, if it would be helpful to discuss any of our concerns we are happy to meet with you at your convenience.

Sincerely,

Kate Asquith
Associate Attorney
Southern Environmental Law Center
601 W. Rosemary Street, Suite 220
Chapel Hill, North Carolina 27516
Phone: (919) 967-1450; Fax: (919) 929-9421
SouthernEnvironment.org

This electronic message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This communication may contain material protected by attorney-client, work product or other privileges.

From: Lou Ann Phelps
Sent: Tuesday, April 08, 2014 3:00 PM
To: 'jharris1@ncdot.gov'
Cc: 'june@cleanaircarolina.org'; 'tim@ncwf.org'; 'dean@yadkinriverkeeper.org'; 'john.sullivan@dot.gov'; 'lmitchell@ncdot.gov'; 'elcurran1@ncdot.gov'; 'Militscher.Chris@epa.gov'; 'Sarah.E.Hair@usace.army.mil'; 'Carl.E.Pruitt@usace.army.mil'; 'marella_buncick@fws.gov'; 'marla.chambers@ncwildlife.org'; 'Alan.Johnson@ncdenr.gov'; 'amy.simes@ncdenr.gov'; 'rwcook@ci.charlotte.nc.us'
Subject: Monroe Connector/Bypass - Draft Supplemental Final EIS

Dear Ms. Harris,

Attached please find correspondence from Kym Hunter and Kate Asquith, Southern Environmental Law Center, on behalf of our clients, N.C. Wildlife Federation, Clean Air Carolina, and the Yadkin Riverkeeper, requesting that NCDOT issue a supplement to its recent Draft Supplemental Final Environmental Impact Statement regarding the Monroe Connector/Bypass.

A hard copy of this request will follow by regular mail. Because of the volume of the attachments referred to in our letter, and to avoid straining the capacity of your inbox, we are not sending the attachments with this email. All attachments will follow by mail both in paper form and on a CD, for your convenience.

Thank you in advance for your kind consideration of this request and the accompanying materials.

Regards,

Lou Ann Phelps
Administrative and Legal Assistant
North Carolina Certified Paralegal
Southern Environmental Law Center
601 W. Rosemary St., Suite 220
Chapel Hill, NC 27516-2356
Tel: (919) 967-1450
Fax: (919) 929-9421
www.southernenvironment.org

****NOTE:** Although this comment letter was thoroughly reviewed in its entirety by FHWA and NCDOT, due to the length of the letter, only the main points from the letter are reproduced as comments in the following table. Please refer to Document L-006 in **Appendix A** to review the full comment letter.

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

Doc No.	Page, Topic	Comment No.	Comment	Response
L-006	1-New Trends	1	Much has changed since NCDOT first began to study the Monroe Connector/ Bypass in 2007. But the DSFEIS, which appears to be written only to justify a new highway, disregards any new information suggesting the merits of a different approach... ...These new trends all suggest that an expensive new-location toll-highway may no longer be the best solution for Union County or the state of North Carolina.	The commenter’s opinion is noted.
L-006	2- Alternatives	2	Travel in Union County still needs improvement, and fortunately there are solutions available. Yet once more the DSFEIS rejects all cost- effective alternatives out of hand and looks only at the costly, destructive Bypass.	The engineering and environmental analysis for the project evaluated various alternatives. The purpose of the <i>Draft Supplemental Final EIS</i> was to evaluate changes in the project area since publication of the <i>Final EIS</i> (May 2010). One such change was the evaluation at improvements made to the US 74 corridor as suggested by the SELC and its consultant OCL. Evaluation of travel speed information shows that implementation of the improvements suggested by SELC do not meet the purpose and need.
L-006	2 – Impacts	3	After being chastised by the United States Court of Appeals for the Fourth Circuit for presenting the public with inaccurate information, NCDOT has finally clarified its methodologies, and the full extent of its flawed analysis is now laid bare.	The NCDOT and FHWA disagree with the opinion expressed in this comment.
L-006	2 – Disregard for Public	4	Despite the clear mandate from the United States Court of Appeals for the Fourth Circuit that	NCDOT and FHWA disagree with this comment. The <i>Draft Supplemental Final EIS</i> and supporting documentation represents

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

A2-231

Doc No.	Page, Topic	Comment No.	Comment	Response
	Process		<p>NCDOT must use the NEPA process to accurately and transparently inform the public, NCDOT has continued to foster a climate of misinformation.</p> <ul style="list-style-type: none"> NCDOT paid a contractor for the Bypass to create a fake grassroots group and spread information about the Bypass that was entirely contrary to the findings in the EIS. The contractor also hosted a pro-Bypass BBQ at the site of the public NEPA hearing, again espousing misinformation. 	<p>the agencies' public statement on the Monroe Connector/Bypass. NCDOT and FHWA believe the information presented in the <i>Draft Supplemental Final EIS</i> is correct.</p> <p>There are many advocacy groups that have an interest in this project. Some are opposed to the project and some are proponents of the project. The NEPA process encourages public comments whether "for" or "against" the project and NCDOT welcomes all comments. The agencies have considered SELC's opinion on opposing views and its opinion on whether a grassroots group is "fake" or not and those opinions are noted.</p> <p>After the appellate court ruling, NCDOT suspended all work on the project. Since that suspension NCDOT has paid Monroe Bypass Constructors for demobilization of project personnel, idle labor and limited administrative work as monthly claims submitted by Monroe Bypass Constructors are allowed by NCDOT specifications. Payments were incorrectly made to Monroe Bypass Constructors for time spent outside that allowed by the specifications; specifically time spent working with local support groups. Once aware of the oversight in its review of the cost records, NCDOT has directed Monroe Bypass Constructors to revise and resubmit its cost records to remove those times and provide a corresponding credit back to NCDOT for the overpayment.</p> <p>The referenced BBQ event that occurred concurrent to the December 9, 2013 Public Hearing was not sponsored, funded, or endorsed by the NCDOT.</p>
L-006	3 – Disregard for Public Process	4a	<ul style="list-style-type: none"> NCDOT knows that there is substantial confusion about the purpose of the Bypass, with many local residents expecting it to improve congestion on U.S. 74 and 	<p>The project's purpose and need has remained consistent throughout the EIS process and has been clearly stated in the NEPA documents and public meeting materials. Also, it should be noted that based upon review of the record and public comments on the <i>Draft</i></p>

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

Doc No.	Page, Topic	Comment No.	Comment	Response
			promote economic growth. Yet the Department has done nothing to publicly clarify the true project’s purpose and anticipated impact.	<i>Supplemental Final EIS</i> , there were a limited (not substantial) number of comments related to the purpose of the project. Of the 125 public comments (email, letters, comment cards, and verbal comments) received following publication of the <i>Draft Supplemental Final EIS</i> , only 7 (approximately six percent of the total comments received) stated confusion about the purpose of the project.
L-006	3 – P&N	5	...the Supplemental Statement should follow all standard NEPA requirements starting with the consideration of the project’s purpose and need, a thorough analysis of alternative solutions to meet that need, and an analysis of the environmental impacts of project alternatives.	<p>The <i>Draft Supplemental Final EIS</i> follows FHWA guidance for content of supplemental EISs. As explained in Section P.3 of the <i>Draft Supplemental Final EIS</i>, the FHWA Technical Advisory T6640.8A (<i>Guidance for Preparing and Processing Environmental and Section 4(f) Documents</i>) states:</p> <p style="padding-left: 40px;">There is no required format for a supplemental EIS. The supplemental EIS should provide sufficient information to briefly describe the proposed action, the reason(s) why a supplement is being prepared, and the status of the previous draft or final EIS. The supplemental EIS needs to address only those changes or new information that are the basis for preparing the supplement and were not addressed in the previous EIS (23 CFR 771.130(a)).</p> <p>As documented in Section P.2, “the <i>Draft Supplemental Final EIS</i> addresses current environmental conditions and focuses on any changes that have occurred with regards to the project (note: there have been no changes in the proposed action), the alternatives analysis, the affected environment and impacts, and any new issues or information identifies since the <i>Final EIS</i> was published.”</p>
L-006	4 – P&N	6	The Statement of Purpose and Need in the DSFEIS is overly narrow and written in such a way that it precludes meaningful consideration of a full range of alternatives, per the requirements of NEPA...	NCDOT and FHWA disagree with this comment. The purpose and need for the project is not overly narrow. This comment was thoroughly answered in the <i>Final EIS</i> Section 3.3.1 (Responses to Generalized Comments on Purpose and Need) and responses to comments 1 and 2 from the SELC letter dated June 15, 2009 in <i>Final</i>

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

A2-233

Doc No.	Page, Topic	Comment No.	Comment	Response
			<p>...NCDOT’s Statement of Purpose and Need includes so many specific elements there is no chance that any option other than the predetermined new-location bypass could meet the requirements.</p> <p>...The “high-speed” element, with its very specific speed limit of 50 mph, is noted to have its origin in the Strategic Highway Corridor (“SHC”) Vision Plan. This external planning product was not subject the public participation requirements of NEPA, and therefore cannot be transferred into the NEPA process without opportunity for public comment and consideration. (citation: 23 USC 168(d)(4)).</p>	<p><i>EIS</i> Appendix B (pages B3-25 through B3-26).</p> <p>The response is lengthy and not reproduced here. In summary, the term “high speed” as used in the <i>EIS</i>, does not unduly narrow alternatives nor preordain any one particular alternative. The term “high speed” is defined as 50 miles per hour, and this travel speed might be achieved by several different types of facilities on any number of new location alignments or along existing roadways, for example: controlled-access freeways, Superstreets, or even public transportation on dedicated right of way.</p> <p>The environmental resource and regulatory agencies and the public had ample opportunities to review and provide input on the purpose and need for the project, including through the Public Hearings on the <i>Draft Supplemental Final EIS</i>, as described in the <i>EIS</i>.</p> <p>These entities also had opportunities to review and provide input on the Strategic Highway Corridor Vision Plan and the Concept Development Report, as described in Section 1.5.1.1 of the <i>Draft EIS</i>. The SHC concept was adopted by the Board of Transportation on September 2, 2004, as a part of North Carolina’s Long-Range, Multimodal Statewide Transportation Plan. The SELC incorrectly states this document is subject to the public participation requirements of NEPA, as it is not a NEPA document.</p>
L-006	5- P&N	7	<p>The locations mandated in the Statement of Purpose and Need are similarly arbitrary. There is no rational reason why the small rural town of Marshville must be the end of the project. Looking at NCDOT’s own maps of current traffic congestion, it is clear that the majority of congestion occurs around Monroe. Long before Marshville, the speed of traffic along US 74</p>	<p>The Monroe Connector/Bypass has logical termini which are not arbitrary. The <i>Draft EIS</i> Sections 2.3.1 and 2.3.2.1 explains the rationale for the project study area boundaries and the selection of the project termini. As stated in <i>Draft EIS</i> Section 2.3.2.1, “On the eastern end, the proposed project would terminate on US 74 between the towns of Wingate and Marshville. This is where existing and projected traffic volumes decrease and the study area transitions to a more rural character.” Selecting a project terminus</p>

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

Doc No.	Page, Topic	Comment No.	Comment	Response
			increases to 50 mph and higher.	<p>in this general area avoids the congestion occurring around Monroe.</p> <p>The commenter is incorrect in stating that traffic speeds are 50 mph and higher “long before Marshville.” As shown Exhibits 1-2, 1-3, and 1-4 in the <i>Draft Supplemental Final EIS</i>, average speeds for August 2013 eastbound PM peak, AM peak, and 2013 westbound PM peak are less than 50 mph west of Marshville. The August 2013 lunchtime peak shown in Exhibit 1-1 is the only one showing speeds of 49-55 mph or more from US 601 South to Marshville (speed is 49 mph). In addition, Tables 1-2 and 1-3 of the <i>Final Supplemental Final EIS</i> show 2011, 2012, and 2013 data that clearly demonstrate average speeds of less than 50 mph during peak periods.</p>
L-006	5- P&N	8	<p>The most arbitrary of the constraints placed in the Statement of Purpose and Need is the requirement that any alternatives must “maintain access to properties along existing U.S. 74.” Requiring that access be maintained to properties along existing U.S. 74, while neglecting the many properties that must be taken to build a new-location Bypass, has no rational basis.</p> <p>...The arbitrary nature of these requirements is further exacerbated by the fact that they have little to do with the stated need.</p>	<p>As explained in Chapter 1 of the <i>Draft EIS</i>, US 74 serves as an important commercial corridor for Union County, with many retail, commercial, and employment centers having direct and/or sole access to/from US 74. In Union County, most employment is concentrated in the City of Monroe or along existing US 74. Therefore, maintaining access to properties along existing US 74 was an important consideration for the economy of Union County.</p>
L-006	5- P&N	9	<p>Many in the community mistakenly believe that the purpose of the Bypass is to relieve current levels of congestion on existing U.S. 74—something that the Bypass is neither intended nor expected to achieve. This misunderstanding is unsurprising. The Statement of Purpose and Need states that the Bypass is intended to</p>	<p>The commenter’s opinion of the community perception is noted. However, public hearings were conducted throughout the planning process to provide the public with an opportunity to give feedback on the project directly to FHWA and NCDOT.</p>

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

Doc No.	Page, Topic	Comment No.	Comment	Response
			“improve mobility in the U.S. 74 corridor.” For NCDOT, this means the “corridor” in general, but it is not hard to see how the general public would assume that the statement applied to U.S. 74 itself.	
L-006	6-P&N	10	Many local residents, including several who spoke during the recent public comment period, believe the Bypass is intended to improve safety by taking truck traffic off of U.S. 74. Others believe the project is intended to bring significant growth to Union County, and even to neighboring Anson County. Unfortunately, NCDOT has refused to correct these misapprehensions, and, in some cases, has even gone so far as to itself advance similar theories. Such actions—intentionally misleading the public about the purpose and nature of the proposed road—violate the very essence of NEPA which is to foster greater, not lesser, understanding of major federal actions.	See response to Document L-006, Comment #9 . The <i>Draft Supplemental Final EIS</i> provides the project purpose and need. The project will likely attract traffic from US 74 during the peak periods of traffic. This includes truck traffic. Along existing US 74, the percentage of trucks is expected to be less with the project in place compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks).
L-006	6 – P&N	11	Alan Johnson, the assigned staff member from the Division of Water Quality (“DWQ”) detailed his own confusion in an e-mail to the Bypass study team. He explained that he had understood that the purpose of the bypass was “to relieve traffic congestion on Hwy 74” and was thus surprised to learn that travel time was not expected to be affected by the project. He went on to mention his additional surprise regarding NCDOT’s conclusion that “growth is inevitable”	Mr. Johnson sent a comment letter on the <i>Draft Supplemental Final EIS</i> dated December 20, 2013 that stated the NC Division of Water Resources had no additional comments. This letter is included in Appendix A-1 of the <i>Final Supplemental Final EIS</i> . In a follow-up email dated January 10, 2014 (included in Appendix A-1 of the <i>Final Supplemental Final EIS</i>), Mr. Johnson confirms that "DWR is satisfied with the responses provided to us regarding the May 2010 <i>Final EIS</i> . Based on that, there are no DWR comments that need further response." NCDOT met with Mr. Johnson on February 20, 2013, prior to finalizing the <i>Draft Supplemental Final EIS</i> , to discuss the

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

Doc No.	Page, Topic	Comment No.	Comment	Response
			regardless of the road. Mr. Johnson concluded by asking: "So if the road doesn't affect growth, and it doesn't affect travel times, what is the purpose of the road?"	project and followed up with a memorandum dated March 22, 2013, to "provide some project history and answer some of your questions." The memorandum is provided in the <i>Draft Supplemental Final EIS</i> , Appendix C, beginning on page C 1-98.
L-006	6 & 8 – P&N	12	The most striking example of the misunderstandings surrounding the Bypass was the pro-Bypass resolution circulated last spring. ...Both NCDOT and MUMPO had a duty to correct the misunderstandings being circulated about the Bypass and make sure that local support for the project was based on accurate information. By refusing to address publicly the reality of what can be anticipated if the Bypass is constructed, these bodies failed to serve the public citizens they represent. Worse, internal NCDOT documents suggest that the resolution was in fact put together by the contractors who are being paid to construct the Bypass and that payments from NCDOT went to fund both the creation of the resolution and its dissemination.	Neither NCDOT nor FHWA have the legal authority to control the statements or resolutions developed by the public, organizations, or local government. While it appears SELC opposes and disagrees with the pro-Bypass resolution circulated last fall, which SELC annotated with incorrect information, NEPA encourages comments from all interested parties, specifically from community organizations including small business associations (40 CFR 1506.6(b)(3)(vi)). NCDOT considered this information as well as correspondence from the SELC in the development of the <i>Draft Supplemental Final EIS</i> .
L-006	8 – P&N	13	NCDOT has gone further than failing to correct misapprehensions about the Bypass; in fact, the Department has gone so far as to actively foster the confusion. For example, Ned Curran, Chairman of the North Carolina Board of Transportation, has stated in addresses to both MUMPO and the Board of Transportation that the Monroe Bypass is necessary to address high unemployment rates in the eight counties	The <i>Draft Supplemental Final EIS</i> and supporting documentation represent the agencies comprehensive public statement on the Monroe Connector/Bypass. The final official meeting minutes of the September 18, 2013 MPO meeting are found at: www.crtpo.org/PDFs/Agenda_Minutes/2013/Presentations/MPO_2013_09_Sep_Minutes.pdf . The minutes related to Mr. Curran's presentation state: "Mr. Curran

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			<p>through which U.S. 74 passes as it runs from Mecklenburg County to the coast, in particular Anson County....Moreover, NCDOT’s own Secretary, Tony Tata, has publically stated both that the Bypass will bring dramatic growth to Union County and that it will improve congestion on U.S. 74, such as in a speech at a meeting of the North Carolina Chamber of Commerce’s inaugural Transportation and Infrastructure Summit in April 2013.</p>	<p>discussed the importance of the Monroe Connector/Bypass to improved transportation and commerce across the state.”</p> <p>Mr. Curran’s comments are consistent with the Strategic Highway Corridor program. US 74 as a whole, of which the Monroe Connector/Bypass would be a part, is a Strategic Highway Corridor (SHC). As stated in Section 1.5.1.1 of the <i>Draft EIS</i>, SHCs are sets of highways vital to moving people and goods to destinations within and just outside of the state.</p> <p>The other comments noted by SELC appear to be based on SELC’s personal recollection of statements they heard while attending a meeting. As previously noted, the <i>Draft Supplemental Final EIS</i> is the comprehensive public statement on the impacts of the project.</p> <p>Also, see response to Document L-006, Comment #12.</p>
L-006	9 – P&N	14	<p>Working with NCDOT, Boggs Paving put together a website promoting the ability of the Bypass to relieve congestion for U.S. 74 and bring dramatic economic development to Union County. Additionally, Boggs Paving put together community meetings promoting the same false suggestions. Boggs even hosted a BBQ on the same day and at the same location as the NEPA public hearing for the Bypass, stating in its invitation that “[t]his bypass is a crucial piece of infrastructure that Union County needs to unlock our road congestion and improve transportation in our county.” By working with the contractor to promote supposed purposes for the Bypass which it knows to be false, NCDOT further corroded the NEPA process.</p>	<p>See response to Document L-006, Comment #s 4 and 12.</p> <p>NCDOT did not work with Monroe Bypass Constructors on Monroe Bypass Constructors’ website or community meetings. Monroe Bypass Constructors asked NCDOT to appear at one of its planned meetings to answer questions, but NCDOT declined.</p> <p>The “About” page of the Keep Union County Moving Facebook page appeared as follows on January 10, 2014, which has not been changed since the screen capture included as Attachment 178 in SELC’s letter. The page states it is not affiliated with the NCDOT.</p> <p>As stated before, the <i>Draft Supplemental Final EIS</i> and supporting documentation represents the agencies’ comprehensive public statement on the Monroe Connector/Bypass. NCDOT and FHWA believe the information presented in the <i>Draft Supplemental Final EIS</i> is correct.</p>

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L-006	9 – P&N	15	We urge NCDOT to revisit the Statement of Purpose and Need in light of these changes and create a new statement based on current data that will transparently allow the public and decisionmakers to evaluate a range of alternatives as NEPA intended.	See response to Document L-006, Comment #s 1 and 4.
L-006	9 – New Information	16	The DSFEIS recognizes U.S. 74 as a route of statewide importance as it both connects Union County to Mecklenburg County, and the Charlotte region to the port at Wilmington. The DSFEIS then explains that NCDOT has designated the U.S. 74 corridor as a Strategic Highway Corridor (“SHC”), as part of the North Carolina Intrastate System, and as part of the National Highway System Strategic Highway Network (“STRAHNET”). The DSFEIS notes that the SHC and NC Intrastate designations call for the corridor to serve high-speed regional travel, ignoring that the North Carolina General Assembly has recently repealed the Intrastate System legislation.	The State legislation regarding the Intrastate System was recently repealed by the State Legislature in Session Law 2013-183, signed by the Governor on June 26, 2013. The <i>Final Supplemental Final EIS</i> includes an errata section updating the project purpose to remove reference to the NC Intrastate System. High speed travel is still designated for the corridor in the NC SHC program, so the substantive statements of the project purpose remain unchanged.
L-006	10 – New Information	17	The DSFEIS explains that the need for the Monroe Bypass is based on the fact that U.S. 74 currently experiences congestion during peak periods of the day, pointing to travel-time field surveys showing that certain specific segments of the corridor experience travel speeds of 37-41 mph (westbound) and 42-45 mph (eastbound). The DSFEIS then concludes that a bypass is	Recent improvements have been made along the US 74 corridor, which are listed in Table 2-2 of the <i>Draft Supplemental Final EIS</i> . As stated on page 1-6 of the <i>Draft Supplemental Final EIS</i> , "Due to improvements along the US 74 corridor since the <i>Final EIS</i> was published, the previous roadway conditions presented in Section 1.8 of the <i>Draft EIS</i> (and summarized in Section 1.1.2 and Section 1.1.8 of the <i>Final EIS</i>) have been updated to more accurately reflect existing conditions." The <i>Draft Supplemental Final EIS</i> then goes on

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			<p>needed because the corridor does not currently operate as a high-speed facility (average speed of 50 mph or greater), nor will it in the future without substantial improvements. The draft explains that congestion “will only get worse because traffic volumes are expected to increase in the future due to projected growth in Union County.” These statements fail to acknowledge that: (1) Travel times have improved and congestion has decreased in the U.S. 74 corridor; (2) small scale alternatives have been successful; and (3) growth projections for future have decreased.</p>	<p>to describe those conditions, which still demonstrate that the existing US 74 corridor is not operating as a high-speed facility. In addition, Section 1.1.1 of the <i>Final Supplemental Final EIS</i> updates the travel speed information to include INRIX data for all of 2013.</p> <p>NCDOT and FHWA collected real-time travel information to show how improvements along the US 74 corridor have increased travel speeds during work day peak hours over speeds shown in the previous <i>Final EIS</i>. Although there has been a reduction in congestion, the analysis shows that such improvements did not meet the purpose and need of the project. Since those improvements don't meet purpose and need today, increased traffic will not improve operations, no matter what the growth rate is.</p>
L-006	10 – New Information	18	<p>These projections have been shown to be dramatically overstated. Since NCDOT’s original analysis, traffic volumes in Union County have remained fairly stable, while corridor improvements have caused travel speeds in the corridor to improve dramatically. NCDOT’s recent 2013 data shows that current travel time along U.S. 74 is now 30 minutes at peak with an average peak speed of about 44 mph, 20 mph faster than was observed in 2007. As the DSFEIS recognizes, with just these minimal improvements, peak travel time speeds are now closely approaching the speed limit throughout much of the U.S. 74 corridor. Further, the DSFEIS demonstrates that congestion is not prevalent throughout the study area, but rather limited to a few key hotspots. In other parts of the corridor, the magic speed of 50 mph is already</p>	<p>See response to Document L-006, Comment #17 and response in Appendix E-4, Table 1, Comment #54.</p> <p>The commenter’s statement regarding traffic volumes remaining fairly stable in Union County is incorrect. While traffic volumes along US 74 have remained fairly stable, traffic volumes in Union County have increased.</p> <p>As discussed in Section 1.8.2 of the <i>Draft EIS</i>, travel times along the existing US 74 corridor were estimated using a computer model (SimTraffic). INRIX data was not available at the time of the <i>Draft EIS</i>, nor is data currently available from INRIX for 2007. It is important to note here that SELC is trying to make an exact comparison between data from a computer model and actual travel speed data provided by INRIX. This is not a proper comparison.</p> <p>As described in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i>, NCDOT collected travel time information to update travel performance along the existing corridor. Based on this data, which</p>

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			accomplished, and in several more sections it is close.	<p>is from actual travel speeds as reported by INRIX, average travel speeds along the US 74 corridor are still below 50 mph, and are not confined to a few key hotspots, as incorrectly alleged by SELC. [NOTE: Errors in the tables in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> are corrected in Appendix D (Errata) of the <i>Final Supplemental Final EIS</i>, but the corrections did not change any conclusions presented in the <i>Draft Supplemental Final EIS</i>.] Updated travel speed information for all of 2013 is included in Section 1.1.1 and Appendix E of the <i>Final Supplemental Final EIS</i> and continues to show that current average travel speeds along the US 74 corridor are below 50 mph.</p> <p>Also refer to Exhibits 1-2, 1-3 and 1-4 in the <i>Draft Supplemental Final EIS</i> and Exhibits 1-1 and 1-2 in the <i>Final Supplemental Final EIS</i> for recent average travel speeds throughout the corridor, which show the majority (60%) of the corridor operates at less than the posted speed limit.</p>
L-006	11- New Information	19	It is likely that NCDOT’s predictions of 70 minute travel times and speeds of 17 mph by 2035 are also greatly overstated. As mentioned, traffic volumes in the corridor have seen very little increase in the past ten years, and there is no evidence presented in the EIS as to why they would be expected to increase to the dramatic levels previously forecast. Additionally, the traffic forecasts used by NCDOT to analyze future levels of congestion did not take into account the recent improvements to the U.S. 74 corridor, or improvements that have been scheduled and funded in the near future. This failure again	<p>See responses to Document L-006, Comment #s 17 and 18.</p> <p>See responses in Appendix E-4, Table 1, Comment #’s 32, 34, 40 and 41.</p>

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			serves to overstate the congestion problem.	
L-006	11 – New Information	20	Additionally, the original traffic projections do not take into account the impact of Union County’s recent bus service to Charlotte. Since 2008, the Charlotte Area Transit System (“CATS”) has provided the 74X Union County Regional Transit Service. The bus service visits two locations in Union County — the Monroe K-Mart and Union Town Center — and transports riders to several locations in Charlotte, including the Charlotte Transportation Center as well as the major intersection of College and 11th, thereby removing many drivers from U.S. 74 during peak travel times. In July 2013, Union County extended its contract with CATS to continue this service.	According to CATS, the annual 2013 ridership for Route 74X was 42,000, which is an average of 175 daily riders, or about 88 riders per day in each direction. NCDOT and FHWA believe public transportation is an important component of a region’s overall transportation system. However, the 2013 ridership for Route 74X shows that only a very small percentage of vehicles would be removed from existing US 74 by people riding Route 74X, and this would not affect traffic projections. Route 74X was in service during the time the travel speed data presented in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> and Section 1.1.1 of the <i>Final Supplemental Final EIS</i> was collected.
L-006	12 – New Information	21	NCDOT has estimated that 20 percent more vehicles will get through a superstreet intersection during rush hour than a traditional intersection, indicating that these planned superstreets are likely to have a great effect on peak congestion in the U.S. 74 Corridor. The DSFEIS fails to analyze the impact of these planned improvements and how they might, in conjunction with improvements that have already been made, reduce the need for as large scale a project as the proposed Bypass.	A superstreet concept was considered at various stages of the EIS process. NCDOT’s analysis showed that the concept would not meet the purpose and need of the project. No further analysis is needed to determine how much the improvements might reduce the need. The NCDOT has implemented and plans to implement the superstreet concept throughout the US 74 corridor.

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L-006	12 – New Information	22	...the DSFEIS also fails to consider recent changes to growth trends in Union County. The DSFEIS considers data on Union County’s population growth through only 2010, failing to recognize the major changes in Union County growth trends since 2010. This is exemplified by the fact that the DSFEIS incorrectly states that Union County is the fastest growing county in North Carolina. Though this statistic may have been true several years ago, today there are at least ten counties that are growing faster than Union County.	See responses in Appendix E-4, Table 1, Comment #'s 37, 40, 41, 44 and 45. Despite the slower growth rates recently, the North Carolina State Demographic Unit and ACS estimates cited show that Union County is still among the fastest growing counties in the region and is growing at a faster rate than the vast majority of counties in North Carolina. For reasons documented in Appendix E to the <i>Draft Supplemental Final EIS</i> , Union County is expected to continue to see above average growth compared to the region and the state (see page EI-37).
L-006	13 – New Information	23	In sum, the growth experienced over the past seven years has been vastly different to the forecast underlying the original statement of need. Traffic volumes have not increased, but traffic speeds have. Small scale improvements have been planned and implemented along U.S. 74 and have been successful. Population growth in the study area has slowed. In light of these changes, NCDOT should carefully reevaluate the Statement of Purpose and Need. Rather than just looking at current data and dismissing it as showing only that peak speeds are still below 50 mph, NCDOT should more carefully consider what the data shows is really needed and what might be achieved. Congestion is mostly found in key hotspots, and there are potential alternatives, smaller scale and less expensive than the Bypass, which might address this	See responses to Document L-006, Comment #s 1, 6, and 22. SELC provides no data to support their statement that over half of the corridor is now running at an average travel speed of 50 mph. Based on the analysis presented in Table 1-2 and Table 1-3 of the <i>Draft Supplemental Final EIS</i> , the peak hour average speed for every segment of the corridor is less than 50 mph. [NOTE: Errors in the tables in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> are corrected in Appendix D (Errata) of the <i>Final Supplemental Final EIS</i> , but the corrections did not change any conclusions presented in the <i>Draft Supplemental Final EIS</i> .] Updated travel speed information for all of 2013 is included in Section 1.1.1 and Appendix E of the <i>Final Supplemental Final EIS</i> and continues to show that current average travel speeds along the US 74 corridor are below 50 mph.

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			congestion. Further, the average travel speed in the corridor is fast approaching the sought after 50 mph, and indeed over half the corridor is now running at that speed.	
L-006	14 – P&N	23a	The need was considered and established based on the conditions in the U.S. 74 corridor at that time (2007) when traffic on was travelling at significantly lower speeds that it is today, taking 20 minutes longer to travel the corridor at peak times. As detailed above, much has changed in the past seven years and the public and resource agencies should be given a full opportunity to establish an updated statement based on 2014 conditions, trends and opportunities. Yet the DSFEIS notes that there has been no additional public or agency outreach on this important question that defines the scope for the whole NEPA process.	<p>Page 1-3 of the <i>Draft Supplemental Final EIS</i> states that there are no updates to the history of public and agency involvement presented in the <i>Draft EIS</i>. This was not meant to imply that no comments on the purpose and need were accepted after the Draft EIS. It should have been made clear that comments on all aspects of the project, including the purpose and need, were accepted at any time.</p> <p>Numerous public involvement opportunities were provided throughout the extent of this project. These opportunities are documented in Sections 1.4, 3.1, and 3.2 of the <i>Final EIS</i>; Section 5 and Appendix A of the <i>Draft Supplemental Final EIS</i>; and Section 3 of the <i>Final Supplemental Final EIS</i>.</p>
L-006	14 – Alts Analysis	23b	In its rejection of NCDOT’s previous EIS for this project, the United States Court of Appeals for the Fourth Circuit reiterated the consistent message of NEPA jurisprudence: that NEPA requires that agencies to “[r]igorously explore and objectively evaluate all reasonable alternatives.” Yet the DSFEIS demonstrates that NCDOT has performed no such rigorous new analysis. Instead, the transportation agencies have continued to base their alternatives analysis on flawed traffic forecasts, and still refuse to evaluate fully all reasonable alternatives to the	This comment mischaracterizes the referenced Appeals Court ruling. The ruling states, "We therefore vacate the judgment of the district court and remand so that the Agencies and the public can fully (and publicly) evaluate the "no build" data [footnote 5]." Footnote 5 states "The Conservation Groups point to a number of other instances where the Agencies assertedly failed to comply with NEPA's requirements...We need not address these contentions because on remand, when the Agencies reevaluate the Impact Statement, they will have an opportunity to provide full public disclosure and all necessary explanations of their process."

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			Monroe Bypass.	The <i>Draft Supplemental Final EIS</i> , public review period, <i>Final Supplemental Final EIS</i> , and supporting technical memoranda provide full public disclosure and all necessary explanations of the process.
L-006	15 – Traffic Forecast	24	The transportation agencies have since determined that the 2035 forecasts remain valid for the purposes of the DSFEIS, explaining that the forecasts were “only used to show that conditions will worsen in the future,” and that “additional future traffic analyses were not needed to document the present need for the project.” Thus, the alternatives analysis in the DSFEIS essentially remains based on the 2008 projections for 2030. NCDOT has justified the decision to continue relying on these old traffic forecasts because: (1) no new alternatives have been identified, (2) the current let date of the project is less than the future forecast year plus 20 years, (3) the study area is not experiencing growth not previously considered in the forecast, and (4) the traffic forecast is not five years older than the Base Year. The decision is apparently based on a memorandum entitled “Guidelines to Determine When to Request an Updated Traffic Forecast.” The memo sets out that the determination of when traffic forecasts should be redone should be based on cognizance that such forecasts “can adversely affect the project’s cost, schedule, and budget.”	The commenter’s statement that “the alternatives analysis essentially remains based on the 2008 projections for 2030” is not an accurate representation of the <i>Draft Supplemental Final EIS</i> . NCDOT conducted additional evaluation of improvements listed in the Stantec study as suggested by the commenter in earlier correspondence. Section 2.4 of the <i>Draft Supplemental Final EIS</i> details many of the Transportation System Management (TSM) improvements made to the corridor. Those improvements, while improving travel on US 74, did not meet the purpose and need under current traffic. Since those improvements don't meet the purpose and need under the current conditions, there is no need to re-forecast future traffic to determine if these improvements would meet purpose and need at some future date. The commenter does not dispute that growth will continue in the future.

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			<p>First, we should note that based on NCDOT’s own narrow parameters a new traffic forecast is needed. New project alternatives, such as upgrades to Secret Shortcut and Old Monroe Road in combination with U.S. 74 improvements, were identified in our previous comment letter. Moreover, the study area, while not experiencing more growth than previously considered in the forecasts is experiencing considerably less growth, a fact that is equally important when it comes to the ramifications for the alternatives analysis.</p> <p>More importantly, however, the extent of an agency’s NEPA responsibilities is not curtailed by the agency’s considerations of its own costs, schedule, or budget. Such considerations do not relieve an agency of a legal duty to perform a full and adequate NEPA review. “Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA.” 40 C.F.R. § 1500.1(b). Such accuracy ensures that agencies take a “hard look” at environmental effects of proposed projects and that relevant information is available to the public. Glickman, 81 F.3d at 445-46 (holding that the economic assumptions underlying an EIS are subject to “narrowly focused review” to determine whether they “impair[ed] fair consideration of a project’s adverse environmental effects”).</p>	

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			<p>Moreover, agencies have a duty to “insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements.” 40 C.F.R. § 1502.24. The continued reliance on outdated traffic forecasts that have now been shown to be overstated to an alarming degree fails to “satisfy the requirements of NEPA,” and the DSFEIS “cannot provide the basis for an informed evaluation or a reasoned decision.” <i>Sierra Club v. US Army Corps of Eng’rs</i>, 701 F.2d 1011, 1030 (2d Cir. 1983).</p>	
L-006	16 -Traffic Forecast	25	<p>We asked Dr. David T. Hartgen, P.E., Ph.D., to review the traffic forecasts for the Monroe Bypass. After his review Dr. Hartgen concluded that “traffic forecasts presented in the DSFEIS are too uncertain and insufficiently supported to be the basis for decision-making regarding the Monroe Connector/Bypass” explaining that the DSFEIS “<i>simply ignores the last 12 years of history regarding traffic trends on U.S. 74.</i>”</p>	<p>See response to Document L-006, Comment #24. Dr. Hartgen’s report was considered, and responses to the points raised in his report are provided in Table A2.6, responses in Appendix E-4, Table 1.</p>
L-006	17 – Traffic Forecast	26	<p>As demonstrated in HNTB’s Traffic Forecast Summary, the percent volume increase from NCDOT’s 2012 AADT that must be realized to reach the 2035 No-Build Projection ranges from 22% to 81%, with an average of 53% increase in volume. Dr. Hartgen explains that the implied percent changes from current volumes which range from 1.3 to 5.4% per year, are 5-10 times faster than the recent twelve years of observed</p>	<p>See responses in Appendix E-4, Table 1, Comment #s 40 & 41.</p>

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			<p>traffic volumes. Though the DSFEIS recognizes that traffic counts from 2007 to 2012 show “zero change,” the transportation agencies offer no explanation of how to reconcile their projections of radical increases in traffic volume with the reality of flat-lined growth rates over the last twelve years.</p>	
L-006	17 – Traffic Forecast	27	<p>Further, Union County is no longer experiencing anywhere near the level of growth as in 2008, indicating that expectations of massive increases in traffic are no longer justifiable. As Dr. Hartgen notes, Union County’s growth rate has fallen sharply since the project’s first FEIS, falling from 4.9%/year from 2000-2010 to just 1.7%/year, based on the most recent census data. Moreover, even when Union County’s population was growing, traffic volumes remained stable. As Dr. Hartgen details in his report, in spite of the previous high growth in Union County “<i>traffic on U.S. 74 has not increased substantially since 2000.</i>” The transportation agencies have never explained why, in the face of such evidence, increased population would necessarily result in more drivers using the U.S. 74 Corridor. With population growth now slowing, the huge increase in drivers seems even less likely.</p>	<p>See responses in Appendix E-4, Table 1, Comment #s 37, 40 & 41.</p>
L-006	18 – Traffic Forecasts	27a	<p>Dr. Hartgen explains that it is “likely that the improvements made so far also helped improve the current operating speeds in the 44-mph range, given that traffic volumes have not</p>	<p>See Response to Document L-006, Comment 37A. See responses in Appendix E-4, Table 1, Comment #s 34 & 54.</p>

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			increased and INRIX speeds show an increase over time.” As such, Dr. Hartgen argues that “at the very least, the planned improvements should be coded into the regional network and used as the basis for all forecasts.” Moreover, future planned improvements, such as the superstreet installations described above, may be “equally effective” at improving traffic condition such that they also should be considered in the traffic forecasts.	
L-006	18 – Traffic Forecasts	27b	We applaud NCDOT’s efforts to improve traffic conditions in the U.S. 74 Corridor, and recognize that traffic experts such as Dr. Hartgen anticipate future planned improvements will surely continue to dramatically improve traffic conditions. When these improvements are paired with the steady to declining traffic volumes observed over the past twelve years, the result is a significant, sustained divergence from the 2008 traffic forecasts used to underpin both the Statement of Purpose and Need and the Alternatives Analysis. NCDOT’s continued reliance on these forecasts is both bad policy, considering the \$900 million investment, and a violation of NEPA.	The commenter presents no analysis to support the claim that future planned improvements will result in a “significant, sustained divergence from the 2008 traffic forecasts.” This is Dr. Hartgen’s opinion. For the <i>Draft Supplemental Final EIS</i> , NCDOT systematically re-visited all of the traffic forecasts to determine whether they were still valid and reliable. Based on additional review, analysis and comparison, it was determined that the existing traffic forecasts remain valid and reliable and it was unnecessary to perform new traffic forecasts, as explained in Section 2.5.2 and Appendix G of the <i>Draft Supplemental Final EIS</i> .
L-006	18 – Socio Economic Data	28	As NCDOT admits, the forecasts of traffic are not based on the most recent available socio-economic data. The traffic forecasts underlying the Draft FEIS are based on 2005 socio-economic data, yet the transportation agencies verify that	As stated in Section 2.5 of the <i>Draft Supplemental Final EIS</i> , a sensitivity analysis was conducted to determine if traffic forecasts would substantially change if 2009 socio-economic data were used and the agencies “[reasonably concluded] that differences between

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			<p>they could have, at the very least, updated their model with 2009 socio-economic data. Instead, the transportation agencies considered the 2009 socio-economic data only to verify a continued demand on the U.S. 74 Corridor, yet did nothing to quantify or otherwise detail any differences that the use of such data might make on the forecasts themselves. Moreover, even more up-to-date forecasts of socioeconomic growth have recently been put together by Dr. Steven Appold.</p>	<p>SE data sets would not substantially change the traffic forecasts.”</p> <p>See also response to Document L-006, Comment #s 22, 24, and 25.</p> <p>As discussed in a memorandum entitled <i>Review of New CRTPO Socioeconomic Projections</i> (Michael Baker Engineering, Inc., May 2014) and summarized in Section 2.4 of the <i>Final Supplemental Final EIS</i>, the MUMPO 2009 socioeconomic projections used in the November 2013 ICE Update were compared to the CRTPO 2014 socioeconomic projections to estimate the effect of differences between the projections on the conclusions of the ICE Update as presented in the <i>Draft Supplemental Final EIS</i>. [Note: The CRTPO adopted the <i>2040 Metropolitan Transportation Plan</i> on April 16, 2014. FHWA issued a conformity determination on May 2, 2014.] It was concluded, based on a thorough review of the CRTPO 2014 socioeconomic projections compared to the MUMPO 2009 socioeconomic projections used in the November 2013 ICE Update, that conclusions regarding impacts to sensitive resources would be highly unlikely to change and the overall assessment of impacts would likely show lower impacts. Therefore, incorporation of the new information would not result in significant environmental impacts not previously evaluated in the <i>Draft Supplemental Final EIS</i> and an updated analysis of indirect and cumulative effects is not necessary.</p>
L-006	19 – Socio Economic Data	29	<p>Indeed, as Dr. Hartgen has detailed in his report, the population forecasts used to forecast traffic are “probably significantly overstated.” Dr. Hartgen goes on to outline and discuss several critical and flawed assumptions underlying the projections relied upon by NCDOT. For example, with regard to Dr. Hammer’s “top-down”</p>	<p>See response in Appendix E-4, Table 1, Comment #45.</p> <p>The comment suggests the population forecasts used to forecast traffic are probably overstated. The commenter references Dr. Hartgen's review of Dr. Hammer's regional forecast. FHWA and NCDOT evaluated the validity of Dr. Hammer's forecast by comparing it to other known sources of population projections and determining that the MPO's projections were still reasonable for our</p>

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			forecasts, Dr. Hartgen explains that the assumption that the United States will maintain past growth rates is now untenable, given the recent recession, noting that current growth rates for the United States are now one third to one half of the estimates the Hammer study relies upon, and points out that the employment/population ratio is the lowest in 50 years.	forecasting work. While the commenter suggests that the population forecasts are probably overstated, the commenter did not suggest alternative sources of forecasts for NCDOT to consider nor provide us with their forecast of future population. Additionally, the commenter ignores the fact that the 2010 MUMPO projections for Mecklenburg County were within 1.3 percent of the 2010 census counts and the 2010 Union County projections were within 0.4% of the census counts. Also, the CRTPO population projections in the 2040 MTP for the year 2030 are approximately five percent less than Dr. Hammer’s most likely 2030 population forecast for Union County.
L-006	19-Socio Economic Data	30	Additionally, Dr. Hartgen questions Dr. Hammer’s assumption that Union County will attract a relatively large share of regional growth, explaining that the majority of Union County’s recent growth “was driven not by local county economic activity but by proximity to Charlotte, particularly in the Ballantyne area,” which has now slowed significantly. Dr. Hartgen also notes that reliance on Dr. Hammer’s projections for the purposes of traffic forecasts for the study area is in error, as the Dr. Hammer study and the recent Baker review do not discuss the location of that growth within Union County and thus “overlook the fact that the most of the Union County growth has been outside of the Bypass study area.”	See responses in Appendix E-4, Table 1, Comment #37, 45 and 46.
L-006	20-Socio Economic	31	As discussed below, NCDOT’s analysis of induced growth is fundamentally flawed due to an improper assumption in the “No-Build” forecast.	See response to Document L-006, Comment #s 22 and 30.

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	Data		<p>That forecast failed to take into account the constraining effect heavily congested infrastructure might have on future growth and thus vastly overstated the likely levels of growth without the Bypass. As a result, the analysis severely downplayed the difference between future “Build” and “No-Build” scenarios. Thus, when NCDOT’s consultants examined the impact of induced growth on NCDOT’s traffic forecasts they were working with flawed data which showed an improperly low level of growth attributable to the Bypass. Moreover, the consultants failed to analyze properly the difference in trip volume and distribution due to the likely redistributed growth patterns that will result from the Bypass.</p> <p>Further, even if NCDOT’s cursory analysis of this issue were sufficient, we disagree with agency that the difference of 3-4% in traffic volumes is so negligible that it need not be given any consideration or further study. Moreover, the 3-4% difference presented is for Union County as a whole. The percentage difference is likely much higher in the study area.</p>	<p>NCDOT used the most appropriate projections in the development of the No-Build and Build Scenarios. The <i>Draft Supplemental Final EIS</i> details the assumptions made in the analysis and the steps that were taken to assess the influence (or lack thereof) the Monroe Connector/Bypass had on those projections.</p> <p>It is important to note that even a heavily congested roadway network today or in the future is not necessarily going to limit future growth in Union County. As Dr. Appold noted in his letter to Jamal Alavi on May 29, 2013, “although journey-to-work is almost certainly a factor in residential location decisions, such decisions are not very sensitive to even large variations in commuting time. In fact, there is a very productive urban research tradition building on the Tiebout hypothesis, which ignores travel times and focuses on the relationship between amenities and local taxes.” Thus, while growth may lead to increases in congestion, that increasing congestion will not necessarily limit additional growth.</p> <p>Furthermore, as noted in Appendix B to the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update), the relationship between amenities and local taxes in Union County is highly positive and points towards a likely higher than average growth trend for the future.</p> <p>In Dr. Hammer’s study of demographic and economic forecasts for the Charlotte Region (Hammer Report) demographic and economic descriptors provide a defensible measure of area-wide (county-level) development potential. As Dr. Hammer states, p. 11, “In North Carolina, county-level forecasts from a calibrated allocation model should ordinarily be reliable - to the extent that any forecast is reliable – with little or no adjustment for omitted supply-side influences.” Supply-side influences include transportation</p>

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				<p>infrastructure. NCDOT’s summary of the Hammer Report is found on page E1-60 of the <i>Draft Supplemental Final EIS</i>.</p> <p>In Paul Smith’s 2004 Mecklenburg-Union Metropolitan Planning Organization Population and Employment Allocations 2000-2030 (Smith Report), growth was allocated using an attractiveness for development factor that included travel time to population centers using the existing and anticipated roadway network. Thus the TAZ-level allocations did take into account the anticipated traffic within the Future Land Use Study Area evaluated in the ICE Update. NCDOT’s summary of the Smith Report is found on Page E1-64 of the <i>Draft Supplemental Final EIS</i>.</p> <p>In addition, the commenter is incorrect in stating that trip volumes associated with potential indirect and cumulative effects associated with the Monroe Connector/Bypass are not documented. The assumptions used in the analysis are thoroughly documented for public review.</p> <p>The potential effect to the traffic forecast due to changes in the socioeconomic data related to indirect and cumulative effects study for the Monroe Connector/Bypass project was considered. It was determined that changes in socioeconomic data cause relatively minor changes in traffic volumes in the MRM model runs. Based on the comparison of 2030 Build MRM11v1.1 model runs using 2009 SE data and 2009 ICE SE data, the volume changes and percent changes are not substantial. The change in VMT and VHT in Union County is 3 percent and 4 percent respectively, while changes in Mecklenburg County and across the MRM network are approximately zero percent. These variations in raw model daily volume assignment will not affect the conclusions of the traffic forecasting development process. A summary of this evaluation is included in the <i>Draft Supplemental Final EIS</i> Section 2.5 and in detail</p>

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				in Appendix G (<i>Monroe Connector/Bypass Traffic Forecast Summary</i> (November 8, 2013)).
L-006	21 – Flawed Traffic	32	Even if the NCDOT is correct that the U.S. 74 Corridor will continue to experience congestion, a point not clear in light of the agency’s grave failure to evaluate the impacts of planned future transportation improvements outlined above. Such a conclusion does not support the decision to perform no new traffic forecasts. ... NEPA requires agencies to present a full detailed picture of alternatives and their differing environmental impacts for the benefit of decision makers, including permitting agencies and the public.	See response to Document L-006, Comment #24.
L-006	21 – Flawed Traffic	32a	Rather than use accurate forecasts to compare transparently a range of alternatives, NCDOT has used the bogus, overstated projections to justify its choice of a new-location Bypass as the only possible solution to area congestion.	See responses in Appendix E-4, Table 1, Comment #s 22 & 45. It should also be noted that DSA D was selected based on its ability to meet all elements of the purpose and need, and based on the results of comparative analyses, as stated in Section 2.6 of the <i>Draft Supplemental Final EIS</i> . DSA D was not selected as the only possible solution to area congestion, as SELC incorrectly claims.
L-006	22 – Flawed Traffic	33	As such, the traffic forecasts were integral not just to determining if there was any need for the project, but also in screening and analyzing different project alternatives. Accordingly, simply verifying that the U.S. 74 Corridor will continue to experience high demand may “substantiate the viability of and need for” some sort of project in the corridor, but it does nothing	FHWA and NCDOT reevaluated alternatives, including those suggested in the Stantec study. FHWA and NCDOT noted that many of the improvements in the study have been implemented. Further, NCDOT showed that the improvements to US 74 do not meet the purpose and need based on real-time travel speeds under existing traffic conditions along the corridor. Since those alternatives were determined not to meet the purpose and need with current traffic volumes, there is no need to revisit future traffic forecasts to screen

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			to reevaluate transparently and publicly the relevant success of different project alternatives, as NEPA requires. The vast disparity between observed recent traffic patterns and the traffic projections used in the EIS demonstrate that NCDOT must revisit its alternatives analysis. By relying on outdated and flawed projections, NCDOT has vastly overstated future traffic volumes, thereby making alternatives to the Bypass look less promising.	out alternatives.
L-006	22 – Flawed Traffic	33a	We are concerned that the refusal to properly forecast future traffic is becoming a regular practice for NCDOT. It is quickly becoming a matter of course for NCDOT to fail to engage in proper forecasting, thereby failing their NEPA duty to analyze impacts and cumulative effects of a project.	The commenter is simply citing their opinion. See response to Document L-006, Comment #32a regarding the validity of the project’s traffic forecasts.
L-006	22 – Patterns of Traffic	34	In addition to its reliance on outdated and fundamentally flawed traffic forecasts, the alternatives analysis also fails to answer a key question: Where are travelers in the U.S. 74 corridor going? The DSFEIS fails entirely to look at the percentage of traffic in the corridor that is local, i.e. moving within a town or traveling from one town along U.S. 74 to another, the percentage that is commuting into Charlotte, and the percentage that is traveling through the corridor. Without some knowledge of this basic information, it is impossible to determine what alternatives will be most effective for the	See response to Document L-006, Comment #32a regarding the validity of the project’s traffic forecasts. These forecasts use a regional travel demand model that generates trips to (destinations) and from (origins) individual TAZs. The model is calibrated and approved for use for the region and assigns traffic volumes to the roadway network included in the model. The model was run with and without the Monroe Connector/Bypass, and the model assigned traffic volumes to the Monroe Connector/Bypass (in the Build scenario) and existing US 74 (in both the Build and No-Build scenario), as well as other network roadways. Origin-destination information is useful for the purpose of conducting traffic and revenue studies for financing the project. The

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			corridor.	<p>use and appropriateness of the origin-destination surveys/information used in the traffic and revenue studies conducted for the project are included in the <i>Draft Supplemental Final EIS Appendix A</i> (pages A1-25 through A1-28).</p> <p>It is important to note that the traffic forecasts are not based solely on any single data source, but are based on the review, comparison, and synthesis of different sources of data. For project-level traffic forecasting, the MRM is just one tool and associated raw model outputs are just one piece of data used in the forecasting process.</p>
L-006	23 – Patterns of Traffic	35	<p>In a recent report to NCDOT by its consultant CDM Smith (formerly Wilbur Smith Associates, who performed the Traffic & Revenue Study), the consultant noted the deficiencies of the study, admitting that the Origin-Destination Study provides little to no information on truck traffic. The consultant explained that “[t]ypically truck drivers do not respond to mail-back survey requests” of the type used in the Traffic & Revenue Study, citing the response rate at about 1-2%. The consultant further admitted that the survey was specifically “geared toward obtaining a successful survey of passenger vehicles,” not data on trucks, which likely make up much of the through traffic in the corridor. Similarly, the survey was conducted in March and April, months that are certainly not representative of levels of through-traffic passenger cars headed to the coast during peak beach season (Memorial Day to Labor Day). NCDOT has also publically admitted outside of the NEPA process that it “has</p>	<p>The Traffic and Revenue (T&R) document was prepared as part of the financing process for the project as it relates to the selling of bonds for the project. The <i>Comprehensive Traffic and Revenue Study</i> noted its vehicle classification data collected showed that passenger vehicles and light trucks accounted for 91.6% of vehicles at all data collection sites. Multi-unit trucks were only 4.1% of all vehicles at those sites. The SELC overstates the importance of truck traffic use of the proposed project by suggesting that trucks likely will make up much of the through traffic in the corridor. The commenter offers no reference to their conclusion. The <i>Comprehensive Traffic and Revenue Study</i> forecasted that most of the revenue collected (greater than 80%) during the project operation will be Class I - Two Axle Vehicles.</p> <p>NCDOT and FHWA took a hard look at the OCL report and consideration of the report is documented in Appendix A of the <i>Draft Supplemental Final EIS</i>, beginning on page A1-16.</p>

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			<p>not projected the amount of traffic that will travel throughout (end to end) the entire corridor versus accessing within the corridor at interchanges.”</p> <p>The engineering firm O’Connell & Lawrence (“OCL”) also critiqued the transportation agencies’ origin-destination study in a recent report for several reasons. One concern OCL raised was the substantial disparity between the number of trips originating and ending in Charlotte, the dominant employment and population center in the region. OCL found that this disparity indicates that the location of the survey handout locations should have been adjusted to provide a better cross-section of drivers. OCL also noted the low percentages of trucks as opposed to passenger vehicles responding to the survey was alarming, as it was significantly different from the percentage breakdown among actual vehicles on the road.</p>	
L-006	24 – Patterns of Traffic	36	<p>NCDOT’s failure to analyze the percentages of local and through traffic necessarily undercuts the validity and thoroughness of their alternatives analysis. Without any comprehensive study of where traffic is going in the U.S. 74 Corridor, the transportation agencies have no clear vision of the actual usage of U.S.74. In fact, this point is made within the Traffic & Revenue Study itself. As the “Report of Independent Economic,” completed as part of</p>	<p>The commenter is critiquing the comprehensive T&R study, which is used to acquire toll revenue bonds to finance the project. It should be noted that the NCTA received an investment grade rating for its bonds based on this study. Therefore, the financial market found the study sufficient to rate and sell bonds. NCDOT and FHWA do not agree with the commenter’s description of the intent of the project. The purpose of the project can be found in Section 1.1.2 of the <i>Draft Supplemental Final EIS</i>.</p>

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			<p>the Comprehensive Traffic & Revenue Study, recognizes “the U.S. 74 corridor handles a significant volume of extra-regional traffic,” referencing specifically the traffic going from the Charlotte area to the Port of Wilmington and the beaches near Wilmington and Myrtle Beach, and vice versa. The report explains that “no good source of data for drivers of long distances travel through US 74 exists,” outlining the difficulty in estimating long-distance passenger and truck traffic based on existing figures.</p> <p>Because the intent of the Bypass is to speed travel from one end of the corridor to another, knowledge about the percentage of traffic making that trip is necessary for projecting usage of the facility and divergence of traffic from U.S. 74, both key to determining how well different alternatives meet the stated purpose and need. Such information is also essential for determining the impacts of different project alternatives, specifically, how much traffic is expected to remain on U.S. 74 and whether levels of truck traffic will decline.</p>	
L-006	25 – Patterns of Traffic	36a	Indeed, Mayor Lynda Paxton, a former MUMPO delegate and previous Vice-Chair, has shown significant interest in a thorough origin-destination study, making clear both that MUMPO members do not yet have this information and that they find it important.	This comment is a representation of one person’s views. Ms. Paxton does not speak for the MPO. SELC is incorrectly attributing the views of a private citizen to the MPO. CRTPO (formerly MUMPO) did not submit any comments on the <i>Draft Supplemental Final EIS</i> .

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L-006	25 – Alts Analysis	37	Documents from 2006 show how the alternatives analysis for the 2009 EIS was simply recycled from the analysis that came before it, with decisions made to eliminate alternatives before the NEPA process even formally began. This old analysis was then dumped once more into the DSFEIS, with no true consideration given to any transportation improvement other than the Bypass. Given the outdated nature of this analysis and the changed circumstance described above, NCDOT must reinitiate its alternative analysis from the beginning and use updated traffic forecasts to consider a full range of alternatives, and combinations of those alternatives, to satisfy NEPA’s mandate.	<p>The conclusion made by the commenter regarding the alternatives development process is incorrect. The first sentence in this comment references the SELC letter Attachment 29 (memorandum from PBS&J to NCDOT dated October 19, 2006). The memorandum summarized a meeting held on October 16, 2006 to discuss “the approach to take to move forward in the NEPA process with the Monroe Connector (TIP Project R-3329) and the Monroe Bypass (TIP Project R-2559).” The memorandum states:</p> <p style="padding-left: 40px;">“An alternatives screening process will be conducted for the combined project. This process will involve re-consideration of alternatives considered in the prior studies, including alternatives that were considered and dismissed at the screening stage. This process also may involve the development of new alternatives that were not considered in the previous study.”</p> <p>The alternatives analysis was previously shared with the public and agencies for review and was most recently made available during the public comment period following publication of the <i>Draft Supplemental Final EIS</i>.</p>
L-006	26 – Improve US 74	38	As we have regularly emphasized in our comments to NCDOT, a complete alternatives analysis must give full consideration to upgrades to U.S. 74. We have already begun to see that the implementation of a wide variety of recent small-scale, low-cost traffic improvements to the corridor has dramatically improved traffic flow along U.S. 74. As outlined above, NCDOT’s measures to implement many of the improvements suggested in the Stantec Study have been a great success, and other planned and funded improvements are likely to have an	<p>Substantial treatment was given to Improve Existing US 74 Alternatives in the EIS process.</p> <p>Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> documents the recent existing operating speeds on existing US 74 using INRIX data. Section 2.4 of the <i>Draft Supplemental Final EIS</i> (Additional Consideration of Alternatives After the Final EIS) documents the long list of improvements made to existing US 74 since July 2007 that are currently in place. As noted in Section 2.4:</p> <p style="padding-left: 40px;">“Even with the implementation of the improvements described above, US 74 experiences congestion during peak travel periods</p>

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			<p>even greater impact. These observed effects, when coupled with steady-to-waning traffic volumes detailed above, indicate that a renewed study of the Improve Existing U.S. 74 Alternatives is necessary. Failure to give “substantial treatment” to this reasonable alternative to building the proposed highway without providing “adequate justification for its omission” is necessarily arbitrary and a violation of NEPA. <i>Southeast Alaska Conservation Council v. FHWA</i>, 649 F.3d 1050, 1059 (9th Cir. 2011).</p>	<p>as highlighted in Section 1.2.4. Existing average speeds along US 74 are less than posted speed limits and less than 50 mph during peak travel periods. TSM improvements, while providing some short-term benefit, would continue to not meet the purpose and need for the Monroe Connector/Bypass project.”</p> <p>NCDOT thoroughly studied many upgrade US 74 alternatives. Those alternatives were rigorously explored and objectively evaluated but were ultimately eliminated from detailed study because they were determined to not meet the project's purpose and need or were determined not reasonable or practicable. The environmental documents adequately describe the reasons for their having been eliminated. <u>See</u> 40 CFR 1502.14(a). <u>See also</u> <i>Draft EIS</i> Section 2.2.2.5, <i>Draft EIS</i> Section 2.4.4.3, <i>Final EIS</i> Section 3.3.2, and <i>Draft Supplemental Final EIS</i> Section 2.4.</p> <p>Because the improve existing US 74 alternatives did not meet the project’s purpose and need and/or were not reasonable or practicable, they were not carried forward as detailed study alternatives (“DSA”). NEPA requires “substantial treatment” be devoted to each detailed study alternative and not those alternatives that do not meet the project’s purpose and need. <u>See</u> 40 CFR 1502.14(b).</p>
L-006		38a	<p>Other targeted improvements to existing U.S. 74 were identified by the Stantec Study, as outlined in Table 3-5 of the DSFEIS. Several of these improvements have been implemented with great success throughout the corridor, as outlined above. Others, such as the superstreets planned for Indian Trail, are expected to have an impressive impact as well. Yet NCDOT decided to</p>	<p>The citation given by SELC to support their claim that superstreets planned for Indian Trail are “expected to have an impressive impact as well” is to page 2-12 of the <i>Draft Supplemental Final EIS</i>. This page actually states:</p> <p>“Even with the implementation of the improvements described above, US 74 experiences congestion during peak travel periods as highlighted in Section 1.2.4. Existing average speeds along US 74 are less than posted speed limits and less than 50 mph during</p>

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			<p>dismiss these targeted, small-scale alternatives out of hand for failure to meet the project’s purpose and need.</p> <p>This assessment is based entirely on outdated, inaccurate traffic forecasts. The DSFEIS dismisses the improvements listed in Table 3-5 of the Final EIS (those improvements identified by the Stantec Study) by noting that they would not achieve high-speed travel. To reach this conclusion, the DSFEIS relies on 2008 estimates which projected that implementing the Stantec improvements would result in an average 2015 peak travel speed of between 29 to 30 mph. But, as recognized by Dr. Hartgen in his report, after implementing just some of these solutions, NCDOT has already observed average peak travel speeds well above these projections, with the average peak travel speed now 44 mph.</p>	<p>peak travel periods. TSM improvements, while providing some short-term benefit, would continue to not meet the purpose and need for the Monroe Connector/Bypass project.”</p> <p>The 2015 average travel speeds estimated with the improvements recommended in the Stantec study as presented on page 2-9 of the <i>Draft Supplemental Final EIS</i> were taken directly from the Stantec study. These estimated travel speeds are for the 12.5-mile segment of US 74 from its intersection with US 601 South to Stallings Road. It appears that the commenter is comparing those estimated speeds to INRIX average travel speeds collected in 2011, 2012, and August 2013 for an 8.2-mile segment of US 74 from I-485 to Fowler Secret Road presented in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i>. We don’t believe that comparing predicted speeds to real-time travel speeds for roadway segments with differing lengths and termini is appropriate. The INRIX travel speed data from the <i>Draft Supplemental Final EIS</i> is updated in Section 1.1.1 of the <i>Final Supplemental Final EIS</i>, and found that even with improvements implemented along US 74 since the <i>Final EIS</i>, average travel speeds along the corridor are still below 50 mph. This conclusion was re-confirmed through a review of updated INRIX data for all of 2013, as presented in the <i>INRIX US 74 Corridor Travel Speeds</i> memorandum (HNTB, April 2014) included in Appendix E of the <i>Final Supplemental Final EIS</i>.</p>
L-006	27 – Alts Analysis, Traffic Forecast	39	<p>The documents supporting the DSFEIS further demonstrate NCDOT’s pattern of relying on outdated traffic forecasts to dismiss viable Improve Existing U.S. 74 alternatives. For example, in an October 2012 memorandum evaluating the Stantec Study, NCDOT staff dismiss the traffic improvements suggested in the</p>	<p>The NCDOT examined the low-cost alternatives suggested by the commenter in the <i>Draft Supplemental Final EIS</i>. Since the vast majority of these low-cost alternatives have been constructed, travel speeds on the corridor were evaluated (see Section 1.1.1 of the <i>Final Supplemental Final EIS</i>) and based on this evaluation of actual corridor performance, it was determined that these</p>

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			<p>Stantec Study as failing to provide any long-term benefit because the road would be “overwhelmed by projected traffic in the corridor,” relying explicitly on a comparison with old traffic forecasts performed for the original NEPA analysis. To examine properly this low-cost alternative, NCDOT must take a fresh look at the likely ability of these improvements based on valid updated traffic forecasts, and taking into account the success of the improvements that have been implemented to date and present that analysis to the public.</p>	<p>improvements would not meet the project's purpose and need.</p> <p>In addition, as discussed in Section 2.1 of the <i>Final Supplemental Final EIS</i>, an NCDOT analysis of superstreet improvements along the corridor (<i>US 74 Corridor Superstreet and Traditional Intersection Capacity Analysis</i>, NCDOT, November 2012), included as Attachment 23 to SELC letter dated January 6, 2014, shows such improvements would not improve traffic speeds to meet the purpose and need.</p>
L-006	27 – US 74 Revitalization study	40	<p>Since publication of the original EIS, four local government entities representing communities along U.S. 74 in the study area have begun their own investigation into improving existing U.S. 74 by funding the U.S. 74 Revitalization Study. The Study is a coordinated effort on the part of Union County, the Town of Stallings, the Town of Indian Trail, the City of Monroe, MUMPO and NCDOT. The Study, now in draft, was intended to develop a coordinated land-use, urban design, economic development, and multi-modal transportation plan, to be implemented by the local governments and NCDOT. Though the transportation agencies are correct that it was not the purpose of the study to develop alternatives to the Bypass, the draft plan catalogues a series of feasible upgrades to improve traffic flow along U.S. 74 in the study area which should have been evaluated by the</p>	<p>The information cited in the comment to <i>Draft Supplemental Final EIS</i> page A1-84 (reference 173) is incomplete in the comment. The citation fully states the study is not meant to develop alternatives to the Monroe Connector/Bypass project, <u>but rather to plan for the redevelopment opportunities created by the project</u>. The presence of the Monroe Connector/Bypass is an integral part of the <i>draft US 74 Revitalization Plan</i>.</p> <p>The <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update) considered the <i>draft US 74 Revitalization Study</i> and determined it was not reasonably foreseeable to incorporate the draft plan’s recommendations into any future land use scenario.</p> <p>See response to Document L-006, Comment #57.</p>

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			transportation agencies as part of a suite of improvements to the existing facility.	
L-006	29 – Alts Analysis Frontage Roads	41	Another recommendation included in both Dr. Hartgen’s report and the U.S. 74 Revitalization Study draft report is the development of frontage roads along portions of U.S. 74. A frontage road, also known as a local access or service road, is a local road which runs parallel to a higher-speed, limited-access road, and is intended to maintain access to business or other locations along the corridor. As Dr. Hartgen illustrates, the transportation agencies have confusingly failed to consider frontage roads, or even partial frontage roads as part of a suite of improvements along U.S. 74. He notes that the alternatives analysis should rightly include evaluation of such options that may take a minimal, or minor, number of existing properties along existing U.S. 74. Such consideration would be logical, given the vast number of properties that will be taken by the Bypass.	See response in Appendix E-4, Table 1, Comment #s 23 & 34.
L-006	30 – Alts Analysis Parallel Road Network	42	The transportation agencies should also consider the value of improvements to other Union County roads that could provide local drivers with alternative routes and thereby lessen local traffic congestion on U.S. 74. Such efforts at creating a parallel road network, in conjunction with other targeted improvements to U.S. 74 itself, could function to leave U.S. 74 to serve as a high-speed	This question was responded to in the <i>Draft Supplemental Final EIS</i> in Appendix A as response to Comment 52 in Document i-004 (Letter from SELC dated November 30, 2012). As summarized in Section 2 of the <i>Draft Supplemental Final EIS</i> , a range of alternatives were considered for the project and reanalyzed as part of the <i>Draft Supplemental Final EIS</i> . Alternatives considered included upgrading existing roadways and combinations of upgrading existing roads with new location segments.

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			<p>corridor while still maintaining access to existing businesses.</p> <p>We raised the consideration of improvements to Old Monroe Road and Old Charlotte Highway in our November 2012 comment letter, but received the response, without analysis, that such improvements were found not to meet the project purpose and need. This response fails to recognize that the combinations of a parallel road <i>network</i>, working together with other target improvements, could serve to meet the project’s purpose and need.</p>	<p>Existing preliminary corridor segments considered for upgrading were US 74 (in its entirety or in part), Old Monroe Road/Old Charlotte Highway (Preliminary Corridor Segments 3, 5, and 6), and Secret Shortcut Road (Preliminary Corridor Segment 13) and were eliminated in the qualitative Second Screening described in Section 2.3 of the <i>Draft EIS</i>. Improving these corridors to meet the purposes of our project was found to not be reasonable. It should be noted that a NEPA study is currently underway for improvements to East John Street/Old Monroe Road (STIP Project U-4714) between Trade Street and Wesley Chapel-Stouts Road. The purpose of that project is to improve existing and projected traffic flow and operational efficiency on this section of East John Street-Old Monroe Road. The project will address the need to increase capacity and enhance mobility for pedestrians and bicyclists along the corridor. As expressed in local planning documents, the towns along this corridor desire a four-lane median-divided “complete street”. This project has independent utility and is not a replacement for the Monroe Connector/Bypass.</p> <p>As for the Monroe Road Loop project suggested by SELC as an alternative to the Monroe Connector/Bypass, this project has been included as a candidate project being evaluated as part of NCDOT’s Strategic Prioritization Process. It is not included in the fiscally-constrained project list in the current <i>2040 MTP</i>.</p> <p>SELC fails to provide any analysis to support their assertion that a combination of a parallel road network, working together with targeted improvements, could serve to meet the project’s purpose and need.</p> <p>Upgrading NC 218 was not considered an option for this project, as it is outside the project study area and too far north to serve regional high speed travel from near I-485 to between Wingate and</p>

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				<p>Marshville. NC 218 is within the Goose Creek basin, which has been identified as a habitat for the federally-endangered Carolina heelsplitter mussel. The selected alternative has no direct impact or indirect impact to the Goose Creek watershed.</p> <p>As documented in Section 2.3 of the <i>Draft EIS</i>, tolling has been identified by the regional transportation planning organization as the funding source for this project. State law prohibits tolling of existing roadways and requires a free alternate route. To accommodate this, constructing the project along an existing roadway corridor would require frontage roads to provide the free alternate route, which would require additional right of way along the existing facility.</p> <p>It should be noted that the CRTPO <i>2040 MTP</i> considers and prioritizes projects to improve the <u>entire roadway network</u> and alternative modes of travel for the region and includes the Monroe Connector/Bypass as part of its 2025 Horizon Year Network.</p>
L-006	32 – Alts Analysis Parallel Road Network	42a	The U.S. 74 Revitalization submits extensive suggestions for additional small-scale projects, which taken together, could serve to provide a broad parallel road network.	The stated purpose of the <i>US 74 Corridor Revitalization Study</i> is “to address land use, market opportunities, aesthetics, and overall mobility of this corridor in a comprehensive fashion.” The “imminent construction” of the Monroe Connector/Bypass is acknowledged in the plan and the project is taken into account in the plan’s recommendations. Nowhere in the <i>US 74 Corridor Revitalization Study</i> does it state that road network recommendations are meant to serve as an alternative to the Monroe Connector/Bypass project. In the introduction to Chapter 7 of the <i>Draft Corridor Revitalization Plan</i> , it states: “The purpose of this network is to move much of the local shopping traffic off of US 74 and avoid the main conflicts that now exist.”

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L-006	32, 33 - Transit	43	<p>As in our previous comment letters, we again encourage the transportation agencies to take a closer look at transit options in the corridor as part of a comprehensive solution to improving mobility. The transportation agencies eliminated this solution from further study in the First Qualitative Screening, citing its inability to “noticeably improve mobility and capacity in the project study area as well as a finding that it would not divert enough vehicular traffic.</p> <p>Such a response ignores the viability of increased transit as one part of a functioning comprehensive solution. As we noted in our November 2012 letter, the benefits and likely success of increased transit in the U.S. 74 corridor has been discussed at length in conjunction with the U.S. 74 Revitalization Study. Though this study was not commissioned to evaluate alternative to the Bypass, the study’s purpose is irrelevant to its finding that increased transit may be a viable option to address transportation concerns in the U.S. 74 Corridor. Representatives of the Charlotte Area Transit System (“CATS”) noted that they see U.S. 74 as a potential transit market, and have noted benefits to users such as savings in gas and parking expenses, as well as reduced driver frustration, a major concern for drivers in the U.S. 74 Corridor. And expanded transit services, in conjunction with other alternatives, have a significant ability improve traffic conditions in the corridor by diverting</p>	<p>NCDOT and FHWA believe public transportation is an important component of a region’s overall transportation system, but it has been determined to not be a reasonable alternative for the proposed project. The Mass Transit Alternative concept and the Multi-Modal Alternative concept were evaluated in the <i>Draft EIS</i>, reevaluated in the <i>Final EIS</i> and reconsidered in the <i>Draft Supplemental Final EIS</i>.</p> <p>The Mass Transit Alternative and Multi-Modal Alternatives were eliminated from further study in the 1st Qualitative Screening due to their inability to meet elements of the project purpose and need. The Mass Transit Alternative is not consistent with the NC SHC program vision for the corridor, as it would not allow for high-speed freeway travel in the US 74 corridor. The <i>Draft Supplemental Final EIS</i> reaffirms this determination. SELC does not provide any analysis to support their claim that expanded transit services have a significant ability to improve traffic conditions in the corridor by diverting drivers from the corridor at peak times.</p> <p>See response to Document L-006, Comment #20 regarding ridership on the existing CATS route along US 74 in Union County (Route 74X). This route was in service at the time of the travel time analysis discussed in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> and Section 1.1.1 of the <i>Final Supplemental Final EIS</i>.</p> <p>It is also important to note that the Fortify project efforts cited in the comment are a temporary initiative to ease congestion during the reconstruction of I-40/440.</p>

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			<p>drivers from the corridor at peak times.</p> <p>While Union County transit ridership may currently be slightly lower than other surrounding areas, it is increasing. The U.S. 74 Revitalization Study suggests that demand for increased transit services will continue to grow in Union County as it continues to develop, and argues that the expert stakeholders interviewed believe more commuters can be lured to use transit if there were “a robust transit system created in collaboration with other jurisdictions in Union County, Mecklenburg County, Town of Matthews, City of Charlotte, and CATS.</p> <p>Introducing transit services to areas which have traditionally relied primarily on personal-vehicle-based travel requires time to ramp up ridership and reach critical service levels such that services are dependable and well understood. NCDOT can play an active role in encouraging such reliance and expanding area transit, as they have done well in their efforts to promote transportation alternatives in conjunction with the Fortify project in the Raleigh area.</p>	
L-006		44	<p>As in previous comment letters, we again urge NCDOT to consider increased rail freight options as an alternative that would help alleviate some of the truck traffic from U.S. 74. We regularly hear local area drivers cite commercial truck traffic as one of greatest problems facing the U.S.</p>	<p>The Monroe Connector/Bypass would provide a higher speed route with no traffic signals that trucks are forecast to use.</p> <p>As noted on page A1-83 of the <i>Draft Supplemental Final EIS</i>, in response to Comment 53 of Document i-004 (SELC letter dated November 30, 2012), freight rail would not address the project purpose of improving mobility and capacity within the study area by</p>

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			<p>74 corridor. For example, at the recent December public hearings in Union County, the need to remove truck traffic from U.S. 74 was regularly referenced by hearing attendees as one of the primary reasons for wanting the Bypass.</p> <p>NCDOT has argued that freight rail expansion would not address the project purpose and that freight rail improvements would not eliminate the truck usage of U.S. 74, and in the latest document, asserts that freight rail would not address the purpose of improving mobility and capacity by providing a facility that allows for high speed regional travel. While we agree that freight rail alone will not solve transportation problems in the U.S. 74 corridor, NCDOT has still failed to provide any analysis of how expanded freight rail, in combination with other alternatives, could form an important part of the solution.</p>	<p>providing a facility for the US 74 corridor that allows for high-speed regional travel.</p>
L-006	35 – Reduced Interchanges	45	<p>The current design includes nine separate interchanges, though the transportation agencies have not articulated why so many interchanges are needed if the purpose of the road is to provide a high-speed facility from I-485 to Marshville. The transportation agencies have asserted that the interchanges are necessary to serve projected traffic demand in the target year as well as to support the toll revenue bonds required to finance the project. And yet, because NCDOT is ignorant of the traffic patterns in the</p>	<p>The current interchange spacing and design allow for the facility to perform as a high-speed facility (50 mph or greater). The public and agencies had the opportunity to comment on the alternative concepts, which included the number and type of interchanges. No comments were received from agencies or the public on the <i>Alternatives Development and Analysis Report</i> (April 2008) or the <i>Draft EIS</i> regarding the number of interchanges.</p> <p>As responded to in Appendix A of the <i>Draft Supplemental Final EIS</i> in the response to SELC’s letter i-004, Comment #56, the proposed locations of interchanges along the Preferred Alternative are</p>

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			<p>corridor, and the extent to which traffic is local, there is nothing to point to the elimination of interchanges being financially problematic. Indeed, as discussed below, it seems unlikely that travelers going from Charlotte to Stallings or Monroe would likely go out of their way and pay a toll to use the Bypass given the recent improvements to U.S. 74 and improved travel times in the corridor.</p> <p>As with other alternatives, this alternative has been improperly dismissed out of hand based on the transportation agencies' reliance on faulty traffic forecasts. Regardless of whether the United States Army Corps of Engineers ("Corps") has expressed concern regarding the transportation agencies' failure to study this alternative, Section 404 of the Clean Water Act mandates that the agencies study and select the "Least Environmentally Damaging Practicable Alternative." 40 C.F.R. § 230.10(a). The transportation agencies' selection of the Preferred Alternative, in light of their failure to evaluate fully an alternative toll highway with less interchanges, is a failure of this statutory duty.</p> <p>...the transportation agencies will be required to undergo the permitting process once again, which necessarily includes the opportunity for public comment. If the project proceeds that far we will be sure to raise this issue at that time</p>	<p>consistent with those included in the MUMPO 2035 Long Range Transportation Plan (LRTP). Prior to the <i>Final EIS</i>, several interchanges, including Unionville-Indian Trail Road, Rocky River Road, and Forest Hills School Road were reviewed considering both traffic volumes, as well as potential toll revenue, to determine if they could be removed. These proposed interchanges were determined to be necessary to serve projected traffic demand in the design year 2035, as well as to support toll revenue bonds required to finance the project, however it was determined that the Forest Hills Road interchange could be a modified interchange that would have a smaller footprint or be removed altogether.</p> <p>NCDOT disagrees with the commenter's opinion that travelers would not pay a toll to use the Bypass. Bond investors found the toll revenue projections adequate and toll revenue bonds for this project were sold on November 9, 2011.</p> <p>The US Army Corps of Engineers (USACE) is, and will continue to be, a cooperating agency on this project. No concern regarding the number of interchanges has been expressed by USACE. The USACE reviewed the <i>Draft Supplemental Final EIS</i> and had no comments (see letter from USACE dated January 7, 2014 in Appendix A-1 of the <i>Final Supplemental Final EIS</i>).</p> <p>The interchange locations are adequately spaced per current design standards. The project is meant to serve Union County and as a through route, so providing adequately spaced interchanges along the route is proper and appropriate, and consistent with local plans.</p>

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			directly with the Corps.	
L-006	36 - TDM	46	The DSFEIS also includes an insufficient analysis of Transportation Demand Management (“TDM”) options that might work in conjunction with other alternatives by reducing demand for the road infrastructure. Conspicuously absent from the TDM analysis is any discussion of staggered or flexible work schedules. As Dr. Hartgen has noted, such options may be viable in the U.S. 74 Corridor, as most of the traffic using the facility is local. Dr. Hartgen also points out that recent census data demonstrates a significant increase in the number of Union County residents working at home, doubling from 3.4% in 2000, to 6.9% in 2012, indicating an increasing acceptance of telecommuting as a valid TDM option in the study area.	See response in Appendix E-4, Table 1, Comment #28.
L-006	36	47	While NCDOT completely neglected to revisit the Statement of Purpose and Need or the alternatives analysis in this DSFEIS, it did spend more time reviewing its analysis of impacts. Unfortunately, rather than focus on presenting an accurate analysis of the likely impacts from the project, the agency instead limited its efforts to revising its <i>explanation</i> of minimal impacts from the \$900 million, twenty-mile new-location highway.	This commenter is incorrect. The purpose and need, alternatives, and impacts were all reconsidered in the <i>Draft Supplemental Final EIS</i> .

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L-006	37 & 38 - ICE	48	<p>The DSFEIS spends considerable time explaining that, while the Monroe Bypass was included in data used to create a “No-Build” scenario, its inclusion was not important because transportation infrastructure essentially had almost no impact on the forecasts of future growth used in the ICE analysis. The DSFEIS goes to great lengths to explain how transportation infrastructure was not factored in at each step of the analysis. The document explains that Dr. Hammer’s “top down” projections were not sensitive to factors such as “large scale transportation projects.” Similarly, the document explains that Paul Smith’s “bottom up” allocation of growth was also barely influenced by transportation infrastructure. The one factor that might have included transportation infrastructure, “travel time to employment,” was found not to have figured into the analysis to any great extent. In sum, the DSFEIS reports that “the methodology used does not incorporate the full accessibility impacts of major roadway projects.” This failure is staggering considering that in its previous EIS, NCDOT repeatedly explained how important transportation infrastructure is on changing levels and distribution of development. In the 2009 Qualitative ICE study, for example, NCDOT explained time after time that improving travel time to major employment centers through infrastructure investments would be one of the primary factors in determining where</p>	<p>The <i>Draft Supplemental Final EIS</i> goes to great lengths to explain all aspects of the MPO forecasting process as that was a major criticism of the opinion of the 4th Circuit Court of Appeals regarding the <i>Final EIS</i>. The purpose of that discussion is to clarify how the projections were developed and the most appropriate use of those projections in the context of an ICE analysis. As noted, the analysis shows that transportation infrastructure did not affect the “top down” projections. As Dr. Hammer notes in his report “Demand-side factors ordinarily determine the large-scale pattern of development in a region. It is true that policy differences within the Washington-Baltimore region have managed to shift the long-term balance of growth between Maryland and Virginia. However, supply-side effects on this scale are unknown further south.” Thus the exclusion of transportation infrastructure from the top down process should not bias the results.</p> <p>Secondly, the commenter misinterprets the methodology used in the Smith Report. The Smith Report used travel time to employment and the road network as one factor used to allocate future growth and employment. Transportation infrastructure most certainly affected that factor, but in the case of the Monroe Bypass/Connector, it was determined that the presence of the facility in the future travel time analysis did not have an influence on TAZ-level allocations for 2030. Thus the conclusion of the reanalysis conducted by Mr. Smith for NCDOT indicates that while transportation infrastructure was a critical component of the Travel Time to Employment Center factor, the specific methodology Mr. Smith used was not affected by the presence or absence of the proposed project.</p> <p>Thirdly, the commenter misinterprets the emphasis NCDOT placed on travel time improvement and their effect on growth. NCDOT has</p>

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			<p>growth would go.</p> <p>In its review of NCDOT’s new explanation of the methodology, FHWA appeared to recognize that not analyzing the impact of transportation infrastructure on development might be a problem for an EIS that deals with a major new highway project. FHWA noted that the new explanation may “raise the question why this model was used as the basis for analyzing the impact of a road project intended to move people over a twenty-mile distance to a job center in Charlotte.” In response, NCDOT explained that because a different methodology was used for the “build” scenario, any concern about the “No-Build” scenario is irrelevant.</p> <p>This explanation misses the point. To assess adequately environmental impacts from a project it is necessary to have both an accurate “build” scenario and an accurate “No-Build” scenario. Only by doing so can a reviewing agency determine the impact attributable to the project.</p>	<p>said, and continues to note, that the travel time improvements created by the proposed project would be the main reason for possible changes in growth patterns. The commenter misinterprets this to imply that travel time is the most critical factor in determining the location and nature of all growth and development. As noted in Appendix B to the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update) and in the Appold letter referenced above in response to Document L-006, Comment #31, many other factors are more important in driving general growth and development trends than travel time. In the original Quantitative ICE and the ICE Update, NCDOT has analyzed the nature and distribution of the travel time improvements associated with the proposed project to help identify the likely location and scale of possible induced growth.</p> <p>Finally, the commenter has taken FHWA’s comment on an early draft of Appendix B of the ICE Update out of context. They did not list the entire comment. Additionally, the commenter has misrepresented NCDOT’s response to the comment. The actual response to that FHWA comment in the SELC’s reference is “The model was not used to determine the build scenario. The build scenario was developed through an accessibility analysis in combination with data from localities on expected growth with the project. This induced growth was then added to the No-Build scenario.” FHWA and NCDOT have thoroughly reviewed Appendix B of the ICE.</p>
L-006		49	<p>Indeed, the DSFEIS itself demonstrates just how absurd and contradictory the analysis really is. For example, to support the idea that transportation infrastructure has no impact on</p>	<p>See response to Document L-006, Comment #31.</p> <p>The commenter misuses an incomplete quote in their comment. The partially quoted statement from the ICE Update fully reads:</p>

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			<p>growth in Union County, the DSFEIS states that “most of the county is already highly accessible with a well-connected roadway network and no major barriers limiting access from Union County to the major employment centers in Mecklenburg County.” This statement apparently ignores findings elsewhere in the EIS that, without the Bypass or other improvements to U.S. 74, traffic speeds are expected to decrease to less than 20 mph and two thirds of intersections are expected to operate at Level of Service E or F. The very impetus for building the Bypass was the expectation that, without significant transportation investments, congestion in the corridor will become a “major barrier limiting access from Union County to the major employment centers in Mecklenburg county.”</p>	<p>“Thus, in some cases, induced growth impacts of specific projects may be negligible. The Monroe Connector/Bypass would certainly improve travel times to eastern Union County; however, most of the county is already highly accessible with a well-connected roadway network and no major barriers limiting access from Union County to the major employment centers in Mecklenburg County. Various studies have shown that accessibility improvements of highway projects have had diminishing impacts on land values since the 1950s. This is logical—as the national and regional highway systems have been more fully built out, the addition of any single additional link in the network provides a diminishing return to the overall accessibility of any given area.”</p> <p>The commenter then partially quotes the same statement to indicate that without transportation investments the corridor will become a barrier. This quote is taken out of context, and in fact contradicts the statement in the ICE Update.</p> <p>To clarify, the ICE Update notes specifically that the Monroe Connector/Bypass will improve travel times to eastern Union County, which is why the study concludes that there would be growth in that portion of the FLUSA, as well as in the vicinity of project interchanges.</p> <p>It is important not to confuse accessibility with mobility. The existence of the roadway network provides access, and the congestion on the roads restricts mobility. Mobility is far less of a constraint on growth than access.</p>
L-006	39 - ICE	50	<p>If U.S. 74 was free flowing and expected to continue in that state it might be reasonable for NCDOT to exclude consideration of the impact of infrastructure in their No-Build analysis. But it is</p>	<p>The commenter is misrepresenting analysis in the ICE Update, suggesting the ICE represents that future growth will occur at the same rate as in the past. FHWA, NCDOT, and the CRTPO did not assume future growth would occur at the same rate as past</p>

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			<p>not, and NCDOT itself predicts that, without additional investments, the highway will get increasingly congested to the extent that commutes into Charlotte could take well over an hour. Given these predictions it seems highly unlikely that growth would continue to occur at the same rate it has in the past, and much more likely that growth would be impacted by the hugely increased travel times to the major employment center. Certainly, NCDOT has not presented any credible evidence to suggest why such congestion would not, in fact, be relevant.</p>	<p>growth. Instead, we show that future annualized growth rates decrease in 5 year increments. The updated ICE analysis clearly showed the change in growth in the project study due to the improvement in accessibility associated with the project, as described in Section 4.2 of the ICE and graphically illustrated in Map 14, which shows the comparison of accessibility between the No-build and Build scenarios.</p>
L-006	39 - ICE Data	51	<p>NCDOT's ICE analysis is further discredited because it relies on forecasts of future socio-economic growth that have been shown to be vastly overstated. Union County is no longer the fastest growing county in the state — it grew 2.2% or less between 2010 and 2012. Other forecasts of growth have accounted for this shift — the Traffic and Revenue Study adjusted its forecasts of growth down (although not sufficiently), acknowledging that growth had slowed considerably due to the recession. FHWA, taking note of this data, asked if perhaps NCDOT should also be adjusting the forecasts down in light of the recession. NCDOT admitted that it "would be more accurate to so." Nonetheless, the Department decided not to make any adjustment based on the rationale that both "No-Build" and "Build" forecasts would be affected</p>	<p>The FHWA and NCDOT disagree with this comment. The commenter is taking FHWA's comment and NCDOT's response out of context of the entire administrative record of FHWA's review leading up to the approval of the <i>Draft Supplemental Final EIS</i>. FHWA and NCDOT evaluated the adjusted growth in the socio-economic forecasts for the comprehensive Traffic and Revenue Study. We compared adjustments made for the recession and also calculated the adjustments Dr. Appold made to account for the project. We met with Dr. Appold to share our results. While the purpose and objective of his work was to evaluate the socio-economic forecast for the T&R study and not an ICE, his adjustments to account for the project area are very similar to the growth patterns in the ICE analysis prepared for the <i>Draft EIS</i> and <i>Final EIS</i>. Therefore, FHWA and NCDOT determined after more analysis and discussion with Dr. Appold that this work supported the ICE conclusions regarding the project's influence on growth in central and eastern Union County. The commenter misquotes the NCDOT regarding FHWA's question about whether forecasts should be adjusted down in light of the recession. The responses in the cited attachment (attachment 53)</p>

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			equally.	are from Michael Baker Engineering, Inc. to one of their draft versions (not able to determine which draft date) of the quantitative indirect and cumulative effects analysis update report. The full response that was misquoted states, "One could argue that it would be more accurate to do so", which means there is merely room for debate. Any adjustment, however, would apply to both the Build and No Build Scenarios. The incremental difference between No Build and Build would likely be very similar or identical.
L-006	40 – ICE Data	52	It is absurd to knowingly use significantly incorrect forecasts just because the more accurate forecasts are not yet final, particularly when the accurate forecasts suggest a wildly different conclusion. As noted above NEPA requires agencies to use accurate data. 40 CFR 1500.1(b).	As presented in Section 2.4 of the <i>Final Supplemental Final EIS</i> , Following publication of the <i>Draft Supplemental Final EIS</i> , draft socioeconomic projections were obtained from CRTPO in January 2014 (CRTPO 2014 socioeconomic projections). [Note: The CRTPO adopted the <i>2040 Metropolitan Transportation Plan</i> , which includes the 2014 socioeconomic projections, on April 16, 2014. There were no changes to the socioeconomic data between January and April 2014. FHWA issued a conformity determination on May 2, 2014.] The MUMPO 2009 socioeconomic projections used in the November 2013 ICE Update were compared to the CRTPO 2014 socioeconomic projections to estimate the effect of differences between the projections on the conclusions of the ICE Update as presented in the <i>Draft Supplemental Final EIS</i> . Based on a thorough review of the CRTPO 2014 socioeconomic projections compared to the MUMPO 2009 socioeconomic projections used in the November 2013 ICE Update, the conclusions regarding impacts to sensitive resources would be highly unlikely to change and the overall assessment of impacts would likely show lower impacts; therefore, an updated analysis of indirect and cumulative effects is not necessary. Additional information is provided in a memorandum entitled <i>Review of New CRTPO Socioeconomic Projections</i> (Michael Baker Engineering, Inc., May 2014).

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L-006	40 – ICE Data	53	<p>NCDOT’s forecasts of future growth may also be greatly overstated because they wrongly equate growth in Union County with growth in the study area. The DSFEIS fails to acknowledge that there are significant differences between the make-up of the county as a whole and the make-up of the study area. For example, the DSFEIS asserts that one reason the study area will continue to see strong growth in absence of the Bypass is that median household income is much higher than in other counties in the Charlotte area. But, within Union County median income is much higher on the western edge of the county, in areas outside of the study area. Dr. Hartgen makes note of this error in his report, explaining that much of the growth in Union County has been in places not served by the Bypass.</p>	<p>NCDOT and FHWA disagree with the commenter’s assertion that we equated growth in the project study area to the growth in Union County. The updated ICE describes how projected growth in the study area was estimated for the TAZs. We also compared our analysis to growth projections performed by other researchers of growth in the area.</p> <p>See response in Appendix E-4, Table 1, Comment #45.</p>
L-006	41 – ICE Data	54	<p>In addition to its utterly flawed analysis of induced growth, NCDOT has also failed to properly examine how growth would be redistributed if the Bypass is constructed. While there is some discussion of this likely phenomenon in the ICE, it is incomplete. The current analysis in the ICE looks at how growth may redistribute based on increased levels of accessibility...The travel-time savings used for this accessibility analysis, however, range from 0-10 minutes...other data in the DSFEIS suggests that travel time savings would be higher by 2035. No explanation is given as to why these greater</p>	<p>NCDOT and FHWA disagree with this comment.</p> <p>Travel time savings used in the accessibility analysis are discussed in <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update) (Appendix E in the <i>Draft Supplemental Final EIS</i>). These travel time savings shown on Map 14 are changes in driving time to the US 74/I-485 interchange from all intersections within the FLUSA with the project in place compared to a No-Build scenario. For more details on travel time savings comparisons, see response to Document C-059, Comment #3.</p> <p>The methods used to allocate and distribute growth are fully documented in the ICE Update, which was prepared in accordance</p>

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			travel time savings are not used to analysis [sic] the redistribution of growth.	<p>with NCDOT and FHWA guidance documents. As noted on page E1-117, “It is acknowledged that some portion of the household increase would shift within the study area and the remainder would shift from elsewhere in the greater metropolitan area. However, in an effort to estimate environmental impacts without underestimating them, no portion of this induced household growth has been subtracted from elsewhere in the study area.”</p> <p>As stated in response to Document L-006, Comment #22, ICE analyses are designed to be conservative in nature. Environmental resource agencies requested a quantitative ICE predominantly due to their concerns on potential impacts to the natural environment, particularly water quality and endangered species. For this reason, in consultation with the agencies, it was decided that NCDOT would not redistribute populations within the FLUSA in the development of the Build Scenario. This methodology would present a “worst-case” picture of potential ICEs associated with the Monroe Connector/Bypass by assuming all induced growth would be coming from outside the FLUSA. This decision was discussed with the agencies in the November 10, 2009, meeting.</p>
L-006	41 – ICE Data	54a	Other than this exceedingly rough analysis, there is no description as to what redistributed growth might look like, and how communities that were previously seeing strong growth rates may feel the impact of the Bypass. For example, there is no consideration given to how Stallings or Indian Trail may be impacted as land in Marshville and Wingate becomes more desirable. A previous draft of the DSFEIS included a reference to growth migrating away from Downtown Monroe. After SELC brought attention to this comment in	<p>Stallings and Indian Trail would experience improved accessibility from the Monroe Connector/Bypass, and induced growth is anticipated around the interchange areas in these towns. Therefore, growth would not be adversely impacted in Stallings and Indian Trail by improved accessibility to other locations in the county. These two towns are also affected by the direct impacts of the Monroe Connector/Bypass right of way, which is fully disclosed in the EIS.</p> <p>The comment notes a previous draft of a response to Document i003 (SELC letter dated November 30, 2012), Comment #6 in Appendix A of the <i>Draft Supplemental Final EIS</i>. The draft response</p>

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			<p>public meetings it was deleted from the EIS. Failing to disclose, and otherwise ignoring important impacts from the project, however, is inconsistent with the purpose of NEPA, which is to inform the public and decisionmakers, not to “sell” one particular outcome. If shifts in growth away from current population centers and downtowns are expected, that impact should be clearly and transparently explained in the EIS.</p>	<p>included the entire quote the SELC partially quote in their comment. The quote is from the <i>Monroe Downtown Master Plan (2008)</i> and comes from a long list of opportunities and constraints listed in the master plan for non-residential development in downtown Monroe. To paraphrase, the Downtown Master Plan notes that the Monroe Connector/Bypass could negatively impact the potential for commercial development in downtown Monroe because other opportunities would be created along the new roadway.</p> <p>The draft response also then went on to say that NCDOT had objectively identified and quantified expected induced growth in commercial, industrial and residential development under a Build Scenario. Specific interchange area development was expected and included in the Build Scenario. The final response in the published <i>Draft Supplemental Final EIS</i> was simplified to refer the reader to the response to Comment #3 in the same letter.</p> <p>The <i>Monroe Downtown Master Plan</i> was considered in the quantitative ICE analysis and ICE Update, as listed in Table 5 of the 2010 ICE (Appendix H in the <i>Final EIS</i>). Interviews with local planners from the City of Monroe also were considered in the quantitative ICE and ICE Update. Significant adverse impacts to development in downtown Monroe are not expected.</p> <p>The City of Monroe supports the project, as evidenced in their resolution included in Appendix A-3 of the <i>Final Supplemental Final EIS</i>.</p> <p>It should also be pointed out that a draft is defined as <i>a first or preliminary form of any writing, subject to revision</i>. It is not uncommon for information to be revised between initial drafts and final documents. There is a robust review and discussion process amongst the project team and subject matter experts before a final</p>

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				document is produced. Text, results, and conclusions in draft documents may be found during this review process to be incorrect, require modification, or clarification and cannot be relied upon to represent FHWA's or NCDOT's final conclusions or statements on issues.
L-006	42 & 43 – ICE Growth	55	<p>Likewise, many local planning officials appear to disagree with NCDOT's that the Bypass will have minimal impact. Planners from Fairview state that they expect to see an impact, but are unsure what it will be. Planners from Marshville state expressly that "future growth in Marshville dependent on implementation of the Bypass" and note that congestion on U.S. 74 currently is an impediment to development. Those planners also expressly note that the town would increase utility capacity if the Bypass is constructed. Union County planners state that in absence of the Bypass, growth will be extremely limited in the eastern part of the county. The same planners expect growth to slow throughout the county if the Bypass is not constructed. An interview with Chris Platé, the Executive Director of Monroe Union County Economic Development ("MUCED") reported similar findings.</p> <p>These surveys of local planners, which are confusingly written, are simply dumped in the EIS with no analysis of their findings. There is no indication as to how the opinions of the planners have been incorporated into the EIS and there is no explanation as to why many of the opinions of</p>	<p>NCDOT has always maintained that some growth will be associated with the construction of the Monroe Connector/Bypass. As stated in the <i>Draft Supplemental Final EIS</i> Appendix E (page E1-86), interchanges east of Morgan Mill Road have water and sewer services already, and sewer service is likely to be expanded north and south of Wingate. Marshville and Wingate have developed a study on how they could benefit economically if the Monroe Connector/Bypass is built. Under the Build Scenario, these areas are expected to see growth. The <i>Draft Supplemental Final EIS</i> notes, however, that the inclination of local jurisdictions toward new development is also critical to the likelihood of induced land changes, which is why NCDOT conducted extensive interviews with local planners.</p> <p>The information obtained from the planners was essential to the development of the Build Scenario and in updating the Baseline and No-Build Scenarios. For example, the Town of Mint Hill provided details on the Lawyers Road I-485 Small Area Plan which required that the No-Build and Build Scenarios be updated to reflect the new assumptions regarding development in that area. Similarly, the City of Monroe provided details on recent Conditional District changes which were incorporated into the updated Baseline, No-Build and Build Scenarios. Also, Union County staff indicated that their updated Union County Comprehensive Plan showed growth in the eastern part of the county that would not occur without the Monroe Connector/Bypass and therefore updates were made to the Build</p>

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			the local planners sit in direct opposition with NCDOT's own assumptions and methodologies.	<p>Scenario to reflect this expectation. All of this information was gathered through the interview process as documented in Appendix A of the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (Appendix E in the <i>Draft Supplemental Final EIS</i>). The <i>Draft Supplemental Final EIS</i> describes the anticipated changes based on this information (page E1-86-87) on an interchange-by-interchange basis as well as for other areas, particularly in the eastern portion of the FLUSA, and provides mapping showing the areas in which growth is anticipated. Please refer to these materials.</p> <p>The ICE methodology, use of the MUMPO information, and the results of the analysis were shared with the local planners in a May 2013 meeting. As a result, there was very little feedback from local governments or their planning departments on the ICE.</p>
L-006	43 – ICE Growth	55a	Outside of the NEPA process groups with specialized knowledge about Union County's potential for economic growth have also touted the Bypass as a likely driver of economic growth.	We acknowledge these perceptions. However, these groups have not performed any analysis of future growth for us to consider.
L-006	44 – ICE Growth	55b	President Rosché cast further doubt on the validity of NCDOT's studies, stating that "studies can say whatever you want them to say . . . [t]hey can use certain information, certain formulas and studies and have the result support what you want them to." She explained that the problem is that NCDOT has not done the proper investigation, stating "NCDOT can do study after study, but if they talk to the people, talk to the residents of Union County, they would find that a lot of new growth will come with that road." She	<p>NCDOT thoroughly analyzed the indirect and cumulative effects associated with the Monroe Connector/Bypass and has always maintained that some growth will be associated with the construction of the Monroe Connector/Bypass.</p> <p>See responses to Document L-006, Comments #54 and #55.</p>

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			went on to explain that “economic development and growth will come with a bypass, even if NCDOT studies show otherwise.”	
L-006	45 – ICE Growth	55c	Elsewhere in the study area, local elected officials see the Bypass as a driver of growth in Union County, and not just the eastern part of the county. For example, Indian Trail Mayor Michael Alvarez has stated that constructing the road will "promote business development in Indian Trail and throughout the county." And the new Indian Trail comprehensive plan estimates that Indian Trail’s population will greatly increase by 2030, from approximately 35,000 residents to 60-80,000 residents, in a large part due to “the changes brought by the planned Monroe Bypass.”	<p>This comment contains a factual error and takes a partial quote out of context. The commenter notes the population of Indian Trail will be 60-80,000 residents in 2030 and cites a newspaper article and Chapters 4 and 6 of Indian Trail's draft Comprehensive Plan. Page 4-20 of the draft plan, which is included as Attachment 70 to SELC’s letter, states: “Total forecasted population in the three scenarios ranges from 55,040 residents for Scenario 1 (Baseline) to 64,250 people for Scenario 3 (Accelerated Growth).” A review of the cited chapters and the cited newspaper article do not reveal a direct statement or correlation that this population growth is due in large part to the Monroe Connector/Bypass. This is conjecture by SELC.</p> <p>The quoted phrase in the comment is from the newspaper article and is produced in full below:</p> <p style="padding-left: 40px;">"The 2005 plan was structured around "villages and corridors" of different neighborhood clusters in town. For the update, consultants focused on the changes brought by the planned Monroe Bypass, new parks, and more businesses."</p> <p>A review of Chapter 4 of the draft Comprehensive Plan shows that Indian Trail considered three scenarios for forecasting population for 2032 and that the growth forecasts are not due in large part to the Monroe Connector/Bypass, as implied by SELC. One growth scenario, called 2000-2012 Baseline, was a "straight-line growth rate" (55,040 people). Another, called 2006-2012 Absorption Trends, considered "continued improvements in the economy following the recession" and "active residential developments in the</p>

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				<p>Planning Area." The third, called 2000-2012 Accelerated Growth (64,250 people), stated the "Baseline forecast was accelerated post-2015 to indicate improvements to the economy following the recession. This scenario also assumed "continued positive job formation and transportation improvements in the Planning Area, Union County, and the Charlotte MSA."</p>
L-006	45&46 – Conflicting Positions on Growth	56	<p>NCDOT has also failed to reconcile its predictions of minimal growth with those espoused elsewhere by both the Department of Transportation itself, and other state departments and officials. As we noted in our 2012 comment letter, the State Logistics Task Force Report, a document still very much in use at NCDOT, highlights the Monroe Bypass as being "important or critical" for growth and development in Union County and beyond. In response to our raising this apparent conflict, NCDOT's only response is to state in the DSFEIS that the scale of the Logistics Task Force Report is different to that of the EIS, and that "the report provides no specific reasons or supporting data for the key nature of the Monroe Connector/ Bypass" A similar response was given to the conflicting statements about the importance of the Bypass as noted in the state's recent "Seven Portals Study."...</p> <p>Does NCDOT contend that these two reports, which cost significant state resources, are essentially meaningless? If so, NCDOT should cease citing these studies and sharing them with</p>	<p>As stated in the response to Comments 8 and 9 in SELC's letter (Document i-004) in the <i>Draft Supplemental Final EIS</i> (page A1-67), the scales of study for the Governor's Task Force and the indirect and cumulative effects analysis for the Monroe Connector/Bypass NEPA EIS study are not comparable. The NEPA EIS study focuses on a localized study area smaller than Union County as a whole where quantifiable indirect and cumulative impacts to land use could occur, while the Governor's Task Force study qualitatively assessed the entire state.</p> <p>Specifically, "The Task Force's purpose was to study the transportation and logistics needs of North Carolina currently and in the future to allow it to compete aggressively in the 21st Century economy. Also, the Task Force was directed to study North Carolina's transportation infrastructure and determine how best to move people and goods in and throughout the state to engage in the national and global marketplace."</p> <p>The Governor's Logistics Task Force – Final Report does state "Key to any of the sites discussed above and in the Seven Portals Study is the completion of the Monroe By-Pass. The task force has seen this project referenced as important or critical to multiple regions, and therefore it should be one of the highest priorities for DOT."</p> <p>However, the report provides no specific reasons or supporting data for the key nature of the Monroe Connector/Bypass to the proposed</p>

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			<p>the public. The Seven Portals study, for example, is currently being used by the North Carolina Board of Transportation in its new 25 year planning effort. If it is NCDOT's contention that the analysis of the two studies is, in fact, without merit it should refrain from relying on them in the future. NCDOT should also consider the value of its current planning effort, the Implementing Vision, which, like its predecessors involves a significant investment of state resources.</p>	<p>Legacy Business Park, the Intermodal Center at the Charlotte Douglas Airport, and the development of potential inland ports in Salisbury and Rowan Counties and Statesville and Iredell Counties.</p> <p>The reports offer no quantifiable growth numbers attributable to the Monroe Connector/Bypass. The Legacy Business Park is the only one of the projects noted above that is located near the Monroe Connector/Bypass, and it is specifically evaluated in the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) and found to not be reasonably foreseeable at this time.</p> <p>The other projects (Intermodal Center at Charlotte/Douglas Airport and inland ports) are located in different counties many miles from the Monroe Connector/Bypass and are outside the FLUSA for the project (the area where potential for indirect and cumulative effects would exist) and are independent of the Monroe Connector/Bypass (i.e., either one can be constructed without the other).</p> <p>The Task Force Study and Seven Portals Study are valuable documents for statewide planning purposes, but are not useful at the project level in the analysis of quantitative indirect and cumulative effects for an individual project.</p>
L-006	47 - Conflicting Positions on Growth	56a	<p>The TIFIA application touted the economic growth benefits of the Bypass, specifically mentioning the proposed Legacy Park. NCDOT's response to our concern about these contradictory statements was simply to state that because the project was ultimately unsuccessful in securing transportation funding it did not matter that two opposing assessments of the growth potential were presented in the different</p>	<p>The FHWA declined to provide TIFIA financing on this project. Therefore, FHWA is not inconsistent with its analysis. However, it should be noted that NCDOT has documented the expected induced land use effects of the proposed project in Section 4.2 and 5.1 of the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (ICE Update) (Michael Baker Engineering, Inc., November 2013) and those induced effects include expected additional commercial and industrial development consistent with local approved future land use plans. The expectation of additional commercial and industrial</p>

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			federal documents. This is not the first time that NCDOT has dismissed its untruthful statements to the public and other federal agencies by stating that the untruth did not matter.	development implicitly assumes there would be more jobs in the study area under a Build Scenario compared to a No-Build Scenario. The ICE Update is summarized in Section 4.5 of the <i>Draft Supplemental Final EIS</i> and Section 2.4 of the <i>Final Supplemental Final EIS</i> .
L-006	47 – Cumulative Impacts	57	<p>The DSFEIS includes almost no discussion of cumulative impacts other than vague generalizations lumped into the ICE analysis. A robust cumulative impacts analysis is essential for NEPA compliance. Below we have listed several impacts associated with the Bypass that NCDOT must consider:</p> <ul style="list-style-type: none"> - US 74 Economic Development Corridor - HOT lanes: 485 and US 74 - Other Area Road Projects - Legacy Park 	<p>NCDOT disagrees with this comment. NCDOT performed a robust cumulative effects analysis and considered the projects listed in this comment. NCDOT is committed to reviewing potential cumulative effects throughout the NEPA documentation process. Multiple interviews and reviews have taken place to ensure that reasonably foreseeable projects are included in the environmental documentation. As to the projects mentioned by SELC:</p> <p>The Legacy Park proposal is fully discussed on <i>Draft Supplemental Final EIS</i> (pages E1-88-90) and was determined to not be reasonably foreseeable.</p> <p>The <i>draft US 74 Revitalization Study</i> is fully discussed in the <i>Draft Supplemental Final EIS</i> (page E1-90). It is not an adopted or final plan, and it was determined to be not reasonably foreseeable. See <i>Draft Supplemental Final EIS</i> page E1-90.</p> <p>The inclusion of the proposed expansion of I-485 was carried over from the previous <i>Quantitative ICE</i> (NCDOT, 2010), as it was part of the MUMPO 2035 <i>Long-Range Transportation Plan</i> (LRTP) along with the recently approved CRTPO 2040 <i>Metropolitan Transportation Plan</i> (MTP), as was expansion of Independence Boulevard (US 74), including Managed Lanes. See NCDOT, 2010, Appendix D – Other Federal Actions. The appendix includes a complete discussion of all roadway projects (and other actions) that formed the basis for the cumulative effects analysis.</p>

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				Other road projects and other potential cumulative effects for water quality and endangered species are addressed in the discussion of cumulative effects included in the <i>Draft Supplemental Final EIS</i> (pages E1-100 to E1-106).
L-006	52 – Air Quality	58	<p>The DSFEIS assumes that growth would continue unlimited without any transportation improvements in Union County and thus assumes that there are very few impacts associated with the Bypass. The flaw in this reasoning carries into the analysis of air quality. Higher emissions associated with the increased traffic likely to result from the Bypass and its associated development should be properly disclosed. Moreover, air quality may be severely impacted as a result of redistributed growth. NCDOT states that it employed a “conservative approach” to its analysis of induced growth because it did not “reallocate growth” to locations further east, despite the reallocation that might be expected due to increased accessibility occasioned by the Bypass. While this may be a conservative approach overall, and is certainly conservative in terms of Goose Creek, the approach likely underestimates impacts to air quality. Growth shifting east will necessarily result in longer trips in the corridor with associated increases to VMT and air pollution.</p> <p>We also remain concerned about the conformity determination made for the Charlotte region. As noted above, CRTPO’s Metrolina Regional Travel</p>	<p>We disagree with the comment that the <i>Draft Supplemental Final EIS</i> assumes that growth would continue unlimited without any transportation improvements in Union County. The commenter misrepresents the No-Build Scenario. As described in Section 2.2.2.1 of the <i>Final EIS</i>, the No-Build Scenario assumes that the transportation systems for Union and Mecklenburg Counties would evolve as planned in the fiscally-constrained long-range transportation plan, but without major improvements to the existing US 74 corridor from near I-485 to between the towns of Wingate and Marshville. The difference in impacts between the Build and No-Build Scenarios were not assumed; they were projected based on a quantitative analysis of indirect and cumulative effects as documented in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013).</p> <p>The effects of induced growth on vehicle miles traveled (VMT) in the Metrolina region were considered, as documented in Table 13 of the <i>Monroe Connector/Bypass Traffic Forecast Summary</i> (HNTB, November 2013, superseded May 2014). The MRM model output showed effectively zero change in VMT comparing the Build Scenario with 2009 socioeconomic (SE) data to the Build Scenario with the 2009 ICE SE data. The 2009 ICE SE data was developed for the quantitative analysis of indirect and cumulative effects.</p> <p>The Monroe Connector/Bypass was included in the approved MUMPO 2035 LRTP, which conformed to the intent of the State</p>

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			Demand Model is insensitive to the presence of the Monroe Bypass, yet this is the model that has been used to model transportation conformity. We believe this approach does not properly take into account the impact of the proposed toll highway.	Implementation Plan (SIP). The USDOT made a conformity determination on the 2035 LRTP on May 3, 2010, with amendments approved by FHWA and the Federal Transit Administration (FTA) on December 19, 2011; July 6, 2012; and May 29, 2013. The Monroe Connector/Bypass is included in the new CRTPO 2040 MTP. FHWA issued a conformity determination for the CRTPO 2040 MTP on May 2, 2014 (Appendix E-7). Since the project is included in an approved MTP found to be conforming to the State Implementation Plan (SIP) required for the Clean Air Act, air quality impacts associated with the project are not significant.
L-006	53 – Water Quality	59	The analysis of water quality is also incomplete. As noted in the EIS, the full project has not yet actually been designed. Final design will be completed by the design-build team. Not only will this team be responsible for providing final designs for those sections of road not yet at the final design stage but the team will be able to redesign even those portions of roadway which NCDOT has presented to resource agencies as being fully designed. As such, important details about bridge crossings, dredge and fill locations, run-off and stormwater management are all currently unknown.	NCDOT and FHWA disagree with this comment. The analysis of water quality is not incomplete for the purposes required under NEPA. Water quality permitting agencies (NCDWR and USACE) had little comment on the analysis. To the first point, final designs are often completed subsequent to the NEPA process, so it is not unusual that the designs were not available at the time the quantitative water quality analysis was conducted. It should be pointed out that the water quality analysis conformed to precedents established by prior analyses for large transportation projects in that the principal focus was to quantify increases in overland pollutant loadings attributable to the potential indirect and cumulative effects of the project. In such cases, plausible estimates of land cover composition and impervious surface coverage are far more important than the final specification of bridge crossings. As for stormwater management, the project will be constructed in accordance with NCDOT Design Standards in Sensitive Watersheds (15A NCAC 04B .0124), which limit the amount of uncovered area to 20 acres, requires on-site erosion and sediment control measures to protect against runoff from the 25-year storm, and stipulates sediment basins remove at least 70 percent of 0.04 mm soil particles, among other requirements. With these measures in place,

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				stormwater will be thoroughly managed within the right of way of the project.
L-006	53 – water Quality	59a	An additional inadequacy is the failure of the NEPA document to include a mitigation plan for the project. While it is noted that mitigation credits have been purchased from EEP, there is no explanation as to where the mitigation is located or what it consists of. This is contrary to the requirement of NEPA that an EIS should include a discussion of “the means to mitigate adverse environmental impacts.” 40 C.F.R. 1502.16(h).	Per the Memorandum of Agreement (MOA) that establishes the Ecosystem Enhancement Program’s (EEP) guiding procedures, the purpose of EEP is to address impacts anticipated from NCDOT transportation projects by restoring ecological functions within target watersheds. The US Army Corp of Engineers and NCDENR, which administer Section 404 and 401 of the Clean Water Act, respectively, are both parties to the MOA. By utilizing EEP’s in-lieu-fee program, a program specifically created to service NCDOT, NCDOT is acting in compliance with the mitigation requirements set forth by the administering authorities of the Clean Water Act.
L-006	54 – Goose Creek	60	NCDOT’s failure to consider cumulative impacts, as noted above, has particular importance for water quality and endangered species concerns. One recent action which is not fully analyzed in the EIS is the lifting of the moratorium restricting the Goose Creek sub-basin from the Inter-Basin Transfer (“IBT”) between the Catawba River basin and the Rocky River basin. During the environmental review process, the United States Fish and Wildlife Service (“USFWS”) strongly objected to the “Finding of No Significant Impact” (“FONSI”) ascribed to the lifting of the moratorium. In comments, USFWS noted that the Site Specific Water Quality Management Plan (“SSWQMP”) for Goose Creek was insufficient to protect the federally endangered Carolina heelsplitter, and was therefore insufficient to	<p>NCDOT disagrees with this comment. The lifting of the moratorium restricting the Goose Creek sub-basin from the Inter-Basin Transfer is noted in Section 4.5.4.3 of the Biological Assessment. The Goose Creek Watershed Site Specific Water Quality Management Plan, as well as the USFWS concerns, are noted in Section 4.5.2. 7 of the Biological Assessment. However, the Biological Assessment and both the 2010 and 2013 Quantitative ICE analyses concluded the Goose Creek watershed (14-digit HU: 030401 05030020) will not incur cumulative impacts as a result of the Monroe Connector/Bypass.</p> <p>Goose Creek was projected to remain unchanged between the 2030 No Build and 2030 Build scenarios for all measures considered - impervious cover, land use composition, and vegetated acreage. The USFWS issued their concurrence on the Biological Conclusions for the project under Section 7 of the Endangered Species Act on December 16, 2013. This included concurrence with the Biological Conclusion that the project is “not likely to adversely affect” the</p>

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			<p>support a FONSI. USFWS outlined suggestions of improvements to the SSWQMP that would better protect the heelsplitter. Without those improvements, USFWS declined to endorse the installation of water lines into the Goose Creek watershed noting that it would “contribute to already degraded conditions and further comprise habitat in the Goose Creek system.” Despite these concerns by a federal agency, there is no discussion if the DSFEIS of the cumulative impact of building the Monroe Bypass and the installation of new water lines with regards to water quality and endangered species.</p>	<p>Carolina heelsplitter in the project area.</p>
L-006	54 – Goose Creek & HOT lanes	61	<p>The DSFEIS also fails to consider the cumulative impact of the proposed Charlotte HOT lane projects and the Monroe Bypass on water quality and endangered species in the Goose Creek watershed. While the DSFEIS asserts that growth attributable to the Bypass will largely be in the western part of the county and thus well away from Goose Creek, the HOT Lane projects connect to the Bypass in Mecklenburg County, and thus more likely to encourage growth in the eastern part of Union County, exactly where the Carolina heelsplitter is located. Any study of the combined cumulative effects of these major infrastructure investment and the installation of new water lines in the Goose Creek basin is completely absent from the DSFEIS, yet NEPA requires that precisely such impacts be analyzed</p>	<p>NCDOT and FHWA disagree with this comment. First, the commenter suggests that the growth attributable to the project will largely be in the western part of Union County. This is contrary to the findings in the updated ICE, which forecasts that the accessibility improvements due to this project will induce growth in the eastern part of the Union County. Second, the commenter suggests that Goose Creek is in the Eastern part of Union County where we forecast additional induced growth. Goose Creek is in the western part of Union County and extends into Mecklenburg County. The USFWS issued their concurrence on the Biological Conclusions for the project under Section 7 of the Endangered Species Act on December 16, 2013 (letter included in Appendix B of the <i>Final Supplemental Final EIS</i>).</p>

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			and disclosed.	
L-006	54 – Carolina Heelsplitter	62	The DSFEIS also suffers from over reliance on the SSWQMP as a surefire way to protect the Carolina heelsplitter from any impacts that the Bypass may have. For example, with regard to direct impacts of construction, the DSFEIS states that impacts will be avoided due to the SSWQMP. As noted by USFWS, however, the SSWQMP is insufficient to protect the Carolina heelsplitter. Similarly, NCDOT’s claim that it will “strongly discourage” their contractors from working in the Goose Creek watershed has no meaning. Without an outright prohibition in the contract NCDOT’s discouragement is inadequate. In fact, the DSFEIS specifically anticipates that “construction, staging, storage, refueling, borrow pit or spoil areas” may be used in the Goose Creek and Sixmile Creek watersheds by the contractor.	<p>This issue is discussed in detail in Section 8.1 of the <i>Biological Assessment</i>, which states: “The NCDOT will strongly discourage the contractor from choosing location of borrow sites, staging areas, equipment storage areas, and refueling areas within Goose Creek or Sixmile Creek watersheds in association with this project. Such a decision will have to be substantiated with documentation as to why there aren’t other reasonable options. As such, the likelihood of the contractor choosing such a site is remote. However, if it is decided that such a site is ultimately the best way to move the project forward, the NCDOT Division Environmental Officer will coordinate with the NCTA, USFWS, and the contractor to develop BMPs for each site to avoid/minimize the potential for adverse effects.”</p> <p>The statement regarding activities within the Goose Creek and Sixmile Creek watershed is taken out of context from the <i>Draft Supplemental Final EIS</i>. As stated in the Special Project Commitments, Item # 7 “if (<i>emphasis added</i>) any construction staging, storage, refueling, borrow pit or spoil areas are chosen within the Goose Creek or Sixmile Creek watersheds, the NCTA will coordinate with the NCDOT Division Environmental Officer and USFWS and the contractor to develop BMPs for each site to avoid/minimize the potential for adverse effects.” This commitment will protect the Goose Creek and Sixmile Creek watersheds from any direct project impacts.</p>
L-006	55 – Costs / Financing	63	The Monroe Bypass can no longer be considered to be part of a fiscally constrained plan. First, the financial plan behind the project, which was to cover at least part of the cost of the project with toll revenue, is no longer viable. Several of the	<p>NCDOT disagrees that the financial plan behind the project is no longer viable.</p> <p>See response in Appendix E-4, Table 1, Comment #69.</p>

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			<p>key assumptions behind the Traffic and Revenue Study published in 2010 are no longer valid. Second, the costs of the project have increased dramatically: While the STIP lists the cost of the project as \$789 million, the EIS suggests that the project will cost \$898 million. Third, the true cost of the project is likely higher even than that disclosed in the NEPA documents.</p>	<p>At such time as the project is in a position to move forward with a more defined schedule, the Initial Financial Plan will be updated and the State Transportation Improvement Plan (STIP) will be amended as required. Based on the available information and the <i>STIP Amendment and Modification Guidelines</i> (April 5, 2012) for NCDOT projects, an Administrative Modification to the STIP would be required. Funds will be identified in the STIP to cover the estimated increase in the project cost.</p>
L-006	56 – Traffic and Revenue Study	64	<p>Since the report was published in 2010 a number of improvements have been made on U.S. 74 and, as discussed in detail above, traffic flow has improved substantially. The most recent observed average traffic speeds on U.S. 74 is 44 mph during peak times. These speeds are between 5-10 mph higher than those analyzed in the Traffic and Revenue Study. As a result, the travel time savings from the bypass are substantially lower than those forecast by Wilbur Smith.</p> <p>The change in these travel time savings has serious implications for Wilbur Smith’s revenue projections. In order to project future revenue from the bypass and set a proposed toll rate, Wilbur Smith conducted a “value of time” assessment to determine, essentially, how much money people would be willing to pay to save a certain amount of time. The value of time for travelers on the Bypass was determined to be approximately \$8/hour for cars and \$15-20/ hour for trucks. This allowed Wilbur Smith to set an</p>	<p>The commenter is misrepresenting the actual travel speeds during peak hours on US 74. The commenter also misrepresents the importance of toll revenue bonds in the construction of the project.</p> <p>See response to Document L-006, Comment #63.</p> <p>See responses in Appendix E-4, Table 1, Comment #s 33, 34, 64 and 69.</p>

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			<p>opening year toll rate of \$2.58 for cars and \$10.27 for trucks (in 2010 dollars). Given the significantly decreased new travel time saving projections, to keep with these same toll rates, values of time would need to be considerably higher— \$18.50/ hour for cars and \$30-60/hour for trucks.</p> <p>Furthermore, the Traffic and Revenue Study, which accounted only for future improvements programmed into the 2035 Transportation Improvement Program (“TIP”), did not recognize some additional improvements that have recently been programmed to further improve flow on U.S. 74. As discussed above, over \$6 million in superstreet improvements has now been programmed for U.S. 74, to be constructed by 2015. A new study recognizing past and future improvements to the surrounding roadways is essential to properly determining the anticipated future use of the Bypass and its ability to generate toll revenue.</p>	
L-006	57 – Traffic and Revenue Study Traffic Growth	65	...traffic levels along U.S. 74 have essentially been stable in the past decade, with some periods of decline. This reality is, again, inconsistent with the projections in the Traffic and Revenue Study.	See responses to Document L-006, Comment #s 64 and 24.
L-006	57 – Traffic and Revenue Study Socio Economic	66	In addition to traffic growth in the corridor, the Traffic and Revenue Study also relied on high estimates of future economic growth. These estimates, which were reviewed by an	See response to Document L-006, Comment #64. The finance plan does not contemplate further use of toll revenue bonds until traffic begins using the roadway. Basing toll revenue bonds on initial usage may lower forecasting risk and lead to better bond rates.

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	Growth		independent economist, were revised down from the absurdly high estimates in the 2009 EIS. Nonetheless, they remain overstated based on the more realistic projections being estimated today. As discussed above, the most up-to-date socio-economic projections for Union County, performed by Dr. Stephen Appold, estimate that levels of growth previously forecast for 2030 will, in fact, not occur until 2040. This shift in expectations is extremely significant for the revenue projections. The Traffic and Revenue Study notes that a significant departure from the economic growth predicted for the project study area could “materially affect traffic and revenue potential on the proposed Monroe Connector/Bypass.”	
L-006	58 – Traffic and Revenue Study	67	<p>A new Traffic and Revenue Study should be completed, with careful attention given to the percentage of local and through traffic in the corridor. More analysis should be performed to see if local travelers really will be willing to pay a toll and divert to the Bypass, particularly in light of the recent and planned improvements to U.S. 74. Consideration should also be given to recent trends, for example census data shows that the percentage of people commuting to Charlotte from Union County has been decreasing.</p> <p>Several other assumptions in the Traffic and Revenue Study are also no longer valid. For example, the study is based on the assumption</p>	See response to Document L-006, Comment #64 . The finance plan does not contemplate further use of toll revenue bonds until traffic begins using the roadway. Basing toll revenue bonds on initial usage may lower forecasting risk and lead to better bond rates.

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			that the Bypass will open to traffic in 2015, a scenario which is now impossible. Additionally, the study assumes that gas will remain at \$3 a gallon in 2010 dollars, another assumption that has not held true.	
L-006	60 – NEPA and STIP	68	<p>Federal guidance states that a NEPA document should include a discussion of a proposed project’s relationship to the current TIP. The DSFEIS does include a discussion of the project’s cost, but fails to relate that to the TIP, or explain the inconsistency between the most recent cost estimate and that in the TIP. This is problematic. The guidance thus explains that where a significant difference exists between the dollar amount programmed in the STIP and the amount estimated in the EIS a STIP amendment is necessary prior to the approval of a ROD by FHWA.</p> <p>The DSFEIS states that the Monroe Bypass is now expected to cost \$898 million, with a 30% chance that costs will be higher. This is almost \$110 million higher than the amount currently programmed in the STIP—\$789 million. Given that, as explained above, toll revenues are likely to be much lower than initially anticipated, and given that the cost of the project has sky-rocketed, the EIS should include significantly more analysis to demonstrate that the project remains part of a fiscally constrained plan.</p>	<p>See response to Document L-006, Comment #63.</p> <p>NCDOT disagrees with the comment that toll revenues are likely to be much lower than initially anticipated and disagrees that the cost of the project has “sky-rocketed,” especially considering the contract award amount was approximately \$100 million below NCDOT’s engineer’s estimate. Updated cost estimates are provided in Section 2.4 of the <i>Final Supplemental Final EIS</i> and estimate the total cost of the project at \$838.6 million with a 70 percent confidence level (70 percent probability that the actual cost will be less than or equal to \$838.6 million).</p>

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L-006	61 & 63 - Project Cost	69	While the EIS presents \$898 million as the expected cost of the project, internal documents from NCDOT demonstrate that the true cost of the project is likely to be much higher. Internal documents from NCDOT acknowledge that the project cost will be adjusted up “by some unknown amount.”	See responses to Document L-006, Comment # 63. The FHWA Division, FHWA Headquarters – Project Delivery Team, NCDOT, and their consultants reviewed the cost estimate included in the <i>Draft Supplemental Final EIS</i> . Based on this review, modifications were made to the cost estimate. The revised cost estimate (\$838.6 million) provided in Section 2.4 of the <i>Final Supplemental Final EIS</i> was found to be valid and based on reasonable assumptions.
		69a	In sum, the DSFEIS fails to demonstrate that the Monroe Bypass is part of constrained financial plan. The assumptions behind the 2010 Traffic and Revenue Study are no longer valid, and toll revenue is likely to be much less than expected. The cost of the project has increased, and is likely to increase even further. There is no analysis or explanation in the EIS as to where the additional money will be found to make up the difference... And not only do these failures violate FHWA’s planning requirements. By failing to disclose the true cost of the project while also overstating the likely benefits from the selected alternative NCDOT once again violates the public disclosure requirements of NEPA.	NCDOT disagrees with the allegation that the Traffic and Revenue Study is no longer valid or that toll revenue is likely to be much less than expected.
L-006	64 – Public Disclosure	70	In pursuit of the pre-determined Bypass project, NCDOT has colluded with, and even funded, the project contractor to create a bogus Bypass support group espousing views contrary to those stated in the EIS. At the same time, the Department has failed to acknowledge the	NCDOT disagrees with this comment. See responses to Document L-006, Comment #s 4, 12 and 14. All local government resolutions both supporting (9) and opposing (5) the Monroe Connector/Bypass are included in Appendix A-3 of the <i>Final Supplemental Final EIS</i> .

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			<p>resolutions of four separate municipalities in Union County calling for alternative solutions to the Bypass. As noted above, NCDOT has continued to perpetuate misconceptions about the Bypass in order to “sell” it to local residents and has refused to correct frequent misunderstandings and misstatements by public officials and other community leaders.</p>	
L-006	64 & 65 – Public Propaganda	71	<p>Public records demonstrate that NCDOT has actively and financially supported a group espousing views completely contradictory to those embraced in the NEPA process. We were deeply troubled to learn that outside of the NEPA process, NCDOT has been actively perpetuating a picture of the Bypass’s impacts and effect that is entirely at odds with the information it has presented within the NEPA process. Public records produced by NCDOT demonstrate that much of the purportedly local organized efforts in support of the Bypass were in fact orchestrated by the MBC, and specifically employees of Boggs Paving.</p> <p>We understand that once we brought this grave deception to the public’s attention, and after a conversation on the matter between Division 10 Engineer Louis Mitchell and an SELC attorney, NCDOT has now asked the Monroe Bypass Constructors to refund some of this financial support. This does little to cure the fact that such support was offered in the first place. The</p>	<p>See response to Document L-006, Comment #s 4, 12, 14 and 70.</p> <p>NCDOT disagrees with this characterization. The <i>Final Supplemental Final EIS</i> and supporting documentation represents the agencies’ public statement on the Monroe Connector/Bypass.</p> <p>Per Rick Baucom, NCDOT Div 10 Assistant Division Construction Engineer, during the referenced conference call on Nov. 7, 2012, Ron Hancock and Rick Baucom stated clearly that NCDOT would not be a party to the creation or support of any such publicity. Monroe Bypass Constructors was also informed that NCDOT would not reimburse Monroe Bypass Constructors for time spent on same.</p> <p>SELC’s letter also states; “Presumably NCDOT, through Ms. Auret and Mr. Sachs was attempting to forestall any public opposition to the project” (p.68). NCDOT did not knowingly or intentionally forestall any public opposition; that is a biased assumption on SELC’s part.</p> <p>NCDOT District Engineer John Underwood did attend the Union County Chamber of Commerce meeting on February 5, 2013 at the request of the Chamber to discuss upcoming NCDOT projects within Union County. NCDOT representatives often attend meetings to discuss current and proposed projects. These meetings include</p>

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			damage of the misinformation disseminated with NCDOT funding has been done.	presentations to local government agencies, homeowner associations, etc. NCDOT did not provide the Chamber with the quoted information about business impacts or creation of new jobs, or assist the Chamber with the information contained in the resolution supporting the project.
L-006	73 – Acknowledgement of opposition	72	Despite this widespread call for alternatives, NCDOT has failed to even acknowledge the resolutions passed in Union County. The Comments and Coordination section of the DSFEIS does not include any of the resolutions, although NCDOT has included such resolutions in the past. This non-response from NCDOT indicates its failure both as a public agency generally, and also as a lead agency for the NEPA process. Rather than inform state citizens with accurate information and listen to the views of diverse stakeholders, the Department has instead chosen to foster false propaganda and ignore any input that does not comply with its predetermined decision.	See response to Document L-006, Comment #70.
L-006	73 & 74 - Outreach	73	Generally then, with the publication of a major document like a DSFEIS, NCDOT performs specific activities to help communicate its findings to the public. The previous DEIS for the project, for example, included a Citizens’ Summary. This time around, NCDOT produced no such summary, despite the fact that several key findings have changed significantly. For example, in the previous citizens’ summary it was stated that in the project’s opening year travel time savings for	Travel time savings are calculated based on the difference along the length of the Monroe Connector/Bypass compared to an equivalent trip along existing US 74 from east of Marshville to the US 74/I-485 interchange. Along the 20-mile length of the Monroe Connector/Bypass, a trip at the speed limit of 65 mph would take 18 minutes. For a trip along existing US 74, the speed limit varies; with the average weighted speed limit being 49 mph. At this speed, a trip from east of Marshville to the US 74/I-485 interchange would take

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			<p>those using the Bypass from end to end would be 29-32 minutes. This estimate has now been revised down to 8-12 minutes, but no updated citizens' summary has been created.</p> <p>Perhaps more egregious is that even the DSFEIS excludes key facts that would be pertinent to decision makers. A review of earlier drafts of the DSFEIS show that many key facts previously included were eliminated from the ultimate version presented to the public. For example, initial drafts of the DSFEIS clearly stated the expected travel time benefits from the Bypass. Such statements were eliminated from the final version, and the public was left having to do the math themselves. Knowing how much time the Bypass is likely to save its users is not a minor point, and the deletion of these clear statements was inexcusable. Other key facts, such as the likelihood of the Bypass to redistribute growth away from downtown Monroe were likewise removed from the final public draft of the document.</p>	<p>24 minutes. So, hypothetically, even under uncongested conditions and not stopping at traffic signals along existing US 74, there would be a time savings of 6 minutes (or 25 percent) for travelers choosing the Monroe Connector/Bypass.</p> <p>However, existing US 74 is congested during peak periods, and existing average speeds are lower than the weighted average speed limit. As discussed in Section 1.1.1 of the <i>Final Supplemental Final EIS</i>, existing average travel speeds during peak hours range from 42-45 mph for eastbound US 74 and 41-44 mph for westbound US 74. Therefore, eastbound US 74 travel times during peak periods currently take 26-28 minutes and westbound US 74 travel times during peak periods currently take 27-29 minutes.</p> <p>Based on the values above for current conditions, travel time savings for using the Monroe Connector/Bypass during peak periods would range from 8-14 minutes (30-40 percent) for vehicles traveling the length of the corridor.</p> <p>In the future, overall traffic volumes and vehicle miles traveled are projected to increase in Union County. Vehicles along the Monroe Connector/Bypass would still be predicted to operate at the 65 mph speed limit, even as traffic volumes increase since the roadway was designed to handle projected future traffic volumes. However, on existing US 74, it is likely the average speeds would decrease from the averages noted above as traffic volumes increase. Therefore, travel time savings for vehicles using the Monroe Connector/Bypass also would be expected to increase over time.</p>
L-006	74 - Outreach	74	<p>NCDOT released the DSFEIS on the 18th of November, yet a press release was not issued until November 21. The Department then scheduled public hearings for the 8, 9 and 10 of</p>	<p>See response to Document L-006, Comment #73.</p> <p>The dates and times for the Public Hearings were correct on all public notifications. It was the location that was in error on the</p>

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			<p>December, right around the holidays. Given the vast size of the document and the complications of the holidays, Mayor Lynda Paxton of Stallings asked NCDOT if the hearings could be postponed and the public be afforded more time to review and formulate questions. This request was denied. Worse, NCDOT mixed up the dates and locations of the public hearings in their initial publication, correcting the error less than a week before the public hearings were held. These errors would seem to violate NCDOT's responsibility to give reasonable notice. 23 C.F.R. 771(h)(2)(iv).</p>	<p>postcard mailings and other notifications. A corrected postcard was sent to the entire mailing list. Signs and maps were posted at the incorrect location, directing people to the correct location. A revised public notice was published in area newspapers and an updated press release also was distributed.</p>
L-006	74 & 75 - Outreach	75	<p>The hearings themselves provided little pertinent information. Maps of the likely route were on display, although staff did note that the final design for the project has not yet been completed. The formal presentation focused primary on the ICE analysis and failed to touch on key questions that NCDOT knows the public is interested in, such as: How much growth and development is the project likely to bring to Union County; how much the current levels of congestion on U.S. 74 will be improved; how many minutes travelers taking the Bypass from end to end can be expected to save; how much truck traffic is expected to divert to the Bypass; and how expensive the tolls will be. In fact, a common refrain during the hearings was that "nothing has changed" despite the fact that, as noted above, significant factors such as the</p>	<p>NCDOT disagrees with this characterization. This statement includes SELC's opinion on the Project, the hearings, and public comments. However, the <i>Draft Supplemental Final EIS</i> and this document include all comments and responses submitted by the public on this project since the previous <i>Final EIS</i>. The agencies have considered all comments and have responded accordingly.</p> <p>A transcript of the public hearing was prepared and is included in the administrative record. The transcript provides a verbatim record of the statements made during the public hearing. Comments made by speakers are responded to in Table A2.4 in Appendix A-2 of the <i>Final Supplemental Final EIS</i>. These comments are denoted as S-###.</p>

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			current conditions on U.S. 74 and the success of alternatives are markedly different to those presented back in 2009.	
L-006	75 – Public Hearing	76	In an attempt to get public clarification of some of the key misunderstandings about the Bypass, SELC attorney Kate Asquith asked a most pertinent question of NCDOT during the public comment period. Namely: Is the Bypass expected to improve current levels of congestion on U.S. 74? NCDOT failed to give any coherent response to this straightforward question. Ms. Jennifer Harris, P.E., the lead engineer for the project, claimed first that she did not understand the question, then, that she didn't have sufficient documents with her to answer the question, and, finally, that she would need to discuss the issue privately with Ms. Asquith. NCDOT refused to respond to any subsequent questions on any issue. This failure to publically clarify a fairly basic, but commonly misunderstood, aspect of the Bypass again shows NCDOT's contempt for the NEPA process, and its abject failure to perform its duty to transparently inform the public.	See response to Document S-101, Comment #1 , which is a response to Kate Asquith's question. Staff knowledgeable on this subject was available from 4:00 to 6:30 to address individual questions. Ms. Harris is not a traffic engineer and was not prepared to address that question.
L-006	77 – Assumed Predetermined Outcome	77	In public statements following the Fourth Circuit's ruling, NCDOT made several public statements regarding its renewed NEPA review of the project, regularly asserting that it would result in no change in the outcome of the decisionmaking process. In June 2012, SELC	As a result of the uncertainty regarding this portion of US 74, NCDOT defers any final decision regarding the inclusion of a superstreet facility in the vicinity of Stallings Road until the final determinations have been made regarding the Monroe Connector/Bypass. If the Monroe Connector/Bypass is not built, NCDOT will then move forward with converting this intersection to a superstreet facility

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			<p>wrote to both NCDOT and FHWA to express our clients' concerns that such statements suggested that any reconsideration of alternatives and impacts would be nothing more than an empty formality, rather than the full public re-analysis required by both NEPA and the Fourth Circuit. ...</p> <p>NCDOT has also been publically planning other activities along U.S. 74 as if construction of the Bypass was guaranteed. For example, NCDOT staff have regularly indicated that the planned superstreet installations throughout Indian Trail, which were originally recommended in the Stantec Study, will not include the other Stantec recommended superstreet at Stallings Road because that intersection would be in the line of the Bypass were it to be built. The transportation agencies have attempted to allege that they are not opposed to alternatives for improving U.S. 74 that would compete with the Bypass, yet NCTA staff have said exactly the opposite outside of the NEPA process, stating that the agency "would not be in favor of changes to US-74 that would have a competing interest with the bypass," as such improvements would have a negative impact on toll revenue.</p> <p>Similarly, NCDOT officials have perpetuated a public misunderstanding regarding the Monroe Bypass bonds, refusing to publically address the widely believed falsehood that the bonds can be used to fund only the Monroe Bypass. For</p>	<p>based on funding availability.</p> <p>It should be noted that Ms. Paxton's term as mayor ended on December 9th 2013. No comments were received from current representatives of the Town of Stallings during the public comment period for the <i>Draft Supplemental Final EIS</i>. Further, the characterization of Ms. Paxton's interaction with Mr., Mitchell is inaccurate. When asked what NCDOT was doing to correct the faulty impression that many legislators and decision makers have that the bonds cannot be used on other projects, Mr. Mitchell replied "I typically do not interact with the General Assembly members on issues of that nature, as Jim Trogdon and other senior leaders typically handled those matters."</p> <p>The comment is based on the opinions of SELC and the "personal recollection" of an opponent of the project.</p> <p>The <i>Draft Supplemental Final EIS</i> and supporting documentation represents the agencies' public statement on the Monroe Connector/Bypass. NCDOT and FHWA believe the information presented in the <i>Draft Supplemental Final EIS</i> is correct.</p> <p>SELC cites and characterizes selective portions of documents that they acknowledge are "outside the NEPA process" in an attempt to invalidate the content of those documents that have been completed pursuant to the NEPA process. The evidence determining whether the agencies took a "hard look" at the environmental impacts consists of the environmental analysis itself. It does not include "the alleged subjective intent of agency personnel divined through selective quotations from email trails." <u>Nat'l Audubon Soc'y v. Navy</u>, 422 F.3d at 199. The same is true for selective and/or incomplete quotations of statements made "outside of the NEPA process." In addition and contrary to the</p>

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			<p>example, at the December 2013 CRTPO meeting, Stallings Mayor Lynda Paxton asked NCDOT Division 10 Engineer Louis Mitchell what NCDOT was doing to correct the faulty impression that many legislators and decisionmakers have that the bonds cannot be used on other projects. Mitchell gave the curt reply that NCDOT was not responsible for educating the officials in Raleigh so they had not made any attempts to clarify.</p>	<p>commenter’s statement, since the <i>Final EIS</i>, numerous improvements have been made to existing US 74 and others are scheduled, as described in Section 2.4 of the <i>Draft Supplemental Final EIS</i>. Many of these improvements implement recommendations of the US 74 Corridor Study (Stantec, 2007), commissioned by NCDOT Division 10, which have improved traffic flow on the existing facility. In addition to the US 74 improvements discussed in Section 2.4 of the <i>Draft Supplemental Final EIS</i>, NCDOT is recommending superstreet improvements to the US 74 corridor between Indian Trail-Fairview Road and Wesley Chapel-Stouts Road and at the intersection with Rocky River Road (STIP Projects W-5520 and W-5210L). These and other safety improvements could be implemented in the future, but would still not provide for high-speed travel on existing US 74. It should also be noted that construction of the Monroe Connector/Bypass would not preclude any of these safety projects on existing US 74.</p> <p>NCDOT and FHWA do not have control over the actions or beliefs of the public or local government bodies. The NCDOT and FHWA have made all project NEPA documents and supporting technical information/reports available to the public and local governments for their review.</p>
L-006	78– Commitment of resources prejudicing selection of alternative	78	<p>The transportation agencies have also continued to divert taxpayer money to private contractors based on the assumption that the Bypass will be built. These payments have continued since the Fourth Circuit’s ruling, before any local officials or other members of the affected public have had an opportunity to review the new analysis required by the Court. Such payments contravene the NEPA requirement that</p>	<p>See responses to Document L-006, Comment #s 4 and 69.</p> <p>NCDOT disagrees with the characterizations in this comment and there has not been a violation of NEPA. After the Fourth Circuit’s ruling the design-build contract was suspended. No further work on the project that is prohibited by 23 CFR 771.113 was conducted. The contract provisions allow for the suspension of the contract, but also require payments be made to the contractor for costs incurred due to the suspension. It was clearly indicated on payments to the</p>

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			<p>“[a]gencies shall not commit resources prejudicing selection of alternatives before making a final decision.” 40 C.F.R. § 1502.2(f) Moreover, NCDOT appears to have made payments for services beyond the preliminary design work permitted by 23 C.F.R. § 771.113, again violated NEPA.</p>	<p>contractor that “the compensation provided herein does not advance design or construction of the subject project. Nor does it limit the choices of reasonable alternates or prejudice the selection of an alternative.” (Language included in supplemental agreements with contractor).</p> <p>NCDOT has been in discussions with Monroe Bypass Constructors since the work suspension in May 2012 regarding costs of both contract termination and contract retention. NCDOT has pursued this information to remain flexible pending the completion of the NEPA study. These activities did not prejudice and were irrelevant to the NEPA activities.</p> <p>The payment to Monroe Bypass Constructors for the aggregate base course (ABC) stockpile was included on pay application no. 8 that was for work performed prior to the work suspension (05/22/2012), and was done in accordance with NCDOT Contract standard special provisions. In the event of contract termination, the value of this item will be an issue as left over material regardless of whether or not NCDOT made a material prepayment (i.e., the material prepayment will offset the damage claim for the left over material).</p> <p>To date, the ABC is still at the quarry; NCDOT has not paid Monroe Bypass Constructors to haul the material to the project or to store it at the quarry.</p>
L-006	79 – Appeals Court Ruling	78a	<p>Stressing the important public decisionmaking process that NEPA was designed to protect, the Court required the transportation agencies to conduct, and release for public review, a new thorough analysis of the impacts of and alternatives to the Bypass.</p>	<p>This comment mischaracterizes the referenced Appeals Court ruling. The ruling states, "We therefore vacate the judgment of the district court and remand so that the Agencies and the public can fully (and publicly) evaluate the "no build" data [footnote 5]." Footnote 5 states "The Conservation Groups point to a number of other instances where the Agencies assertedly failed to comply with NEPA's requirements...We need not address these contentions</p>

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				<p>because on remand, when the Agencies reevaluate the Impact Statement, they will have an opportunity to provide full public disclosure and all necessary explanations of their process."</p> <p>The <i>Draft Supplemental Final EIS</i>, public review period, <i>Final Supplemental Final EIS</i>, and supporting technical memoranda provide full public disclosure and all necessary explanations of the process.</p>
L-006	81 – Commitment of resources prejudicing selection of alternative	78b	<p>We understand that NCDOT believes it is important to continue paying the Monroe Bypass Constructors LLC in order to preserve the low-bid secured in 2011, when the project was in the midst of litigation. We first note that while the bid was well under the engineer’s estimate, it was only about \$34 million under the next highest bid. Though certainly a difference in price, in the scheme of a \$900 million project still under consideration, such extreme efforts to preserve the MBC bid seem reckless, and have the effect of prematurely locking the transportation agencies into an alternative before the NEPA process is complete. This is particularly true given the poor quality of work that has generally been experienced from Boggs Paving, as noted above.</p> <p>Moreover, as detailed above, the transportation agencies also appear to currently be in the process of negotiating an escalation price with the MBC. Negotiating the details of an escalation price for construction of the Monroe Bypass</p>	See responses to Document L-006, Comment #s 4, 69 and 78.

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			strongly indicates that the agencies have predetermined the results of their NEPA reanalysis, and are simply going through the motions. Though the transportation agencies do appear to be under great pressure from the contractor to negotiate an escalation price, such outside pressure in no way alleviates the agencies' NEPA duty to perform a hard look at all alternatives.	
L-006	83 – Right of Way	79	We also note that since the court's ruling NCDOT has continued to move forward with activities to construct the Bypass. The agency has specifically given permission to the MBC to carry out salvage activities to properties within the Bypass footprint. Surveying of Right-of Way has continued unabated. Moreover, NCDOT has continued to purchase right-of-way along the Monroe Bypass route – supposedly under hardship provisions, and has plans to immediately begin efforts to restart full scale right-of-way acquisitions upon receipt of the ROD. Upon receipt of the ROD, NCDOT has also indicated that they plan to engage in acquisition preparation activities such as re-contacting all property owners and displacees, updating appraisals previously received as needed, resuming negotiations on "priority" parcels, ordering appraisals on remaining "priority" parcels not previously ordered, completing Replacement Housing Payment calculations on "priority" parcels, ordering Asbestos Survey	<p>NCDOT disagrees with the characterizations in this comment. All activities on the project since the ROD was rescinded have been conducted according to applicable rules and regulations. The future right-of-way processes are contingent on completion of the NEPA process and the final ROD. The documents cited by the SELC clearly indicate that no right-of-way purchases will take place prior to the ROD, except for hardship situations. See 23 C.F.R. § 771.113(d)(1) (allowing for hardship acquisitions prior to the ROD). In fact, property owners will not even be contacted until a ROD has been issued. Right-of-way purchases will be necessary before construction can begin and it is prudent and responsible to plan to assist those individuals and commercial properties who would be subject to right-of-way purchases. A right-of-way plan would be necessary for any selected alternative and is not dependent on any one possible alternative.</p> <p>Of the 437 properties located within the preferred alignment, only 16 hardship petitions have been received and accepted to date.</p> <p>Permission has never been given to Monroe Bypass Constructors for salvage activities on acquired parcels. The email referenced as Attachment 261 (from Joseph Jeffers to Richard Baucom dated July</p>

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			<p>Reports on improved parcels acquired, ordering asbestos abatement, and ordering demolition of improvements after asbestos abatement is completed. They also plan to “[c]ommence normal acquisition activities on all remaining parcels” starting 30 days after the ROD issues.</p> <p>Other documents indicate even more detailed post-ROD plans. For example, within 90 days of the ROD being signed, NCDOT appears to intend to have finalized the purchase of all parcels in the eastern three miles of the project’s footprint and 25-50% of the remaining parcels in sections from the project’s eastern end to US 601, and plans to continue making full purchases through the rest of the project’s footprint.</p> <p>Such detailed plans premature in the midst of a NEPA process that is intended to guide the selection of a variety of possible alternatives, rather than justify a predetermined outcome.</p>	<p>22, 2013) was, in part, a discussion regarding a request from Monroe Bypass Constructors to salvage some interior amenities from the Carolina Courts property. That permission was never granted.</p> <p>The surveying in question was done by a consultant firm (Mulkey Engineers) working directly for NCTA (not Monroe Bypass Constructors) to re-establish right-of-way previously purchased by NCDOT for the old project (TIP Nos. R-2559B & R-2559C).</p>
L-006	84 – Combined FSFEIS/ROD	80	<p>As a primary matter, guidance states that if there are unresolved interagency disagreements over issues or additional coordination activities that need to be resolved then a combined FEIS and ROD is not appropriate. Several interagency issues remain with regard to the Monroe Bypass. As noted in the EIS, NCDOT has not yet obtained concurrence from the USFWS for its determinations under Section 7 of the Endangered Species Act. Moreover, despite the</p>	<p>This statement is incorrect regarding interagency issues, and there is no substantial controversy. Section P.2 of the <i>Final Supplemental Final EIS</i> discusses the decision to prepare a combined final supplemental final EIS and ROD.</p> <p>As presented in Section 5.3 of the <i>Draft Supplemental Final EIS</i>, NCDOT made three presentations to the MPO and held seven agency meetings between the Final EIS and the <i>Draft Supplemental Final EIS</i>. All interested agencies have reviewed and provided comments on the <i>Draft Supplemental Final EIS</i>. These comments can be found in Appendix A-1 of the <i>Final Supplemental Final EIS</i>.</p>

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			<p>fact that the resource agencies had significant concerns about NCDOT’s analysis, very few interagency meetings were held during the preparation of the DSFEIS. While usually NCDOT would hold regular meetings with all resource agencies involved in the project, no such meeting has been held since November of 2012, a full year prior the publication of this DSFEIS. A mere three meetings with separate individual agencies have been held since that time. As a result, it is likely that other resource agencies will have substantial questions regarding NCDOT’s latest analysis. The publication of a separate FEIS is likely to help provide an opportunity to “resolve such disagreements.”</p> <p>Importantly, federal guidance also states that a combined FEIS and ROD may not be appropriate where there is “a substantial degree of controversy.” As shown above there is certainly a substantial degree of controversy surrounding the Bypass. Our clients have already pursued one round of litigation concerning the project, and continue to have significant concerns about NCDOT’s analysis. Moreover, an increasing number of local elected officials and residents are speaking out in opposition to the project.</p>	<p>Based on these comments, there are no substantive interagency issues or disagreements, and it should be noted that no agencies made comments related to an inadequate number of meetings regarding the project. The USFWS issued their concurrence under Section 7 of the Endangered Species Act on December 16, 2013.</p> <p>As far as public opposition to the project, it is not unusual to have opponents of highway projects and this project is no exception. NCDOT has thoroughly reviewed and considered all comments on this project and has responded accordingly. The basis of the comments in opposition to the project does not raise issues of substantial controversy and those comments have been considered and addressed. A combined Final Supplemental Final EIS and ROD is appropriate for this NEPA process. A complete discussion of the factors considered in making the determination to proceed with a combined Final Supplemental Final EIS/ROD is presented in Section P.2 of the <i>Final Supplemental Final EIS</i>.</p> <p>It should also be noted that preparing a combined Final EIS/ROD is now the default method of proceeding unless demonstrated grounds for separate documents can be shown.</p>
L-006	85 – Traffic Forecasts	80a	<p>Finally, an expert transportation planner, Dr. David Hartgen, has raised serious concerns about the validity of the project’s traffic forecasts. “[W]here comments from responsible experts or</p>	<p>See responses to Document L-006, Comment # 25.</p>

Table A-2.4: Letter from SELC dated January 6, 2014

Letter L-006

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			<p>sister agencies disclose new or conflicting data or opinions that cause concern that the agency may not have fully evaluated the project and its alternatives, these comments may not simply be ignored." <i>Silva v. Lynn</i>, 482 F.2d 1282, 1285 (1st Cir. 1973). As NCDOT itself relies heavily on Dr. Hartgen's work in the DSFEIS, we assume they believe him to be "responsible." His critique of NCDOT's analysis requires NCDOT to produce either a new DSFEIS, or, at the very least, a stand-alone FEIS with new updated traffic forecasts that can be reviewed by the public, resource agencies and decisionmakers. Only then can any responsible decisionmaking about this \$900 million project occur.</p>	

Letter from SELC dated April 8, 2014 and email supplement dated April 10, 2014

Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
L-011	1-Request for Supplement to DSFEIS	1	<p>NCDOT Must Issue a Supplement to its Recent DSFEIS.</p> <p>a. NCDOT did not use the most accurate available model in validating its traffic forecasts.</p> <p>Newly available information has brought to light the fact that NCDOT knowingly used an outdated traffic model to validate its traffic forecasts in its recent DSFEIS for the Monroe Connector/Bypass.</p> <p>As you are aware, in May 2012, the United States Court of Appeals for the Fourth Circuit found NCDOT violated the NEPA in its consideration of the Monroe Connector/Bypass, and ordered the agency to reevaluate the project. N.C. Wildlife Fed'n v. N.C. Dep't of Transp., 677 F.3d 596, 605 (4th Cir. 2012). As part of this review, NCDOT was required to reevaluate the traffic forecasts underlying its NEPA analysis. But as we noted in our January 6, 2014 comments, NCDOT has not developed new traffic forecasts for the Bypass for its recent court-ordered NEPA analysis.</p> <p>Despite clear evidence that traffic conditions have drastically changed since NCDOT developed the original traffic forecasts, NCDOT choose merely to "validate" its original forecasts rather than develop new forecasts.</p>	<p>NCDOT has complied with the Fourth Circuit Court's ruling. The <i>Draft Supplemental Final EIS</i>, public review period, <i>Final Supplemental Final EIS</i>, and supporting technical memoranda thoroughly evaluate the "no build" data, other existing data and any other new information received since the previous ROD and provides full public disclosure and all necessary explanations of the evaluation process.</p> <p>As described in the <i>INRIX US 74 Corridor Travel Speeds</i> memorandum (HNTB, April 2014). INRIX data demonstrate that localized spot improvements along the US 74 corridor over the last few years have not improved the overall corridor travel speeds. In fact, the average corridor travel speeds have remained relatively constant, +/- 1 to 2 mph, from 2011 to 2012 to 2013. The US 74 facility still experiences congestion during peak periods of the day, and the corridor does not currently operate as a high-speed facility (average speed of 50 mph or greater). Additionally, all of the available data, including the MRM 14v1.0, indicate that traffic volumes will continue to increase in the future. Therefore, it can be concluded that the US 74 corridor, in its current configuration, will not operate as a high-speed facility in the future.</p> <p>As documented in the <i>Monroe Connector/Bypass Traffic Forecast Summary</i> (HNTB, April 2014), the project's traffic forecasts were re-evaluated to determine the validity of their use and a determination was made that new traffic forecasts were not necessary. Please refer to responses in Appendix E-4, Table 1, Comment #s 30 through 45 and 61 through 68 which address this issue.</p>

Letter from SELC dated April 8, 2014 and email supplement dated April 10, 2014

Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
	3 – Traffic Forecasts	2	<p>Even more, the improved model was available for NCDOT’s use in evaluating the Bypass. The survey data was incorporated into the MRM and the 2010 horizon year was fully calibrated by October 2013, well before NCDOT published its DSFEIS for the Bypass. And the updated model was available at least in time for the agencies conducting the Metrolina Conformity Analysis to have completed all model runs for all conformity horizon years by early January 2014, just weeks after NCDOT published the DSFEIS, indicating that NCDOT could have developed similar such forecasts for the Bypass within the same period of time. These updates to the MRM are very likely to influence the model’s outputs regarding the Bypass’s impacts on Union County traffic.</p>	<p>As documented in the <i>Monroe Connector/Bypass Traffic Forecast Summary</i> (HNTB, November 2013, superseded May 2014), MRM14v1.0 output provided by CRTPO (Charlotte Regional Transportation Planning Organization) was considered. The raw model daily volume assignment data from a run of MRM06v1.1, that was used in the development of the No-Build and Build traffic forecasts used in the May 2010 <i>Final EIS</i>, was compared to a model run using the most current MRM14v1.0 (with 2014 SE data). Overall corridor VMT results indicate that, even with an updated model network (MRM14v1.0), SE data (2014), and methodology, the Monroe Connector/Bypass is still generally attracting similar levels of demand as MRM06v1.1 and 2005 SE data used in the 2030 Build forecast. In addition, the updated model is predicting more demand for the existing US 74 corridor. Thus, it is reasonable to conclude that the MRM14v1.0 assigns similar magnitudes of raw travel demand model daily volume assignment to the Monroe Connector/Bypass and US 74 compared to MRM06v1.1.</p> <p>This is further demonstrated in the <i>INRIX US 74 Corridor Travel Speeds</i> memorandum (HNTB, April 2014). INRIX data demonstrate that localized spot improvements along the US 74 corridor over the last few years have not improved the overall corridor travel speeds. In fact, the average corridor travel speeds have remained relatively constant, +/- 1 to 2 mph, from 2011 to 2012 to 2013. The US 74 facility still experiences congestion during peak periods of the day, and the corridor does not currently operate as a high-speed facility (average speed of 50 mph or greater). Additionally, all of the available data, including the MRM 14v1.0, indicate that traffic volumes will continue to increase in the future. Therefore, it can be concluded that the US 74 corridor, in its current configuration,</p>

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Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
				<p>will not operate as a high-speed facility in the future.</p> <p>Also see response in Appendix E-4, Table 1, Comment #61.</p>
	3 – Traffic Forecasts	3	<p>Federal courts have long held that reliance on up-to-date data is imperative for the NEPA process, regularly finding that agency reliance on stale or inaccurate data invalidates environmental review. As such, we are concerned that NCDOT did not use the most accurate and recently available travel demand model in its review of the Bypass, despite clear indications that their chosen model was significantly outdated. This failure to use the updated model fits NCDOT’s pattern of choosing to ignore more recent, accurate data in favor of data that supports their intention to build the preferred alternative. As we demonstrated in our January 6, 2014 comment letter, NCDOT also chose not to use the most recent available socio-economic data in reevaluating the Bypass, even though the more current data contradicted the study forecasts by showing considerably lower growth rates than previously forecast and indicating that the project would not even serve the growth that is expected. We now see that NCDOT also failed to consider the most recent traffic modeling data, though its own data demonstrated that the traffic patterns in the study area have changed dramatically in the last several years.</p>	<p>NCDOT has considered the most recent socioeconomic and traffic modeling data in its analysis. See responses to Document L-011, Comment #2 and Appendix E-4, Table 1, Comment #s 30 through 45 and 61 through 68.</p>

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Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
L-011	4- Endangered Species	4	We have recently learned through review of public records that, against the advice of the United States Fish and Wildlife Service (“USFWS”), NCDOT has also failed to study the project’s potential impacts on the northern long-eared bat (<i>Myotis septentrionalis</i>) and the Savannah lilliput (<i>Toxolasma pullus</i>). USFWS has been clear that both species currently await impending listing as endangered species under the Endangered Species Act (“ESA”) and are likely to be put at further risk by construction of the Bypass.	<p>Coordination with USFWS is summarized in Section 4.4.5 of the <i>Draft Supplemental Final EIS</i> and Section 3.3.2 of the <i>Final Supplemental Final EIS</i>. It is important to note that the USFWS concurred with the findings of the Biological Assessment for the project in a letter dated December 16, 2013 (included in Appendix B of the <i>Final Supplemental Final EIS</i>). NCDOT and FHWA have complied with the Endangered Species Act (“ESA”) for all listed endangered species. Currently, the Northern long-eared bat and Savannah lilliput are not listed as endangered. However, NCDOT/FHWA will continue to comply with the ESA for any species that may be listed in the future.</p> <p>In regard to the Northern long-eared bat, as stated in their concurrence letter, USFWS recommends that NCDOT/NCTA incorporate bat conservation measures into project plans. As stated in Special Project Commitment #13, the “NCDOT and FHWA will coordinate with USFWS when the management plan and guidance become available for the northern long-eared bat (<i>Myotis septentrionalis</i>), which was proposed for listing as Endangered in October 2013.”</p> <p>In regard to the Savannah Lilliput, USFWS recommends “that at the project crossing of South Fork Crooked Creek avoidance and minimization measures be designed, implemented, and documented to protect the Savannah Lilliput. Additionally, measures to protect the occupied reach of Richardson Creek should be considered.” Again, as stated in Special Project Commitment #13, “NCDOT and FHWA will coordinate with USFWS to monitor the status of the potential listing of Georgia Aster (<i>Symphytotrichum georgianum</i>) and Savannah Lilliput (<i>Toxolasma pullus</i>) throughout construction.”</p>

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Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
	5 – Endangered Species	5	While we appreciate the greatest threat to the northern long-eared bat is White Nose syndrome, other major threats to the bat include habitat destruction and disturbance to hibernating and summer habitat, both of which could be implicated by construction of a new-location highway through the organism’s habitat. As such, USFWS recommended that NCDOT should evaluate the project’s likely impacts on the species to avoid an inevitable later consultation and potential project shutdown. Yet no such evaluation was documented in NCDOT’s review of the project.	The northern long-eared bat was considered in the <i>Biological Assessment</i> (The Catena Group, November 2013), which recognizes that the species was proposed for listing as Endangered in October 2013. As stated in the <i>Biological Assessment</i> , potential impacts to the northern long-eared bat cannot be assessed until USFWS releases a management plan and guidance on how to assess potential impacts to the species. Also see response to Document L-011, Comment #4.
	5 – Endangered Species	6	NCDOT also failed to follow USFWS’s recommendation to evaluate the project’s impacts on the Savannah lilliput, a mussel species known to exist in Union County. USFWS has expressly warned NCDOT that the species is found in the South Fork Crooked Creek, which will be directly impacted by the project.	See responses to Document L-011, Comment #s 4 and 5.
	5 – Endangered Species	7	To satisfy NEPA, and to avoid further jeopardizing these delicate species as well as unnecessary waste of taxpayer money on delay, eleventh-hour consultation, and potential project re-design, NCDOT must supplement its environmental review with an evaluation of the Bypass’s impacts on these organisms before proceeding forward with the project.	See responses to Document L-011, Comment #s 4 and 5.

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Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
L-011	6 – Local Opposition	8	NCDOT should also reevaluate its selection of the preferred alternative in light of growing public opposition to the project. Last month, the Town of Stallings passed a unanimous resolution opposing the Monroe Connector/Bypass and calling for NCDOT to instead pursue alternatives to a new toll highway.	The Town of Stallings did not submit a copy of this resolution to NCDOT but NCDOT received a copy of the resolution from a member of the project team and has reviewed the resolution. While NCDOT respects the opinions of the Town of Stallings and their right to oppose the project, we disagree with many of the points raised in the resolution and used in reaching their conclusion. Many of the concerns stated in the resolution are based on findings of the <i>Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS</i> , November 2013, prepared by The Hartgen Group for the Southern Environmental Law Center. Responses to conclusions reached in this report can be found in Appendix E-4, Table 1 . The Stallings resolution does not raise any new significant information that would warrant a supplement to the <i>Draft Supplemental Final EIS</i> .
	6 – Local Opposition	9	For example, Stallings explains that it is particularly concerned that the recent DSFEIS has demonstrated that the Bypass will not improve current congestion on U.S. 74. The resolution also expresses the town’s dismay at the fact that the Bypass is now expected to save drivers at most only 8-12 minutes. The town expressed grave concern that despite these minimal benefits from constructing the Bypass, the Draft SFEIS did not fully reconsider any targeted, less expensive alternatives that could improve current levels of congestion. The resolution calls for greater study of such alternative improvements such as grade separations, additional lanes, service roads, superstreet improvements, and improving	See responses to Document L-006, Comment #s 38, 38a, 39, 42, 42a, 73, See responses in Appendix E-4, Table 1, Comment #s 11, 23, and 24. In addition, NCDOT and FHWA took a hard look at the O’Connell and Lawrence (OCL) report and consideration of the report is documented in Appendix A of the <i>Draft Supplemental Final EIS</i> , beginning on page A1-16.

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A2-313

Doc No.	Page, Topic	Comment No.	Comment	Response
			<p>parallel routes. The town also expressed concerns that construction of the Bypass would endanger funding for future improvements to U.S. 74.</p> <p>The resolution also raises the concerns outlined in the O’Connell and Lawrence study as well as the Hartgen Group’s review of the of the DSFEIS described in our January 6 comment letter. After reviewing these materials, the town has decided that the traffic forecasts presented in the DSFEIS are “too uncertain and insufficiently supported to be the basis for decision making regarding the Bypass.” Stallings also articulated its concern that North Carolina’s diminishing transportation budget should not be used to fund such an expensive and decreasingly beneficial project, noting the widening gulf in available transportation funding for more worthwhile transportation projects.</p>	
		10	<p>As such, Stallings has added its voice to the many other municipalities and other local stakeholders who have begun to call for alternatives to the Bypass. As we have noted, NCDOT failed to evaluate, or even acknowledge this growing public opposition to the project in its recent DSFEIS. In addition to Stallings, the towns of Hemby Bridge, Weddington, Mineral Springs, and Marvin have all also issued resolutions opposing the Bypass and sent notice of these resolutions to NCDOT. We have regularly noted that a core purpose of NEPA is to inform the public and</p>	<p>As presented in Section 3.3.3 of the <i>Final Supplemental Final EIS</i>, a total of 13 local governments and boards in Union County (both within and outside the project area) have passed resolutions regarding the project and all have been considered. These resolutions are included in Appendix A-3 of the <i>Final Supplemental Final EIS</i>.</p>

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Letter L-011

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			<p>decisionmakers so that they may make knowledgeable decisions about major actions. NCDOT cannot just ignore the growing public outcry in opposition to this project as it continues through its NEPA review; instead, NEPA requires NCDOT to supplement its environmental review by publically acknowledging and considering the escalating public opposition to this project. Instead, NCDOT must properly address the significant new information outlined above by issuing a supplement to its recent DSFEIS.</p>	
L-011	7-8 – Dirt Pile	11	<p>We have also recently learned that Boggs Paving, a member of the Monroe Bypass Constructors joint venture which holds the contract on the Bypass, has been hauling and stockpiling a large amount of dirt and/or fill material on the border of Stallings, off Stallings Road near Interstate 485 near the site of the Bypass, without an approved development permit. Initially Boggs Paving staff stated this material was for a new Wal-Mart project on Harris Blvd. Boggs Paving also claimed to have a permit from the North Carolina Department of Environment and Natural Resources (“NCDENR”), though both NCDENR and NCDOT denied any prior knowledge of the activity when questioned by Union County Planning & Zoning officials. Following an inquiry, Union County issued a Notice of Violation for the stockpile. In response, Boggs Paving’s attorney admitted that the material was in fact being hauled and stockpiled for the Bypass. Despite</p>	<p>As stated in the March 20, 2014 email from S. Slusser to K. Hunter (Attachment 13 to SELC’s April 8, 2014 letter) this stockpile is not for the Monroe Connector/Bypass and no payments have been made by NCDOT for this stockpile. NCDOT has no knowledge of any representative of Boggs Paving stating otherwise. Any permits or alleged violations associated with this stockpile are not associated with or relevant to NCDOT or the Monroe Connector/Bypass project.</p>

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Letter L-011

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			<p>this admission, NCDOT has continued to deny that this stockpiling is connected to the Bypass, and has denied that payments have been made for this activity.</p> <p>We have expressed numerous concerns related to NCDOT’s premature contract and payments to the Monroe Bypass Constructors. As we have explained, such activities directly contravene the dictates of NEPA by entrenching NCDOT into a decision before the public decision-making process is complete.</p> <p>...As such, NCDOT must publically clarify its role in Boggs’ Paving’s hauling and stockpiling activities described above and disclosing any past payments. Further, to comply with NEPA, NCDOT should also cease any future activities or payments of this type.</p>	
L-011	Email Supplement	12	<p>..as we have noted in our recent letters to you, we are concerned NCDOT used the Metrolina Regional Travel Demand Model (“MRM”) and MRM socio-economic forecasts incorrectly in the Monroe Bypass DSFEIS. We have demonstrated that the MRM and the underlying socio-economic forecasts represent a future with the Bypass, and therefore are inappropriate for use in a No-Build scenario. Our concern was further confirmed yesterday in a publication by CRTPO, which reiterated that the MRM itself and the socio-economic projections underlying the MRM</p>	<p>The 2014 MRM model and associated socio economic forecasts has been considered as described in the <i>Monroe Connector/Bypass Traffic Forecast Summary</i>, HNTB, November 2013, superseded May 2014 and the <i>Review of New CRTPO Socioeconomic Projections Memorandum</i> (Baker, May 2014). See responses in Appendix E-4, Table 1, Comment # 55.</p>

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Letter L-011

Doc No.	Page, Topic	Comment No.	Comment	Response
			<p>assume construction of the Bypass. CRTPO explained that the MRM “includes all projects in the fiscally constrained transportation plan, including the Monroe Bypass.” It further stated that “[i]t has been clearly documented by the Union County staff that developed the socio-economic projections that they assumed all existing and committed projects would be built within the 2025 time horizon, and that includes the Monroe Bypass.” We have attached a copy of CRTPO’s statement to this email.</p>	
L-011	Email Supplement	13	<p>...we note that there is still much confusion concerning the cost of the Bypass. For example, in the CRTPO response discussed above, CRTPO claims there is no need to update the STIP, though the STIP cost for Bypass construction (\$789 million) is significantly below the cost listed in the DSFEIS (\$898 million). Similarly, the project cost listed in the North Carolina Turnpike Authority’s Annual Report presented to the North Carolina Joint Legislative Transportation Oversight Committee (“JLTOC”) last Friday listed the project cost as between \$650 and \$740 million. We are concerned that the vastly inconsistent cost figures presented in these public documents cloud the public’s ability to evaluate this project. NCDOT must clarify the project’s costs so the public can see exactly how much taxpayer money will be spent on the Bypass, especially in light of increasingly limited</p>	<p>Updated project costs are included in Section 2.4 of the <i>Final Supplemental Final EIS</i>. The current project cost estimate is approximately \$838.6 million. It should be noted that this estimate includes expenditures totaling \$74.8 million associated with the current design-build contract from November 2011 thru January 2014 as well as \$48.1 million in expenditures prior to the design-build notice to proceed in November 2011. Costs presented to the Joint Legislative Transportation Oversight Committee (JLTOC) were based on the preliminary cost estimate included in the 2013 NCTA Annual Report, which represented a cost to complete the project and did not include prior costs. The cost to complete (between \$639.4 million and \$726.6 million) as presented in Section 2.4 of the <i>Final Supplemental Final EIS</i> supersedes the range included in the 2013 NCTA Annual Report.</p>

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Letter L-011

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			transportation funds available in North Carolina.	
L-011	Email Supplement	14	<p>In updating the JLTOC on April 4, Turnpike Director of Operations Terry Gibson gave a brief presentation of the only existing toll highway in North Carolina, the Triangle Expressway. In this presentation Mr. Gibson stated that 97% of traffic on the Triangle Expressway was attributable to 2-axel cars and 2% was attributable to 2-axel trucks. Just 1% of traffic on the Triangle Expressway is trucks with 3 or more axels. As we noted in our January 6, 2014 letter to you, one of the most pressing concerns voiced in support of the Bypass is the need to remove large trucks from U.S. 74, with many basing their support of the Bypass on a belief that the project will shift truck traffic from U.S. 74 to the Bypass. In fact, such comments made up much of the pro-Bypass comments at the public hearings last December. As we have noted, NCDOT has thus far failed to analyze the percentage of trucks likely to use the Bypass. The data from Triangle Expressway makes such an analysis even more pressing.</p>	<p>It is not appropriate to compare existing use of the Triangle Expressway to the future use of the Monroe Connector/Bypass. The Triangle Expressway is located near Raleigh, NC, and is part of a loop facility located in a different geography. As described in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> (Question 6), traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place, thereby improving traffic flow conditions along existing US 74 compared to the No-Build scenario.</p> <p>Along existing US 74, the percentage of trucks is expected to be less with the project in place compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks) (<i>NCDOT STIP Project R-3329 & R-2559 Revised Monroe Connector Bypass No-Build Traffic Forecast Memorandum</i>, HNTB, March 2010).</p> <p>In addition, Table 6-8 of the <i>Final Report Proposed Monroe Connector/Bypass Comprehensive Traffic and Revenue Study</i> (Wilbur Smith Associates, October 2010) estimates that approximately 17 percent of the 2030 weekday gross toll revenue on the Monroe Connector/Bypass will be from Class 2 and Class 3 vehicles (i.e., medium and heavy trucks).</p>

APPENDIX A-2.5

See Appendix E-4 for the report titled:

Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013, prepared by David Hartgen of the Hartgen Group for the Southern Environmental Law Center (December 26, 2013)

Table A-2.5. Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013, prepared by The Hartgen Group for the Southern Environmental Law Center (December 26, 2013)

Letter L-007

Doc No.	Responses
L-007	Responses to comments presented in the <i>Review of Traffic Forecasting: Monroe Connector/Bypass Draft Supplemental Final EIS, November 2013</i> , prepared by The Hartgen Group for the Southern Environmental Law Center (December 26, 2013) are provided in Appendix E-4 of the <i>Final Supplemental Final EIS</i> .

OFFICIAL PUBLIC HEARING TRANSCRIPT
Public Hearing Transcript
R-2559/R-3329 Monroe Connector Bypass

Good evening ladies and gentlemen. I would like to welcome you all to the North Carolina Department of Transportation's Public Hearing on the Monroe Connector Bypass Project, also known as State Transportation Improvement Program Project Number R-2559/R-3329. Just as a side note that at one point these were two separate projects, but due to their mutual relationship and some other factors, we decided to combine these projects into one.

Now, my name is Jamille Robbins. I am a Public Involvement Officer with the Department of Transportation and I will be your moderator for tonight's public hearing. Before I move any further, I do want to take the time to cover some housekeeping and ground rules.

(Moderator is having technical difficulty with the audio system.)

The restrooms are just outside the door to the left, make a left and the restrooms are on the left. Also, if you have a cellphone on please turn it off. This preceding is formal and being recorded, so we don't want to interrupt anything with ringtones.

Now, as far as ground rules go, I only have one rule and that is the "golden rule" and that is to treat others as you would like to be treated. And I say that instead of having a long list of rules for tonight. I feel like we're all adults here and following the golden rule especially on a project like this where you have different viewpoints, you have people for the project, and you have people against the project or different aspects of the project. So, if someone gets up to speak during the comment period that you disagree with, please provide them the same respect that you would like if you got up to speak.

And also, one other note this is not a debate. I'm not here to argue with anyone. I have information that we are going to present and get your feedback on that information. So, when you come up and you want to get into an argument, I'm not going to argue with you.

Also, before I go any further, I do want to let everyone know there's a lot of NCDOT staff and some of our consulting staff here tonight, who've assisted a lot of you tonight. You can recognize them with the white name tags on. I'm not going to introduce everyone here in the interest of time, but I do want to acknowledge our Division Engineer, Mr. Louise Mitchell, who is here tonight and our Assistant Division Engineer, Mr. Rick Baucom. He's in the back; and our Division Public Information Officer, Ms. Jen Thompson.

And also from NCDOT we have our Project Manager, Ms. Jennifer Harris. And the Consulting Firms helping us here tonight, we have Atkins, Carl Gibilaro and his staff has

been here. They have assisted us with the preparation of the environmental document, as well as the maps that you see here tonight. We also have the firm, Michael Baker Engineering here. We have Mr. Scudder Wagg here, who is the Project Manager with them and several of their staff here assisting us tonight. And they assisted us in the preparation of the Indirect and Cumulative Effects Analysis, which is part of the presentation. So, we will talk about that in just a few.

Alright, so let's go ahead and get started. Just tonight just to let you know we will start by talking about the purpose of tonight's hearing. I'll cover the project overview, which is the history, the description of the project. We'll talk about the litigation that has taken place and the recent activities and we'll talk about schedule. And then we will open it up for comments.

Now, the *purpose of tonight's hearing* is simply to make you, the public a part of the project development process. We want to get your input on the maps that you see here tonight. As a note, the maps have not changed since 2009. These are the same maps that were presented at the public hearings in 2009.

Really tonight we want to get your input on the new environmental document, the Draft Supplemental Final EIS or Environmental Impact Statement. So, that's really the main focus of tonight, which was the result of the litigation, which we'll talk about in just a second.

Now, copies of the maps that you see tonight as well as the environmental document, the Draft Supplemental Final Environmental Impact Statement have been available at the following locations. And these locations are listed in your handout. But the document, as well as, the maps are available on the project website. And the document has been posted at these locations since November 18th. Now, as a side note to that the document was published in the Federal Register on November 22nd.

Now, as I stated before the purpose of tonight's public hearing is to make you, the public a part of project development process. Your input in that process is important. And you do that by having your comments recorded here tonight during these formal proceedings or by writing them on the attached comment sheet or by submitting written comments either via email or fax, however. But you can send comments in to myself or Ms. Jennifer Harris and our information is listed in the handout that you have. And we are taking comments through January 6th.

So, *what are we going to do with the input?* In about six to eight weeks, we will hold what is known as a post-hearing meeting to discuss all the written and verbal comments that have been received throughout this comment period. At this meeting, again, we will go through each and every comment and take that into consideration as the project moves forward.

But I want to be clear that the Department of Transportation cannot just take public comment into consideration in making decisions. We have to balance that against good,

93 sound, engineering criteria. We have to balance that against cost, traffic service. We have
 94 to look at safety. We have to look at the impacts to the natural and human environment.
 95 Again balance all that out to make sure what we put on the ground is the best product for
 96 the traveling public.

97
 98 And also minutes of this meeting will be prepared and made available to the public. So, if
 99 you desire a copy of those meeting minutes, when you send in your comments, just put a
 100 note that you would like a copy. Once they are completed and finalized, I will make sure
 101 that you receive a copy. And also let me know how you would like to receive it, via email
 102 or snail mail. And we will also try to get that up on the project website as well.

103
 104 Let's talk about the *project purpose*. This is the "why" of the project. Why are we
 105 building this project? This statement is really known in transportation terms as the
 106 *purpose and need of the project*. This is basically the cornerstone of the project
 107 development process; because all of the alternatives that are developed have to meet the
 108 purpose and need. They are all measured against the degree to which they meet the
 109 purpose and need.

110
 111 And I'm going to read this verbatim because this comes straight from the environmental
 112 document. The purpose of this project is to improve mobility and capacity within the
 113 project study area by providing a facility for the US 74 Corridor from near I-485 in
 114 Mecklenburg County to between the towns of Wingate and Marshville in Union County
 115 that allows for high-speed regional travel consistent with the designations of the North
 116 Carolina Strategic Highway Corridor Program and the North Carolina Intrastate System,
 117 while maintaining access to properties along existing US 74.

118
 119 Again, the project is to build or proposing to build a fully controlled access toll road
 120 again from near I-485 in Mecklenburg County east to US 74 between the towns of
 121 Wingate and Marshville and that is about a distance of...the project is about 20 miles
 122 long.

123
 124 Again, this is the preferred alternative based on the updated analysis that we'll touch on
 125 in a few minutes. The preferred alternative is unchanged from the Final Environmental
 126 Impact Statement that was completed in 2010. This is still the preferred alternative that
 127 you see here and I'll go through that in just a second when we review the maps.

128
 129 But before I do that I just want to touch on the "typical section" of the project. This is
 130 another word for the "cross section" of the roadway. And this is what the roadway would
 131 look like if I cut a piece of it out and turned it up on its side. At the top, this is the cross
 132 section or typical section for the first mile of the project from I-485 to east of Stallings
 133 Road. As you see here, we have 6-lanes, 3-lanes in each direction separated by a barrier,
 134 a jersey barrier with one-way frontage roads on either side. And that varies from two the
 135 three lanes.

136

137 At the bottom is the cross section, typical section for the majority of the project. The
 138 majority of the project is on new location. And for that we are proposing two 12-foot
 139 travel lanes in each direction separated by a grass median.

140
 141 Now, as far as map review I'm not going to spend a lot of time on the maps. But if you
 142 turn over here, look at the map here, everyone could look. Again, these maps have been
 143 out since 2009. I do want to point out the preferred alternative, which is the green, the
 144 orange, and the dark greenish-blue. I don't know what that color is, but anyway this is the
 145 alignment of the preferred alternative.

146
 147 This is I-485 here. Here is Indian Trail. This is Indian Trail-Fairview Road here. Here is
 148 Unionville-Indian Trail Road. This is Rocky River Road. Here is US 601. Here is
 149 Morgan Mill Road or NC 200. Here is Austin Chaney Road. And here is Forest Hills
 150 School Road. And this is US 74. To the east, here's Wingate and Marshville. And those
 151 roads that I pointed out are the locations of the interchanges along the project. And then
 152 of course, the interchange on the western end of US 74, again for that first mile would be
 153 that first cross section where the road is elevated with the frontage roads to provide
 154 access to existing properties in this area; again just past Stallings Road and it takes off on
 155 new location.

156
 157 Alright, let's back up and talk a little bit about the history. I've touched on a few of those
 158 things. But as I said, in 2007, the decision was made to combine the two projects into
 159 one. In January 2007, Federal Highway Administration issued a Notice of Intent to
 160 prepare an Environmental Impact Statement for the combined project. In June 2007, we
 161 held our first series of public meetings where we introduced people to the project and got
 162 input on the purpose and need of the project.

163
 164 In April 2009, the Draft Environmental Impact Statement was approved. We held public
 165 meetings in May of that year to present the 16 detail study alternatives that were
 166 evaluated in that Draft Environmental Impact Statement. Again, each of those
 167 alternatives was compared against the purpose and need and then the other criteria as well
 168 as some others that I mentioned earlier.

169
 170 And following the public hearings, additional environmental studies were done. And
 171 based on the public comments that we received, the input from some resource agencies,
 172 the preferred alternative, which was Detailed Study Alternative D in the Environmental
 173 Impact Statement, was selected as the preferred alternative. And that is the alternative
 174 that I just covered.

175
 176 In August 2010, the Record of Decision was signed. In November 2010, the SELC, the
 177 Southern Environmental Law Center filed a lawsuit against the Federal Highway
 178 Administration as well as NCDOT alleging that we did not comply or the study that we
 179 did not comply with the National Environmental Policy Act.

180
 181 In October 2011, the Federal District Court ruled in our favor. Subsequently, we awarded
 182 the contract to a Design-Build Team in November of that year. The Design-Build Team

183 actually had meetings in December of that year. Following that court ruling in our favor,
184 the SELC filed an appeal.

185
186 In May 2012, the 4th Circuit Court of Appeals overturned the lower court's decision
187 saying that we failed to take a hard look at the environmental consequences. Following
188 that decision, we suspended construction right-of-way activity.

189
190 In June 2012, the Department of Transportation filed a petition for a re-hearing. We also
191 had public meetings to update the public where the project stood. On June 29th of that
192 year, our petition for re-hearing was denied. And subsequently, the Federal Highway
193 Administration rescinded the Record of Decision on July 3rd.

194
195 Now, the full appeal can be found on that website. All you have to do is search for the
196 Monroe Connector. Now, the ruling stated that the Department failed to disclose the
197 underlining assumptions in the socio economic projections that were used. Therefore, we
198 did not take a hard look at the environmental consequences.

199
200 Now, since that time, we've been working hard to address those issues that were rose by
201 the courts. We've done field reviews and environmental studies and all that has been in
202 preparation of the Draft Supplemental Final Environmental Impact Statement, which is
203 the reason we're here tonight. Again, that is the new information that we are presenting to
204 you tonight to get your input on.

205
206 Now, in the new document that Draft Supplemental Final Environmental Impact
207 Statement on the topics that were re-evaluated were for the purpose and need, which was
208 reconfirmed based on our updated analysis. We looked at traffic. And this is all the
209 information we look at in any of our environmental documents. Farmland, we look at
210 utilities. We look at cultural resources, impacts to the natural and human environment,
211 noise impacts, air quality, and so on.

212
213 Now, central to the litigation was the Indirect and Cumulative Effects Analysis or ICE
214 Analysis. And the purpose of the Indirect and Cumulative Effects Analysis is to
215 understand the impacts of a project that are further in the future that impacts an
216 environment that are beyond the direct impacts of building that project.

217
218 So, when we're doing this analysis we have to look at what the environment is now. We
219 have to look at what the environment will be in the future without the project. And we
220 also have to take a look at what the environment will be in the future with the project.
221 And for all of our projects we do what is known as a Qualitative ICE Analysis, which
222 looks at the changes expected or the general magnitude for those changes that are
223 expected.

224
225 And the Qualitative ICE Analysis was completed on this project in 2007 and included in
226 the Draft Environmental Impact Statement. In total with resource agencies and others, it
227 was decided that we needed a more in-depth analysis, which is known as a Quantitative

228 ICE Analysis, which is a more precise and more accurate estimate of changes and
229 potential impacts of the project and would be the result of the project.

230
231 And again, since this was central to the litigation it was ruled that the methods used in
232 that analysis that was a critical issue in that litigation. And so, in order to address those
233 concerns, we completed a new Quantitative ICE Analysis. The first Quantitative ICE
234 Analysis was included in the Final Environmental Impact Statement. But again as a result
235 of litigation, we had to do a new analysis. And to talk about that analysis we have Mr.
236 Scudder Wagg, who prepared that for us.

237
238 Scudder Wagg: Thank you Jamille. And can you all hear me on this
239 microphone?

240
241 Audience Members: Oh yes.

242
243 Scudder Wagg: Thank you very much. I want to start by just saying that
244 I'm going to be touching on some detailed and technical aspects of our analysis and it's
245 challenging to summarize all of that in this short presentation. Our report is here though
246 tonight if you want to read it on our website. And if you have any questions about our
247 reports or analysis after the presentation I will be here after the presentation. Jamille and
248 our staff will be here. And other staff members that are on the team will be here to
249 answer questions. I just want you to know that we are here to answer those questions that
250 you may have.

251
252 I just also wanted to point out that we really wanted to hit on this...we really wanted to
253 touch on this because of how essential this issue was to the litigation. In fact, we were
254 reprimanded for not being as open and transparent as we could be in all of the
255 assumptions that went into that.

256
257 So what are ICEs? Jamille touched on it for a moment, but for most of the impacts that
258 we talk about in the EIS process are mostly direct impacts. So, if you go to build a road
259 and someone's house is there and you take that house, it's a direct impact. Indirect
260 impacts are something like if you're building a new road with an interchange and a lot of
261 new development occurred around that interchange and there was some protected species
262 habitat in the area. Well, if all of that new development is only occurring because you
263 build the road, then that's an indirect impact to that protected species.

264
265 Cumulative impacts are similar but they're a little different in that you assessing the total
266 impacts from what occurs just because you built the road plus what's occurring no matter
267 what. And that no matter what is what's going to occur in the "no-build" scenario that
268 Jamille talked about.

269
270 In all of this we're assessing over a very long time, we're looking out to 2030 to estimate
271 what's going to happen pretty far in the future. So, as you can imagine there's a lot of
272 uncertainty in all of that estimation. We have challenges of trying to identify changes that
273 are going to happen perhaps far away from the road and far away in time, identify

274 changes that are going to occur with or without the project, and you know identify
 275 changes that are going to occur because of decisions by other people, other than besides
 276 NCDOT, by a private landowner, by local governments, and so on. So, there are lots of
 277 challenges in trying to assess all of those potential effects.

278
 279 As with any ICE there are certain issues that are identified as being critical issues. And
 280 the scoping process that was conducted in the 2008-2009 time period for the Quantitative
 281 ICE, the Fish and Wildlife Service, the EPA, the Wildlife Resources Commission, and
 282 the public at large had an opportunity to say what was important and what were critical
 283 issues.

284
 285 And some of those identified issues were before protected species that Fish and Wildlife
 286 was in charge of protecting the endangered species; but also general impacts to wildlife
 287 habitat and potential loss of agricultural land and forested land. So, those are the things
 288 we were trying to assess. Here you can see those forest species and in the process to
 289 update our report as well as the general report we've done new surveys of those species
 290 to see what's out there and no new populations have been found. So, there's been no
 291 change in that assessment of where those species are.

292
 293 But in trying to assess the problem, again, we have to look far beyond the road itself. So,
 294 we looked about 5-miles around the proposed roadway. The whole study area is 202,000
 295 acres. It covered 5-miles approximately around the road. And so you have to look at how
 296 to break that up into reasonable chunks that you can analyze and also into chunks that
 297 makes sense for the problems you're analyzing.

298
 299 And in this case, one of the key problems we're trying to understand is how things will
 300 affect the Carolina Heelsplitter, which lives in streams. And so watersheds were our main
 301 area of analysis. If you've never heard of a watershed before, basically it's the area of
 302 land that the water that drains from it all runs in the same place. So, in this case looking
 303 at the brown area on the top of the map there that's the Goose Creek Watershed, which is
 304 one of the watersheds where the Carolina Heelsplitter lives. And all the water that falls on
 305 that land in that area drains through the Goose Creek and eventually to the Rocky River.

306
 307 So, we looked at these 18 watersheds. And our challenge was to predict what's going to
 308 happen by 2030 without the road and with the road to all of the land in that area; and then
 309 to compare the differences and to assess the cumulative impacts to that species, all the
 310 farmland and so on and so forth.

311
 312 As you can imagine it's very challenging, it's very uncertain to try and guess what's
 313 going to happen in 2030. We need to estimate, you know, how many people might be
 314 living in these areas in 2030; how many people might be working in these areas so we'll
 315 know how many homes there may be or how many jobs there may be. We need to know
 316 it at that small of an area; so, how did we actually analyze that question.

317
 318 Well, first we looked at the existing situation, which was relatively easy to do. And then
 319 we looked at the two future scenarios, the no-build and the build and compared them, and

320 look at the differences and assess if those differences are substantial enough to cause an
 321 impact. Just because you have a difference doesn't mean it's actually causing a problem.
 322 So, we've actually have to assess those differences for how substantial they are.

323
 324 For the existing land use, that's pretty straight forward. Union County, Mecklenburg
 325 County have very good data about what kinds of land uses are out there using their tax
 326 parcel data sets. We have access to good quality aerial imagery and in our updated report
 327 we were updating to create a land use scenario reflecting 2010 conditions on the ground.
 328 Our prior report was using a base year of 2007. So, we've updated that part of our report,
 329 simply because of the change in time.

330
 331 Now, projecting out to the future, obviously you have a challenge. And we need to look
 332 at 2030, then each of these watersheds with or without the project. And we need to find
 333 out how many people will be there, how many jobs will be there, and a lot of research
 334 firms, a lot of government agencies develop what we call "projections" or "forecasts" of
 335 people or jobs at the county level. So, you can find many different sources for estimating
 336 how many people might there be in Union County in 2030.

337
 338 How many people there might be in Mecklenburg County, but we're looking at a smaller
 339 level. And in most areas, including the Charlotte Region, there's only one source that
 340 actually develops projections or forecasts in the future that tell you these things at
 341 something smaller than county and that's Metropolitan Planning Organizations or MPOs.
 342 They work on these estimates as part of their larger traffic forecasting and transportation
 343 planning role. So, that's the only easy source for data at that level.

344
 345 So, the question we have to ask ourselves then is - is that data the best data to use? Is it
 346 reasonable and how can we use it? So, just a quick to let you know what it really means
 347 when I say an MPO projection. Well, the map here is showing our study area, US 74 kind
 348 of running through the middle there, I-485 and Mecklenburg County up in the top left.

349
 350 The MPO does projections for all or part of 11 counties in the Greater Charlotte Region
 351 across North and South Carolina. They break up that area into over 2900 zones and they
 352 develop these estimates of the current population and future population for each of these
 353 zones. In our study area here, we have 383 of those zones that fall within the study area.

354
 355 So, they give us an estimate for each zone, and this is just an example of zone 9082, a
 356 random one right here at the corner of US 74 and US 601. And their estimate in 2010 is
 357 1,006 people and 344 jobs. Their estimate in 2030 is 1,041 people and 647 jobs. So, it's
 358 very detailed both in the geographic scale and in terms of the specificity of the numbers.
 359 And it's even more detailed than our watershed areas. So, it gives us a good basis to try to
 360 estimate potential impacts.

361
 362 But of course, we have to find out, are these estimates good and what kind of picture are
 363 they painting? Are they painting a picture of what the future looks like without the
 364 Monroe/Connector Bypass being built or with the Monroe/Connector Bypass being built?
 365 And that's where we got into and in our updated report in particular, we did a very

366 detailed assessment of the quality of the projections, how they were done to assess that
367 question as fully as possible in particular due to the Fourth Circuit opinion.

368
369 So, we basically looked at it from five angles. Number one we looked at exactly how they
370 were developed, how those projections were created. The timeline shows you the
371 forecasts were developed over about a 7 year time period starting in approximately 2003.
372 They were most recently updated and adopted in 2010; so relatively recent. They're in
373 the middle of another round of dates right now. But the data we used was completed and
374 adopted in 2010.

375
376 So, in looking at exactly every aspect of how they were developed, we found of the three
377 major components that they used to develop those projections two of them had no
378 influence on the project whatsoever. What's called the LUSAM Model process that they
379 used to do updates in 2008-2009; there were no influence from the project. For what they
380 called their "top-down" control totals that they developed in 2003 at the very beginning
381 of the process, there was no influence from the project.

382
383 When we looked at the third piece of the puzzle called the "bottom-up" projection
384 process, we found that there was potentially some influence from the project. And this
385 again was a key part of the issues in the litigation. Specifically, in that aspect of the
386 process there were eight factors that they used to try to estimate where people might live
387 and work. And one of those factors was possibly influenced. And we wanted to get down
388 into the details of exactly what level of influence it may have had.

389
390 That factor was called the "travel time to employment" factor. Now, this is our map 6
391 from our report, which you can read. We showed a similar figure to this in the 2012
392 public meetings we came to and talked with you all. This is a slightly updated version
393 that actually shows the employment centers and I know I'm really getting detailed here,
394 but this is again a key aspect of the litigation and I want to make sure that we're clear on.

395
396 The MPO was trying to assess how close are different parts of the county to jobs, because
397 people want to be able to get to work. So, they want to presumably live within a
398 reasonable distance of work. So, they were looking at what's the travel time to all the
399 major employment centers. And the red splotches you see on the map are the
400 employment centers that they were calculating travel time to. So, they were calculating to
401 the nearest employment center.

402
403 So, for example, if you lived down in Wingate down here, which is right here, it's
404 calculating your traffic time to the nearest employment center, which is that industrial job
405 center just east of Monroe. If you lived in Stallings, which on the map is right up here
406 that model that they used would calculate your travel time to Matthews. So, you can
407 guess maybe it's not the best design methodology for trying to assess for a specific
408 roadway project, because they were looking overall at regional growth.

409
410 And if you look at the results, this is the actual original results that they produced. You
411 can see the slightly darker green right along the Monroe/Connector Bypass there in the

412 Hemby Bridge area, which suggested there was some influence on travel time in that
413 model. But if you look out near Wingate, you can see there's not that same river of green
414 kind of following the road, which suggests that out there the roadway wasn't influencing
415 travel time. So, that suggested that there really wasn't an influence.

416
417 But to truly understand specifically if this affected the project at all, NCDOT worked to
418 get the original researcher from UNC Charlotte, who developed this entire model and did
419 the bottom-up process projection, and worked with him to reassess it and rerun it. And he
420 did so and he found when you took the project out of his process and reran all of his
421 numbers, there was no change at all in the numbers that came out or the number of
422 people, the number of jobs estimated. So, we concluded then that it was no effect on the
423 estimates from this or any other factor that went into the MPO projections.

424
425 So, that still leaves the question though, are there any other ways to look at the data that
426 suggest what kind of picture is it painting. So, we looked at the actual pattern of
427 development that the projection showed. This is a map of the population density and
428 household density across our study area on US 74 and on down through the middle of
429 Monroe right here. Now, it may not be obvious from this, but if we look at the area along
430 the proposed roadway project, we don't see higher densities of development at those
431 interchange areas along the corridor, relative to the density of other areas south of US 74.

432
433 So, in essence we're not seeing what you would expect to see if you were creating
434 projections that reflected the road being there. And so that made us think that these
435 projections do not reflect a situation where the road was built or they reflected a situation
436 of the no-build scenario.

437
438 The other...which we'll step back for a moment. The other thing we did...we also looked
439 at a couple of things. We looked at how other researchers had used these projections. In
440 particular, one researcher had used these projections to try and develop a build scenario.
441 And when he did he made specific adjustments to those projections, changing and
442 increasing numbers in certain areas particularly in central to eastern Union County; which
443 again suggest that they don't reflect a build scenario on their own.

444
445 We also looked at the accuracy of the projections comparing these to projections
446 produced by other agencies or other firms and by comparing the projections to the actual
447 counts of 2010 and in both cases we found that the projections were accurate and within
448 mid-range of other projections.

449
450 And we also looked in general at what are the factors and trends in Union County and
451 how they compare to other counties. And all of those factors pointed to the likelihood that
452 Union County or I should say all of the factors that we looked at Union County was high
453 or highest relative to other counties in the region on factors that correlate with high
454 growth. Which means it's likely that while growth may not be high every single year but
455 over the long term it's likely that Union County is probably going to remain one of the
456 faster growing counties in the region.

457

458 So, based on that assessment of the data we concluded that the MPO data was best used
 459 as a basis to develop a no-build scenario. Now, it's not that we used those numbers as is.
 460 We had to convert them into acres of development in order to do a land use assessment,
 461 which we did using information from local planners, local governments told us, from
 462 local planning documents and created a no-build land use scenario.

463
 464 Within that assessment, what's the world going to be like if you did build a road? What's
 465 the study area going to look like then? And we used a couple of different methods, which
 466 I'll talk about in a moment to assess that. Looking at the watershed level, the no-build
 467 scenario, the orange bars, by watersheds show that the percentage increased in developed
 468 area. The brown bars and the green bars show the decrease in agricultural land and
 469 forested land by watershed.

470
 471 Detailed numbers are in our report, but the important thing that I want to point out in this
 472 is that you see in every watershed there's an increase in developed area. The highest
 473 increases are generally concentrated in western to central Union County. You see in
 474 Mecklenburg County the percentage increases are not that great. That's largely because
 475 much of that area is already built out. So, you may still be adding a number of people, but
 476 you're not developing that much more land because you're either redeveloping existing
 477 land that's already been developed or the overall level of development is already so high.
 478 So, that's the no-build.

479
 480 How do we assess what happens if we do build the road? We used a combination of four
 481 methods. And the first of those is basically assessing the improvement and accessibility
 482 or travel time. So, we used a fairly simple travel time model to look at how much faster
 483 will you be able to get to the I-485 Interchange if you build the road. Now, we looked at
 484 that particular point because planners and other folks had told us that was a common
 485 place that most people think of when they're thinking of how this road will improve their
 486 daily commute or daily their access.
 487 When you look at the results, first of all, this analysis is not intended to be, you know, the
 488 final say on how travel time actually will be improved. What it is, is trying to give us an
 489 idea of what areas will see the greatest travel time improvement relative to others. And
 490 we see the darker colors are generally in central and eastern Union County, particularly
 491 east of U.S. 601.

492
 493 The second and third things we did was working from what local planners have told us
 494 and local planning documents like the Wingate/Marshville County Development Plan and
 495 the updated Union County Comprehension plan. What did they say about what they
 496 expect to occur if the road is built? What did they say about exactly what types of
 497 development do you expect to get at different interchanges and around those
 498 interchanges? Then use that in the scenario writing approach to assess what's likely to
 499 occur, what's likely to change?

500
 501 We also looked in a Build-out Analysis, basically looking at the capacity, how much
 502 more room is there for development in certain areas? Think back to that density map I
 503 was showing a little but ago, the densities are higher in western Union County and

504 Mecklenburg County. So, there is just less capacity for growth there. So there is a lot
 505 more capacity generally in eastern Union County. So, you put the two pieces of
 506 information together, there is more capacity in central and eastern Union County and
 507 there is a lot more desired interest in those parts of the county for additional
 508 developments. So, those suggested that if you build the road that you're going to see the
 509 greatest impacts and the greatest increases in those parts of the county.

510
 511 We also use a method called Hartgen Analysis, which is named for a researcher from
 512 UNC Charlotte, which combines a couple of different pieces of data such as traffic
 513 volumes, the distance to the nearest town, the availability of sewer and water, and so on
 514 to give you a general idea of what kinds of commercial development you might expect at
 515 different interchange areas. So, this helped to give us an idea of the level and type of
 516 commercial development we'd see at the specific interchanges.

517
 518 We put that all together into the estimate of induced growth of what will happen in the
 519 build scenario and the results show that we'd expect about 2,100 acres of additional
 520 development with the road than without the road. So, if you take the build scenario,
 521 subtract the no-build scenario that's how much additional development you would incur,
 522 would expect to occur. That's on top of building the road itself takes up about 1,200 acres
 523 of land. So, it's important to note that direct impact. Again, not the focus of our report but
 524 it's important to note.

525
 526 Most of that is expected in additional residential development of about 1,800 acres,
 527 which would yield about an additional 4,900 households. And then we've estimated
 528 approximately 300 acres of additional commercial development and 100 acres of
 529 additional industrial development. Now, those numbers are certainly not small by any
 530 stretch of the imagination but in the context of the very large study area we're talking
 531 about and in context of the rather large amount of the development that we can expect to
 532 see even if you don't build the road. It's relatively small.

533
 534 So, the total additional development is only about 1% of the total acreage in the study
 535 area. And the location is mostly expected to be in central eastern Union County. Again,
 536 like the previous graph I showed, the orange bars show the additional development, the
 537 brown and green bars show the decrease in agricultural and forested lands. Crooked
 538 Creek, Stewarts Creek, and Rays Fork Creek watersheds all see some small increases in
 539 development. Richardson Creek (up, middle and lower) and Salem Creek watersheds see
 540 the largest percentage increases in development.

541
 542 And this is generally consistent with the prior Quantitative ICE Report and the
 543 Qualitative ICE Report that had been done previously on this study. Now, the differences,
 544 again the differences are only so important. It's the impacts that matter. And when you
 545 look at the impacts, an induced growth impact is that you have a concentration of that
 546 induced growth in eastern Union County. But it is not likely to affect any of the protected
 547 species we talked about earlier and those losses in farmland and forest while not
 548 necessarily small in a total number, relative to the overall study area and relative to
 549 what's going to happen without the road, it is pretty marginal in that context.

550
 551 Looking at the specific protected species issues, the Carolina Heelsplitter is only found in
 552 two watersheds, Goose Creek and Six Mile Creek watersheds in our study area. And
 553 we're not expecting any induced growth in those watersheds. So, we concluded that the
 554 project may affect the species but it's not likely or unlikely to adversely affect the species.
 555
 556 For the other three species, the sunflower, we've concluded that it may affect but it's not
 557 likely to adversely affect because there are some populations in the vicinity of the project.
 558 The coneflower and the sumac though we expect to have real affect from the project from
 559 the ICE Impacts and the direct impacts.
 560
 561 Now, I know that was a lot to summarize in a fairly short period of time. So, I understand
 562 if you all have questions afterward, the public hearing comment time is for comments.
 563 So, Ken, myself, and others will be available after the meeting to answer specific
 564 questions about the ICE Report. At this time, I want to let Jamille wrap things up.
 565
 566 Moderator: Thank you Scudder. I just want to touch on the *schedule* going
 567 forward. Again the comment period extends to January 6, 2014. Again, I touched on this;
 568 we will review all your comments that come in through the public hearing process. We
 569 are anticipating approval of the combined Final Supplemental Final EIS and Record of
 570 Decision in the spring of 2014. And we do anticipate sometime after that, that
 571 construction and right-of-way activities will resume.
 572
 573 Now, just to touch on the *right-of-way process*, once decisions are made regarding the
 574 final design of the project, the limits of the project will be staked in the ground. If you
 575 are an effected property owner, a Right-A-Way Agent will contact you to explain the
 576 plans to you, how the project affects you, and your rights as a property owner. If
 577 permanent right-of-way is required from you, then an appraisal will be done on your
 578 property and basically the fair market value of that property, at its highest and best use,
 579 will be offered as monetary compensation.
 580
 581 During this process, the Department of Transportation must:
 582

- Treat all owners and tenants equally.
- We must pay just compensation in exchange for property rights.
- We must fully explain the homeowners rights and;
- We must provide relocation advisory assistance.

 586
 587 That is, if your home or business has to be acquired as part of the project an additional
 588 assistance in the form of advice and/or monetary compensation will be available. And we
 589 do have Right-of-Way and Relocation Brochures available at the sign in table. So, if you
 590 didn't get one and you are interested in that process, feel free to pick up one on your way
 591 out.
 592
 593 Again, I've touched on this, we are accepting written comments. Just want to let
 594 everyone know verbal comments count the same as written comments. We don't want to
 595 penalize people that aren't comfortable speaking in front of a crowd. So, in the handout

596 that you received there is a *comment form*, feel free to fill that out. Again, we do have
 597 my email address and Jennifer's email address. So, feel free to send us an email. It
 598 doesn't have to be on that comment form. Send comments on your own stationary. But
 599 whatever you do, this is a public hearing; we want to hear from you. So, please make you
 600 voices heard by sending in those comments. Again, you have until January 6th to get
 601 those in to us.
 602
 603 There's also a *Title VI Form* that you may have received. That is a completely voluntary
 604 form. That is some information that helps us capture some demographic information of
 605 people attending our public meetings. And we hope to use that information in the future
 606 to better serve you.
 607
 608 Again this is my information and Jennifer's information. The project website link is listed
 609 there and there's a general project email listed, the project hotline, there's email for the
 610 right-of-way team and a phone number for the Right-of-Way Office. So, I want to make
 611 sure you can get in touch with us, but again our contact information is in the handout.
 612
 613 Now, it is the public comment time. I'm going to first open it up to those that signed up
 614 to speak. I would ask in the interest of time that you please limit your comments to 3
 615 minutes. Once everyone has had a chance to speak, if you didn't get to finish what you
 616 were trying to say or your thoughts, I will allow you to come back up to complete that,
 617 complete your thoughts.
 618
 619 If you have questions, I will let you know I may not have all the answers for you tonight.
 620 But if you ask a question tonight that doesn't get answered, that's something that we'll
 621 take back to Raleigh with us and get an answer for you. A lot of the questions or
 622 comments that we receive through the comment period will be addressed at that post-
 623 hearing meeting that I talked about earlier. Again, when you come up please state your
 624 name and address. First, we have Mrs. Kate Asquith. Is it on?
 625
 626 Kate Asquith: I'm not sure. Maybe I'm just too short.
 627
 628 Moderator: A little bit closer?
 629
 630 Kate Asquith: Can you hear me now?
 631
 632 Audience Members: No.
 633
 634 Moderator: Can you check right there?
 635
 636 Kate Asquith: How about now?
 637
 638 Moderator: Can you hear her now?
 639
 640 Carl Gibilaro: Yes.
 641

642 Moderator: That's better?
643
S-101 644 Kate Asquith: This is Kate Asquith and my address is 601 W. Rosemary Street.
1 645 And I have just a comment and a question. What I've been hearing tonight and
646 throughout the bypass is that there is a common sense that building the Monroe Bypass
647 will ease congestion, the current levels of congestions of US 74. In fact, the contractor of
648 the bypass just recently released a press release saying yesterday. But in contrast to the
649 EIS shows that US 74 is expected to get more congested with or without the bypass. So,
650 could you take this opportunity to clarify on the record whether or not you expect correct
651 levels of congestion on US 74 to be resolved by the bypass.
652
653 Moderator: Well, I think it will help congestion. But again, the purpose and
654 need of the project is what we're focusing...well is what the purpose of the project. Let
655 me get back to you on that. I'm sorry ma'am.
656
1 657 Kate Asquith: I guess the specific focus of what I am saying is that what we hear
cont 658 is that current levels of congestion on US 74 are unacceptable for people that live here
659 and drive on it every day and it doesn't sound like in certain parts of the EIS, what is being
660 presented is that the bypass will not resolve current levels of congestion? So, what you
661 are saying is that the purpose of the project is not resolve current levels of congestion. Is
662 that right?
663
A2-327 664 Moderator: Right, the purpose of this project is to improve the mobility and
665 capacity within the project study area to allow for. Okay it's not going back.
666
1 667 Kate Asquith: I think the problem here is that a lot of people in this room
cont 668 probably think the bypass is supposed to ease congestion on US 74 as it is now. So, what
669 you're saying though is that is not what the bypass will do. Correct?
670
671 Moderator: Well, it will add capacity and it will alleviate some congestion.
672
673 Kate Asquith: The current level of congestion? No?
674
675 Moderator: I am not sure. I don't know how to answer that.
676
677 Staff Member: I guess I am just trying to understand the question.
678
679 Moderator: Yeah, I'm a little confused myself.
680
681 Audience Member: We can't hear.
682
683 Jennifer Harris: Okay. You're asking if the bypass will resolve current
684 levels of congestion.
685
686 Kate Asquith: Yes.
687

688 Jennifer Harris: Traffic on 74 is expected to increase through the future
689 years. If you don't build the bypass, traffic will get worse quicker.
690
691 Kate Asquith: Okay, I understand that.
692
693 Jennifer Harris: Okay, if we don't build the bypass that traffic will get
694 worse quicker.
695
696 Kate Asquith: But is it going to make US 74 any better for drivers that are seeing
697 that it's a problem right now?
698
699 Jennifer Harris: I don't have all the traffic information in front of me. But it
700 will improve capacity when we are through building in the study area.
701
702 Kate Asquith: You were the lead on the project right? So, you're probably
703 (inaudible).
704
705 Jennifer Harris: I don't have the traffic numbers in front of me. We aren't
706 preparing the future conditions for US 74, but that's not the sole purpose of the project.
707 (inaudible).
708
709 Carl Gibilaro: We can't hear in the back.
710
711 Kate Asquith: It's alright. It sounds like (inaudible). That right?
712
713 Audience Member: We can't hear you at all back here.
714
715 Kate Asquith: Pardon.
716
717 Audience Member: We can't hear you at all back here.
718
719 Jennifer Harris: I think I'm beginning to have a one on one conversation in
720 front of a large audience. So, I would like to speak to her.
721
722 Audience Member: No, we want to hear that one on one conversation.
723
724 Kate Asquith: Okay.
725
726 Jennifer Harris: I just don't have...standing up here with no papers or
727 documentation in front of me, I'm not able to answer your question until (inaudible).
728
729 Kate Asquith: Right. (Inaudible)
730
731 Moderator: But that's something that we will go back and we'll get an answer
732 for you.
733

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S-102

1

2

734 Kate Asquith: Thank you.
 735
 736 Moderator: Okay, sorry about the confusion. Next we have Mr. Robert Stedje-
 737 Larsen.
 738
 739 Robert Stedje-Larsen: Correct.
 740
 741 Moderator: Did I say your name right?
 742
 743 Robert Stedje-Larsen: Very close, very close. My name is Robert Stedje-Larsen. I
 744 live in Union, North Carolina.
 745
 746 Audience Member: We can't hear you.
 747
 748 Audience Member: We still can't hear the mic back here.
 749
 750 Audience Member: Turn around and face us.
 751
 752 Moderator: Hold on, let's try this one. I think this one works a little bit better.
 753
 754 Robert Stedje-Larsen: My name is Robert Stedje-Larson. *(Technical difficulty*
 755 *with the mic)*
 756
 757 Moderator: I tell you. We'll get it right.
 758
 759 Robert Stedje-Larsen: My name is Robert Stedje-Larson and I'm from Union
 760 County. We talk about process and that this is supposed to improve the access on
 761 Highway 74. And I'm in Wingate and if I look at Wingate and the development that's
 762 going to come around the intersections, there's a business district in Wingate that's on 74
 763 now. And the development that's going to come is just going to drain that business
 764 district because of the intersections that you're going to have in there.
 765
 766 These that I look at it say "okay, now you're going to hurt my business". Are you really
 767 taking traffic off of 74 when part of the constraints was what is the commercial, semis,
 768 tractor trailer types, are looking to a tremendous amount, *when I drive*, come right up US
 769 601 South and merge right into US 74. And they're still going to have to drive on US 74
 770 before they can find an interchange at *(inaudible)* or on Highway 601.
 771
 772 North Carolina, Union County had the growth on Old Highway 74, Charlotte Highway
 773 now or Old Monroe Road depending upon where you live and that group grew. All that
 774 growth went onto what is now 74 and I think we're looking at something that's going to
 775 happen, the same thing, with this.
 776
 777 The town has US 601. It has US 74. It has NC 75. It has NC 84. It has Route 200, Route
 778 205, Route 207, and Route 218. If the state's put the money in the existing highway that

2
cont

S-103

1

2

2
cont

3

779 it has, this road would not be a waste it's going to be, a very expensive 18 point
 780 something miles. Thank you.
 781
 782 Moderator: Next we have Rick Becker.
 783
 784 Rick Becker: Thank you Jamille. My name is Rick Becker. I'm here as an
 785 individual and also as the Mayor of the Town of Mineral Springs. I live at 6603 Sadler
 786 Road with a Waxhaw mailing address.
 787
 788 The first point that I want to address is just that there were four resolutions adopted by
 789 the municipalities in Union County so far, seeking alternatives to this particularly on a
 790 cost basis. As the previous speaker said that we were looking at a \$900M expenditure for
 791 a project which wasn't really projected to do much for Union County needs whatsoever.
 792 And those resolutions were not included in the EIS as far as I understand. So, I did want
 793 to make sure that the Mineral Springs resolution was again submitted and perhaps
 794 included in the EIS.
 795
 796 That was based on economic matters why we felt or why my counsel felt that there would
 797 probably be alternatives that would be better and more cost effective than this. The
 798 second, now I'm not reflecting the town these are my personal viewpoints. But my
 799 biggest concern I think is the EIS's build scenario being way, way, way underestimating
 800 the impacts, the indirect impacts.
 801
 802 They talk about 1,800 additional acres of residential development by 2030. That's it.
 803 That's 200 acres per interchange and that's a small amount. That's a medium sized
 804 subdivision. These types of expressways and interchanges heading directly to an
 805 employment center like Charlotte are magnets for developers. It's like leaving your trash
 806 out at the campsite with woods full of bears. They're going to flock to it. We're going to
 807 have tens of thousands of commuter houses built at those interchanges. Each of those
 808 commuter houses are going to have kids in them that are going to have to go to Union
 809 County schools.
 810
 811 And recent developments Union County showed that we're another \$91M in the hole.
 812 And there's no facility for paying for the hundreds of millions of dollars of new schools
 813 and other infrastructure needs in the county that these interchanges will spur. So, I don't
 814 believe the EIS adequately addressed that additional indirect growth. I think that it's
 815 underestimated it radically.
 816
 817 Just looking at the I-485 Interchanges in Mecklenburg County, when it wasn't there in
 818 south Charlotte, it was woods, it was farms. I-485 went in, interchange went in,
 819 Ballentyne Interchange went in...BOOM. You've got 10,000 residential units within five
 820 years. So, to think that that's not going to happen in Union County is I think too be naive
 821 and just turn a blind eye to a problem that's not being addressed.
 822
 823 And so you have economic impacts and you have environmental impacts with all of that
 824 development. It hasn't been addressed in the EIS and I think that needs to be re-

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825 evaluated. Just in the Town of Indian Trail alone is working on a new comprehensive
826 plan. They have two interchanges. They believe that anywhere from 20,000 to 35,000
827 additional residents will occur in the next 15 years. That's the result of those
828 interchanges. That's a lot of people. And I think it's a very feasible thought because the
829 toll lane will give (*inaudible*) a trail to I-485. So, that's a pretty big lure to lots and lots
830 of Charlotte commuters.
831

4 832 My final concern is that, I think both speakers have addressed it, the public really
833 believes that this is going to help them move around Union County faster. It's going to
834 help US 74. It's going to help those cross streets. It's going to help all that time you sit at
835 the lights where there's no turn lanes and there's waiting and waiting. Well, all I see is it
836 getting worse.
837

838 And every interchange is going to feed traffic on those north/south roads and they can't
839 handle the traffic that we've got now. Where's the money going to come from to improve
840 those after we've spent \$900M on the bypass connector throwing all that additional
841 growth into the county, residential growth in particular? The money is gone. Are we
842 going to have another \$900M to improve the surface streets? I think the EIS has to look
843 at the future costs. And that's a very, very important consideration.
844

845 The old EIS and I have looked at the new one in detail, but it's very clear that the project
846 was not intended to improve congestion on US 74. In fact, it wouldn't. In fact, one
847 workshop it was said that we wouldn't want US 74 to be improved too much because it
848 might serve as a competing interest to the toll road. And that's kind of a cynical way of
849 looking at it I think. I think we need to look more at the needs of the Union County
850 residents. The host county needs more benefit than it's going to be getting from this road.
851 I'll turn the mic over to somebody else and thank you.
852

S-104 853 Moderator: Thank you Mr. Becker. Next we have Frank Holleman.

1 854 Frank Holleman: Mr. Robbins, I sort of want to echo what the last gentleman
855 said (*inaudible*). But when you look at the document that the department has put out,
856 there's not much analysis of how much of the traffic on US 74 is local, how many of the
857 trucks are local, and where they're going. And as the gentleman said, the document and
858 the lady said, the document says US 74 is going to get more congested if you build a
859 bypass.
860

861 The emphasis of the document as you're going in is analysis (*inaudible*), so that emphasis
862 is primarily is going to have wall to wall people from Charlotte to the beach.
863
864

865 Carl Gibilaro: Mr. Holleman, move the mic away from your mouth just a little bit
866 so it's not so...
867

868 Frank Holleman: Like this?
869

870 Audience Members: A little bit further.

871 Frank Holleman: Like this?
872
873

874 Audience Members: Yes.
875

2 876 Frank Holleman: What I was saying is looks like the emphasis is spending
877 the \$900M to build a bypass to move people from Charlotte to the beach. And so, the
878 question I would say is has the department looked at how much more benefit there would
879 be on congestion on US 74 if you spent the \$900M or some portion of it on improving
880 US 74 and the local roads instead of building a Charlotte to the beach road. That's the
881 question.
882

883 Moderator: Thank you sir. Again, part of the purpose and need of the project is
884 that US 74 is part of the Strategic Highway Corridor. And it is meant to provide the
885 mobility and it serves a regional purpose. So, it is meant for higher speeds and more
886 mobility, not necessarily access.
887

888 And one of the gentlemen earlier talked about the project improving access to US 74 and
889 that's really not part of the purpose and need of the project. It is to maintain access to
890 properties along US 74. Those are just a few things I wanted to address.
891

892 Now, I will call people up one by one at this point because that concludes our list of
893 speakers. I'll call this gentleman up first.
894

895 Audience Member: I'll just speak loudly from here.
896

897 Moderator: No, no, I want to make sure we get you. It's recorded.
898

S-105 899 Lance Dunn: Hi, my name is Lance Dunn, 1400 Goldmine Road, Monroe. This
900 is just a simple question. You keep referring to the 74 Corridor. When I drive from here
901 to the beach I see a lot of signs for the new Interstate 74, which doesn't seem to even go
902 through this area. I was wondering if you could clarify what the difference is between
903 that 74 Interstate Corridor and the one that you're referring to, since they seem to be...
904

905 Moderator: What I'm talking about US 74 Corridor in through this area. I
906 don't think that this will be signed as Interstate 74 because it would be a toll road.
907 Someone else?
908

S-106 909 Carl Stevens: My name is Carl Stevens. I live in Wingate. Okay, how many
910 people in this room know that this bypass is going to be a toll bypass? Okay, one of the
911 first things on this toll bypass is we need to find out how it's going to be monitored and
912 how we're going to be paying for it.
913

914 I did some phone calls today but was informed by an individual yesterday that in the
915 process of these tolls we're going to be billed monthly by the tag number on your car.
916 Okay, I'm a car dealer. I do wholesale. They're going to bill me every time a car goes up

1
cont

917 and down the road? And some of the questions that people are asking right now, you
918 need to start looking into the questions before you ask them and you'll get better answers
919 to them. I want to thank you for your time.

920
921 Moderator: Thank you sir. Anyone else? Keep in mind written comments carry
922 the same weight as verbal. Here you go sir.
923

S-107

924 Kinsey Cockman: Good evening. My name is Kinsey Cockman and I live in
925 Wingate. I'd rather speak because I'm lazy and it is easier to talk than it is to type. A
926 couple of questions I had basically in terms of...I looked at the website earlier and it said
927 the United States Army Corp of Engineers rejected or denied the 404 Environmental
928 Permit because of delays in construction. My concern is how long is it going to take to
929 get that cranked back up?
930

1

931 And what I really want to know coming here tonight was with the environmental impact,
932 the environmental group that's suing the Department of Transportation are they done?
933 Are they finished?
934

2

935 Moderator: Well, we're done with the prior litigation. And so the
936 environmental document we're presenting here tonight is addressing those concerns.
937 Right now there's no other litigation. Now, we do expect the combined Final
938 Supplemental Final EIS and Record of Decision to be signed in the spring.
939

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940 Unless some additional litigation or additional suits is brought against Federal Highway
941 and North Carolina Department of Transportation we do expect to move forward. But as
942 it stands the current litigation is over.
943

944 Kinsey Cockman: Thanks. As far as the 404 letter from the environment, from
945 the Army Corp of Engineers, do you know how long is that going to take, for the permit
946 404?
947

948 Staff Member: Upon us submitting a new application I think generally it takes
949 four to six months (*inaudible*).
950

951 Kinsey Cockman: Have you applied for it yet?
952

953 Staff Member: We cannot apply for it until the (*inaudible*) Record of Decision.
954

955 Kinsey Cockman: Okay, I just wanted to get the chronology of events down.
956 Thank you.
957

958 Moderator: Thank you sir. Anyone else. Going once, going twice, alright, well,
959 I want to thank you all for coming out tonight. Please drive safely going home. I don't
960 know if it's still raining out there or not, but be safe. Thank you.
961

962 Hearing Adjourned.

963
964
965
966
967
968

Typed by Johnetta Perry

Jamille Robbins, Moderator
Public Involvement Unit
December 9, 2013

OFFICIAL PUBLIC HEARING TRANSCRIPT
Public Hearing Transcript
R-2559/R-3329 Monroe Connector Bypass

Alright, let's go ahead and get started. We had sound troubles last night. I don't want to have a repeat of that tonight. Can everyone hear me fine? I would like to welcome you all to the North Carolina Department of Transportation's Public Hearing on the Monroe Connector Bypass Project, also known as State Transportation Improvement Program Project Numbers R-2559/R-3329. Just as a note that at one point these were two separate projects, but a decision was made based on their mutual relationship and some other factors to combine these projects into one.

Now, my name is Jamille Robbins. I am a Public Involvement Officer with the Department of Transportation and I'll be your moderator for tonight's public hearing. Before I move any further, I do want to take the time to cover some housekeeping rules and ground rules. If you have a cellphone on, please turn it to silent. This is a formal proceeding. We are recording it. And we don't want to interrupt that with a ringtone. Just to let you know restrooms are just outside the door and down the hallway.

As far as ground rules go, I only have one rule and that is the "golden rule". I think we're all adults here tonight. So, the golden rule covers everything especially for a proceeding like this. This project has solicited a variety of opinions and feelings. We've got people on both sides of the project, some for it, some against it. So, if we follow the golden rule, we will show respect and we will get respect. If someone gets up to speak that you don't agree with, just provide them with the same respect that you would like if you got up to speak.

Now, I do want to make a quick note, there was a function down the hallway that was an independent function. It was not sponsored, paid for, or endorsed by NCDOT.

I do want to take the time to recognize all of the NCDOT staff and consulting staff that are here tonight, assisting us with this public hearing. A lot you had a chance to interact with them and get your questions answered. You can recognize them by these name tags, big white name tags. I'm not going to go through and introduce every staff that is here in the interest of time, but I do want to acknowledge a few people. One would be our Deputy Division Engineer, Mr. Scott Cole and our Assistant Division Construction Engineer, Mr. Rick Baucom.

And also with NCDOT, we have NCDOT Project Manager for this project, Mrs. Jennifer Harris. And assisting us tonight, we have a consulting firm Atkins and Michael Baker Engineering. We have Carl Gibilaro and his staff here tonight from Atkins, who assisted us with the preparation of the maps and the environmental document that we're here to talk about. And also Mr. Scudder Wagg with Michael Baker Engineering, he and other staff of Michael Baker are here and they assisted us with the development of the ICE or

the Indirect and Cumulative Effects Analysis. And we'll talk more about that in a few minutes.

Alright, so let's go ahead and get started. Just to let you know we'll start with how tonight is going to go. We'll start with the purpose of tonight's hearing. I'll do the project overview, the history. We'll talk about litigation that has gone on and taken place on this project, the recent activities that have taken place since the litigation. We'll talk about the schedule and where we go from here. And then we will open it up for comments.

I want to start with the *purpose of tonight's hearing*. Simply, the purpose of tonight's hearing is to make you, the public, a part of the project development process. We are here to give you a brief overview of the project. Of course, the project has been around for several years. The majority of the people are aware of the project, but there may be people that are new to the area or are unaware and we'll do a brief overview of the project. We will go over the hearing maps. Again, the hearing maps have not changed since the 2009 public hearings that were held. The preferred alternative is the same from what it was back then.

But the main focus of tonight's hearing is to get your input on the new environmental document that was prepared as a result of the litigation. And that new document is the Draft Supplemental Final Environmental Impact Statement. And you'll hear me say or use the term EIS. That's just an abbreviation or an acronym for Environmental Impact Statement. But that is the focus of tonight's hearing.

Now, copies of the maps that you've seen here tonight along with the environmental document, that Draft Supplemental Final EIS have been available since November 18th at the following locations. And these locations are in your handout that you received when you signed in. They've also been available on the project website. Now, as a side note the environmental document was published in the Federal Register on November 22nd.

As I said the purpose of tonight's hearing is to make you, the public a part of the project development process. Your input in that process is critical. And you do that by having your comments recorded tonight during these formal proceedings or by submitting written comments. And you can send comments in to myself or Mrs. Jennifer Harris. Again, our contact information is in the handout that you received. And we'll talk a little about written comments a little later in the presentation.

So, *what do we do with the comments* that we receive? Well, in about six to eight weeks, the project team will convene and hold what is known as a post-hearing meeting to discuss all of the comments that have been received throughout the public hearing process. And take those comments into consideration as the project moves forward.

But I do want to be clear that the Department of Transportation cannot just solely take public comment into consideration when making decisions. We have to balance that against good, sound, engineering criteria. We have to look at factors. We have to look at cost. We have to look at traffic service, impacts to the natural and human environment,

92 safety, as well as some other factors. We have to do a balancing act. So, we have to take
93 all of that into consideration to make sure that we put the best product we can on the
94 ground.

95
96 Now, minutes of this meeting will be prepared and made available to the public. So, if
97 you desire a copy and send in a written comment, or send me an email or whatever, just
98 put a note that you would like a copy of the meeting minutes. And once they are
99 finalized, I will make sure that you get a copy. Also let me know how you would like to
100 receive it, whether or not you would like to receive an electronic copy via email or if you
101 would like a hard copy via snail mail.

102
103 Let's talk about the *project purpose*, the "why" of the project. Why are we building this
104 project? And this is specifically known as the *purpose and need of the project*. This is
105 essentially the cornerstone of the project development process; because all of the
106 alternatives that are evaluated throughout that process are compared and evaluated
107 against the purpose and need statement and other factors that I just talked about and also
108 to what degree does it meet the purpose and need statement.

109
110 Now, I will read this verbatim because this comes straight from the environmental
111 document. The purpose of this project is to improve mobility and capacity within the
112 project study area by providing a facility for the US 74 Corridor and near I-485 in
113 Mecklenburg County to between the towns of Wingate and Marshville in Union County
114 that allows for high-speed regional travel consistent with the designations of the North
115 Carolina Strategic Highway Corridor Program and the North Carolina Intrastate System,
116 while maintaining access to properties along existing US 74.

117
118 Now, the proposed project will be a fully controlled access toll road again from US 74
119 near I-485 in Mecklenburg County eastward to US 74 between the towns of Wingate and
120 Marshville. And the project is about 20 miles long.

121
122 Now, the preferred alternative and I won't spend a lot of time going through the *history*
123 and how we got to the preferred alternatives; all that has been covered previously. But
124 again, the preferred alternative is Detail Study Alternative D initially from the Draft
125 Environmental Impact Statement but preferred in the Final Environment Impact
126 Statement. And as I said I'll cover that in just a second.

127
128 But before I do that I'm going to talk about the "typical section". This is the "cross
129 section" of the roadway. This is basically if I had a magic Ginsu knife and cut a piece of
130 the roadway out and turned it up on its side, this is what it would look like. Again, this is
131 another word for cross section. But the top graphic is the typical section for the first
132 mile...

133
134 Audience Members: Your mic just went out.

135
136 Moderator: I tell you, it's always something isn't it.

137

138 Audience Member: Always.

139

140 Moderator: I think my battery died. Okay, technical difficulties... alright, again
141 the top graphic is the cross section basically the first mile of the project where the project
142 falls with existing US 74 basically from I-485 to just east of Stallings Road. Again, here
143 we have three 12-foot travel lanes in each direction separated by a jersey barrier. The
144 main line will be elevated and you will have one-way frontage roads on either side. They
145 will vary from two the three lanes.

146

147 At the bottom is the cross section for the majority of the project, which is our new
148 location. And that is two 12-foot travel lanes in each direction separated by grass median.

149

150 Alright, let's take a quick look at the maps. Again, the maps have not changed since 2009
151 so I'm not going to spend a lot of time on this, but I do have to cover it. The preferred
152 alternative is this green color connected to the orange and then this bluish green color
153 here. This is existing US 74. This is I-485. Here is US 601.

154

155 The alignment follows this corridor and this is the preferred alternative. I do want to point
156 out where the interchanges are on this preferred alternative. We have the first interchange
157 with existing US 74. Here we take off on new location. Here's an interchange with Indian
158 Trail-Fairview Road. The next interchange is at Unionville-Indian Trail Road. Then we
159 have an interchange at Rocky River Road; then that at US 601; then that NC 200 at
160 Morgan Mill Road. Here is Austin Chaney Road. And then you have a partial interchange
161 with Forest Hills School Road and at US 74 on the eastern end. On this map you see the
162 relationship with the preferred alternative to the other alternatives.

163

164 Alright, so we're going to back up a little bit and give you the *history of the project*. I'm
165 sure a lot of you have been involved the entire time are aware of this, but as I stated
166 before the decision was made to combine these projects into one. That was done in early
167 2007 and Federal Highway Administration issued a Notice of Intent to prepare an
168 Environmental Impact Statement for the combined projects. Well, in June of that year we
169 held our first series of public meetings where we introduced the public to the project, as
170 well as the purpose and need of the project and got input on that.

171

172 In April 2009, the Draft Environmental Impact Statement was completed and approved.
173 And in May of 2009 we held a series of public hearings presenting the 16 Detail Study
174 Alternatives that were evaluated during the project development process. During that
175 process Alternative D was the recommended alternative, which was shown to the public.

176

177 We got public comments from the public hearing. We got input from the resource
178 agencies. We did additional environmental studies and prepared a Final Environment
179 Impact Statement in May 2010, which included the preferred alternative, which again
180 was the Detail Study Alternative D from the Draft Environmental Impact Statement;
181 which is the same one I just showed you we just covered.

182

183 In August 2010, the Record of Decision was signed stating that the selected alternative
 184 was the Alternative D. In November 2010, the Southern Environmental Law Center filed
 185 suit on behalf of the three environmental agencies against the Federal Highway
 186 Administration and NCDOT alleging that we did not comply with the requirements of the
 187 National Environmental Policy Act.

188
 189 In October 2011, the Federal District Court ruled in our favor. Subsequently, we awarded
 190 the project to the Design-Build Team in November of that year. And the Design-Build
 191 Team actually held a public meeting in December of that year. Now, backing up
 192 following the ruling in our favor, the Southern Environmental Law Center filed an
 193 appeal.

194
 195 Well, in May 2012, the 4th Circuit Court of Appeals overturned the lower court's
 196 decision. We subsequently suspended construction and right-of-way activities.

197
 198 In June of that year, we filed a petition for re-hearing. We also held public meeting to
 199 update the public to let you know what was going on with the project and basically where
 200 we were at that point. In June 29th of 2012, our petition for re-hearing was denied. So, on
 201 July 3rd of 2012, Federal Highway Administration rescinded the Record of Decision.

202
 203 Now, the full opinion of the Court of Appeals is available on that website. And you can
 204 search by Monroe Connector to see the full opinion. But if you look at the last paragraph
 205 it summarizes the court's ruling or finding. But what the ruling says is that the
 206 Department of Transportation did not fully disclose the underlining assumptions in the
 207 socioeconomic projections that we used and therefore, we did not take...we failed to take
 208 a hard look at the environment consequences of the project.

209
 210 So, what have we been doing for the past 18 months? Well, we've been trying to address
 211 the Circuit Court's concerns. And so, we've done additional environmental studies,
 212 additional field reviews, and additional analysis in preparation of the Draft Supplemental
 213 Final EIS, which brings us to tonight. And the Draft Supplemental Final EIS, that's a lot
 214 to say, was signed on November 8th of this year. And again, that brings us to tonight to
 215 get your input on the findings of the new environmental document.

216
 217 Now, topics evaluated or I guess I should more accurately say re-evaluated in the new
 218 document along with the purpose and need, traffic, cultural resources, farmland impacts,
 219 utilities, noise impacts, air quality, just to name a few. So, again we took a look at all of
 220 that information. This is information we cover in all of our environmental documents.
 221 And we went back and re-evaluated the alternatives and everything.

222
 223 What we found in doing the re-evaluation was that the conclusions it reconfirmed the
 224 purpose and need and it also confirmed the conclusions that were made in the Final
 225 Environmental Impact Statement and one of those conclusions was the preferred
 226 alternative. So, again it stayed the same.

227

228 Now, central to the litigation was the Indirect and Cumulative Effects Analysis, which is
 229 what we call the ICE Analysis. The purpose of the Indirect and Cumulative Effects
 230 Analysis is to understand the impacts a project will have on the environment beyond the
 231 direct impacts of building the project.

232
 233 So, in doing that we had to take a look at three different scenarios or situations. One, we
 234 had to take a look at the existing environment again as it exists now; what is the
 235 environment now. Then we have to look at what the environment will be in the future
 236 without the project and that's called the "no-build" scenario. Then we take a look at the
 237 environment in the future with the project and that is the "build" scenario.

238
 239 Now, for most projects we conduct what is known as a Qualitative ICE Analysis, where
 240 we look at the expected changes and basically the general magnitude of those changes for
 241 a specific project. And that was done on this project and included in the Draft
 242 Environmental Impact Statement.

243
 244 Now, in talking with the resource agencies and others, a decision was made to do a more
 245 in-depth analysis, which is known as a Quantitative ICE Analysis, which is a more
 246 precise estimate of the potential impacts of that project. And we did that in 2010 and that
 247 was included in the Final Environmental Impact Statement.

248
 249 Again, this was a big issue in the litigation. So, the methods that we used and the results
 250 were critical issues. So, in order to address those concerns, we went back and conducted a
 251 new Quantitative ICE Analysis. And to talk about that in depth is Mr. Scudder Wagg, and
 252 I'm going to turn it over to him now to cover a lot of the technical data so, just bear with
 253 us. We want to make sure that we give you all of the information.

254
 255 Scudder Wagg: Thank you Jamille. I want to start out by just saying that we
 256 typically don't go into as much technical detail on presentations that we do on an ICE
 257 like this in public hearings but because of the central nature of this issue with the
 258 litigation and it being a central issue with the update to this document we wanted to go
 259 through this in detail tonight so, that we can try and help you understand what we did,
 260 help the public understand.

261
 262 And to that end as well, I just want to note that this is a fairly detailed technical report
 263 that I'm going to summarize relatively in a short presentation and so I may not be able to
 264 cover all of your questions about it. If you have any questions about it I will be here after
 265 the meeting. Ken Dillon who is another one of our staff members will be here. And there
 266 are a number of other staff members with the white name tags who can try to answer your
 267 questions afterwards.

268
 269 So, precisely what are we looking at when we're talking about indirect and cumulative
 270 effects? A direct effect, which is what most of the rest of the environmental document is
 271 focused on is if you build this road and it requires NCDOT to take a house, that's a direct
 272 impact because you have to take a house in order to build the road. And obviously, there
 273 are quite a few of those in this instance.

274
275
276 An indirect effect is different. It's an affect that occurs further away from the road and
277 further away in time. So, for example if you build a road with a new interchange and a
278 bunch of new shopping centers were built that wouldn't have been built without the
279 roadway and that took away a bunch of forested land that was habitat for protected
280 species. That would be an indirect impact.
281
282 Now a cumulative effect is a little bit different. Basically, it's assessing if you have that
283 shopping center plus a bunch of other developments that might have occurred anyway. If
284 you've added that altogether and it had some sort of effect on a protected species for
285 example, that would be a cumulative effect.
286
287 So, the challenge we face in trying to assess these problems is that we're trying to
288 identify changes that are occurring potentially far away from the road. The decisions
289 behind those changes are being made by local landowners, by developers, by you know
290 people that are not NCDOT. So, we have to guess to some degree what they're going to
291 do.
292
293 And we also have to identify what sort of changes are going to happen far into the future.
294 So, we're looking at the year 2030, which is obviously a challenge because no one has a
295 perfect crystal ball.
296
297 As with any analysis like this we are looking at some specific issues that are critical to
298 this specific study area in question. And when NCDOT and others went to the EPA, to
299 the Fish and Wildlife Service, and to the public and asked what is important to study
300 about potential indirect and cumulative effects for critical issues for the protected species
301 in the study area, which we show here.
302
303 But some other particular concerns were the general loss of wildlife habitat for all
304 wildlife and the potential loss of agricultural forested lands overall. In the process of our
305 update we did working with the rest of the team complete new surveys to see if there
306 were any new populations of these species. There have been no new populations found.
307 So, that did not affect our results at all. And we are continuing to work with the Fish and
308 Wildlife Service on any and all issues related to these protected species.
309
310 So, as you can imagine studying and trying to understand what sort of changes are going
311 to occur for the long term is a challenging problem to solve. The other issue we have to
312 look at is given the problems we're looking at loss of farmland, loss of habitat and affects
313 to things like the heelsplitter. How can we analyze those? So, we analyzed them using
314 watersheds. If you've never heard that term before, a watershed is the area where any rain
315 that falls on the land drains to the same place.
316
317 So, for example, this area in brown up here is the Goose Creek Watershed, which you
318 may have heard of before, because it's a critical watershed, where it's habitat for the
319 Carolina Heelsplitter.

320 So, we divided, excuse me I should say we analyzed and looked at the watersheds in the
321 study area, which there are 18 to analyze the change in land use. So, what would happen
322 in terms of how many new homes, how many new jobs, how many new people, how
323 many new stores to understand how that development would affect the water going into
324 those streams and affecting the heelsplitter, how it would affect the loss of wildlife
325 habitat, how it would affect the loss of farmland, and so on?
326
327 And it's also useful to break the study area up because it is a very large study area. We're
328 looking at an area of about 5-miles around the project, 2002 thousand acres total. So, it
329 gives us a reasonable size to summarize the results and provide people with a reasonable
330 way to see what the impacts are.
331
332 So, the challenge is how can we say how much new development is going to occur in
333 each of these watersheds in the future. How do we figure that out? Well, we developed
334 three scenarios as Jamille said, existing, and then a future with the road, and then a future
335 without the road. And then we assess the differences between those. And an important
336 thing to note is just because there's a difference doesn't mean there's an impact. We may
337 have a small difference that doesn't actually result in any impact to a species that's
338 protected. The difference may be small enough that it doesn't actually affect things
339 substantially.
340
341 So, first existing land use, this is a picture of land use. The yellow colors that you see up
342 more in Mecklenburg County are residential development. The green colors are forested.
343 The purplish and red colors are industrial and commercial. This is relatively easy to build
344 a land use estimate because it's what's out there today. So, we can use aerial imagery and
345 we can use data from the counties by tax parcel to understand what the world looks like
346 out there today.
347
348 The challenge is okay how do we look at the future. And to estimate that at a scale of
349 those watersheds is very challenging because a number of different government agencies
350 and organizations developed forecasts and projections of what how many jobs or how
351 many people are going to be say in Union County or Mecklenburg County in 2030. The
352 NC State Data Center, which is actually an official state agency, they do that. But they
353 only do it for the entire county.
354
355 So, how do we figure out how many people will be just in one watershed? Well, in most
356 regions, and Charlotte is one of them, the only organization that gives you an estimate of
357 the future of people and jobs at a scale smaller than the county is a Metropolitan Planning
358 Organization or MPO. And so, we work with the MPO to get their data and to assess their
359 data to see if it works and what would make the most sense to use to estimate growth.
360
361 So, what are MPO projections? The MPO develops estimates of people and jobs by zone.
362 They call them Traffic Analysis Zones. For 11 counties across the entire Charlotte
363 Region, including parts of North and South Carolina, they divided into zones. So, you can
364 see on this map for example, this is one zone right here, roughly approximately 2900

365 zones across that entire study area that they work with. And you can see in blue, our
366 study area we have about 383 of their zones in our study area.

367
368 So, they have a lot more zones than we have watersheds, which is useful for us because
369 as you can imagine all of these estimates have a certain level of uncertainty to them.
370 Now, what's actually in there? Well, they give us information of what's there now. So,
371 this is an example zone, Zone 9082, which is actually right here at the intersection of US
372 74 and US 601. And their estimate of population in 2010 is 1,006 people and the estimate
373 number of jobs is 344. And they have an estimate for 2030, a population of 1,041 and
374 employment of 647. So, not much change in population, a bigger change in employment
375 here.

376
377 So, with this data we can start to estimate about how many people about how many jobs
378 will there be in all these different watersheds. And from that we can start to estimate how
379 much development is going to be needed for all these new people and jobs.

380
381 So, the question is what picture is this painting? Is this picture painting a picture of the
382 world what's going to be if we build the road or is it a picture of what the world's going
383 to be if we don't build the road? So, we went through a pretty detailed process of
384 assessing the projections, looking at it from about five different angles.

385
386 The first thing we did is we worked with the MPO staff in detailed to understand all of
387 the different pieces of the puzzle that went into how those numbers were developed. And
388 as you can see the numbers we used were the most recently adopted numbers that were
389 developed and completed in 2010 by the MPO.

390
391 But the process that went into developing those started in 2003. So, it's about a 7 year
392 process. And we assessed all the different assumptions and methods that went into those
393 numbers. And when we did that we found of the three big pieces of the puzzle that they
394 used. The first two what they called the LUSAM Model, which they used for their most
395 recent updates and their "top-down" control total process, which they used in 2003 at the
396 very beginning of their process. Those two pieces had no influence whatsoever on the
397 project, from the roadway or the Monroe Connector Bypass.

398
399 The "bottom-up" projection developments that they used in 2004, we found may have
400 been influenced by the Monroe Connector Bypass. And what they used a "travel time to
401 employment" factor, which if you are familiar with the litigation, you might have heard.
402 It was one piece of the puzzle that they used to develop those "bottom-up" projections
403 and so I'm going to get a little more detailed on this because again it was pretty central to
404 the litigation and pretty essential to understanding the update.

405
406 They were trying to find out how accessible any place in their entire study area was to a
407 job. So, they estimated the travel time from everywhere in their study area to every
408 employment center that they had. So, on this map you see these red blobs, these were the
409 employment centers that they were calculating travel times to. And this map is actually
410 showing the original travel time results that they had from their original model.

411
412 So, in this particular travel time analysis they were using, if you lived in say Stallings,
413 Hemby Bridge area over here, it was calculating your travel time to Matthews. Whereas
414 if you lived in Wingate, it was calculating your travel time to this industrial employment
415 center here on the east side of Monroe, and so on and so on around the study area.

416
417 Now, you can see if you look closely in their results this area right here and we've got the
418 proposed project shown over top there's this little river of green between Hemby Bridge
419 and US 601 and that suggest that the project was affecting the travel time results there
420 because the travel times are better. But if you look further east, you don't see the same
421 sort of river of green following the roadway, which suggest in that at least in that part of
422 the study area the project wasn't affecting travel time.

423
424 So, seeing this it looked like the project didn't affect the results significantly, but we
425 wanted to be absolutely sure. So, NCDOT worked with the original researcher from UNC
426 Charlotte who did all of this work in 2004. And he went back working with the MPO
427 Staff to take project out of his model entirely, rerun all of his numbers again, and
428 compare the results. And when he did that he showed that there was no difference
429 whatsoever if you took the project out of his travel time model. So, we concluded from
430 that the project had no influence on his process. Even though they had it in here, it didn't
431 actually affect the final results at all.

432
433 So, the conclusion then was that these projections, assumptions, and methods that went
434 into their development weren't affected by the project. But we want to look a little more
435 closely. So, we looked at a couple of other things. We looked at how is the pattern of
436 development look in general. And so we looked at what does the actual numbers say.
437 This is a population and household density map of what these projections say, how many
438 people will be in different parts of our study area in the future. So, you can see we have
439 US 74 here. This is the Wingate area. This is Monroe. This is the Matthews area.

440
441 So, you can kind of see if we actually laid the proposed project over top, the densities
442 along that corridor are not substantially different than densities to the south of US 74 on
443 the other side, so there's not a pattern that suggested that there were higher levels of
444 development along the corridor, which indicated to us that they were not influenced by
445 the project. We also talked to the MPO Staff about everything that went into their
446 projections. And they all agreed that there was not an influence from the project in their
447 projections.

448
449 Lastly, let's go back a little bit. Lastly, we also looked at a couple of other things. We
450 talked to other researchers; one in particular who had worked with the same data to try
451 and build a scenario to create a scenario of the future with the project. And he used the
452 MPO data. And when he did that he actually adjusted the data because in particular
453 putting more people and jobs along the corridor out at central and eastern Union
454 Counties; which suggest again that these projections was not influenced by the project.

455

456 So, after all that assessment from five different angles, we looked at it and determined
 457 that the MPO projections were good data. They were useful data that was the best that we
 458 could use to do an estimate of land use in the study area. And that they best reflected a
 459 situation without the roadway, a no-build scenario.

461 And we took the information about the number of people and jobs and then working with
 462 local information from planners, from local planning documents converted those
 463 additional people, additional jobs into acres of development. How many more actual
 464 acres of housing and development you get and created a no-build scenario.

466 And then we looked at what are the factors that would change growth in the future if you
 467 did build the road. So, the first piece is the no-build results. So, if you compare our no-
 468 build results by watershed to our existing results you see this is the percentage change in
 469 developed land. This is the percentage change in agricultural land for each watershed.
 470 And in green here is the percentage change for forested land for each watershed.

471
 472 And you can see for each watershed you're having some increase in development,
 473 whether it's residential or commercial or whatnot. And because of that in every
 474 watershed you're seeing some decrease, sometimes small sometimes large, in agricultural
 475 land or forested land because that's pretty much all of the undeveloped land that's out
 476 there.

477
 478 You see the biggest increases though generally occurring in western and towards central
 479 Union County suggesting that obviously a lot of people want to get to major job centers
 480 in Charlotte and so those are the areas that are going to see the largest increase in
 481 developments looking out to 2030. So, once we had our results there we had to assess
 482 what the situation is going to be like if we do build the project. What's the land use going
 483 to look like?

484
 485 We used basically four different methods to look at that question. We did what we call
 486 an accessibility analysis. So how much easier would it be to get to the I-485 Interchange,
 487 if you built this road? When we talked to local planners and we talked to others. They all
 488 said that getting to I-485 was the central or the main thing that people looked towards as
 489 the main improvement. Because once you got there you could go up to UNC Charlotte,
 490 you could go over to Ballantyne, or you could just keep going into downtown Charlotte.

491
 492 So, it was access to that point that was really most critical for a lot of people in defining
 493 the benefits of this project. So, we did a simplified travel time analysis to see mostly to
 494 gauge which parts of the study area are going to see the biggest improvements of travel
 495 time. So, this map shows, this is US 601 from down. This is existing US 74 and this is the
 496 Wingate area. That's the Monroe area. That's the Matthews area; and the darker the color
 497 the greater the improvement in travel time if you built the road.

498
 499 Now, this is a relatively simplified analysis so the actual, the specific number of minutes
 500 saved is not as important as the areas that see the benefits. And as you can see, it's really
 501 most of the areas east of US 601 and north of US 74 that see a lot of the benefit. So, that

502 suggested to us that those are the areas that are most likely to see induced growth or
 503 growth that's going to be caused by building the project.

504
 505 We also did two other important things. We looked at what we looked at called "scenario
 506 writing approach", which is using information from interviews with local planners about
 507 what did they think will happen to specific interchanges or specific areas if we do build
 508 the road. Looking at planning documents like the updated Union County Comprehensive
 509 Plan, the Wingate-Marshville Economic Development Plan. And then also a build-out
 510 analysis, which is effectively looking at what is the capacity or how much undeveloped
 511 land is out there that could be built on. And in both of those analyses combined showed
 512 that you have the most capacity for growth and the most desire among local governments
 513 for growth in central and eastern Union Counties.

514
 515 You can see for example the future land use plan here for Union County, this is the
 516 Monroe area. This is the Wingate area. The Marshville area. And, you know, they have a
 517 large block here in that central to eastern part of the county where they expect to see
 518 more development, residential in this case with the roadway. We also used what's called
 519 a Parker Analysis which is named for a researcher from UNC Charlotte, which is using a
 520 combination of roadway volume, the distance to the nearest town, the availability of
 521 water and sewer and so on to give us a rough idea of what kind of commercial
 522 development is viable at different interchanges. So, this is mostly just about getting a
 523 rough idea of that type of development.

524
 525 So, we combined this with all of the other information we got to development an estimate
 526 of induced road or how much more growth can you expect if you do build a road. In
 527 total, the results showed you could expect about 2,100 acres of additional growth. This is
 528 over and above the fact that the roadway itself actually requires 1,200 acres. So, it's
 529 important to point out that direct impact. Our focus though is just on the indirect impact
 530 which is 2,100 acres. Of that 2,100 the most we expect to be additional residential
 531 development, about 1,800 acres which would result in approximately 4,900 additional
 532 households.

533
 534 Again, that's a rough estimate. We also would expect about 300 acres of additional
 535 commercial and 100 acres of additional industrial development. Now, none of these are
 536 necessarily small numbers but when we compare these results to the overall study area,
 537 when we compare them to the amount of growth that is expected to occur. In the no-build
 538 scenario, these are relatively marginal and modest additions. And that's what I mean
 539 when I say that thus having a difference doesn't mean necessarily have an impact.

540
 541 If we look at the results of the build compared to the no-build, you see there are a couple
 542 of watersheds affected. You have Crooked Creek, Stewarts Creek and Rays Fork
 543 Watersheds. All three have small, relatively small percentage increases in development.
 544 You see somewhat larger increases in two of the watersheds for Richardson Creek and
 545 then for Salem Creek as well. Now, again, these are not necessarily small changes but in
 546 the context of the overall change that's expected to occur with no-build it's relatively
 547 modest.

548 But more importantly when we look at the actual affects the impact results are, number
549 one, the induced growth is generally concentrated in eastern Union County. The indirect
550 farmland and forested land losses are fairly marginal compared to what you are seeing in
551 context to the overall study area and with the no-build road. But also important for the
552 protected species, none of them aren't likely to be impacted by the project.
553

554
555 And if you look at those specifically, the Carolina Heelsplitter is only found in two
556 watersheds in our study area, Goose Creek and Sixmile Creek. And neither of those are
557 expected to see any induced growth because of their distance from the project and from
558 their distance from benefits of the project.

559
560 So, we've concluded that they may be affected because there's always a little bit of
561 uncertainty, but it's not likely to adversely affect the species. For the three other plant
562 species; for the Sunflower, there are some populations relatively close to the actual
563 project. And so, there's a possibility that they may be affected but it's not likely to be
564 adversely affected because of some protections that are in place. And then for the
565 coneflower and the sumac they're not going to be affect due to their location.

566
567 So, those were our general conclusions. Again, this was a pretty short summary of
568 everything that went into our analysis and our report. I encourage you if there is anything
569 that you have more questions about, we'll be available afterward. I will be towards the
570 back of the room if you want to come ask any questions we haven't answer because the
571 comment period really won't go specifically on direct comments. So, I will be happy to
572 take any questions one on one afterwards, if you have any of those. Now, Jamille will
573 give you a little more detail about the other aspects.

574
575 Moderator: Thank you Scudder. Is this working again? Can you hear me?

576
577 Audience Members: Yes.

578
579 Moderator: Scudder, I appreciate that. That was a very detailed presentation. I
580 hope all of you got that. That was a lot of information he covered.

581
582 Scudder Wagg: Sorry, I used all your time (*inaudible*).

583
584 Moderator: You messed me up. Let's talk about the *schedule*. Where we go
585 from here again, we are taking comments through January 6th of 2014. Again, I talked
586 about the post-hearing meeting. We will review all of those comments and incorporate
587 those into the project development process as we move forward. But we do anticipate
588 completing a combined Final Supplemental Final Environmental Impact Statement with a
589 Record of Decision in the spring of 2014. Now, after that, we don't have a specific
590 timetable but construction and right-of-way activities could resume sometime after the
591 environmental document is signed.
592

593 I just want to touch on the *Right-of-Way Process* real briefly. Once final decisions are
594 made regarding the final design of the project, limits of the project will be staked in the
595 ground. If you are an affected property owner, then our Right-A-Way Agents will arrange
596 a meeting with you to explain the project to you, your rights as property owner, how the
597 project affects you. And if permanent right-of-way is required, then an appraisal will be
598 done on your property and the monetary compensation will be offered. Then will be
599 based on the property value at its highest and best use.

600
601 Alright now, during this process, the Department of Transportation must:

- 602 • Treat all owners and tenants equally.
- 603 • We must pay just compensation in exchange for property rights.
- 604 • We must fully explain the homeowners rights and;
- 605 • We must provide relocation advisory assistance.

606
607 That is if you home or business, not just your property, but your home or business has to
608 be acquired as a result of the project then we have additional assistance in the form of
609 advice and/or monetary compensation available to you. And we do have pamphlets that
610 summarize the process both the general right-of-way process as well as the relocation
611 process at the sign in table. So, if you didn't get a copy and you are interested and think
612 that you may be affected, pick up a copy before you leave.

613
614 And real quickly, I've kind of talked about comments already. Again, written comments
615 carry the same weight as verbal comments. We don't penalize people that aren't as
616 comfortable speaking in front of a crowd, but they want to get their voices heard so, again
617 written comments carry the same weight as verbal. We have provided a *comment sheet*
618 for you in the handout that you have. Again, you can send in comments to myself and
619 Jennifer and to the project team. All of that information is in there. You can send it via
620 email. You can send comments in on your own stationary. It doesn't matter. But
621 whatever you do, please make your voices heard and send us something. Let us know
622 what you think about the project, whether you hate it or not. But do let us know your
623 thoughts.

624
625 There's also a *Title VI Form* that you were given or should have been given. That is a
626 completely voluntary form. We would like for you to fill that out. It is an anonymous
627 form to but it does give us some demographic information of people attending our public
628 meetings. And we hope to use that in the future to better serve you. Again, we are taking
629 comments through January 6th.
630

631 Again, this is my contact information and Jennifer's contact information. The project
632 website has a general project email that you can send comments too, which is the
633 Monroe@ncdot.gov. There's a general project hotline. There's a right-of-way team email
634 and there's a Right-of-Way Office number. So, you have a lot of ways to contact us and
635 get comments into us.
636

637 Alright, now for the purpose of tonight's hearing is to get your comments. Now, I do
638 want to let everyone know that in the interest of time, please keep your comments to 3

A2-338

639 minutes. And we have several people signed up to speak. Now, if you run over the 3
640 minutes, I will ask that you sit down and once we've gone through that list, you can come
641 back up to speak and complete your thoughts. We'll also open it up to anyone who has
642 not signed up to speak, but may have decided they wanted to make a comment.

643
644 Alright, when you come up, please state your name and address. That is your complete
645 address. So, please state your name and where you live and the name of the city as well.
646 Depending on which row, just come up to the mic. Alright, we'll start with Mrs. Karen
647 Thomas.

S-201 649 Karen Thomas: Jamille, can you put the slide back up there first showing
650 the purpose of the road please before I start? In the meantime, my name is Karen
651 Thomas. I'm a lifelong and that means 58 year resident of Union County. I have property
652 in this right-of-way path. I'm going to turn around and face the people. I don't like
653 looking the other way because I want to look my people straight in the eye.

654
655 I have property in this right-of-way. It's a family farm. We first heard about this project
656 in 1990. 1990 is when we first heard about this job. I was 34 years old. That's 24 years of
657 my life I'm not getting back.

1 659 Before we start, I'm going to look back at this purpose because this really surprised me;
660 because in all of the years, I never really saw this purpose written out before. I live in
661 Wingate. I never heard this purpose of this job described before as to get commuters from
662 Wingate and Marshville up to the Charlotte area. Has anybody that has been planning this
663 road ever driven that commute?

664
665 For 30 years, I commuted from Wingate to Charlotte. There were probably a half a dozen
666 of us commuting; \$1,000,000,000 for a road, yet for a handful of people. How many
667 people live out in the Wingate and Marshville area? And you're justifying the road for a
668 handful of us? I was one of them. I'm being displaced. So, you're building a road to get
669 commuters in and you've knocked out one of the commuters in the process. It makes no
670 sense.

2 672 One other thing, the guy that spoke, I don't know where he went. He pointed out that the
673 Wingate and Marshville Economic Development Plan, the amount of growth that was
674 projected. That is a fairly high amount of growth that they're projecting in the next 20 or
675 30 years. Well, guess what, I've read it. They're basing that growth on the bypass being
676 in place. In fact, that document says the bypass is necessary for this road. So, if the road
677 doesn't happen, they don't think the growth is going to be there.

678
679 So, why? Why? I'm sorry all of these things are surprising to me. After following this
680 closely for 24 years, I keep finding surprises, things that just keep popping up. I don't
681 know. That's just mindboggling.

3 683 I'm an engineer. I commuted to Charlotte for 30 years. I don't know how many other
684 people were commuting at the time. How many people live in the eastern part of Union

3 685 County, 5,000, but how many total of us, 2,500? And you want to spend \$1,000,000,000
686 on a road when the majority of us are farmers, retirees, school teachers teaching at the
687 local schools. Many people, nurses driving into Union Memorial are farmers, people
688 working at the poultry plant in Marshville, why do you need a road to get people from
689 Wingate and Marshville into Charlotte? It doesn't make sense.

690
691 Audience Member: Think about the construction and vehicle traffic of trucks
692 going to the coast to get to the western side of the *(inaudible)*.

4 694 Karen Thomas: Has the state...I think somebody else is going to bring that
695 up, but how many trucks are actually going through Union County that are not local? No,
696 I'm asking that come through. The drive out this morning, my daughter just had a baby. I
697 drove in from Southern Pines just this very morning. I drove in took US 1 down to
698 Rockingham and took US 74 in to Wingate. Most of the time looking in my rear view
699 mirror and ahead of me, I could see no more than 4 or 5 vehicles. If there's that much
700 traffic...if there's that much traffic out there, where is it?

701
702 Now, if you're talking about from Monroe into Charlotte, it's a totally different issue.
703 There's real traffic there. There are serious problems. North Carolina DOT has paid for
704 studies. Stantec is one of them that have given recommendations that would be \$50M,
705 \$20M, certainly less than \$100M to improve the traffic.

706
707 Audience Member: 3 minutes gone.

708
709 Karen Thomas: It's crazy. It's just crazy. It bothers me.

710
711 Moderator: Thank you Mss. Thomas. Next we have Cary Thomas.

S-202 713 Cary Thomas: Hello, my name is Cary Thomas. I live just outside of Wingate.
714 One of the things that struck me during the presentation, when we were going through
715 everything, is talking to some people in the other room over here, they're talking about
716 the need for the bypass. There is very little traffic on the eastern end. Most of the traffic is
717 in Monroe just like all of the development that Union County has seen is been primarily
718 from Monroe towards Charlotte because of the access that people want to drive to
719 Charlotte have to the western side of Union County.

1 720
721 It strikes me that the bypass is not a true bypass because there's not a lot of traffic going
722 out on the eastern side. Its primary focus...its primary purpose is going to be to further
723 increase development, primarily residential development.

724
725 Union County Schools just sued the Union County Government for \$91M. They won the
726 settlement. More residential growth that this is going to open up in eastern and northern
727 sides of the county to allow people to come out and live there and get into Charlotte very
728 quickly. And that's basically the purpose of it.

729

730 Tax rates, residential tax rates in the county are already going to go up because of the
 731 school settlement and more development is going to drive up the tax rates further and
 732 further. You know if you don't believe that there's development getting ready to happen,
 733 just go try to find a chunk of land like we have, where we've got to move now and try to
 734 get some land for some horses we have.
 735

2 736 Most of the undeveloped land in the county on the northern and eastern sides now there's
 737 been purchased by developers; waiting for this road to be put in place so they can make a
 738 killing building housing developments just like they have for years on the western side of
 739 the county, closer to Charlotte. So, the road is going to be great for development. It's
 740 going to increase everybody's property taxes. We're going to need more water, more
 741 sewer, and more schools.
 742

743 And that appears to me since we don't need it as a bypass to get people around the area,
 744 it's going to be a great development tool and increase everybody's taxes. Thank you.
 745

746 Moderator: Thank you sir. Next we have Ms. Kym Hunter.
 747

S-203 748 Kym Hunter: Good evening. I'm Kym Hunter with the Southern Environmental
 749 Law Center. I represent Clean Air Carolina, the Yadkin Riverkeeper, and the North
 750 Carolina Wildlife Federation and my address is 601 Rosemary Street.
 751

A2-339 1 752 I want to also talk about the purpose of the road. I'm happy that it's up here. It's really
 753 quite convoluted to read this project's purpose.
 754

755 Jumetta Posey: Can you speak directly into the mic?
 756

1 757 Kym Hunter: Yes. And I think that in my experience there's been some
 758 confusion as to what the purpose of this road is. Certainly in the flyer that was put out for
 759 the barbeque next door by the contractor for the bypass, there was a lot of talk about
 760 reducing congestion; we need this bypass to reduce congestion on US 74.
 761

762 We have asked and would love to see a project purpose, which was about reducing
 763 congestion on US 74. The DOT has been quite clear that that is not the purpose of this
 764 bypass and that we will not evaluate alternatives that reduce congestion on US 74.
 765

2 766 And so what we would really like to see is that project purpose be changed. I have had
 767 the pleasure of reading this new Environmental Impact Statement and much like the one
 768 before it; it anticipates that congestion on US 74 is not going to decrease if the bypass is
 769 built. In fact, the rates of congestion you see currently on US 74 are anticipated to get
 770 increasingly worse. And in fact, they have to get worse because currently the EIS says
 771 that in opening year travelers taking the bypass from end to end will save a maximum of
 772 maybe 13 minutes.
 773

774 And so to really get people to pay those tolls, they only way that people are going to pay
 775 those tolls is if congestion on US 74 gets worse. So, we'd really like to see a change in

2 776 the project purpose and look at several alternatives that would actually reduce congestion
 cont 777 on US 74 for our local commuters and for local traffic.
 778

3 779 And happily DOT has started to implement some of those changes and that's why we've
 780 seen some improvement in speeds on US 74. And there's going to be even more
 781 improvements going into US 74 in the future, which unfortunately has stopped and it's
 782 not evaluated. But we would like to see even more. We think that's what's really going to
 783 benefit Union County traffic. Those types of improvements can be incredibly low cost
 784 compared to an \$800 - \$900M bypass.
 785

786 They may not be as beneficial for *Boggs Paving*. They may not be as beneficial for land
 787 developers, but it would be beneficial to local traffic and local commuters. So, we say
 788 let's start with the project purpose and let's really be honest about what we're doing here.
 789 Thank you.
 790

791 Moderator: Thank you Ms. Hunter. Next we have Mr. Lance Dunn.
 S-204 792

1 793 Lance Dunn: My name is Lance Dunn. I live in Monroe and I passed out cards
 794 to everybody here, most of the points are self-explanatory. And basically the bypass
 795 doesn't address the problems. In fact, it creates a lot more problems than what we have
 796 right now. All we have to do is look at US 601 South and see a really nice road that flows
 797 at high speed and that's what could be put on US 74, if that's what the direction is to be.
 798

799 I agree completely with the Town of Monroe and most of the developers that 1% is
 800 nowhere near the kind of growth we're going to see. I've heard estimates up as high as
 801 20% out in these areas. We've looked at these bar graphs showing the growth out there in
 802 urban sprawl and there are no percentages on there. This growth can be almost unlimited
 803 and will tax the system and will tax all of us. We'll see these taxes going up quite a bit.
 804

2 805 And my other concern is the watershed. One-third of this road goes through the Lake
 806 Twitty Watershed. The Lake Twitty Watershed, the drinking water for the Town of
 807 Monroe and a lot of outside Monroe is already impaired in four different ways. And this
 808 road will make it worse, not better. We don't have brake linings. We don't have high
 809 speed traffic. We don't an increase in traffic driving through your drinking water supply
 810 and expect it to get better.
 811

3 812 I'll leave the rest of my comments, except for one and that is the timeline when this
 813 started was after the year 2000. Most of you know that this bypass has been planned for
 814 at least 20 years. I've heard even longer in some cases. The DOT does not appear to be
 815 aware of that, which is very puzzling to me. It was originally initiated as a connector for
 816 the landowners from US 601 towards Wingate and it has grown from that. It has not
 817 really grown out of any real traffic concerns.
 818

819 The DOT has also indicated to me that they're not aware of proposals for the bypass to
 820 cross over US 74 and go south and towards US 601 and maybe towards NC 200. I gave
 821 blood right before I came here and I saw the card sticking out of my pocket and said to

822 me 20 years ago, I bought land over there because I was told that this is where the bypass
823 is going and this is what the purpose of it. I never met this man before. His name is
824 Bobby Simpson. I have his phone number for anybody that wants to call and talk to him.

825
826 And at the last meeting, which was just yesterday, DOT has no idea about this. This road
827 has to be completely revamped. It's an anachronism from when developers ruled. You
828 could have a bridge built out to your island on the Outer Banks because you were a
829 politician. These days are gone. We need to totally revamp this road and make it do what
830 it's supposed to do.

4 831
832 Even the beginning of it, there's 12 lanes of traffic coming into Union County and then
833 takes a dangerously left turn and another right turn. What kind of bypass is this? I mean it
834 needs to be totally revamped if it's going to be a bypass. And I mentioned yesterday the
835 Highway 74 Corridor that's the road the trucks are going to follow. They're going to
836 come down 40. They're going to zip down and go out to the corridor. It's not going to be
837 through Union County. And that's not what this bypass is intended to do; besides it's not
838 hooking up with US 601 properly. Thank you.

839
840 Moderator: Thank you sir. Next we have Ms. Lynda Paxton.

S-205 841
842 Lynda Paxton: Thank you. My name is Lynda Paxton. I've been the Mayor of
843 Stallings for the last 4 years up until about 8:00 last night. I chose not to run for re-
844 election, so we swore in a new council, Mayor, last evening. In that capacity, I've served
845 on the MUMPO Board, the MPO that they've referred to here tonight. I was Vice
846 Chairman of that board for 2 years in 2011 and 2012. So, I've been involved in a lot of
847 discussions about the Monroe Bypass. It's pretty much dominated everything with regard
848 to transportation for the last 8 years of my life.

1 849
850 And I've reviewed the new EIS in fair depth considering the limited time we had before
851 these hearings. But I'm very disappointed that many of the deficiencies from the original
852 EIS that prompted the court to rule against DOT in 2012 have not been addressed in the
853 new EIS.

2 854
855 One of the more obvious questions for a project of this scale would be who will use it.
856 That would call for a hard look at who's traveling in the corridor now. Where did they
857 come from and where are they going? But the new report does not include an origin of
858 destination study.

3 859
860 Staff reports from 2011 acknowledge that trucking companies are split as to whether or
861 not they will use the bypass. Yet, the EIS makes no attempt to evaluate that even further.
862 The general public has been told by the promoters of the bypass that it will take the truck
863 traffic off of US 74 and give it back to the locals. But there's no data to validate that
864 assumption.

865
866 There is data to show that truck traffic within Stallings around I-485 would more than
867 double compared to the no-build alternative with increases of 11% after the bypass is

868 built. I asked Ms. Harris some questions about truck traffic back in 2012 and she sent me
869 information which predicted an increase in truck traffic in all segments of the corridor,
870 except for 3 in the far eastern part of the county.

4 871
872 What's most disappointing in this study is that it continues to focus on singular options as
873 an "either or" choice rather than evaluating the potential benefit of combining multiple
874 strategies and improvements on several parallel roads at once. We've recently seen minor
875 improvements on US 74 have demonstrated significant gains in travel speed and travel
876 time savings. Yet, other recommendations such as super street designs have been
877 dismissed as inadequate.

5 878
879 This new EIS notes that excessive access points and the number of intersections on the
880 US 74 decrease travel speeds, but there was no evaluation of bridges to eliminate
881 crossover traffic at key intersections or the creation of service roads to consolidate
882 driveways. When the definition of purpose establishes a target speed of 65 mph and a
883 minimum of 50 mph as the essential criteria that basically insures that all other options
884 considered would fail. Few, if any of the major highways in our region operate at that
885 level during peak travel times, though they do have acceptable speeds during non-peak
886 times.

6 887
888 The study did not include any comparative data with for example, I-77, I-485, I-85, or
889 any of those other major corridors in the region. Thus it appears that once again this
890 NEPA Process that derailed this project initially has been breached again because the EIS
891 Process started with a desired outcome and structured the measurements of the analyses
892 to support and justify that predetermined conclusion, while omitting data that might
893 frustrate that goal. And this is perhaps more clearly evident in the fact that DOT has
894 repeatedly said at open meetings that they're committed to building this project, which
895 essentially says the evaluation is irrelevant.

7 896
897 Finally, the current data reveals a diminishing return on our investment. The cost of this
898 project has escalated the benefits in terms of time savings have dropped. The original
899 estimates back in 2009, I believe it was, predicted travel time savings of 20 to 30 minutes
900 and now we're hearing maybe 8 to 12 or 13 if you're traveling the whole route. That is a
901 cost of \$100M per minute saved.

8 902
903 It's no wonder that there is waning support within the county for this project. Four towns
904 have adopted resolutions supporting alternatives to the bypass through unanimous votes
905 of their board. These boards understand serious restraints of transportation funding that
906 we have and they've issued a call for more responsible prioritization and spending. It's
907 time to cut our losses and take this road off of the TIP.

908
909 Moderator: Thank you Ms. Paxton. Next we have Loretta Melancon.

S-206 910
911 Loretta Melancon: My name is Loretta Melancon from south Louisiana,
912 moved here 2 years ago. The one and only grandchild was born in south Charlotte 5 years
913 ago. And when that happened, our whole retirement life changed. We knew that we had

A2-341

914 to move closer. However, we did not want to live in Charlotte or Mecklenburg County.
915 We wanted more of a country atmosphere. An environment in which to live was very
916 important to us as important as being close to this grandchild.

1

918 So, when we began to search for property, this area Monroe, Union County it felt really
919 right. What felt terrible was traveling on US 74 with all of those trucks. And you know,
920 I'm not talking about time savings because I am retired and so, you know, I can relax and
921 take my time to get to where I want to go, but I am not at all relaxed when I travel on US
922 74. I do everything to avoid traveling on US 74 because it wracks my nerves and it's just
923 not enjoyable.

925 I think I would use the businesses along US 74 more often if I didn't have to get out on
926 that road with all those trucks. So, after what I'm hearing here tonight, I'm not sure that
927 the bypass is going to solve this problem for me. I wonder if there is a way to legally, can
928 the Department of Transportation legally tell truckers where they have to route their
929 trucks, you know, or they can just be wherever they want. That's something I want to
930 investigate.

932 But I have to say that there was an article in the Enquirer Journal that's really made me
933 think about this. You know, this is going to be a process that when we moved here the
934 bypass was supposed to happen. This was 2011, 2 years ago, and that was part of what
935 we factored in. You know, we're not going to have to deal with US 74 for too much
936 longer and now that's not the case. And so, I've been asking myself, is the bypass really
937 worth it?

939 And I want you to know that I am an active member of the North Carolina Native Plant
940 Society. I know we can do plant rescues if there are any of the endangered species in this
941 right-of-way. And, you know, I am if you want to call me a tree hugger, I'm a tree
942 hugger, but there's got to be a balance. Also, the balance between now and the future,
943 Jammie talked about that how important balance is. And we do have to consider the
944 quality of our lives now and the quality of our lives into the future. You know, what are
945 we going to sacrifice? What are we going to gain? It's just not an easy game to play.

1

947 So, I'm still not really sure in my heart of hearts how I feel about this. I know there are so
948 many people and just the quality of live for everybody concerned is going to be impacted
949 no matter what we do. So, you know, I'm still searching my heart and I do wish there
950 were another way to accomplish getting those trucks. That's my problem...those trucks,
951 getting them onto another roadway so that we can have the quality for our own travel
952 locally and into the Charlotte area. Thank you.

953
954 Moderator: Thank you. Next we have Ms. Kandy Pierce.

S-207

956 Kandy Pierce: Hi, I'm Kandy Pierce and I live out on Morgan Mill Road in
957 Monroe.

958
959 Jumetta Posey: Can you speak into the mic please?

1

960
961 Kandy Pierce: Yes, sorry. I just want to say I'm for the bypass because it has
962 affected our land. In 1999, it took my brother's home place. And I was raised in Union
963 County here and this is all family land that's been affected with this bypass. You know, it
964 caused him to move and then 5 years later we lost him to cancer. So, that was 5 years I
965 lost of my brother's life.

966
967 You know, and it's taken 6 acres of our land across the road there from Lee Park Baptist
968 Church. And you know it's going to take more of my land with this bypass. But my
969 children, one lives in Anson County now. One lives up on Indian land in South Carolina.
970 My kids can't do anything with this land. They don't want to build on it because if the
971 bypass does go through, they'll have to move.

1

cont

973 You know, and my mother lives right beside where this thing is going. She is 88 years
974 old. We take care of her at home. So, I hope it does go through. I know there are a lot of
975 people don't want it. But it has affected our land and everything. It has ruined the
976 farmland that we have. I mean, it's ruined what's left.

977
978 I just retired from the post office and I can tell you I had almost 30 years in. The post
979 office, we have grown 42 routes since I started. That's 42 routes in Monroe. That's rural
980 routes. That's not city. We have 13 city routes. But we now have 56 rural routes in
981 Monroe. And it's growing. And this bypass is going to put more people in and around
982 this thing. It's going to put businesses around. It's going open up jobs for some of the
983 people that are unemployed.

1

cont

985 I'm all for it. I mean, I know that there are a lot of people that's not. But you know you're
986 not affected until it takes your land and you don't have a choice in it. Once they come in
987 and say that this road is going through it, you can't fight them. They will take your land.
988 You know, I hope they do come on and just take some more of my land. I'll still have
989 some left. And I hope because it was my grandmother's land...I hold what's left because
990 it's sentimental value, but I'm for the bypass and I hope it does go through. I know, I've
991 heard this about 25, 26 years so, I hope for this time it's for real and everything will go
992 through on it. Thank you.

1

cont

993
994 Moderator: Thank you Ms. Pierce. I do want to address one thing. We don't
995 take your land. We acquire it.

996
997 Kandy Pierce: You acquire it, but if we don't give it to you, then it will be
998 condemned.

999
1000 Moderator: Well, we would offer you an amicable solution through (*inaudible*)
1001 bank purchase. Next we have Mr. Brian Rogers.

S-208

1

1002
1003 Brian Rogers: Thank you. I'm Brian Rogers and I live in Bonterra in Indian Trail
1004 right off of Secret Shortcut Road. Unlike a lot, I actually come this way and work here in
1005 Wingate. And I will tell you that growth is already here. It's not stopping. Indian Trail

1 1006 uses its municipalities. Everybody thinks the county controls growth. It's the
cont 1007 municipalities are the ones that control the growth. Indian Trail has grown to over 30,000
1008 people.
1009
1010 Where I live you have 3 new developments and one has just been approved a few weeks
1011 ago. Homes are being built. Okay, no one is going to stop growth. My neighborhood is
2 1012 affected. But I can tell you unequivocally that I am for this bypass. I'm not for a toll road
1013 as a whole. But I've listened to both sides and the reality of it is there is no other way
1014 build a road. We are the only county around this whole area and one of the few
1015 throughout the entire state that doesn't have one four lane road without one stoplight.
1016 Think about that.
1017
1018 And you know why that's important? I travel across this great country and I see
1019 metropolitan areas and we are a metropolitan area. I wish we were rural. I grew up in a
1020 rural area. But the reality, we're outside of Charlotte, which is creating jobs. They want
1021 to come here because they love the land here and they love the people of Union County
1022 here as well. I know I do and that's why I moved here.
1023
1024 But when I was a student at Wingate, 89,000 people lived in here in 1989. Now, we have
1025 over 210,000 people and still growing. I know this little town, Wingate craves some
1026 growth. And I will tell you people love their freedom. They love their automobile. There
1027 is no solution. Trains, really trains, billion dollar trains...people love their automobile
1028 and will always continue to love their automobile.
1029
A2-342 3 1030 Safety matters to me. That's why I want the bypass. I hear this lady talk about trucks.
1031 Well, I've been rear ended by one. Maybe you have too on US 74. I have to get to some
1032 areas in the western part of the county for my daughter and son for soccer. It takes me 35
1033 minutes, okay, time. You can't put a price tag on safety and time.
1034
4 1035 This environmental group that keeps holding up people's land and delaying things, they
1036 don't give a flip about you and I. All they care about is their own pocketbooks. So, I
1037 would just, you know, encourage everybody that loves freedom...and I'm thankful we
1038 have representatives, especially state representatives that kept this on the books. And I
1039 hope to God NCDOT gets their act in gear and get this thing approved so people can
1040 move on with their lives.
1041
1042 I know too many people that have been affected that their own private property they can't
1043 do anything with. The Southern Environmental Law Center is not going to compensate
1044 you for their lawsuits and their loss time, okay .
1045
1046 Kym Hunter: You are not...
1047
1048 Brian Rogers: They're not going to do that and so I just encourage that you let
1049 this thing be built. I'm pretty passionate about it and I look forward to the day that I can
1050 travel from Bonterra to here, my choice, maybe some days I go down Secret Shortcut, my
1051 choice, in a matter of about 10 minutes compared to having stop and go and waste more

1052 gas, wear out more brakes, Okay. And so, I just appreciate the opportunity to support it
1053 this evening. Thank you.
1054
1055 Moderator: Next we have Mr. Larry Helms.
1056
1057 Audience Member: Oh God.
1058
1059 Moderator: Come on. Again, let's remember the "golden rule". We ask that
1060 you show respect if you got up to speak.
1061
S-209 1062 Larry Helms: Hi, I'm Larry Helms, 3216 McLendon Road and I'm a Union
1063 County native, always been. Cindy, I understand that your concern is there and bless your
1064 heart that you lost your brother. That's always a tough, tough time.
1065
1066 Now, I reflect back on US 601 South, where we're losing about 5 citizens a year to a road
1067 that's a 2 lane road. Can you hear okay?
1068
1069 Audience Member: No.
1070
1071 Larry Helms: How's that? Is that better?
1072
1073 Audience Members: Yes.
1074
1075 Larry Helms: I'm sorry. It is a 2 lane road. But I bring that to a point just because
1 1076 if you talk to some of the firemen that service the area on NC 218. What's happening is
1077 that's becoming the truck bypass and the numerous, numerous trucks go out. It's been
1078 paved, but it's not been paved with wide shoulders so it's still a very, very dangerous
1079 road. Over half of their calls, maybe two-thirds of their calls are getting people out of
1080 accidents.
1081
1082 And what's the resolution for that? The resolution for that is to get a bypass that we can
1083 route the trucks on. And I go back just a bit, I was driving down here. My wife let me
1084 drive her new car. One of the first times ever and I thought my lord there's 2 trucks in
1085 front of me and 2 behind me and what am I going to do. So, if I could have had an
1086 accident, and then I thought about what if I had the grandkids and how bad that would be.
1087 It really is dangerous on US 74 because of the number of trucks. I want that lady to tell
1088 me where to go, but anyway that's important.
1089
1090 I want to talk about growth just a minute. Those 57 routes you got, half of them came
1091 from Indian Trail. We'll take them back up to Indian Trail, so that may help you a lot.
1092 But really and truly I'm very concerned about what's happening on NC 218. The truck
1093 traffic there is just unreal. It's 31-mile traffic on a 31-mile road that is being used.
1094
1095 Frank, your boss, here in the county drives that all the time. We have the Southern
1096 Environmental Law Firm folks back here; raise your hand so they'll know who opposes
1097 the road.

1098 Kym Hunter: Here I am right here.
 1099
 1100
 1101 Larry Helms: These are the guys that take us to court over the road and you need
 1102 to tell them that you want the road built. That's important. We have urged them to back
 1103 off. We know that the last time a lawsuit was filed it was because of some technicality.
 1104 But we're still getting people killed. We're still getting people killed. Frank says no, but
 1105 he doesn't live here. He didn't go with the firemen to take people out of trucks.
 1106
 1107 So, I hope this is a point that really will be considered so that we can get something done
 1108 to make our community safer. Thank you.
 1109
 1110 Moderator: Thank you Mr. Helms. One point I do want to make is that I've
 1111 heard it a few times tonight; we do know that with this bypass traffic volume on US 74
 1112 existing will be lower in the future or whenever the bypass is built. Traffic volumes will
 1113 be lower on US 74 as compared to not having the bypass. I've heard that several times
 1114 tonight and I just wanted to quickly address that.
 1115
 1116 Is there anyone else that would like to speak? Please come up. Again, please state your
 1117 name and address.
 1118
 1119 Ronnie Moore: My name is Ronnie Moore and I live in Marshville. I'd like
 1120 to address some of the things I've heard...
 1121
 1122 Jumetta Posey: Can you speak directly into the mic please?
 1123
 1124 Ronnie Moore: and try to clear up a few things. I live in Marshville and I
 1125 work in Indian Trail and I'm a truck driver. And I'd like to give some of you all some
 1126 insight on being a truck driver that has to drive on Highway 74. And for the lady that
 1127 didn't see no traffic behind you that day, the reason you didn't see nobody is because
 1128 everybody was stopped at the red light behind you. There are 21 red lights I have to travel
 1129 just to get to Indian Trail.
 1130
 1131 Now, all day I drive a truck, a big truck. I haul equipment. I have to go to Rockingham,
 1132 Hamlet, all down the eastern side of the state. When I'm not driving the truck, there are
 1133 other trucks that have haul equipment also because there are things that are being built. I
 1134 have seen people in body bags; motorcycle drivers that have gotten run over.
 1135
 1136 Now, who do you blame for some of this? I've seen people rear ended in trucks. I've seen
 1137 white sheets over people. 14 years, I've seen nothing but wrecks and destruction on
 1138 Highway 74. Now, I don't want my children...this is the road to the future. Now, if I look
 1139 out across this room in the next 20 years a lot of us ain't going to be here.
 1140
 1141 Well, let's build this road for the future of our children and our grandchildren so they
 1142 won't ever have to have a problem being rear ended by some big truck that can't stop.

S-A2-343

1

1143 Now, I'm passionate about my children and my grandchildren. And we all need to take
 1144 into consideration the future of Union County.
 1145
 1146 Not only the future of Union County, but this road is not just for people that live here.
 1147 There's people that come from Charlotte all day long, all the way down US 74. The reason
 1148 some of you don't think there's much traffic is because you leave your home and go to
 1149 work and 8 hours later you come back through there. I would like to see you drive 1 hour
 1150 one time every day from Charlotte to Marshville back and forth. You see how many
 1151 trucks are on the highway then. It is bumper to bumper.
 1152
 2 { 1153 It takes my company...you know, time is money. We deliver rental equipment. And we
 1154 don't get paid until that equipment gets on that job site. My company would love for that
 1155 bypass to be there because it would be quicker for us to get equipment there. So, it would
 1156 be an economic impact for us. We'd make money. I would make money and we all would
 1157 make money.
 1158
 1159 I would like to encourage the environmental group that always has the lawsuit out here
 1160 and stopping this road, just to ride up and down that highway a few times and do a study
 1161 on how many people has been killed because of rear end collisions of big trucks. We
 1162 cannot stop those big trucks.
 1163
 1164 I'd like to hold you all accountable for the next death that comes through because of a big
 1165 truck. God bless you.
 1166
 1167 Moderator: Thank you sir.
 1168
 1169 Kym Hunter: Oh sir...
 1170
 1171 Moderator: No, you can provide comments. We're not going to get into a one
 1172 on one back and forth.
 1173
 1174 Kym Hunter: Okay.
 1175
 1176 Moderator: You can talk to him afterwards.
 1177
 1178 Ronnie Moore: I'm a tree hugger too.
 1179
 1180 Moderator: Sir.
 1181
 1182 Craig Helms: If I'd known it was this many people up here, I wouldn't have
 1183 volunteered to speak tonight.
 1184
 1185 Jumetta Posey: You need to speak into the mic.
 1186
 S-211 1187 Craig Helms: My name is Craig Helms. I run a business in Marshville. My
 1188 business does involve trucking, not as much as some in here. I've been passionate about

1189 this thing. But this is the first meeting that I have come to. But I've seen a lot of my
1190 friends have to sell their places years and years ago and have to move. And they were in
1191 their 70s and that's pathetic.

1192
1193 It is pathetic that this operation has gone on and no more, not one shovel full of dirt has
1194 been moved in the last 25 or whatever years they've been talking about it. We need to
1195 stop wasting taxpayer's money. That is the first thing we need to do.

1196
1197 We need to get this project going if the people want it to go. If they don't, then stop it.
1198 Cut your losses and stop it. If you want to get this project going, I think we can help. If
1199 everybody that has to drive to Charlotte every day of the week or once in a while, let's set
1200 a time 7:00 on Tuesday morning, get your newspaper, get your coffee, and at the
1201 appropriate time stop where you are on US 74.

1202
1203 Don't move for an hour except to let emergency vehicles pass. Get all the national media
1204 that you can to back you up, you'll put a stop to some of these judges, some of the
1205 environmentalists that want to stop it from going for no good reason. If you want it stop,
1206 then let's stop. But if you want it built, let's get it built and quite wasting taxpayer's
1207 money on things like this over, over, and over again. Thank you for your time.

1208
1209 Moderator: Thank you sir for your comments. Anyone else? Keep in mind
1210 written comments carry the same weight as verbal.

1211
1212 Dennis Clary: Alright, my name is Dennis Clary. I reside at 1108 (inaudible)
1213 Street here in Monroe. I was born and raised in Anson County. I'm for US 74 Bypass. It's
1214 not going to do anything to benefit the people in Anson County. It's going to cut down
1215 the driving time. And as a taxpayer all the money that's already been spent on the right-
1216 of-way, the design, the project needs to move forward.

1217
1218 The Southern Environmental Law Firm, you all live in Chapel Hill. Come live down here
1219 in Union County and find out a little bit about what goes on down here too. But anyway,
1220 (inaudible), this is the first meeting that I've been to and I think the project needs to move
1221 forward...Anson County.

1222
1223 Moderator: Thank you sir.

1224
S-213 1225 Frank Holleman: My name is Frank Holleman. I'm also with the Southern
1226 Environmental Law Center. My name is Frank Holleman. My office is at 601 W.
1227 Rosemary Street in Chapel Hill, North Carolina.

1228
1229 I wanted to correct a couple of points. First of all, it should be clear that what the
1230 Highway Department's official document says not what's been said here tonight, but
1231 what its official document says is that building the bypass will not improve current
1232 congestion on Highway 74. That is what the document says. You can read it yourself. Go
1233 online and read it. That needs to be clear.
1234

2 1235 As Kym Hunter said earlier, it was never the purpose of this road bypass to improve
1236 congestion on Highway 74. The purpose of this road has been as it says to improve
1237 mobility between Charlotte and the end. It's not to improve congestion on Highway 74
1238 within Union County.

1239
1240 That's been true from the beginning and it is still true in the document. The Department
1241 did do studies on what could be done to improve congestion on Highway 74. And there is
1242 a study, a Stantec study that you can read, but that is not building the bypass.

1243
3 1244 Second point, we agree entirely the truck issue is important. People are concerned about
1245 it. It's a relevant point. However, this is the point we've been trying to make. The
1246 Highway Department has done no studies to determine whether this bypass will or will
1247 not improve truck traffic on Highway 74. And I'm a taxpayer too.

1248
1249 The proposal here is to spend almost \$1,000,000,000. For as the speaker said according to
1250 the Highway Department's own report, no more than 8 or 10 minutes of improvement in
1251 travel time, not on US 74, if you pay the toll, \$1,000,000,000.

1252
1253 The truck drivers, you should know, that they use this toll road and get off Highway 74
1254 will have to pay \$10 toll. There's no study done by the Highway Department that will tell
1255 us is it worth...are we going to get \$1,000,000,000 worth of improvement on which truck
1256 drivers will leave when.

1257
4 1258 Our basic point is we're all taxpayers. We're going to spend \$1,000,000,000. How can
1259 we best spend that money to improve the congestion, the lives, the traffic, the businesses,
1260 and the truck driver's safety in this community? Building a \$1,000,000,000 toll highway
1261 designed to bring people from Charlotte to the beach or is it better to spend, study,
1262 economical improvements to US 74 to prevent the deaths and improve traffic and to deal
1263 with the trucks? I don't know what you all say to that.

1264
1265 What we say is know what you're doing before you spend \$1,000,000,000.

1266
1267 Moderator: Thank you sir.

S-214 1268
1 1269 Bob Helms: I'm Bob Helms. I keep hearing them say if we build the road,
1270 there'll be no improvement in traffic. Is not anybody going to use that road? If they are,
1271 there'll be less traffic on US 74.

1272
1273 Now, they talk about environment. You know a trailer truck running 70 mph and not
1274 stopping every 5-miles, 2-miles in life will be less pollution. It makes sense doesn't it? I
1275 keep hearing I agree with if we're going to do it, let's do it or quit talking about it. It cost
1276 us money to talk. It cost us money for time.

1277
1278 But I cannot see what they're saying that there'll be no impact on traffic. Now, if you're
1279 going through Monroe, a big truck was breathing down your throat, do you stop and

1280 spend money? No. You get out of their way. Get the trucks out of the way. There is such
1281 a thing as a truck bypass. You can make it mandatory for them to get there.

1282
1283 Now, as far as traffic on US 74 and trucks...I've been to Apex for about 10 trips. There's
1284 something about 18 wheelers to have them go by me, a bunch of them. I don't know
1285 where this traffic was the other day, but it was behind me, in front of me, and beside me.
1286 Thank you.

1287
1288 Moderator: Thank you sir.
1289

S-215 1290 Jim McCollum: My name is Jim McCollum. I live at 2715 Olive Branch
1291 Road. It amazes me that this project has brought so much talk and concern about how
1292 much tax money is being spent when it's evident that nobody gives a damn how much tax
1293 money is spent in the western end of the county.

1294
1295 Moderator: Thank you sir. Anyone else?
1296

S-216 1297 John Swindell: You tell me if you can hear me or not. My name is John Swindell.
1298 I live in Hemby Bridge, Indian Trail, the western side of Union County. I drive US 74
1299 every day because I work for myself. I'm being relocated from this highway. So, I'll tell
1300 you up front. I hate it flat out because I don't want to move.

A2-345 1301 I moved here for the same reason you did. We got brought to Charlotte, didn't know
1302 where to go. We looked at probably 80 homes until we found one that was in this nice
1303 little country setting. We loved it. We moved down here. We've been here 26 years, 27
1304 years. Heard about the highway 2 years after we moved here so, this been a long time
1305 coming, long time coming.
1306
1307

cont 1308 I understand what the truck driver is saying. I hate it for you because I think most of it is
1309 the ones driving the automobiles, not the truck drivers. You can't pull over in front of a
1310 truck, stop at a red light, and expect them to do the same thing. They're not going to do it
1311 and it's not the trucker's fault.
1312

1313 On the other hand, the bypass is too close to Highway 74. I don't see how you're going to
1314 say it's going to help the county grow that much when you're sitting here saying you
1315 have an issue right now on US 74 from growth. It's not even 2 damn miles off the side of
1316 US 74 where I live and it runs parallel to it all the way through. If you guys really wanted
1317 to do this and make it work, why didn't you move...I'm not saying go to NC 218. That's
1318 ridiculous. We don't need to go all the way to the northern end of the county. But we
1319 could have move north of Lake Twitty and not messed with the watershed.

1320
1321 You say you want it to run into I-85. It runs into US 74. It doesn't run into I-85. It could
1322 be farther north, make the road spread out a little farther, give them an alternative. US 74
1323 has to be fixed anyway. You have to put some overpasses on it, plain and simple. When
1324 you put those overpasses on US 74, it's not going to be any different than you see
1325 Atlanta, where I'm from in Florida. They did it on US 19 and they run 6 lanes both sides

1326 non-stop. And then you don't have the problems with the truck drivers again, because
1327 you don't have a red light sitting in front of you 1,000-yards away.
1328

2 1329 You've got to put overpasses on it. You've got to fix some of the secondary roads around
1330 US 74 from all the growth, whether that's roundy rounds or whatever. But you really
1331 need to take a serious look. I know we're all complaining. We're all mad. This is
1332 \$1,000,000,000 that's killing us, but we really need to have a serious talk way before we
1333 got to this point. I've tried it several times and nobody listened to me. And now here we
1334 are saying that this thing is going to go on through anyway and I just feel that it is too
1335 close to US 74. You're going to cause a parallel nightmare in 20 years.

1336
1337 Moderator: Thank you sir. Anyone else?
1338

S-217 1339 Brian Schrader: Brian Schrader. I just moved from one part of Union
1340 County to another part of Union County and I drive quite a bit for my job, a lot on US 74
1341 and a lot on all the other routes around US 74. I agree with just about everything that
1342 everybody has said on both sides.
1343

1 1344 So, I can't say that I'm for or against, but just looking at the plan and being an engineer
1345 myself, I don't think this is the answer. I think a bypass is the answer, but I don't think
1346 this route makes a whole lot of sense. As the last gentleman here, it makes perfect sense
1347 to me that it needs to move further away from US 74. Otherwise, all of the development
1348 that will happen around this bypass is going to choke the system down again. And 10 or
1349 20 years from now, we're going to be sitting here doing the same thing all over again.
1350

1351 So, I'm for a bypass. I just don't think this is the answer.
1352

1353 Moderator: Thank you sir. Anyone else? Alright, I want to thank you all for
1354 coming out tonight. We do have another public hearing tomorrow night. It is an informal
1355 session, so there will be no presentation, but I do urge you to urge your neighbors or
1356 friends that did not make it out tonight to come out tomorrow night. Thank you and have
1357 a good night.
1358

1359 Hearing Adjourned.
1360

1361 Jamille Robbins, Moderator
1362 Public Involvement Unit
1363 December 10, 2013
1364

1365 Typed by Johnetta Perry

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S - 101	Kate Asquith	1	<p>What I've been hearing tonight and throughout the bypass is that there is a common sense that building the Monroe Bypass will ease congestion, the current levels of congestions of US 74. In fact, the contractor of the bypass just recently released a press release saying yesterday. But in contrast to the EIS shows that US 74 is expected to get more congested with or without the bypass. So, could you take this opportunity to clarify on the record whether or not you expect correct levels of congestion on US 74 to be resolved by the bypass.</p> <p>I guess the specific focus of what I am saying is that what we hear is that current levels of congestion on US 74 are unacceptable for people that live here and drive on it every day and it doesn't sound like in certain parts of the EIS, what is being presented is that the bypass will not resolve current levels of congestion? So, what you are saying is that the purpose of the project is not resolve current levels of congestion. Is that right?</p> <p>I think the problem here is that a lot of people in this room probably think the bypass is supposed to ease congestion on US 74 as it is now. So, what you're saying though is that is not what the bypass will do. Correct?</p>	<p>The project's purpose and need has remained consistent throughout the EIS process and has been clearly stated in the NEPA documents and public meeting materials. As stated in the introduction to the <i>Draft Supplemental Final EIS</i>, Section 1, "based upon a review of new information and public and agency comments received to date, the purpose and need for the project remain unchanged."</p> <p>As stated in Section 1.1.2 of the <i>Draft Supplemental Final EIS</i>, the purpose of the project is "to improve mobility and capacity within the project study area by providing a facility for the US 74 corridor from near I-485 in Mecklenburg County to between the towns of Wingate and Marshville in Union County that allows for high-speed regional travel consistent with the designations of the North Carolina SHC program and the North Carolina Intrastate System, while maintaining access to properties along existing US 74." (SEE NOTE BELOW)</p> <p>As described in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> (under the heading Question 6 –How would the Monroe Connector/Bypass affect traffic volumes on the US 74 Corridor?), traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place, thereby improving traffic flow conditions along existing US 74 compared to the No-Build scenario.</p> <p>NOTE: The State legislation regarding the Intrastate System was recently repealed by the State Legislature in Session Law 2013-183, signed by the Governor on June 26, 2013. The <i>Final Supplemental Final EIS</i> includes an errata section updating the project purpose to remove reference to the NC Intrastate System. High speed travel is still designated for the corridor in the NC SHC program, so the substantive statements of the project purpose remain unchanged.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-102	Robert Stedje-Larsen	1	I'm in Wingate and if I look at Wingate and the development that's going to come around the intersections, there's a business district in Wingate that's on US 74 now. And the development that's going to come is just going to drain that business district because of the intersections that you're going to have in there.	In terms of additional migration induced by the Monroe Connector/Bypass, past literature indicates that impacts to downtown areas tend to be short-term in nature. Eventually the town will establish a new equilibrium that is less dependent on pass-by highway traffic. Please also see http://www.edrgroup.com/pages/pdf/Urban-Freeway-Bypass-Case-Studies.pdf .
S-102	Robert Stedje-Larsen	2	If the state put its money in the existing highways that it has, this road would not be the waste it's going to be, a very expensive 18 point something miles.	Comment noted.
S-103	Rick Becker Mayor of Mineral Springs	1	There were four resolutions adopted by the municipalities in Union County so far, seeking alternatives to this particularly on a cost basis. As the previous speaker said that we were looking at a \$900M expenditure for a project which wasn't really projected to do much for Union County needs whatsoever. And those resolutions were not included in the EIS as far as I understand. So, I did want to make sure that the Mineral Springs resolution was again submitted and perhaps included in the EIS.	The resolutions are included in Appendix A-3 of the <i>Final Supplemental Final EIS</i> .

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-103	Rick Becker Mayor of Mineral Springs	2	<p>My biggest concern I think is the EIS’s build scenario being way, way, way underestimating the impacts, the indirect impacts.</p> <p>They talk about 1,800 additional acres of residential development by 2030. That’s it. That’s 200 acres per interchange and that’s a small amount. That’s a medium sized subdivision. These types of expressways and interchanges heading directly to an employment center like Charlotte are magnets for developers. It’s like leaving your trash out at the campsite with woods full of bears. They’re going to flock to it. We’re going to have tens of thousands of commuter houses built at those interchanges. Each of those commuter houses are going to have kids in them that are going to have to go to Union County schools.</p> <p>Just looking at the I-485 Interchanges in Mecklenburg County, when it wasn’t there in south Charlotte, it was woods, it was farms. I-485 went in, interchange went in, Ballantyne Interchange went in...BOOM. You’ve got 10,000 residential units within five years. So, to think that that’s not going to happen in Union County is I think too be naïve and just turn a blind eye to a problem that’s not being addressed.</p>	<p>The <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) (ICE Update) (Appendix E of the <i>Draft Supplemental Final EIS</i>) fully clarifies the assumptions used. The ICE Update also includes new information and analyses, as summarized in Section 4.5.1 (Methodology) of the <i>Draft Supplemental Final EIS</i>.</p> <p>The conclusions regarding land use changes under a No Build Scenario and a Build Scenario were arrived at using a vigorous, detailed, objective process, as is described in the ICE Update and the detailed summary included in Section 4.5 of the <i>Draft Supplemental Final EIS</i>. Results of the Update ICE Analysis are summarized in Sections 4.5.4 and 4.5.5, and predict additional development in the Future Land Use Study Area (FLUSA) under the Build Scenario to be about 2 percent more than the total development expected under the 2030 No-Build Scenario. Both scenarios predict growth from the 2010 baseline conditions of 13-14 percent.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-103	Rick Becker Mayor of Mineral Springs	3	And so you have economic impacts and you have environmental impacts with all of that development. It hasn't been addressed in the EIS.	The <i>Draft Supplemental Final EIS</i> as well as this <i>Final Supplemental Final EIS</i> and <i>Record of Decision</i> all meet the requirements of the National Environmental Policy Act (NEPA), 23 U.S.C. 109(h) and 23 U.S.C. 138 (Section 4(f) of the DOT Act) and the reporting requirements of 23 U.S.C. 128.b along with Council on Environmental Quality (CEQ) Regulations for Implementing NEPA (40 CFR 1500- 1508) and FHWA's Environmental Impact and Related Procedures (23 CFR 771). The potential indirect and cumulative effects associated with the project, including the economic and environmental impacts of induced development, are summarized in Section 3.4 of the <i>Draft Supplemental Final EIS</i> and detailed in the <i>Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013).
S-103	Rick Becker Mayor of Mineral Springs	4	My final concern is that, I think both speakers have addressed it, the public really believes that this is going to help them move around Union County faster. It's going to help US 74. It's going to help those cross streets. It's going to help all that time you sit at the lights where there's no turn lanes and there's waiting and waiting. Well, all I see is it getting worse.	Comment noted.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-104	Frank Holloman	1	I sort of want to echo what the last gentleman said. When you look at the document that the department has put out, there's not much analysis of how much of the traffic on US 74 is local, how many of the trucks are local, and where they're going. And as the gentleman said, the document and the lady said, the document says US 74 is going to get more congested if you build a bypass.	See responses to Document L-001, Comment #4. Origin-destination information is useful in the traffic and revenue studies performed outside the NEPA process. The use and appropriateness of the origin-destination surveys/information used in the traffic and revenue studies conducted for the project are included in the <i>Draft Supplemental Final EIS</i> Appendix A (pages A1-25 through A1-28). As discussed in Section 2.5.2 of the <i>Draft Supplemental Final EIS</i> , the question of how the Monroe Connector/Bypass would affect traffic volumes on the US 74 corridor was addressed. In all the comparisons evaluated, traffic volumes are expected to be less along the existing US 74 corridor with the Monroe Connector/Bypass in place.
S-104	Frank Holloman	2	It is looks like the emphasis is spending the \$900M to build a bypass to move people from Charlotte to the beach. And so, the question I would say is has the department looked at how much more benefit there would be on congestion on US 74 if you spent the \$900M or some portion of it on improving US 74 and the local roads instead of building a Charlotte to the beach road. That's the question.	See responses to Document L-001, Comment #s 6, 8, 9 and Document L-005, Comment #4.
S-105	Lance Dunn	1	You keep referring to the 74 Corridor. When I drive from here to the beach I see a lot of signs for the new Interstate 74, which doesn't seem to even go through this area. I was wondering if you could clarify what the difference is between that 74 Interstate Corridor and the one that you're referring to.	The US 74 corridor in the study area extends from I-485 in Mecklenburg County to just west of Marshville. The Interstate 74 corridor is a different corridor and is located east of Rockingham.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-106	Carl Stevens	1	<p>Okay, how many people in this room know that this bypass is going to be a toll bypass? We need to find out how it's going to be monitored and how we're going to be paying for it.</p> <p>I did some phone calls today but was informed by an individual yesterday that in the process of these tolls we're going to be billed monthly by the tag number on your car. Okay, I'm a car dealer. I do wholesale. They're going to bill me every time a car goes up and down the road? And some of the questions that people are asking right now, you need to start looking into the questions before you ask them and you'll get better answers to them. I want to thank you for your time.</p>	<p>All documentation prepared for this project has identified the future Monroe Connector/Bypass as a toll road. MUMPO passed a resolution in September 2007 recommending that project be financed as a toll facility. Tolls will be collected electronically through the use of transponders or video detection cameras. Details regarding the electronic toll collection can be found in Section 2.2.3 of the <i>Final Supplemental Final EIS</i>.</p>
S-107	Kinsey Cockman	1	<p>I looked at the website earlier and it said the United States Army Corp of Engineers rejected or denied the 404 Environmental Permit because of delays in construction. My concern is how long is it going to take to get that cranked back up?</p>	<p>A new permit application will be submitted to the US Army Corps of Engineers following approval of the <i>Record of Decision</i>.</p> <p>As explained in Section 4.4.4 of the <i>Draft Supplemental Final EIS</i>, The USACE issued a Section 404 permit for the project on April 15, 2011. Due to the appellate court decision, the USACE suspended the Section 404 permit on May 21, 2012, and the NC Division of Water Quality (now the NC Division of Water Resources) withdrew the Section 401 Water Quality Certification on June 8, 2012. As a result of the extended preparation time for the <i>Draft Supplemental Final EIS</i>, the USACE decided on April 17, 2013 to revoke the Section 404 permit until a new record of decision is issued and updated information is submitted in a new application. A copy of the permit revocation letter is included in Appendix C of the <i>Draft Supplemental Final EIS</i>.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-107	Kinsey Cockman	2	And what I really want to know coming here tonight was with the environmental impact, the environmental group that’s suing the Department of Transportation are they done? Are they finished?	It is unknown at this time if additional lawsuits will be filed.
S-201	Karen Thomas	1	<p>I’m going to look back at this purpose because this really surprised me; because in all of the years, I never really saw this purpose written out before. I live in Wingate. I never heard this purpose of this job described before as to get commuters from Wingate and Marshville up to the Charlotte area.</p> <p>For 30 years, I commuted from Wingate to Charlotte. There were probably a half a dozen of us commuting; \$1,000,000,000 for a road, yet for a handful of people. How many people live out in the Wingate and Marshville area? And you’re justifying the road for a handful of us? I was one of them. I’m being displaced. So, you’re building a road to get commuters in and you’ve knocked out one of the commuters in the process. It makes no sense.</p>	<p>Getting commuters from Wingate and Marshville to Charlotte is not the purpose of the project. The Purpose and Need for this project is stated in Section 1 of the <i>Draft Supplemental Final EIS</i> and has not changed since it was first presented to the public at the first Citizens Informational Workshop in June 2007. The purpose of the project is to improve mobility and capacity within the project study area by providing a facility for the US 74 corridor from near I-485 in Mecklenburg County to between the towns of Wingate and Marshville in Union County that allows for high-speed regional travel consistent with the designations of the North Carolina SHC program and the North Carolina Intrastate System, while maintaining access to properties along existing US 74. (See note below.)</p> <p>NOTE: The State legislation regarding the Intrastate System was recently repealed by the State Legislature in Session Law 2013-183, signed by the Governor on June 26, 2013. The <i>Final Supplemental Final EIS</i> includes an errata section in Appendix D updating the project purpose to remove reference to the NC Intrastate System. High speed travel is still designated for the corridor in the NC SHC program, so the substantive statements of the project purpose remain unchanged.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-201	Karen Thomas	2	He pointed out that the Wingate and Marshville Economic Development Plan, the amount of growth that was projected. That is a fairly high amount of growth that they're projecting in the next 20 or 30 years. Well, guess what, I've read it. They're basing that growth on the bypass being in place. In fact, that document says the bypass is necessary for this growth. So, if the road doesn't happen, they don't think the growth is going to be there.	Growth projections with and without the project are included in the <i>Monroe Connector/Bypass Indirect and Cumulative Effects Quantitative Analysis Update</i> (Michael Baker Engineering, Inc., November 2013) and include input provided by local planners.
S-201	Karen Thomas	3	How many people live in the eastern part of Union County, 5,000, but how many total of us, 2,500? And you want to spend \$1,000,000,000 on a road when the majority of us are farmers, retirees, school teachers teaching at the local schools. Many people, nurses driving into Union Memorial are farmers, people working at the poultry plant in Marshville, why do you need a road to get people from Wingate and Marshville into Charlotte? It doesn't make sense.	See response to Document S-201, Comment #1.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-201	Karen Thomas	4	<p>I think somebody else is going to bring that up, but how many trucks are actually going through Union County that is not local? No, I'm asking that come through. The drive out this morning, my daughter just had a baby. I drove in from Southern Pines just this very morning. I drove in took US 1 down to Rockingham and took US 74 in to Wingate. Most of the time looking in my rear view mirror and ahead of me, I could see no more than 4 or 5 vehicles. If there's that much traffic...if there's that much traffic out there, where is it?</p>	<p>The need for the project is documented in Section 1.1.1 of the <i>Draft Supplemental Final EIS</i>.</p> <p>Existing travel speeds along US 74 are described in Section 1.2.4 of the <i>Draft Supplemental Final EIS</i> and Section 1.1.1 of the <i>Final Supplemental Final EIS</i>. Average travel speeds are currently below the posted speed limits and do not reach 50 mph.</p> <p>Along existing US 74, the percentage of trucks is expected to be less with the project in place in 2035 compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks).</p>
S-202	Cary Thomas	1	<p>There is very little traffic on the eastern end. Most of the traffic is in Monroe just like all of the development that Union County has seen is been primarily from Monroe towards Charlotte because of the access that people want to drive to Charlotte have to the western side of Union County.</p> <p>It strikes me that the bypass is not a true bypass because there's not a lot of traffic going out on the eastern side. Its primary focus...its primary purpose is going to be to further increase development, primarily residential development.</p>	<p>See responses to Document S-201, Comment #s 1 and 4.</p> <p>Land use and development decisions are under the purview of local officials, not the NCDOT.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-202	Cary Thomas	2	<p>Most of the undeveloped land in the county on the northern and eastern sides been purchased by developers; waiting on this road to be put in place so they can make a killing building housing developments just like they have for years on the western side of the county, closer to Charlotte. So, the road is going to be great for development. It's going to increase everybody's property taxes. We're going to need more water, more sewer, and then more schools.</p> <p>And that appears to me since we don't need it as a bypass to get people around the area, it's going to be a great development tool and increase everybody's taxes.</p>	Land use and development decisions are under the purview of local officials, not the NCDOT.
S-203	Kym Hunter	1	<p>I want to also talk about the purpose of the road. It's really quite convoluted to read this project's purpose.</p> <p>I think that in my experience there's been some confusion as to what the purpose of this road is. Certainly in the flyer that was put out for the barbeque next door by the contractor for the bypass, there was a lot of talk about reducing congestion; we need this bypass to reduce congestion on US 74.</p> <p>We have asked and would love to see a project purpose, which was about reducing congestion on US 74. The DOT has been quite clear that that is not the purpose of this bypass and that we will not evaluate alternatives that reduce congestion on US 74.</p>	<p>See response to Document C-017, Comment #3.</p> <p>The project as currently conceived was developed and endorsed by the local MPO (CRTPO) and municipalities comprising its membership.</p> <p>NCDOT did not prepare or review the subject flyer and had no control over its content.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-203	Kym Hunter	2	<p>I have had the pleasure of reading this new Environmental Impact Statement and much like the one before it; it anticipates that congestion on US 74 is not going to decrease if the bypass is built. In fact, the rates of congestion you see currently on US 74 are anticipated to get increasingly worse. And in fact, they have to get worse because currently the EIS says that in opening year travelers taking the bypass from end to end will save a maximum of maybe 13 minutes.</p> <p>And so to really get people to pay those tolls, they only way that people are going to pay those tolls is if congestion on US 74 gets worse. So, we'd really like to see a change in the project purpose and look at several alternatives that would actually reduce congestion on US 74 for our local commuters and for local traffic.</p>	See response to Document S-101, Comment #1.
S-203	Kym Hunter	3	<p>And happily DOT has started to implement some of those changes and that's why we've seen some improvement in speeds on US 74. And there's going to be even more improvements going into US 74 in the future, which unfortunately has stopped and it's not evaluated. But we would like to see even more.</p>	See response to Document L-001, Comment #s 6 & 7.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-204	Lance Dunn	1	I passed out cards to everybody here, most of the points are self-explanatory. And basically the bypass doesn't address the problems. In fact, it creates a lot more problems than what we have right now. All we have to do is look at US 601 South and see a really nice road that flows at high speed and that's what could be put on US 74, if that's what the direction is to be.	US 601 South is a more rural type roadway than US 74 within the project limits. The functions and operations of the two facilities are not comparable.
S-204	Lance Dunn	2	One-third of this road goes through the Lake Twitty watershed. The Lake Twitty Watershed, the drinking water for the Town of Monroe and a lot of outside Monroe is already impaired in four different ways. And this road will make it worse, not better. We don't have brake linings. We don't have high speed traffic. We don't an increase in traffic driving through your drinking water supply and expect it to get better.	See response to Document C-017, Comment #7 . As stated in Section 2.3.1 of the <i>Draft EIS</i> , the northern boundary of the study area does not encroach on Lake Twitty because Lake Twitty is classified as a critical watershed.
S-204	Lance Dunn	3	I'll leave the rest of my comments, except for one and that is the timeline when this started was after the year 2000. Most of you know that this bypass has been planned for at least 20 years. I've heard even longer in some cases. The DOT does not appear to be aware of that, which is very puzzling to me. It was originally initiated as a connector for the landowners from US 601 towards Wingate and it has grown from that. It has not really grown out of any real traffic concerns.	NCDOT is aware of the long history of his project which is documented in Section 1.4.3 of the <i>Final Statement of Purpose and Need for the Monroe Connector/Bypass</i> (PBS&J, February 2008).

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-204	Lance Dunn	4	There's 12 lanes of traffic coming into Union County and then takes a dangerously left turn and another right turn. What kind of bypass is this? I mean it needs to be totally revamped if it's going to be a bypass. And I mentioned yesterday the Highway 74 Corridor that's the road the trucks are going to follow. They're going to come down 40. They're going to zip down and go out to the corridor. It's not going to be through Union County. And that's not what this bypass is intended to do; besides it's not hooking up with US 601 properly. Thank you.	All designs utilize appropriate and accepted design criteria. There are no dangerous turns on the project.
S-205	Lynda Paxton	1	And I've reviewed the new EIS in fair depth considering the limited time we had before these hearings. But I'm very disappointed that many of the deficiencies from the original EIS that prompted the court to rule against DOT in 2012 have not been addressed in the new EIS.	See response to Document S-103, Comment #4.
S-205	Lynda Paxton	2	One of the more obvious questions for a project of this scale would be who will use it. That would call for a hard look at who's traveling in the corridor now. Where did they come from and where are they going? But the new report does not include an origin of destination study.	See responses to Document L-001, Comment #4 and Document L-005, Comment #5.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-205	Lynda Paxton	3	Staff reports from 2011 acknowledge that trucking companies are split as to whether or not they will use the bypass. Yet, the EIS makes no attempt to evaluate that even further. The general public has been told by the promoters of the bypass that it will take the truck traffic off of US 74 and give it back to the locals. But there's no data to validate that assumption.	The project's traffic forecasts for 2035 estimate that approximately 23 percent of the traffic on the Monroe Connector/Bypass will be trucks (8 percent medium sized trucks and 15 percent large trucks). The 2035 traffic forecasts also estimate that along existing US 74, the percentage of trucks is expected to be less with the project in place compared to a No-Build scenario (approximately 10 percent trucks compared to 13 percent trucks).
S-205	Lynda Paxton	4	What's most disappointing in this study is that it continues to focus on singular options as an "either or" choice rather than evaluating the potential benefit of combining multiple strategies and improvements on several parallel roads at once. We've recently seen minor improvements on US 74 have demonstrated significant gains in travel speed and travel time savings. Yet, other recommendations such as superstreet designs have been dismissed as inadequate.	See responses to Document L-001, Comment #s 5, 6 and 7 and Document L-005, Comment #9 .
S-205	Lynda Paxton	5	This new EIS notes that excessive access points and the number of intersections on the US 74 decrease travel speeds, but there was no evaluation of bridges to eliminate crossover traffic at key intersections or the creation of service roads to consolidate driveways. When the definition of purpose establishes a target speed of 65 mph and a minimum of 50 mph as the essential criteria that basically insures that all other options considered would fail. Few, if any of the major highways in our region operate at that	See responses to Document L-001, Comment #s 5, 6 and 7 and response to Document L-005, Comment #s 3 and 13 .

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
			level during peak travel times, though they do have acceptable speeds during non-peak times.	
S-205	Lynda Paxton	6	The study did not include any comparative data with for example, I-77, I-485, I-85, or any of those other major corridors in the region. Thus it appears that once again this NEPA Process that derailed this project initially has been breached again because the EIS Process started with a desired outcome and structured the measurements of the analyses to support and justify that predetermined conclusion, while omitting data that might frustrate that goal. And this is perhaps more clearly evident in the fact that DOT has repeatedly said at open meetings that they're committed to building this project, which essentially says the evaluation is irrelevant.	See response to Document L-005, Comment #13. The project remains in the CRTPO's <i>2040 Metropolitan Transportation Plan (MTP)</i> , which was developed and approved by local member jurisdictions. As long as the project is included in the MTP, NCDOT will continue to work on it.
S-205	Lynda Paxton	7	Finally, the current data reveals a diminishing return on our investment. The cost of this project has escalated the benefits in terms of time savings have dropped. The original estimates back in 2009, I believe it was, predicted travel time savings of 20 to 30 minutes and now we're hearing maybe 8 to 12 or 13 if you're traveling the whole route. That is a cost of \$100M per minute saved.	See response to Document L-005, Comment #14.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-205	Lynda Paxton	8	<p>It's no wonder that there is waning support within the county for this project. Four towns have adopted resolutions supporting alternatives to the bypass through unanimous votes of their board. These boards understand serious restraints of transportation funding that we have and they've issued a call for more responsible prioritization and spending. It's time to cut our losses and take this road off of the TIP.</p>	<p>Comment noted. See response to Document L-005, Comment #17.</p>
S-206	Loretta Melancon	1	<p>When we began to search for property, this area Monroe, Union County it felt really right. What felt terrible was traveling on US 74 with all of those trucks. And you know, I'm not talking about time savings because I am retired and so, you know, I can relax and take me time to get to where I want to go, but I am not at all relaxed when I travel on US 74. I do everything to avoid traveling on US 74 because it wracks my nerves and it's just not enjoyable.</p> <p>I think I would use the businesses along US 74 more often if I didn't have to get out on that road with all those trucks. So, after what I'm hearing here tonight, I'm not sure that the bypass is going to solve this problem for me. I wonder if there is a way to legally, can the Department of Transportation legally tell truckers where they have to route their trucks, you know, or they can just be wherever they want.</p> <p>I'm still not really sure in my heart of hearts</p>	<p>Comment noted.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
			<p>how I feel about this. I know there are so many people and just the quality of life for everybody concerned is going to be impacted no matter what we do. I'm still searching my heart and I do wish there were another way to accomplish getting those trucks. That's my problem...those trucks, getting them onto another roadway so that we can have the quality for our own travel locally and into the Charlotte area.</p>	
S-207	Kandy Pierce	1	<p>I'm for the bypass because it has affected our land. In 1999, it took my brother's home place. And I was raised in Union County here and this is all family land that's been affected with this bypass.</p> <p>You know, and my mother lives right beside where this thing is going. She is 88 years old. We take care of her at home. So, I hope it does go through. I know there are a lot of people don't want it. But it has affected our land and everything. It has ruined the farmland that we have. I mean, it's ruined what's left.</p> <p>I'm all for it. I mean, I know that there are a lot of people that's not. But you know you're not affected until it takes your land and you don't have a choice in it. Once they come in and say that this road is going through it, you can't fight them. They will take your land.</p> <p>I've heard this about 25, 26 years so, I hope for this time it's for real and everything will go through on it.</p>	Comment noted.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-208	Brian Rogers	1	I actually come this way and work here in Wingate. And I will tell you that growth is already here. It's not stopping. Indian Trail uses its municipalities. Everybody thinks the county controls growth. It's the municipalities are the ones that control the growth.	Comment noted.
S-208	Brian Rogers	2	I can tell you unequivocally that I am for this bypass. I'm not for a toll road as a whole. But I've listened to both sides and the reality of it is there is no other way build a road. We are the only county around this whole area and one of the few throughout the entire state that doesn't have one four lane road without one stoplight. Think about that.	Comment noted.
S-208	Brian Rogers	3	Safety matters to me. That's why I wanted the bypass. I hear this lady talk about trucks. Well, I've been rear ended by one. Maybe you have too on US 74. I have to get to some areas in the western part of the county for my daughter and son for soccer. It takes me 35 minutes, okay, time. You can't put a price tag on safety and time.	Comment noted.
S-208	Brian Rogers	4	This environmental group that keeps holding up people's land and delaying things, they don't give a flip about you and I. All they care about is their own pocketbooks. So, I would just encourage, you know, everybody that loves freedom...and I'm thankful we have representatives, especially state representatives that kept this on the books. And I hope to God NCDOT gets their act in gear and get this thing approved so people	Comment noted.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
			<p>can move on with their lives.</p> <p>I know too many people that have been affected that their own private property they can't do anything with. The Southern Environmental Law Center is not going to compensate you for their lawsuits and their loss time.</p>	
S-209	Larry Helms	1	<p>If you talk to some of the firemen that service the area on NC 218, what's happening is that's becoming the truck bypass and the numerous, numerous trucks go out. It's been paved, but it's not been paved with wide shoulders so it's still a very, very dangerous road. Over half of their calls, maybe two-thirds of their calls are getting people out of accidents.</p>	Comment noted.
S-210	Ronnie Moore	1	<p>All day I drive a truck, a big truck. I haul equipment. I have to go to Rockingham, Hamlet, all down the eastern side of the state. I have seen people in body bags; motorcycle drivers that have gotten run over. I've seen people rear ended in trucks. I've seen white sheets over people. For 14 years, I've seen nothing but wrecks and destruction on Highway 74. Now, I don't want my children...this is the road to the future. Well, let's build this road for the future of our children and our grandchildren so they won't ever have to have a problem being rear ended by some big truck that can't stop.</p>	Comment noted.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-210	Ronnie Moore	2	<p>It takes my company...you know, time is money. We deliver rental equipment. And we don't get paid until that equipment gets on that job site. My company would love for that bypass to be there because it would be quicker for us to get equipment there. So, it would be an economic impact for us. We'd make money. I would make money and we all would make money.</p> <p>I would like to encourage the environmental group that always has the lawsuit out here and stopping this road, just to ride up and down that highway a few times and do a study on how many people has been killed because of rear end collisions of big trucks. We cannot stop those big trucks.</p>	Comment noted.
S-211	Craig Helms	1	<p>It is pathetic that this operation has gone on and no more, not one shovel full of dirt has been moved in the last 25 or whatever many years they've been talking about it. We need to stop wasting taxpayer's money. That is the first thing we need to do.</p> <p>We need to get this project going if the people want it to go. If they don't, then stop it. Cut your losses and stop it. If you want to get this project going, I think we can help. If everybody that has to drive to Charlotte every day of the week or once in a while, let's set a time 7:00 on Tuesday morning, get your newspaper, get your coffee, and at the appropriate time stop where you are on US 74.</p>	Comment noted.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-212	Dennis Clary	1	I'm for US 74 Bypass. It's not going to do anything to benefit the people in Anson County. It's going to cut down the driving time. And as a taxpayer all the money that's already been spent on the right-of-way, the design, the project needs to move forward. The Southern Environmental Law Firm, you all live in Chapel Hill. Come live down here in Union County and find out a little bit about what goes on down here too.	Comment noted.
S-213	Frank Holloman	1	First of all, it should be clear that what the Highway Department's official document says not what's been said here tonight, but what its official document says is that building the bypass will not improve current congestion on Highway 74.	See response to Document S-101, Comment #1 .
S-213	Frank Holloman	2	It was never the purpose of this road bypass to improve congestion on Highway 74. The purpose of this road has been as it says to improve mobility between Charlotte and the end. It's not to improve congestion on Highway 74 within Union County. That's been true from the beginning and it is still true in the document. The Department did do studies on what could be done to improve congestion on Highway 74. And there is a study, a Stantec study that you can read, but that is not building the bypass.	See responses to Document S-101, Comment #1 and Document L-001, Comment #s 5, 6 and 7 . The <i>US 74 Corridor Study</i> (Stantec Study) was prepared to identify interim improvements as a result of delays in the Monroe Connector/Bypass, and was never intended to be a replacement for the Monroe Connector/Bypass. Many of that study's recommendations have been implemented along existing US 74, as described in Section 2.4 of the <i>Draft Supplemental Final EIS</i> .

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-213	Frank Holloman	3	<p>We agree entirely the truck issue is important. People are concerned about it. It's a relevant point. However, this is the point we've been trying to make. The Highway Department has done no studies to determine whether this bypass will or will not improve truck traffic on Highway 74. And I'm a taxpayer too.</p> <p>The proposal here is to spend almost \$1,000,000,000. For as the speaker said according to the Highway Department's own report, no more than 8 or 10 minutes of improvement in travel time, not on US 74, if you pay the toll, \$1,000,000,000.</p> <p>The truck drivers, you should know, that they use this toll road and get off Highway 74 will have to pay \$10 toll. There's no study done by the Highway Department that will tell us is it worth...are we going to get \$1,000,000,000 worth of improvement or which truck drivers will leave when.</p>	<p>See responses to Document C-016, Comment #5 and Document C-026, Comment #5.</p>
S-213	Frank Holloman	4	<p>Our basic point is we're all taxpayers. We're going to spend \$1,000,000,000. How can we best spend that money to improve the congestion, the lives, the traffic, the businesses, and the truck driver's safety in this community? Building a \$1,000,000,000 toll highway designed to bring people from Charlotte to the beach or is it better to spend, study, economical improvements to US 74 to prevent the deaths and improve traffic and to deal with the trucks?</p>	<p>It should be noted that the CRTPO 2040 MTP considers and prioritizes projects to improve the <u>entire roadway network</u> and alternative modes of travel for the region and includes the Monroe Connector/Bypass as part of its 2025 Horizon Year Network.</p>

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
S-214	Bob Helms	1	<p>I keep hearing them say if we build the road, there'll be no improvement in traffic. Is there not anybody that's going to use that road? If they are, there'll be less traffic on US 74.</p> <p>Now, they talk about environment. You know a trailer truck running 70 mph and not stopping every 5-miles, 2-miles in life will be less pollution. It makes sense doesn't it? I keep hearing I agree with if we're going to do it, let's do it or quit talking about it. It cost us money to talk. It cost us money for time.</p>	Comment noted.
S-215	Jim McCollum	1	<p>It amazes me that this project has brought so much talk and concern about how much tax money is being spent when it's evident that nobody gives a damn how much tax money is spent in the western end of the county.</p>	Comment noted.
S-216	John Swindell	1	<p>I drive US 74 every day because I work for myself. I'm being relocated from this highway. So, I'll tell you up front. I hate it flat out because I don't want to move.</p> <p>I understand what the truck driver is saying. I hate it for you because I think most of it is the ones driving the automobiles, not the truck drivers. You can't pull over in front of a truck, stop at a red light, and expect them to do the same thing. They're not going to do it and it's not the trucker's fault.</p> <p>On the other hand, the bypass is too close to Highway 74. I don't see how you're going to say it's going to help the county grow that much when you're sitting here saying you have an issue right now on US 74 from</p>	Comment noted. A discussion of how the project study area was defined is included in the <i>Draft EIS</i> Section 2.3.1.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
			growth. It's not even 2 damn miles off the side of US 74 where I live and it runs parallel to it all the way through. If you guys really wanted to do this and make it work, why didn't you move...I'm not saying go to NC 218. That's ridiculous. We don't need to go all the way to the northern end of the county. But we could have move north of Lake Twitty and not messed with the watershed.	
S-216	John Swindell	2	You've got to put overpasses on it. You've got to fix some of the secondary roads around US 74 from all the growth, whether that's roundy rounds or whatever. But you really need to take a serious look. I know we're all complaining. We're all mad. This is \$1,000,000,000 that's killing us, but we really need to have a serious talk way before we got to this point. I've tried it several times and nobody listened to me. And now here we are saying that this thing is going to go on through anyway and I just feel that it is too close to US 74. You're going to cause a parallel nightmare in 20 years.	Comment noted. Vehicles along the Monroe Connector/Bypass predicted to operate at the 65 mph speed limit through 2035, even as traffic volumes increase since the roadway was designed to handle projected future traffic volumes.
S-217	Brian Schrader	1	I agree with just about everything that everybody has said on both sides. So, I can't say that I'm for or against, but just looking at the plan and being an engineer myself, I don't think this is the answer. I think a bypass is the answer, but I don't think this route makes a whole lot of sense. As the last gentleman here, it makes perfect sense to me that it needed to move further away from	Comment noted. See response to Document S-216, Comment #2.

Table A-2.6: Public Hearing Speakers

Doc No.	Commenter	Comment No.	Comment	Response
			US 74. Otherwise, all of the development that will happen around this bypass is going to choke the system down again. And 10 or 20 years from now, we're going to be sitting here doing the same thing all over again. So, I'm for a bypass. I just don't think this is the answer.	

APPENDIX A-3 RESOLUTIONS

Document Number	Resolution	Date	Page Number
R-001	Town of Mineral Springs	9/12/13	A3-1
R-002	Village of Marvin	11/12/13	A3-2
R-003	Town of Weddington	7/8/13	A3-3
R-004	Town of Hemby Bridge	6/27/13	A3-4
R-005	Union County Board of Commissioners	3/18/13	A3-5
R-006	City of Monroe	3/5/13	A3-5
R-007	Town of Stallings	3/11/13	A3-6
R-008	Town of Indian Trail	4/9/13	A3-7
R-009	Town of Marshville	3/4/13	A3-9
R-010	Monroe-Union County Economic Development Board of Advisors	3/21/13	A3-10
R-011	Executive Committee of the Board of Trustees of Wingate University	3/14/13	A3-11
R-012	Union County Board of Education	3/5/13	A3-13
R-013	Town of Stallings	3/24/14	A3-15

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TOWN OF MINERAL SPRINGS

RESOLUTION EXPRESSING SUPPORT FOR ALTERNATIVES TO CONSTRUCTION OF THE MONROE CONNECTOR/BYPASS

R-2013-04

WHEREAS, the North Carolina Department of Transportation ("NCDOT"), through its subsidiary agency the North Carolina Turnpike Authority ("NCTA"), has proposed to construct and operate a 19.7-mile toll highway in Union County known as the Monroe Connector/Bypass ("Bypass"); and

WHEREAS, all work on the Bypass project has been suspended as a result of a decision by the United States Court of Appeals for the Fourth Circuit on May 3, 2012 that found that NCDOT had "mischaracterized" major underlying assumptions in its final Environmental Impact Statement, had "provided the public with erroneous information", and was guilty of "falsely responding to public concerns"; and

WHEREAS, the Bypass was projected to cost \$797,369,452 as of 2010 based on a 2014 completion date, with that estimate continuing to increase; and

WHEREAS, the North Carolina General Assembly in 2008 authorized the appropriation of \$24 million per year in "gap funding" to pay debt service on the Bypass and has continued to reauthorize this appropriation in every subsequent budget cycle; and

WHEREAS, this \$24 million per year comes directly out of the North Carolina Highway Trust Fund, thereby making that money unavailable for other pressing road construction and maintenance projects; and

WHEREAS, North Carolina officials have repeatedly asserted that the state does not have enough road construction and maintenance money available to meet current needs; and

WHEREAS, the NCDOT "2040 Plan" released in August 2012 estimates that North Carolina will suffer a cumulative shortfall of \$60.08 billion dollars in transportation funding over the next 30 years; and

WHEREAS, NCDOT has repeatedly asserted that the Bypass was not planned with the idea to improve or address issues on US-74, and that it is not expected to significantly reduce travel times on US-74; and

WHEREAS, NCDOT has never completed a thorough "Origin-Destination" study to determine exactly what percentage of truck traffic on US-74 represents "through" traffic which might utilize the Bypass rather than local traffic which would not; and

WHEREAS, NCDOT's studies have found that the commercial trucking industry is "split" on whether commercial trucks would even be willing to pay a toll that is projected to exceed ten dollars for Class 3 multi-axle trucks to utilize the 19.7-mile bypass; and

WHEREAS, a study conducted for NCDOT in July 2007 by Stantec Consulting Services of Charlotte suggested improvements to US-74 at an estimated cost of \$13.2 million that would improve Level of Service at 22 out of 23 existing signalized intersections to above a "failing" grade; and

WHEREAS, other possible more elaborate improvements to US-74 above and beyond those suggested by Stantec, such as grade separations, additional lanes, service roads, and other changes that could still be implemented for less than the total cost of the proposed Bypass were never adequately considered by NCDOT; and

WHEREAS, the beneficial effects of improvements to other existing parallel routes near the US-74 corridor such as Old Charlotte Highway/Old Monroe Road and Secret Short Cut Road, and of construction of new parallel routes, such as the already-planned Monroe Road Loop, were never adequately considered by NCDOT; and

WHEREAS, it is the opinion of the Town Council of the Town of Mineral Springs that, in an era of shrinking transportation revenues and growing transportation needs throughout North Carolina, particularly in Union County, NCDOT should endeavor to spend those limited revenues in the most cost-effective manner possible and should commit to expediting those transportation projects that provide the greatest immediate benefit to the citizens of North Carolina;

NOW, THEREFORE, BE IT RESOLVED that the Mineral Springs Town Council hereby encourages the NCDOT to research, consider, and implement lower-cost alternatives to the Bypass that will provide more effective solutions to current traffic congestion problems on US-74 and that will conserve scarce state transportation dollars so that those dollars may be better utilized to improve and maintain the existing transportation system throughout Union County and the State of North Carolina.

ADOPTED, this the 12th day of September, 2013.



Fredrick Becker III

Fredrick Becker III, Mayor

Attest:

Vicky A. Brooks

Vicky A. Brooks, Town Clerk

A3-1



R-002

RS - 2013-11-01

A RESOLUTION EXPRESSING SUPPORT FOR ALTERNATIVES TO CONSTRUCTION OF THE MONROE CONNECTOR/BYPASS

WHEREAS, the North Carolina Department of Transportation (“NCDOT”), through its subsidiary agency the North Carolina Turnpike Authority (“NCTA”), has proposed to construct and operate a 19.7-mile toll highway in Union County known as the Monroe Connector/Bypass (“Bypass”); and

WHEREAS, all work on the Bypass project has been suspended as a result of a decision by the United States Court of Appeals for the Fourth Circuit on May 3, 2012 that found that NCDOT had “mischaracterized” major underlying assumptions in its final Environmental Impact Statement, had “provided the public with erroneous information”, and was guilty of “falsely responding to public concerns”; and

WHEREAS, the Bypass was projected to cost \$797,369,452 as of 2010 based on a 2014 completion date, with that estimate continuing to increase; and

WHEREAS, the North Carolina General Assembly in 2008 authorized the appropriation of \$24 million per year in “gap funding” to pay debt service on the Bypass and has continued to reauthorize this appropriation in every subsequent budget cycle; and

WHEREAS, this \$24 million per year comes directly out of the North Carolina Highway Trust Fund, thereby making that money unavailable for other pressing road construction and maintenance projects; and

WHEREAS, North Carolina officials have repeatedly asserted that the state does not have enough road construction and maintenance money available to meet current needs; and

WHEREAS, the NCDOT “2040 Plan” released in August 2012 estimates that North Carolina will suffer a cumulative shortfall of \$60.08 billion dollars in transportation funding over the next 30 years; and

WHEREAS, NCDOT has repeatedly asserted that the Bypass was not planned with the idea to improve or address issues on US-74, and that it is not expected to significantly reduce travel times on US-74; and

WHEREAS, NCDOT has never completed a thorough “Origin-Destination” study to determine exactly what percentage of truck traffic on US-74 represents “through” traffic which might utilize the Bypass rather than local traffic which would not; and

WHEREAS, NCDOT’s studies have found that the commercial trucking industry is “split” on whether commercial trucks would even be willing to pay a toll that is projected to exceed ten dollars for Class 3 multi-axle trucks to utilize the 19.7-mile bypass; and

WHEREAS, a study conducted for NCDOT in July 2007 by Stantec Consulting Services of Charlotte suggested improvements to US-74 at an estimated cost of \$13.2 million that would improve Level of Service at 22 out of 23 existing signalized intersections to above a “failing” grade; and

A3-2

WHEREAS, other possible more elaborate improvements to US-74 above and beyond those suggested by Stantec, such as grade separations, additional lanes, service roads, and other changes that could still be implemented for less than the total cost of the proposed Bypass were never adequately considered by NCDOT; and

WHEREAS, the beneficial effects of improvements to other existing parallel routes near the US-74 corridor such as Old Charlotte Highway/Old Monroe Road and Secrest Short Cut Road, and of construction of new parallel routes, such as the already-planned Monroe Road Loop, were never adequately considered by NCDOT; and

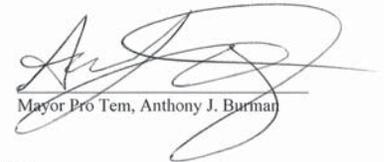
WHEREAS, the Sierra Club named the Monroe Bypass as one of the 50 worst projects in the United States in 2012; and,

WHEREAS, it is the opinion of the Village of Marvin Council that this project will cost taxpayers decades of unnecessary debt; and,

WHEREAS, it is the opinion of the Village of Marvin Council that, in an era of shrinking transportation revenues and growing transportation needs throughout North Carolina, particularly in Union County, NCDOT should endeavor to spend those limited revenues in the most cost-effective manner possible and should commit to expediting those transportation projects that provide the greatest immediate benefit to the citizens of North Carolina;

NOW, THEREFORE, BE IT RESOLVED that the Village of Marvin Council encourages the NCDOT to research, consider, and implement lower-cost alternatives to the Bypass that will provide more effective solutions to current traffic congestion problems on US-74 and that will conserve scarce state transportation dollars so that those dollars may be better utilized to improve and maintain the existing transportation system throughout Union County and the State of North Carolina.

This is the 12th day of November, 2013.


 Mayor Pro Tem, Anthony J. Burman

ATTEST:


 Village Clerk, Melody A. Graham





R-003

TOWN OF
WEDDINGTON

1924 Weddington Road • Weddington, North Carolina 28104

TOWN OF WEDDINGTON
RESOLUTION ACKNOWLEDGING SUPPORT FOR ALTERNATIVES
TO THE MONROE BYPASS
R-2013-06

WHEREAS, much of our transportation infrastructure is in deteriorating condition with more than 50% of Union County bridges and 31-40% of Mecklenburg bridges deficient; and

WHEREAS, the Monroe Bypass will not relieve congestion on US 74 according to reports from NCDOT; and

WHEREAS, the Monroe Bypass will not reduce significant travel time for commuters according to the Baker Study and only 8% of drivers would save more than one minute on the average commute time; and

WHEREAS, the NCDOT experts are hoping the Monroe Bypass will remove most truck traffic from US 74, but admit many truck drivers and commercial facilities are split on whether the bypass will be beneficial to them based on their location and use; and

WHEREAS, the Monroe Bypass will not create expected jobs and economic growth according to NCDOT projections of less than 1% growth; and

WHEREAS, the Baker Study concluded that growth in Union County is primarily attributed to available land, school quality, housing affordability, and acceptable commuting times not infrastructure; and

WHEREAS, the 2007 Stantec Study commissioned by NCDOT described effective ways to improve traffic flow on US 74 for a fraction of the cost including superstreet design, traffic signal optimization and service roads to maintain access to businesses; and

WHEREAS, the legislature has committed \$24 million annually from the Highway Trust Fund for the next 40 years to repay the bonds to be used for the project, thus, obligating future generations and further reducing our limited transportation dollars; and

WHEREAS, environmental concerns deal with the human environment, water quality and air quality; and

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WHEREAS, the Sierra Club named the Monroe Bypass as one of the 50 worst projects in the United States in 2012; and

WHEREAS, prudent decision makers should focus on the most expedient and cost effective solutions for transportation and consider improvements to existing roads which yield a higher cost benefit;

NOW, THEREFORE BE IT RESOLVED that the Weddington Town Council supports and encourages NCDOT to research and consider alternatives to the Monroe Bypass.

Adopted this 8th day of July, 2013.


Walker F. Davidson, Mayor

Attest:


Amy S. McCollum, Town Clerk

**TOWN OF HEMBY BRIDGE
UNION COUNTY, NORTH CAROLINA**

**RESOLUTION OF OPPOSITION TO THE CONSTRUCTION AND LOCATION OF THE
MONROE CONNECTOR BYPASS**

WHEREAS, the North Carolina Department of Transportation (hereinafter referred to as NCDOT) and the North Carolina Turnpike Authority (hereinafter referred to as NCTA) have proposed and continue to pursue the construction of a Highway Bypass within Union County, North Carolina currently identified as the "Monroe Connector Bypass" (hereinafter referred to as Bypass); and

WHEREAS, the current route set out for establishment of this highway has been met with legal challenges on various grounds that have resulted in legal opinions indicating that both Federal and State authorities failed to consider and disclose to the public potential impacts of the project as currently proposed; and

WHEREAS, the legal challenges to the proposed Bypass resulted in the withdrawal of necessary Federal approval for the project; and

WHEREAS, various public officials within our local and state governments have expressed critical opinions related to the Bypass or the NCTA; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that this project will cost taxpayers decades of unnecessary debt; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that this project will ultimately result in a financially bankruptcy; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that this project has not, will not and does not intend to properly and fairly assess or study the environmental impact of the Bypass upon the property and citizens of Hemby Bridge, Union County and the State of North Carolina; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that there are other viable alternatives or solutions to address any current or growing traffic congestion occurring on US Highway 74 in Union County; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that this project will in the most negative of ways impact the community of Hemby Bridge and its citizens; and

WHEREAS, it is upon the information and belief of the Board of Alderman of the Town of Hemby Bridge, North Carolina that the NCDOT is engaging in the acquisition of properties necessary for the construction of the Bypass and then, while awaiting construction to begin, renting those properties at rates that are far below fair market value; and

WHEREAS, it is the opinion of the Board of Alderman of the Town of Hemby Bridge, North Carolina that any such actions of the NCDOT regarding purchasing and subsequent rental of properties

A-3-4

in this manner serves to depress the economic market within the community resulting in widespread financial hardships for its property owners and citizens; and

WHEREAS, any such actions of the NCDOT could only be considered unfair and deceptive in nature for a variety of reasons and should, therefore, be immediately ceased; and

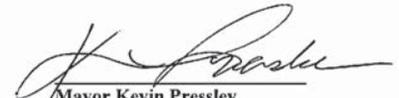
WHEREAS, Representative Dean Arp of the North Carolina House of Representatives has attempted to come to the aid of the citizens of the Hemby Bridge by calling for an investigation of these practices as evidenced by his letter dated May 21st, 2013 to Mr. Anthony Tata, Secretary of the NCDOT, a copy of which is attached hereto and incorporated by reference as if fully set out herein.

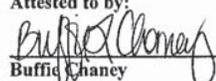
NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ALDERMAN OF HEMBY BRIDGE:

1. Strongly opposes the construction of the Monroe Connector Bypass;
2. Requests that the NCTA investigate legitimate alternative solutions to any traffic congestion issues associated with US Highway 74 to achieve a more sound financial approach to the solution of such problems and to less detrimentally impact the environment of the community and state.
3. This Resolution shall become effective upon adoption.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to make notifications of this action to appropriate State and Local Officials.

This Resolution adopted this 27 day of June, 2013.


Mayor Kevin Pressley
Town of Hemby Bridge

Attested to by:

Buffy Chaney
Town Clerk



RESOLUTION TO SUPPORT PROMPT ACTION FOR THE CONSTRUCTION OF THE MONROE BYPASS

THAT WHEREAS, Union County is one of the fastest growing counties in North Carolina and the United States, with a population projected to be 225,878 by the year 2016; and

WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long roadway from U.S. 74 at I-485 in eastern Mecklenburg County to U.S. 74 between the towns of Wingate and Marshville in Union County, allows for high-speed regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate System; and

WHEREAS, Union County is not served by a limited-access highway; and

WHEREAS, 49.8 percent of Union County commuters work outside of the county, and must spend a long time in order to commute short distances due to traffic congestion; and

WHEREAS, Union County currently has an 8.1 percent unemployment rate and must collect 85 percent of its property taxes from a residential tax base, and the Monroe Bypass will stimulate economic and commercial development; and

WHEREAS, public safety response times are negatively impacted due to traffic congestion, and the Monroe Bypass will ease congestion on U.S. Highway 74 and other routes; and

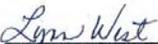
WHEREAS, U.S. Highway 74 is the main route between Charlotte and the North Carolina coast, and is accommodating a rapidly growing amount of commercial transportation to and from the Port of Wilmington; and

WHEREAS, despite years of planning, recent delays in the project have impeded many Union County residents from selling, improving or renovating their homes, properties or businesses.

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Commissioners supports the Monroe Connector-Bypass and hereby encourages state and federal officials to move promptly to begin construction.

Adopted this 18th day of March, 2013.

Attest:


Lynn West, Clerk to the Board
Union County Board of Commissioners


Jerry B. Simpson, Chairman
Union County Board of Commissioners



A3-5



CITY OF MONROE

P.O. BOX 69 • MONROE, NORTH CAROLINA 28111-0069
FAX 704-283-9098

**RESOLUTION SUPPORTING EXPEDITING
"MONROE BYPASS/CONNECTOR"
R-2013-07**

WHEREAS, the Monroe Connector/Bypass is a tolled highway which will extend from US Highway 74 near I-485 in southeastern Mecklenburg County eastward to US Highway 74 between the towns of Wingate and Marshville in Union County and is approximately 21 miles; and,

WHEREAS, the Monroe Connector/Bypass is considered the top road priority for Union County and the City of Monroe due to traffic congestion along US Highway 74; and,

WHEREAS, the project will improve mobility and capacity in the area by providing a new high speed route for regional travel and is viable to the long term economy of Union County and the City of Monroe; and,

WHEREAS, in the 1970's the North Carolina Department of Transportation developed a Thoroughfare Plan which was adopted by the City of Monroe in 1980 showing the Monroe Bypass as a route to address existing and future transportation needs within the area; and,

WHEREAS, the overall purpose of the Monroe Connector/Bypass project is to improve mobility and reduce traffic congestion along US Highway 74 and provide a facility for high-speed regional travel; and,

WHEREAS, As Union County has proved to be the fastest growing County in the State, and one of the fastest in the Country, the increase in populations has spawned development that caters to the growing needs of Union County residents; and,

WHEREAS, the City of Monroe's total population grew from 26,228 in the 2000 Census to 32,797, which is a 25% increase in population growth; and,

WHEREAS, the Monroe Connector/Bypass has been in the planning stages for thirty-three (33) years therefore the project is long overdue to relieve traffic congestion and improve mobility along US Highway 74; and,

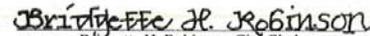
WHEREAS, the Monroe Connector/Bypass is viable to the economic success for the City of Monroe and Union County as a whole and necessary to improve the everyday traveling needs for Union County residents and provide a better quality of life where they live and work.

NOW, THEREFORE, BE IT RESOLVED THAT the Monroe City Council supports the Monroe Connector/Bypass for Union County and encourages state and federal officials to move quickly to begin the construction of the bypass.

Adopted this 5th day of March, 2013.

Attest:


Bobby G. Kilgore, Mayor


Bridgette H. Robinson, City Clerk

Resolution for in Support Of the Monroe Connector-Bypass for Union County

WHEREAS, Union County's population is expected to grow to 225,878 in 2016 – an increase of 24,000 residents over 2010; and

WHEREAS, Union County is one of fastest-growing areas in North Carolina and the country; and

WHEREAS, 50.2 percent of Union County commuters work inside the county while 49.8 percent of Union County commuters work outside of the county; and

WHEREAS, it takes Union County commuters an average of 29 minutes to get to work; and

WHEREAS, it takes one out of five Union County commuters more than 45 minutes to travel to work; and

WHEREAS, Union County is not served by a limited-access highway; and

WHEREAS, improving Union County's transportation infrastructure promotes employment opportunities; and

WHEREAS, according to the Bureau of Labor Statistics, North Carolina's unemployment rate was 9.2 percent in December 2012; and

WHEREAS, Union County's unemployment rate stood at 8.1 percent in December 2012; and

WHEREAS, with the value of residential property at 85 percent of the property tax base, Union County has a limited tax base, making the county highly dependent on property tax collections; and

WHEREAS, a 2010 Union County Chamber of Commerce study found expanding the county's commercial tax base from 15 percent to up to 30-40 percent by 2014 could reduce the need for personal property tax increases and/or reductions in county quality of life; and

WHEREAS, the Union County Chamber of Commerce has identified six major industries for location, growth, and expansion in Union County. The six industries consist of four in the manufacturing sector (Advanced Metals, Aerospace, Medical Products, and Building Products), and two in the retail and business services sectors (Retail E-Commerce and Data Center/Support Services); and

WHEREAS, higher education plays a critical role in promoting economic development; and

WHEREAS, Wingate University, located in Union County, is listed 6th among Best Value colleges and universities in the South based on quality and net cost according to the ranking of the nation's top schools in U.S. News & World Report's 2012 Best Colleges; and

WHEREAS, Wingate University is a fast growing higher education institution – growing 145 percent since 1992; and

WHEREAS, Wingate University serves 2,700 students; and

WHEREAS, Wingate University has a goal of growing its student population to 3,500 over the next few years; and

WHEREAS, Wingate University is conducting a \$75 million campaign to support scholarships, programs and new buildings; and

WHEREAS, providing a limited access highway would reduce commuter travel time to the University and encourage student population growth;

WHEREAS, having appropriate transportation infrastructure is important to promoting the health and well-being of Union County residents; and

WHEREAS, Union EMS treated and transported 12,345 patients in 2010-11; and

WHEREAS, the average emergency response time increased Union County between 2009-10 and 2010-11, going from 8.65 minutes to 9.08 minutes; and

WHEREAS, according to the American Heart Association, brain death and permanent death start to occur in 4–6 minutes after someone experiences cardiac arrest; and

WHEREAS, studies showing that a victim's chances of survival are reduced by 7–10 percent with every minute that passes without defibrillation and advanced life support intervention. Few attempts at resuscitation succeed after 10 minutes; and

WHEREAS, according to Union EMS, crowded highways are a significant reason for the increase in response times; and

WHEREAS, 60 percent of Union EMS transports went to CMC Union while 40 percent went out of county in 2010-11; and

WHEREAS, addressing transportation congestion would promote Union County's quality of life; and

WHEREAS, U.S. Highway 74 congestion has proved to be a long-term and growing issue; and

WHEREAS, the Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo; and

WHEREAS, U.S. 74 is the main route between Charlotte and Wilmington and many large commercial trucks use U.S. 74 through Union County to travel to and from the Port of Wilmington; and

WHEREAS, heavy usage by commercial vehicles causes damage to roadways; and

WHEREAS, area visitors use U.S. 74 as a route to the coast; and

WHEREAS, out-of-town commuters use the highway to travel across the county; and

WHEREAS, for the economic health of this community, we need a solution to congestion; and

WHEREAS, the Monroe Connector-Bypass project has been years in the planning stages; and

WHEREAS, Wingate University serves 2,700 students; and

WHEREAS, Wingate University has a goal of growing its student population to 3,500 over the next few years; and

WHEREAS, Wingate University is conducting a \$75 million campaign to support scholarships, programs and new buildings; and

WHEREAS, providing a limited access highway would reduce commuter travel time to the University and encourage student population growth;

WHEREAS, having appropriate transportation infrastructure is important to promoting the health and well-being of Union County residents; and

WHEREAS, Union EMS treated and transported 12,345 patients in 2010-11; and

WHEREAS, the average emergency response time increased Union County between 2009-10 and 2010-11, going from 8.65 minutes to 9.08 minutes; and

WHEREAS, according to the American Heart Association, brain death and permanent death start to occur in 4-6 minutes after someone experiences cardiac arrest; and

WHEREAS, studies showing that a victim's chances of survival are reduced by 7-10 percent with every minute that passes without defibrillation and advanced life support intervention. Few attempts at resuscitation succeed after 10 minutes; and

WHEREAS, according to Union EMS, crowded highways are a significant reason for the increase in response times; and

WHEREAS, 60 percent of Union EMS transports went to CMC Union while 40 percent went out of county in 2010-11; and

WHEREAS, addressing transportation congestion would promote Union County's quality of life; and

WHEREAS, U.S. Highway 74 congestion has proved to be a long-term and growing issue; and

WHEREAS, the Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo; and

WHEREAS, U.S. 74 is the main route between Charlotte and Wilmington and many large commercial trucks use U.S. 74 through Union County to travel to and from the Port of Wilmington; and

WHEREAS, heavy usage by commercial vehicles causes damage to roadways; and

WHEREAS, area visitors use U.S. 74 as a route to the coast; and

WHEREAS, out-of-town commuters use the highway to travel across the county; and

WHEREAS, for the economic health of this community, we need a solution to congestion; and

WHEREAS, the Monroe Connector-Bypass project has been years in the planning stages; and

WHEREAS, many due to delays in the project, many Union County residents are not able to sell or renovate their homes, properties or businesses; and

WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long new location roadway from U.S. 74 at I-485 in eastern Mecklenburg County to U.S. 74 between the towns of Wingate and Marshville in Union County, has been proposed; and

WHEREAS, the Monroe Connector-Bypass will improve mobility and capacity within the area by providing a facility for the U.S. 74 corridor that allows for high-speed regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate System, while maintaining access to properties along existing U.S. 74; and

WHEREAS, the Monroe Connector-Bypass would provide commuters with another transportation choice that could save them 20 to 50 minutes of drive time; and

WHEREAS, according to a study by Texas A&M University, traffic congestion puts 56 billion pounds of additional carbon dioxide -- about 380 pounds per auto commuter -- into the air; and

WHEREAS, building the Monroe Connector-Bypass would free up the traffic congestion for local residents to shop, entertain, etc; and

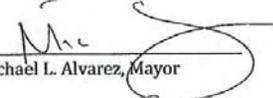
WHEREAS, the Monroe Connector-Bypass would also support and promote already-existing local businesses along U.S. 74; and

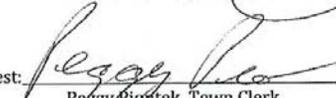
WHEREAS, the Monroe Connector-Bypass project will create hundreds of jobs in our community, establish a limited-access highway in Union County, and improve transportation and the quality of life in Union County; therefore, be it

RESOLVED, that the Town of Indian Trail supports the Monroe Connector-Bypass for Union County and encourages state and federal officials to move quickly to begin the construction of the bypass.

Adopted this 9th day of April 2013



APPROVED: 
Michael L. Alvarez, Mayor

Attest: 
Peggy Piantek, Town Clerk

**RESOLUTION OF THE MARSHVILLE TOWN COUNCIL
IN SUPPORT OF THE MONROE CONNECTOR-BYPASS &
REQUEST TO EXPEDITE PROJECT CONSTRUCTION**

WHEREAS, Union County's population is expected to grow to 225,878 in 2016 – an increase of 24,000 residents over 2010; and

WHEREAS, Union County is one of fastest-growing areas in North Carolina and the country; and

WHEREAS, 50.2 percent of Union County commuters work inside the county while 49.8 percent of Union County commuters work outside of the county; and

WHEREAS, it takes Union County commuters an average of 29 minutes to get to work; and

WHEREAS, it takes one out of five Union County commuters more than 45 minutes to travel to work; and

WHEREAS, Union County is not served by a limited-access highway; and

WHEREAS, improving Union County's transportation infrastructure promotes employment opportunities; and

WHEREAS, According to the Bureau of Labor Statistics, North Carolina's unemployment rate was 9.2 percent in December 2012; and

WHEREAS, Union County's unemployment rate stood at 8.1 percent in December 2012; and

WHEREAS, with the value of residential property at 85 percent of the property tax base, Union County has a limited tax base, making the county highly dependent on property tax collections; and

WHEREAS, a 2010 Union County Chamber of Commerce study found expanding the county's commercial tax base from 15 percent to up to 30-40 percent by 2014 could reduce the need for personal property tax increases and/or reductions in county quality of life; and

WHEREAS, the Union County Chamber of Commerce has identified six major industries for location, growth, and expansion in Union County. The six industries consist of four in the manufacturing sector (Advanced Metals, Aerospace, Medical Products, and Building Products), and two in the retail and business services sectors (Retail E-Commerce and Data Center/Support Services); and

WHEREAS, higher education plays a critical role in promoting economic development; and

WHEREAS, Wingate University, located in Union County, is listed 6th among Best Value colleges and universities in the South based on quality and net cost according to the ranking of the nation's top schools in U.S. News & World Report's 2012 Best Colleges; and

WHEREAS, Wingate University is a fast growing higher education institution – growing 145 percent since 1992; and serves 2,700 students; and has a goal of growing its student population to 3,500 over the next few years; and

WHEREAS, Wingate University is conducting a \$75 million campaign to support scholarships, programs and new buildings; and

WHEREAS, providing a limited access highway would reduce commuter travel time to the University and encourage student population growth;

WHEREAS, having appropriate transportation infrastructure is important to promoting the health and well-being of Union County residents; and

WHEREAS, Union EMS treated and transported 12,345 patients in 2010-11; and

WHEREAS, the average emergency response time increased Union County between 2009-10 and 2010-11, going from 8.65 minutes to 9.08 minutes; and

WHEREAS, according to the American Heart Association, brain death and permanent death start to occur in 4–6 minutes after someone experiences cardiac arrest; and

WHEREAS, studies showing that a victim's chances of survival are reduced by 7–10 percent with every minute that passes without defibrillation and advanced life support intervention. Few attempts at resuscitation succeed after 10 minutes; and

WHEREAS, according to Union EMS, crowded highways are a significant reason for the increase in response times; and

WHEREAS, 60 percent of Union EMS transports went to CMC Union while 40 percent went out of county in 2010-11; and

WHEREAS, addressing transportation congestion would promote Union County's quality of life; and

WHEREAS, U.S. Highway 74 congestion has proved to be a long-term and growing issue; and

WHEREAS, the Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo; and

WHEREAS, U.S. 74 is the main route between Charlotte and Wilmington and many large commercial trucks use U.S. 74 through Union County to travel to and from the Port of Wilmington; and

WHEREAS, heavy usage by commercial vehicles causes damage to roadways; and

WHEREAS, area visitors use U.S. 74 as a route to the coast; and

WHEREAS, out-of-town commuters use the highway to travel across the county; and

WHEREAS, for the economic health of this community, we need a solution to congestion; and

WHEREAS, the Monroe Connector-Bypass project has been years in the planning stages; and

WHEREAS, many due to delays in the project, many Union County residents are not able to sell or renovate their homes, properties or businesses; and

WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long new location roadway from U.S. 74 at I-485 in eastern Mecklenburg County to U.S. 74 between the towns of Wingate and Marshville in Union County, has been proposed; and

RESOLUTION TO SUPPORT EXPEDITING THE CONSTRUCTION OF THE MONROE CONNECTOR-BYPASS

WHEREAS, the Monroe Connector-Bypass will improve mobility and capacity within the area by providing a facility for the U.S. 74 corridor that allows for high-speed regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate System, while maintaining access to properties along existing U.S. 74; and

WHEREAS, the Monroe Connector-Bypass would provide commuters with another transportation choice that could save them 20 to 50 minutes of drive time; and

WHEREAS, according to a study by Texas A&M University, traffic congestion puts 56 billion pounds of additional carbon dioxide – about 380 pounds per auto commuter – into the air; and

WHEREAS, building the Monroe Connector-Bypass would free up the traffic congestion for local residents to shop, entertain, etc; and

WHEREAS, the Monroe Connector-Bypass would also support and promote already-existing local businesses along U.S. 74; and

WHEREAS, the Monroe Connector-Bypass project will create hundreds of jobs in our community, establish a limited-access highway in Union County, and improve transportation and the quality of life in Union County; therefore, be it

NOW, THEREFORE, be it resolved by the Town Council of Marshville, North Carolina that the community supports the Monroe Connector-Bypass for Union County and encourages state and federal officials to move quickly to begin the construction of the bypass.

Approved and adopted by the Marshville Town Council this the 4th day of March, 2013.

By: Franklin Deese, Mayor

Attest: Tonya Johnson, Town Clerk

Approved as to form:

Bobby H. Griffin, Town Attorney



WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long roadway from US 74 at I-485 in eastern Mecklenburg County to US 74 between the towns of Wingate and Marshville in Union County, allowing efficient regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate Systems; and,

WHEREAS, Union County is not served by a limited-access highway; and,

WHEREAS, in the 1970's the North Carolina Department of Transportation developed a Thoroughfare Plan showing the Monroe Connector-Bypass as a route to address existing and future transportation needs within the Charlotte Region; and,

WHEREAS, the Monroe Connector-Bypass has been in the planning stages for over thirty (30) years; and,

WHEREAS, the overall purpose of the Monroe Connector-Bypass is to improve mobility and public safety, by reducing traffic congestion along US 74; and,

WHEREAS, US 74 is the main route between Charlotte and I-95 and the Port of Wilmington, providing commerce, jobs and economic stability for a significant portion of the State of North Carolina; and,

WHEREAS, today "tractor-trailer" vehicles exceed 20% of the traffic composition on US 74 in Union County; and,

WHEREAS, the Monroe Connector-Bypass is long overdue to relieve traffic congestion and improve mobility contributing to significant air emissions and the inefficient use of non-renewable resources; and,

WHEREAS, the environment, the public safety, and the overall quality of life of the Charlotte Region, Union County and its municipalities are being negatively impacted by the delays of the construction of this vital roadway; and,

WHEREAS, Union County residents and businesses have experienced financial hardship as a result of the delays of the construction of this vital roadway; and,

WHEREAS, the Monroe Connector-Bypass is vital to the economic success for our local municipalities, Union County and the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Monroe-Union County Economic Development Board of Advisors supports the Monroe Connector-Bypass and hereby encourages state and federal officials to move promptly to begin construction of this vital roadway.

Adopted this 21st day of March, 2013.

Clark Goodwin
Clark Goodwin, Chairman
Monroe-Union County Economic Development Board of Advisors

A3-10

**RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE BOARD OF TRUSTEES
OF WINGATE UNIVERISTY RELATING TO THE REQUEST OF
THE UNION COUNTY CHAMBER OF COMMERCE TO SUPPORT EXPEDITING
THE CONSTRUCTION OF THE MONROE BYPASS**

WHEREAS, Union County’s population is expected to grow to 225,878 in 2016 – an increase of 24,000 residents over 2010; and

WHEREAS, Union County is one of fastest-growing areas in North Carolina and the country; and

WHEREAS, 50.2 percent of Union County commuters work inside the county while 49.8 percent of Union County commuters work outside of the county; and

WHEREAS, it takes Union County commuters an average of 29 minutes to get to work; and

WHEREAS, it takes one out of five Union County commuters more than 45 minutes to travel to work; and

WHEREAS, Union County is not served by a limited-access highway; and

WHEREAS, improving Union County’s transportation infrastructure promotes employment opportunities; and

WHEREAS, According to the Bureau of Labor Statistics, North Carolina’s unemployment rate was 9.2 percent in December 2012; and

WHEREAS, Union County’s unemployment rate stood at 8.1 percent in December 2012; and

WHEREAS, with the value of residential property at 85 percent of the property tax base, Union County has a limited tax base, making the county highly dependent on property tax collections; and

WHEREAS, a 2010 Union County Chamber of Commerce study found expanding the county’s commercial tax base from 15 percent to up to 30-40 percent by 2014 could reduce the need for personal property tax increases and/or reductions in county quality of life; and

WHEREAS, the Union County Chamber of Commerce has identified six major industries for location, growth, and expansion in Union County. The six industries consist of four in the manufacturing sector (Advanced Metals, Aerospace, Medical Products, and Building Products), and two in the retail and business services sectors (Retail E-Commerce and Data Center/Support Services); and

WHEREAS, higher education plays a critical role in promoting economic development; and

WHEREAS, Wingate University, located in Union County, is listed 6th among Best Value colleges and universities in the South based on quality and net cost according to the rankings of the nation’s top schools in U.S. News & World Report’s 2013 Best Colleges; and

WHEREAS, Wingate University is a fast growing higher education institution – growing 145 percent since 1992; and

WHEREAS, Wingate University serves nearly 2,700 students; and

WHEREAS, Wingate University has a goal of growing its student population to 3,000 in the very near future; and

WHEREAS, Wingate University is conducting a \$100 million campaign to support scholarships, programs and new buildings; and

WHEREAS, providing a limited access highway would reduce commuter travel time to and from the University and encourage student population growth;

WHEREAS, having appropriate transportation infrastructure is important to promoting the health and well-being of Union County residents; and

WHEREAS, Union EMS treated and transported 12,345 patients in 2010-11; and

WHEREAS, the average emergency response time increased Union County between 2009-10 and 2010-11, going from 8.65 minutes to 9.08 minutes; and

WHEREAS, according to the American Heart Association, brain death and permanent death start to occur in 4–6 minutes after someone experiences cardiac arrest; and

A3-11

A3-12

WHEREAS, studies showing that a victim's chances of survival are reduced by 7-10 percent with every minute that passes without defibrillation and advanced life support intervention. Few attempts at resuscitation succeed after 10 minutes; and

WHEREAS, according to Union EMS, crowded highways are a significant reason for the increase in response times; and

WHEREAS, 60 percent of Union EMS transports went to CMC Union while 40 percent went out of county in 2010-11; and

WHEREAS, addressing transportation congestion would promote Union County's quality of life; and

WHEREAS, U.S. Highway 74 congestion has proved to be a long-term and growing issue; and

WHEREAS, the Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo; and

WHEREAS, U.S. 74 is the main route between Charlotte and Wilmington and many large commercial trucks use U.S. 74 through Union County to travel to and from the Port of Wilmington; and

WHEREAS, heavy usage by commercial vehicles causes damage to roadways; and

WHEREAS, area visitors use U.S. 74 as a route to the coast; and

WHEREAS, out-of-town commuters use the highway to travel across the county; and

WHEREAS, for the economic health of this community, we need a solution to congestion; and

WHEREAS, the Monroe Connector-Bypass project has been years in the planning stages; and

WHEREAS, many due to delays in the project, many Union County residents are not able to sell or renovate their homes, properties or businesses; and

WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long new location roadway from U.S. 74 at I-485 in eastern Mecklenburg County to U.S. 74 between the towns of Wingate and Marshville in Union County, has been proposed; and

WHEREAS, the Monroe Connector-Bypass will improve mobility and capacity within the area by providing a facility for the U.S. 74 corridor that allows for high-speed regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate System, while maintaining access to properties along existing U.S. 74; and

WHEREAS, the Monroe Connector-Bypass would provide commuters with another transportation choice that could save them 20 to 50 minutes of drive time; and

WHEREAS, according to a study by Texas A&M University, traffic congestion puts 56 billion pounds of additional carbon dioxide – about 380 pounds per auto commuter – into the air; and

WHEREAS, building the Monroe Connector-Bypass would free up the traffic congestion for local residents to shop, entertain, etc; and

WHEREAS, the Monroe Connector-Bypass would also support and promote already-existing local businesses along U.S. 74; and

WHEREAS, the Monroe Connector-Bypass project will create hundreds of jobs in our community, establish a limited-access highway in Union County, and improve transportation and the quality of life in Union County; therefore, be it

BE IT RESOLVED, on this 14th day of March, 2013 by the Executive Committee of the Board of Trustees of Wingate University that we support the Monroe Connector-Bypass for Union County and encourage state and federal officials to move quickly to begin the construction of the bypass.


Assistant Secretary, Mrs. Elona Edwards

RESOLUTION OF THE UNION COUNTY BOARD OF EDUCATION
IN SUPPORT OF THE MONROE CONNECTOR-BYPASS FOR UNION COUNTY

WHEREAS, Union County's population is expected to grow to 225,878 in 2016 – an increase of 24,000 residents over 2010; and

WHEREAS, Union County is one of fastest-growing areas in North Carolina and the country; and

WHEREAS, 50.2 percent of Union County commuters work inside the county while 49.8 percent of Union County commuters work outside of the county; and

WHEREAS, it takes Union County commuters an average of 29 minutes to get to work; and

WHEREAS, it takes one out of five Union County commuters more than 45 minutes to travel to work; and

WHEREAS, Union County is not served by a limited-access highway; and

WHEREAS, improving Union County's transportation infrastructure promotes employment opportunities; and

WHEREAS, According to the Bureau of Labor Statistics, North Carolina's unemployment rate was 9.2 percent in December 2012; and

WHEREAS, Union County's unemployment rate stood at 8.1 percent in December 2012; and

WHEREAS, with the value of residential property at 85 percent of the property tax base, Union County has a limited tax base, making the county highly dependent on property tax collections; and

WHEREAS, a 2010 Union County Chamber of Commerce study found expanding the county's commercial tax base from 15 percent to up to 30-40 percent by 2014 could reduce the need for personal property tax increases and/or reductions in county quality of life; and

WHEREAS, the Union County Chamber of Commerce has identified six major industries for location, growth, and expansion in Union County. The six industries consist of four in the manufacturing sector (Advanced Metals, Aerospace, Medical Products, and Building Products), and two in the retail and business services sectors (Retail E-Commerce and Data Center/Support Services); and

WHEREAS, higher education plays a critical role in promoting economic development; and

WHEREAS, Wingate University, located in Union County, is listed 6th among Best Value colleges and universities in the South based on quality and net cost according to the ranking of the nation's top schools in U.S. News & World Report's 2012 Best Colleges; and

WHEREAS, Wingate University is a fast growing higher education institution – growing 145 percent since 1992; and

WHEREAS, Wingate University serves 2,700 students; and

WHEREAS, Wingate University has a goal of growing its student population to 3,500 over the next few years; and

WHEREAS, Wingate University is conducting a \$75 million campaign to support scholarships, programs and new buildings; and

WHEREAS, providing a limited access highway would reduce commuter travel time to the University and encourage student population growth;

WHEREAS, having appropriate transportation infrastructure is important to promoting the health and well-being of Union County residents; and

WHEREAS, Union EMS treated and transported 12,345 patients in 2010-11; and

WHEREAS, the average emergency response time increased Union County between 2009-10 and 2010-11, going from 8.65 minutes to 9.08 minutes; and

WHEREAS, according to the American Heart Association, brain death and permanent death start to occur in 4-6 minutes after someone experiences cardiac arrest; and

WHEREAS, studies showing that a victim's chances of survival are reduced by 7-10 percent with every minute that passes without defibrillation and advanced life support intervention. Few attempts at resuscitation succeed after 10 minutes; and

WHEREAS, according to Union EMS, crowded highways are a significant reason for the increase in response times; and

WHEREAS, 60 percent of Union EMS transports went to CMC Union while 40 percent went out of county in 2010-11; and

WHEREAS, addressing transportation congestion would promote Union County's quality of life; and

WHEREAS, U.S. Highway 74 congestion has proved to be a long-term and growing issue; and

A3-13

A3-14

WHEREAS, the Port of Wilmington is one of the few South Atlantic ports with readily available berths and storage areas for containers and cargo; and

WHEREAS, U.S. 74 is the main route between Charlotte and Wilmington and many large commercial trucks use U.S. 74 through Union County to travel to and from the Port of Wilmington; and

WHEREAS, heavy usage by commercial vehicles causes damage to roadways; and

WHEREAS, area visitors use U.S. 74 as a route to the coast; and

WHEREAS, out-of-town commuters use the highway to travel across the county; and

WHEREAS, for the economic health of this community, we need a solution to congestion; and

WHEREAS, the Monroe Connector-Bypass project has been years in the planning stages; and

WHEREAS, many due to delays in the project, many Union County residents are not able to sell or renovate their homes, properties or businesses; and

WHEREAS, the Monroe Connector-Bypass project, a 19.7-mile long new location roadway from U.S. 74 at I-485 in eastern Mecklenburg County to U.S. 74 between the towns of Wingate and Marshville in Union County, has been proposed; and

WHEREAS, the Monroe Connector-Bypass will improve mobility and capacity within the area by providing a facility for the U.S. 74 corridor that allows for high-speed regional travel consistent with the designations of the North Carolina Strategic Highway Corridor program and the North Carolina Intrastate System, while maintaining access to properties along existing U.S. 74; and

WHEREAS, the Monroe Connector-Bypass would provide commuters with another transportation choice that could save them 20 to 50 minutes of drive time; and

WHEREAS, according to a study by Texas A&M University, traffic congestion puts 56 billion pounds of additional carbon dioxide - about 380 pounds per auto commuter - into the air; and

WHEREAS, building the Monroe Connector-Bypass would free up the traffic congestion for local residents to shop, entertain, etc; and

WHEREAS, the Monroe Connector-Bypass would also support and promote already-existing local businesses along U.S. 74; and

WHEREAS, the Monroe Connector-Bypass project will create hundreds of jobs in our community, establish a limited-access highway in Union County, and improve transportation and the quality of life in Union County; therefore, be it

NOW, THEREFORE, IT IS HEREBY RESOLVED:

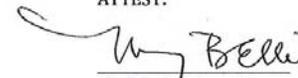
The Union County Board of Education, for the reasons stated herein, supports the Monroe Connector-Bypass for Union County and encourages state and federal officials to move quickly to begin the construction of the bypass.

This the 5th day of March, 2013.

UNION COUNTY BOARD OF EDUCATION

By  CHAIRPERSON

ATTEST:


Clerk to the Board

Town of Stallings

Resolution Opposing the Monroe Bypass Project

Whereas, the North Carolina Department of Transportation (hereinafter referred to as NCDOT) and the North Carolina Turnpike Authority (hereinafter referred to as NCTA) have proposed and continue to pursue construction of the Monroe Bypass, hereinafter referred to as the Bypass, in Union County, NC; and ¹

Whereas, in May, 2012 the United States Court of Appeals ruled unanimously that NCDOT misled the public in its original Environmental Impact Study (EIS) of the Bypass.² A year and a half later NCDOT finished its renewed analysis and presented a “Draft Supplemental Final Environmental Impact Statement” (hereinafter referred to as Supplemental EIS) to the public; and

Whereas, the Supplemental EIS contains many of the errors embedded in its previous EIS, and includes information demonstrating that the Bypass is the wrong solution for Union County; and³

Whereas, the Supplemental EIS shows that the Bypass will not improve congestion on U. S. 74; and⁴

Whereas, the Supplemental EIS estimates that constructing the Bypass will save drivers only 8-12 minutes at most; and⁵

Whereas, NCDOT states that it would not be in favor of changes to U. S. 74 that would have a competing interest with the Bypass; meaning that local roads may stay congested to drive up toll revenue; and⁶

Whereas, NCDOT has maintained that the Bypass is neither intended nor expected to much improve current rates of congestion on U. S. 74; and ⁷

Whereas, more elaborate improvements to US 74 other than those suggested by Stantec, such as grade separations, additional lanes, service roads, superstreets and other changes that may still be implemented to significantly reduce overall traffic delays; and⁸

¹ Baker Engineering Presentation

² Hartgen Study-Monroe Bypass EIS Summary

³ Monroe Bypass- Supplemental EIS Fact Sheet- (12-9-13)

⁴ Id

⁵ Monroe Bypass-Supplemental EIS Fact Sheet-(12-9-13)

⁶ Id

⁷ US 74 Revitalization Study meeting notes Jan. 18, 2011, p.3, on file at SELC.

⁸ SDEIS-Appendix B-response to comments on the draft EIS.

Whereas, the Supplemental EIS does not reconsider any targeted, less expensive alternatives in building the Bypass that could actually improve congestion on U.S. 74, even though NCDOT’s most recent traffic data shows significant congestion improvements resulting from low cost, small scale traffic fixes like coordinating traffic signals, upgrading intersections, and improving parallel routes, such as along Old Charlotte Hwy/Old Monroe Rd, Secrest Short Cut Rd, and the Monroe Road Loop, which could make significant strides towards lessening congestion on U. S. 74; and⁹

Whereas, on July 23, 2013 the Southern Environmental Law Center released a study by O’Connell and Lawrence, Inc., (hereafter referred to as OCL) an engineering firm. The OCL study raised concerns and uncovered significant holes in NCDOT’s traffic studies. For example, the department failed to examine who exactly is using the US 74 corridor, making it impossible to tell who would use the proposed bypass in the future. To address NCDOT’s failure, the OCL report examined a suite of low cost, low impact solutions that would improve traffic flow on US 74 for local drivers; and¹⁰

Whereas, the Hartgen Group’s review of the Supplemental EIS for the Bypass stated that the Purpose and Need for the Bypass appears to be written narrowly so that only alternatives on new alignment satisfy the stated Need and Purpose; and ¹¹

Whereas, the traffic forecasts presented in the Supplemental EIS are too uncertain and insufficiently supported to be the basis for decision making regarding the Bypass; and¹²

Whereas, the alternatives considered in the the Supplemental EIS appear to be inappropriately biased against upgrades to U. S. 74; and¹³

Whereas, existing U.S. 74 is designated as a Strategic Highway Corridor by the NCDOT, a special status which affords the roadway a prioritized avenue for access to funding for improvements; and¹⁴

Whereas, construction of the Bypass will remove the “Strategic Highway Corridor” designation from U.S.74; and¹⁵

Whereas, removing U.S. 74’s Strategic Highway Corridor designation may have disastrous impact on U.S. 74’s eligibility for funding for improvements; and¹⁶

⁹ Monroe Bypass Supplemental EIS Fact Sheet (12-9-13)

¹⁰ O’Connell & Lawrence, Inc. SELC commissioned report-“A Closer Look At US 74: Challenges & Opportunities”

¹¹ David T. Hartgen-“Review of Traffic Forecasting-Monroe Connector/Bypass DSFEIS-Nov. 2013

¹² Id

¹³ David T. Hartgen-“Review of Traffic Forecasting-Monroe/Connector Bypass DSFEIS-Nov. 2013

¹⁴ North Carolina General Statute 136-178

¹⁵ See e.g., NCDOT, Strategic Highway Corridor Planning and Design

Whereas, NCDOT has neither studied nor otherwise addressed this issue of losing strategic highway corridor designation; and¹⁷

Whereas, NC Gov. Pat McCrory's 2013-14 fiscal year budget predicted that fuel tax collections will begin a steady decline from a peak of \$1.84 billion in 2013-14 to \$1.75 billion in 2014-15; and¹⁸

Whereas, decreasing tax revenue will create extreme demand and competition for funding for local and regional highway projects, and

Whereas, the presentation of unclear information to other agencies and to the public by NCDOT/NCTA has left many Union County citizens confused and misinformed about the impact of the Monroe Bypass; and

Whereas, the Town of Stallings has reached the conclusion that the preponderance of evidence in opposition to the Bypass compels the committee members to take a stand opposing the bypass; and

Now, Therefore, be it resolved that the Town of Stallings acknowledges that it does not support the Monroe Bypass Project; and requests the North Carolina Department of Transportation to listen to the concerns and desires of the citizens of the Town of Stallings and Union County; and seriously consider studying other transportation alternatives to the Monroe Bypass to alleviate congestion and address safety concerns on U.S. 74.

Adopted this the 24th day of March, 2014.

s/ Wyatt Dunn

Wyatt Dunn, Mayor

Attest:

s/ Lynell Hillhouse

Lynell Hillhouse, Interim Town Clerk

Approved as to form:

s/ Perry, Bundy, Plyler, Long, & Cox, LLP

Perry, Bundy, Plyler, Long, & Cox, LLP

¹⁶ US-74 Corridor Revitalization Study Stakeholder Interviews, Transportation Meeting Notes at 2 (Jan. 18, 2012) Attachment 4.

¹⁷ Id.

¹⁸ <http://www.newsobserver.com/2013/03/20/2766876/falling-gas-tax-collections-mean.html>