P. PREFACE

This Preface provides background on the National Environmental Policy Act, explains how the Draft Environmental Impact Statement (Draft EIS) will be used in the decisions made about the project, and describes the organization of this Draft EIS.

P.1 NATIONAL ENVIRONMENTAL POLICY ACT

P.1.1 REGULATIONS AND GUIDANCE

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

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

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

To address the NEPA responsibilities established by CEQ, the FHWA issued regulations in *Environmental Impact and Related Procedures* (23 CFR Part 771). The FHWA guidance complementing the regulations was issued in the form of a Technical Advisory (T 66430.8A) titled *Guidance for Preparing and Processing Environmental and Section 4(f) Documents*. The Technical Advisory provides detailed information on the contents and processing of environmental documents. Additional guidance and information on the FHWA NEPA process and other environmental requirements are found in the *Environmental Guidebook* (FHWA Web site: http://environment.fhwa.dot.gov/guidebook/index.asp).

The proposed Monroe Connector/Bypass will involve federal actions and funding, so it is subject to NEPA. The lead federal agency is the FHWA. The North Carolina Turnpike Authority (NCTA) and the North Carolina Department of Transportation (NCDOT) are joint lead state agencies sponsoring the project. The US Army Corps of Engineers (USACE) is a cooperating agency because of anticipated Section 404 permit requirements.

P.1.2 DOCUMENTATION

The following is from the FHWA Web site: http://environment.fhwa.dot.gov/projdev/pd4document.asp.

> "Documentation (along with dissemination) is an essential component of the NEPA project development process, which supports and complements public involvement and interagency coordination. Documenting the NEPA process provides for complete disclosure to the public; allows others an opportunity to provide input and comment on proposals, alternatives, and environmental impacts; and provides the appropriate information for the decision-maker to make a reasoned choice among alternatives.
>
> Transportation projects vary in type, size and complexity, and potential to affect the environment. To account for the variability of project impacts, there are three basic "classes of action" that determine how compliance with NEPA is carried out and documented: Environmental Impact Statement, Environmental Assessment, and Categorical Exclusion."

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

P.2 HOW THIS DRAFT EIS WILL BE USED

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

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

P.3 ORGANIZATION OF THIS DRAFT EIS

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

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

The Draft EIS also includes appendices that are referenced throughout the document, and are available with the document. The Draft EIS, graphics, and appendices are available for download on the NCTA Web site (www.ncturnpike.org). The supporting documentation listed in **Section 12** is comprised of technical memoranda and reports incorporated by reference to the Draft EIS. These are available for review upon request, with most also available on the NCTA Web site.

P.4 HISTORY OF PROJECT

NCDOT previously studied two projects in this area—the Monroe Bypass (STIP Project R-2559) and the Monroe Connector (STIP Project R-3329). They are now being advanced by NCTA as a single project, which is the subject of this Draft EIS.

P.4.1 PREVIOUS STUDIES OF MONROE BYPASS

The Monroe Bypass project was the first of the two projects studied by NCDOT. The western terminus of this project was US 74 near Rocky River Road (SR 1514). From there, the project extended east around the north side of Monroe, and connected to US 74 between the towns of Wingate and Marshville.

NCDOT completed the original planning and environmental process for the Monroe Bypass in 1997. The process included an Environmental Assessment (EA) issued on March 14, 1996, and a Finding of No Significant Impact (FONSI) issued on June 20, 1997, in accordance with NEPA. The process resulted in selection of a Preferred Alternative. **Figure P-1** shows the previous Monroe Bypass DSAs and the Preferred Alternative that was approved in the 1997 FONSI.

For right-of-way acquisition and construction purposes, the Monroe Bypass project was divided into three sections (**Figure P-1**):

- Section A from US 74 near Rocky River Road (SR 1514) east to US 601
- Section B from US 601 to just east of Walkup Avenue (SR 1751)
- Section C from just east of Walkup Avenue and connecting with US 74 west of Marshville

In May 1997, a Public Hearing was held to present final designs for Sections B and C. It was determined that Section A would be replaced by NCDOT's Monroe Connector project; therefore, Section A was temporarily suspended at that time while feasibility studies for the Monroe Connector were initiated by NCDOT. In 2000 and 2001, right of way was purchased for Sections B and C. However, during the environmental permitting process (prior to construction), issues arose regarding the federally endangered Carolina heelsplitter mussel, and construction was postponed.

P.4.2 PREVIOUS STUDIES OF MONROE CONNECTOR

NCDOT began the planning process for the Monroe Connector in 1999. As the name suggests, the Monroe Connector was intended to "connect" the Monroe Bypass (Sections B and C) from US 601 west to I-485. **Figure P-2** shows the Preliminary Study Corridors and DSAs for NCDOT's Monroe Connector study. A Draft EIS for the Monroe Connector was issued on October 17, 2003, and released for review and comment by the public and environmental resource and regulatory agencies in November 2003. A Public Hearing was not held following completion of the Draft EIS.

The 2003 Draft EIS was rescinded on January 30, 2006, by notice in the Federal Register (Vol. 71, No. 19, page 4958). The notice stated: "*Based on the comments received from various Federal and state agencies and the public and a recent decision to change the eastern terminus of the project from US 601 to the proposed Monroe Bypass, the FHWA and NCDOT have agreed not to prepare a Final EIS for the proposed US 74 improvements from I-485 to US 601. FHWA, NCDOT, and the North Carolina Turnpike Authority (NCTA), plan to prepare a new Draft EIS for the proposed project. A notice of intent to prepare the EIS will be issued subsequent to this rescinding notice. The new Draft EIS will include a toll alternative among the full range of alternatives that will be analyzed as well as a change in the location of the eastern terminus.*" This Federal Register notice is included in **Appendix A-1**.

P.4.3 MONROE BYPASS AND MONROE CONNECTOR COMBINED

In February 2005, at the request of the Mecklenburg-Union Metropolitan Planning Organization (MUMPO), NCTA adopted the Monroe Connector as a candidate toll facility. At that time, the *2005–2011 STIP* included funding for construction of Sections B and C of the Monroe Bypass and NCDOT was moving forward with the Monroe Bypass as a separate project. However, due to the age of the original EA/FONSI for the Monroe Bypass (approximately 10 years), a reevaluation of the document was required by FHWA prior to the start of any construction. All sections of the Monroe Bypass (A, B, and C) needed to be considered in the reevaluation because they provide the logical endpoints for the project, enabling it to function as a stand-alone bypass.

During the course of the reevaluation, it was discovered that the MUMPO *2030 Long Range Transportation Plan* did not include Section A of the Monroe Bypass; it included the Monroe Connector instead. A project must be in the Long Range Transportation Plan in order for it to receive FHWA approval and funding. As originally envisioned, the Monroe Connector was meant to function as a replacement for Section A of the Monroe Bypass. Without the Monroe Bypass Sections B and C, the Monroe Connector did not have a logical eastern terminus. Likewise, without Section A (or the Monroe Connector serving as a replacement for Section A), Sections B and C of the Monroe Bypass did not have a logical western terminus and could not serve as a stand-alone bypass.

On September 20, 2006, MUMPO adopted a resolution (**Appendix A-2**) recommending that the Monroe Bypass and Monroe Connector be combined into a single environmental study under the administration of NCTA, and NCDOT's reevaluation process for the Monroe Bypass was then discontinued. On January 19, 2007, FHWA issued an NOI in the Federal Register announcing its intention to prepare this Draft EIS for the combined Monroe Connector/Bypass project (Federal Register, Vol. 72, No. 12, page 2582 to 2583). This notice of intent is included in **Appendix A-1**.