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APPENDIX A

**FEDERAL REGISTER NOTICES AND AGENCY
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APPENDIX A-1

FEDERAL REGISTER NOTICES

- Rescission of Monroe Connector Draft EIS 01/30/06
- Notice of Intent for Monroe Connector/Bypass Draft EIS 01/19/07

display of the exhibit objects at Saint Louis Art Museum, from on or about February 19, 2006, until on or about May 14, 2006, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

For Further Information Contact: For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/453-8048). The address is U.S. Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: January 23, 2006.

C. Miller Crouch,

Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.

[FR Doc. E6-1119 Filed 1-27-06; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Advisory Circular 25.856-2, Installation of Thermal/Acoustic Insulation for Burnthrough Protection

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of issuance of advisory circular.

SUMMARY: This notice announces the issuance of Advisory Circular 25.856-2, "Installation of Thermal/Acoustic Insulation for Burnthrough Protection." The advisory circular provides information and guidance regarding an acceptable means, but not the only means, of compliance with the portions of the airworthiness standards for transport category airplanes that deal with the installation of thermal/acoustic insulation.

DATES: AC 25.856-2 was issued by the FAA Transport Airplane Directorate in Renton, Washington, on January 17, 2006.

How To Obtain Copies: You can download a copy of advisory Circular 25.856-2 from the Internet at <http://www.airweb.faa.gov/rgl>. A paper copy will be available in approximately 6-8 weeks from the U.S. Department of Transportation, Subsequent Distribution Office, M-30, Ardmore East Business Center, 3341 Q 75th Avenue, Landover, MD 20795.

FOR FURTHER INFORMATION CONTACT: Kenna Sinclair, FAA Standardization Branch, ANM-113, Transport Airplane

Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1556; e-mail kenna.sinclair@faa.gov.

Issued in Renton, Washington, on January 17, 2006.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 06-809 Filed 1-27-06; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Mecklenburg and Union Counties, NC

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Rescinding of Notice of Intent and Draft Environmental Impact Statement for proposed U.S. 74 corridor improvements in Mecklenburg and Union Counties, NC.

SUMMARY: The FHWA is issuing this notice to advise the public that we are rescinding the notice of intent and the public notice to prepare an environmental impact statement (EIS) for a proposed highway project in Mecklenburg and Union Counties, North Carolina.

FOR FURTHER INFORMATION CONTACT: Clarence W. Coleman, P.E., Operations Engineer, Federal Highway Administration, 310 New Bern Avenue, Ste 410, Raleigh, North Carolina, 27601-1418, Telephone: (919) 856-4346.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the North Carolina Department of Transportation (NCDOT), is rescinding the notice of intent to prepare an EIS for a proposed multi-lane, controlled access highway along the U.S. 74 corridor connecting I-485 in Mecklenburg County to U.S. 601 in Union County, North Carolina. On April 13, 2000, FHWA issued a notice of intent to prepare an EIS for this proposed project. A Draft EIS was released in November 2003 after resource agencies and the public provided input and comments as part of the project development process. The Draft EIS evaluated several alternatives, including: (1) No Build (2) Transportation Systems Management (TSM), (3) Transportation Demand Management (TSM), (4) Mass Transit, and (5) New Location Alternatives. A public hearing has not been held following the completion of the Draft EIS. 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 U.S. 601 to the proposed Monroe Bypass, the FHWA and NCDOT have agreed not to prepare a Final EIS for the proposed U.S. 74 improvements from I-485 to U.S. 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.

Comments or questions concerning the decision to not prepare Final EIS should be directed to NCDOT or FHWA at the address provided in the caption, **FOR FURTHER INFORMATION CONTACT.** To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

Clarence W. Coleman,

Operations Engineer, Raleigh, North Carolina.

[FR Doc. 06-812 Filed 1-27-06; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Pueblo, Otero, Bent, and Prowers Counties, CO

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that a Tier 1 Environmental Impact Statement (EIS) for proposed transportation improvements in Pueblo County, Otero County, Bent County and Prowers County in the State of Colorado.

FOR FURTHER INFORMATION CONTACT: Mr. Chris Horn, Senior Operations Engineer, FHWA, Colorado Division, 12300 West Dakota Ave., Suite 180, Lakewood, CO, 80228, Telephone: (720) 963-3017. Mr. Mike Perez, Project Manager, Colorado

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Membership Availability in the National Parks Overflights Advisory Group Aviation Rulemaking Committee To Represent Commercial Air Tour Interests****ACTION:** Notice.

SUMMARY: The National Park Service (NPS) and the Federal Aviation Administration (FAA), as required by the National Parks Air Tour Management Act of 2000, established the National Parks Overflights Advisory Group (NPOAG) in March 2001. The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. This notice informs the public of one vacancy (due to completion of membership on May 19, 2007), on the NPOAG (now the NPOAG Aviation Rulemaking Committee (ARC)) for a member representing commercial air tour operators, and invites interested persons to apply to fill the vacancy.

DATES: Persons interested in serving on the NPOAG ARC should contact Mr. Barry Brayer in writing and postmarked or e-mailed on or before March 1, 2007.

FOR FURTHER INFORMATION CONTACT: Barry Brayer, Executive Resource Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, 15000 Aviation Blvd., Hawthorne, CA 90250, telephone: (310) 725-3800, e-mail: Barry.Brayer@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the advisory group.

The advisory group provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) On commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) On other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) At the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

Members of the advisory group may be allowed certain travel expenses as authorized by Section 5703 of Title 5, United States Code, for intermittent Government service.

By FAA Order No. 1110-138, signed by the FAA Administrator on October 10, 2003, the NPOAG became an Aviation Rulemaking Committee (ARC). FAA Order No. 1110-138, was amended and became effective as FAA Order No. 1110-138A, on January 20, 2006.

The current NPOAG ARC is made up on one member representing general aviation, three members representing the air tour industry, four members representing environmental concerns, and two members representing Native American interests. Current members of the NPOAG ARC are: Heidi Williams, Aircraft Owners and Pilots Association; Alan Stephen, fixed-winged air tour operator representative; Elling Halvorson, Papillon Airways, Inc.; Matthew Zuccaro, Helicopters Association International; Chip Dennerlein, Siskiyou Project; Greg Miller, American Hiking Society; Mark Peterson, National Audubon Society; Don Barger, National Parks Conservation Association; Rory Majenty, Hualapai Nation; and Richard Deertrack, Taos Pueblo.

Public Participation in the NPOAG ARC

In order to retain balance within the NPOAG ARC, the FAA and NPS invite persons interested in serving on the ARC to represent the commercial air tour industry, to contact Mr. Barry Brayer (contact information is written above in **FOR FURTHER INFORMATION CONTACT**) Requests to serve on the ARC must be made to Mr. Brayer in writing and postmarked or e-mailed on or before March 1, 2007. The request should indicate whether or not you are a member of an association representing commercial air tours or have another affiliation with issues relating to aircraft flights over national parks. The request should also state what expertise you would bring to the NPOAG ARC as related to environmental interests. The

term of service NPOAG ARC members is 3 years.

Issued in Hawthorne, CA on January 11, 2007.

Barry Brayer,*Manager, Executive Resource Staff, Western-Pacific Region.*

[FR Doc. 07-186 Filed 1-18-07; 8:45 am]

BILLING CODE 4910-13-M**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement: Mecklenburg and Union Counties, NC****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed project in Mecklenburg and Union Counties, North Carolina.

FOR FURTHER INFORMATION CONTACT: Mr. George Hoops, Major Projects Engineer, Federal Highway Administration, 310 New Bern Avenue, Suite 410, Raleigh, North Carolina 27601-1418, Telephone: (919) 856-4350 extension 104.

SUPPLEMENTARY INFORMATION: Pursuant to Title 23, Code of Federal Regulations, Part 771, Environmental Impact and Related Procedures, the FHWA, in cooperation with the North Carolina Turnpike Authority (NCTA) and the North Carolina Department of Transportation (NCDOT), will prepare an environmental impact statement (EIS) addressing proposed improvements in the US 74 corridor from I-485 in Mecklenburg County to the vicinity of the Town of Marshville, which is east of the City of Monroe (the County seat) in Union County. The proposed project study extends from I-485 in the west to the vicinity of the Town of Marshville in the east and extends north and south of US 74. The proposed action is included in the long range transportation plan approved by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).

This study is a combination of two projects previously analyzed by NCDOT, the Monroe Bypass (NCDOT Transportation Improvement Program [TIP] Project R-2559) and the Monroe Connector (NCDOT TIP Project R-3329). The Monroe Bypass study addressed in the US 74 corridor from just west of the City of Monroe to just west of the Town of Marshville. An Environmental Assessment for this project was approved in March 1996, and a Finding

of No Significant Impact was issued in June 1997. The Monroe Connector study previously addressed improvements in the US 74 corridor from I-485 to US 601 in the City of Monroe, where it ended at the proposed Monroe Bypass. A Draft EIS for this project was approved in November 2003; however, a public hearing was never held. In February 2005, the NCTA adopted the Monroe Connector as a toll candidate facility, and in January 2006, the Notice of Intent for the Monroe Connector EIS was rescinded (**Federal Register** Vol. 71, No. 19, page 4958). Subsequently, NCTA adopted the Monroe Bypass project as a toll candidate facility in October 2006. The Monroe Connector and Monroe Bypass projects have been combined into a single project and will be evaluated in a single EIS.

The EIS for the proposed action will consider alternatives for improvements in the US 74 corridor from I-485 to US 74 in the vicinity of the Town of Marshville. Alternatives, including a "No-Build" Alternative (continuation of the existing condition), improving the existing US 74 corridor, and constructing a new location facility, will be considered. Several alternative corridors for a new location facility will be studied. As part of the EIS, NCTA will study the feasibility and impacts of developing the proposed project, in whole or in part, as a toll road.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies. Scoping will occur over a series of meetings with the agencies and citizens informational workshops with the public. Information on the dates, times, and locations of the citizens informational workshops will be advertised in the local news media and newsletters will be mailed to those on the project mailing list. If you wish to be placed on the mailing list, contact Jennifer Harris at the address listed below. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action should be directed to the FHWA at the address provided above or directed to: Ms. Jennifer Harris, Staff Engineer, North Carolina Turnpike Authority, 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina, 27612. Telephone: (919) 571-3004.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research,

Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

George Hoops,

Major Projects Engineer, Federal Highway Administration, Raleigh, North Carolina.

[FR Doc. 07-196 Filed 1-18-07; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No: FTA-2006-23697]

Public-Private Partnership Pilot Program

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of establishment of Public-Private Partnership Pilot Program; solicitation of applications.

SUMMARY: Section 3011(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") authorizes the U.S. Secretary of Transportation to establish and implement a pilot program to demonstrate the advantages and disadvantages of public-private partnerships for certain new fixed guideway capital projects (the "Pilot Program"). This notice establishes and sets forth the definitive terms of the Pilot Program. By separate notice to be published in the **Federal Register** not later than March 31, 2007, FTA will summarize and respond to comments solicited by FTA by notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568. This notice is not a "binding obligation" as defined at 49 U.S.C. 5334(l)(2). This notice is organized into three sections: (1) "Background;" (2) "Overview of Pilot Program;" and (3) "Definitive Terms."

DATES: To be considered in FTA's first quarterly review of applications to the Pilot Program, applications must be received by FTA on or before March 31, 2007. Applications received by FTA between March 31, 2007, and July 1, 2007, will be reviewed in FTA's second quarterly review of applications to the Pilot Program. See "Applications" at section 3(f) of this notice.

ADDRESSES: Applications should be submitted by U.S. Post or express mail to the Federal Transit Administration, c/o the Chief Counsel, Office of Chief Counsel, Room 9328, 400 Seventh Street, SW., Washington, DC 20590. Please note that due to security procedures in effect since October 2001 regarding mail deliveries, mail received

through the U.S. Postal Service may be subject to delays. Parties making applications to the Pilot Program should consider using an express mail service to ensure the prompt filing of any applications not filed by express mail.

FOR FURTHER INFORMATION CONTACT: Questions concerning the Pilot Program should be addressed to David B. Horner, Esq., Chief Counsel, Federal Transit Administration, by e-mail at David.Horner@dot.gov or by telephone at (202) 689-4464. To read materials on the DOT docket responsive to FTA's notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568, please go to <http://dms.dot.gov> at any time or to the Docket Management System.

SUPPLEMENTARY INFORMATION:

1. Background

(a) *Objective.* The Public-Private Partnership Pilot Program (the "Pilot Program") is intended to demonstrate the advantages and disadvantages of public-private partnerships ("PPPs") for certain new fixed guideway capital projects funded by the Federal Transit Administration ("FTA"). In particular, the Pilot Program is intended to study whether, in comparison to conventional procurements, PPPs better reduce and allocate risks associated with new construction, accelerate project delivery, improve the reliability of projections of project costs and benefits, and enhance project performance. The Pilot Program will accordingly study projects that, among other things, utilize methods of procurement that integrate risk-sharing and streamline project development, engineering, construction,¹ operation, and maintenance.² The amount and terms of private investment to be made in such projects will be a significant consideration in selecting projects to participate in the Pilot Program.

(b) *PPPs in General.* As the growth in traditional transportation revenue sources, such as gasoline taxes, continues to decline and transportation operation, maintenance, replacement, and expansion needs and costs increase, transportation agencies are experiencing significant pressure to find ways to

¹ Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users H.R. REP. NO. 109-203, at 936-37 (2005), reprinted in 2005 U.S.C.C.A.N. 452.

² Section 5309(c)(4)(A), which permits the Secretary to approve an application to the Pilot Program if "State and local laws permit public-private agreements for all phases of project development, construction and operation of the project" (emphasis added) indicates that the Pilot Program is intended to demonstrate the advantages and disadvantages of PPPs for all aspects certain new fixed guideway capital projects, including their operation and maintenance.

APPENDIX A-2

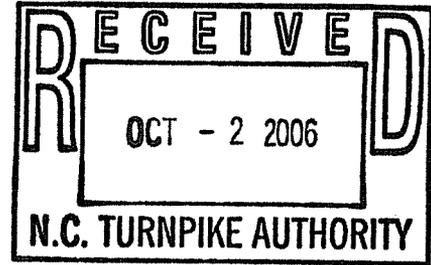
LOCAL GOVERNMENT RESOLUTIONS

- MUMPO Resolution Combining R-3329 and R-2559 09/25/06
- MUMPO Tolling Resolution 09/19/07

MECKLENBURG - UNION
METROPOLITAN PLANNING ORGANIZATION

600 East Fourth Street
Charlotte, North Carolina 28202-2853
704-336-2205
www.mumpo.org

September 25, 2006



CHARLOTTE
CORNELIUS
DAVIDSON
HUNTERSVILLE
INDIAN TRAIL
MATTHEWS
MECKLENBURG
COUNTY
MINT HILL
MONROE
NCDOT
PINEVILLE
STALLINGS
UNION
COUNTY
UNIONVILLE
WAXHAW
WEDDINGTON
WESLEY CHAPEL
WINGATE

David W. Joyner
Executive Director
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, North Carolina 27699-1578

Dear Mr. Joyner:

Attached is a resolution adopted by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) formally requesting that the Monroe Bypass (R-2559) and Monroe Connector (R-3329) be combined into a single environmental study and that the study be administered by the North Carolina Turnpike Authority (NCTA). This resolution was adopted by MUMPO on Wednesday, September 20, 2006.

This new approach provides an excellent opportunity for these projects to advance through the environmental review process and on to construction. I urge the NCTA to begin its efforts as soon as possible and, as a first step, to quickly remove from further consideration potential alignments that are seriously flawed due to their environmental impacts. Particular emphasis should be placed upon potential alignments that impact residential neighborhoods. In addition, I also urge the NCTA to work closely with MUMPO and the affected communities on this project. Doing so will ensure that the final product reflects local needs and desires.

The Monroe Bypass and Connector is one of the most important projects in the region and I am committed to it being built in as timely a manner as possible. If I can be of any assistance in the completion of your work, please do not hesitate to contact me.

Sincerely:

A handwritten signature in black ink, appearing to read "Patrick T. Mumford".

Patrick T. Mumford
Chairman

Mecklenburg-Union Metropolitan Planning Organization

cc: Lyndo Tippett, Secretary of Transportation
Marion Cowell, Board of Transportation
Larry Helms, Board of Transportation
Hughie Sexton, Vice-Chairman, Mecklenburg-Union Metropolitan Planning Organization
Jim Humphrey, Chairman, Technical Coordinating Committee

RESOLUTION

ADOPTED BY THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION ENDORSING A NEW ENVIRONMENTAL STUDY FOR THE MONROE CONNECTOR AND MONROE BYPASS BY THE NORTH CAROLINA TURNPIKE AUTHORITY

A motion was made by Mr. Sexton and seconded by Mr. Sisson for adoption of the following resolution and upon being put to a vote was duly adopted.

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization (MPO), and the North Carolina Department of Transportation are actively involved in transportation planning for the urban area; and

WHEREAS, the Mecklenburg-Union MPO is the duly recognized transportation decision making body for the 3-C transportation planning process in the Mecklenburg-Union MPO as required by 23 CFR Part 134; and

WHEREAS, it is recognized that the proper movement of traffic within and through the Mecklenburg-Union MPO is a highly desirable element of the Thoroughfare Plan and Long Range Transportation Plan for the orderly growth and development of the urban area; and

WHEREAS, the Mecklenburg-Union MPO recognizes the North Carolina Turnpike Authority as the lead agency charged with the advancement of the Monroe Connector project; and

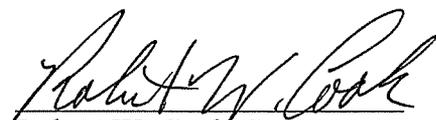
WHEREAS, Union County is one of the fastest growing counties in North Carolina; and

WHEREAS, the Mecklenburg-Union MPO recognizes the need to advance the Monroe Connector and Monroe Bypass Sections "B" and "C" from Stallings to Marshville; and

NOW THEREFORE, be it resolved that the Mecklenburg-Union Metropolitan Planning Organization recommends combining said projects into a single environmental study under the administration of the North Carolina Turnpike Authority, but by doing so takes no position on the tolling of the Monroe Bypass

I, Patrick T. Mumford, MUMPO Chairman, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Mecklenburg-Union Metropolitan Planning Organization duly held on the 20th day of September 2006.


Patrick T. Mumford, Chairman


Robert W. Cook, Secretary

RESOLUTION

**RECOMMENDING THE COLLECTION OF TOLLS ON THE
MONROE BYPASS SECTION OF THE MONROE
CONNECTOR/BYPASS**

WHEREAS, the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) is duly recognized as the transportation decision making body for the 3-C transportation planning process in the Mecklenburg-Union MPO as required by 23 CFR Part 134; and

WHEREAS, the North Carolina Turnpike Authority (the "Authority") is a public agency, created by the General Assembly of North Carolina to construct, operate, and maintain toll roads and bridges, vested with those powers granted to the Authority by the General Assembly; and

WHEREAS, MUMPO recognizes the Authority as the lead agency charged with the advancement of the Monroe Connector/Bypass project ("The Project"); and

WHEREAS, MUMPO has previously requested the Authority to combine the environmental study of the Project; and

WHEREAS, MUMPO's *2030 Long Range Transportation Plan* includes the Monroe Connector portion of the Project as a toll facility and the Monroe Bypass as a non-toll facility; and

WHEREAS, the Authority has determined that tolling the Project would expedite the implementation and delivery of the Project; and

WHEREAS, the Authority has advised MUMPO that the viability of the Monroe Connector as a toll project relies on the presence of the Monroe Bypass in order to meet required traffic and revenue forecasts; and

WHEREAS, the Authority has advised MUMPO that a decision on whether to toll the Monroe Bypass or construct it as a non-toll facility is essential in order for the Authority to move forward with the Project as scheduled in a timely and cost efficient manner; and

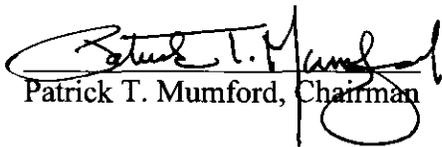
WHEREAS, the Connector's viability is dependent upon the mutual or prior construction and opening of the Bypass; and

WHEREAS, the Project is recognized by MUMPO as a vital component of the future transportation network of the region and will improve mobility and capacity by providing for high-speed regional travel consistent with the North Carolina Strategic Highway Corridor system and North Carolina Intrastate system; and

WHEREAS, when MUMPO updates the Long Range Transportation Plan it will include the Monroe Bypass portion of the Monroe Connector/Bypass project as a toll project, recognizing the entire project will rely on this financial plan.

NOW, THEREFORE BE IT RESOLVED that the Mecklenburg-Union Metropolitan Planning Organization hereby recommends that the North Carolina Turnpike Authority construct the Project as a single toll facility.

I, Patrick T. Mumford, MUMPO Chairman, do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Mecklenburg-Union Metropolitan Planning Organization duly held on the 19th day of September, 2007.


Patrick T. Mumford, Chairman


Robert W. Cook, Secretary

APPENDIX A-3

SCOPING LETTER AND RESPONSES

Scoping Letter sent by NCTA 01/05/07

Federal Agencies

- US Army Corps of Engineers 02/13/07
- US Environmental Protection Agency 02/14/07
- US Fish and Wildlife Service 02/13/07

State Agencies

- NC State Clearinghouse Department of Administration 02/12/07
- NCDENR Wildlife Resources Commission 02/05/07
- NCDENR Division of Water Quality 01/22/07
- NCDENR National Flood Insurance Program 02/08/07
- NCDENR Natural Heritage Program 01/23/07

Local Agencies

- Town of Marshville 01/31/07



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

January 5, 2007

Ms. Chrys Baggett
State Clearinghouse
1301 Mail Service Center
Raleigh, NC 27699-1301

RE: Start of Study and Agency Scoping Meeting Notification
Monroe Connector/Bypass – From I-485 to US 74
Mecklenburg and Union Counties
TIP Project Numbers: R-3329 & R-2559

Dear Ms. Baggett,

The North Carolina Turnpike Authority (NCTA) has initiated the project development, environmental, and engineering studies for the proposed Monroe Connector/Bypass project in Mecklenburg and Union Counties (Figure 1). As it is currently defined, the project would include improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in the vicinity of the Town of Marshville in Union County. The project is included in the 2006-2012 North Carolina Transportation Improvement Program (TIP) in addition to the Draft 2007-2013 TIP as Projects R-3329 and R-2559.

This study is a combination of two projects previously analyzed by NCDOT, the Monroe Bypass (NCDOT Transportation Improvement Program [TIP] Project R-2559) and the Monroe Connector (NCDOT TIP Project R-3329). The Monroe Bypass study addressed improvements in the US 74 corridor from just west of the City of Monroe to just west of the Town of Marshville. An Environmental Assessment for this project was approved in March 1996, and a Finding of No Significant Impact was issued in June 1997. The Monroe Connector study addressed improvements in the US 74 corridor from I-485 to US 601 in the City of Monroe, where it ended at the proposed Monroe Bypass. A Draft EIS for this project was approved in November 2003; however, a public hearing was never held. In February 2005, the NCTA adopted the Monroe Connector as a toll candidate facility, and in January 2006, the Notice of Intent for the Monroe Connector EIS was rescinded (Federal Register Vol. 71, No. 19, page 4958). Subsequently, NCTA adopted the Monroe Bypass project as a toll candidate facility in October 2006. The Monroe Connector and Monroe Bypass projects have been combined into a single project and will be evaluated in a single Environmental Impact Statement (EIS).

The proposed project is approximately 21 miles in length and is located southeast of Charlotte in the vicinity of the towns of Lake Park, Stallings, and Mint Hill and the cities of Monroe, Indian Trail, and Matthews. The project area's proximity to Charlotte has resulted in much of it transforming from a traditionally agricultural area to one of a suburban nature. Based on previous studies and natural systems screening, the project corridor includes a number of streams, wetlands, and floodplains, as well as potential habitat for four federally listed species: Schweinitz's sunflower (*Helianthus schweinitzii*), Michaux's sumac (*Rhus michauxii*), smooth coneflower (*Echinacea laevigata*), and Carolina heelsplitter (*Lasmigona decorata*). The project is within the Charlotte-Gastonia-Rock Hill 8-hour ozone (O₃) nonattainment area.

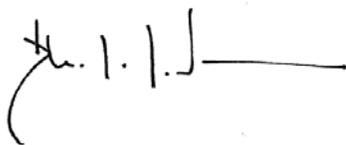
NCTA anticipates preparing an EIS for the Monroe Connector/Bypass project in accordance with the National Environmental Policy Act (NEPA). We would appreciate any information you might have that would be helpful in establishing the project study area, identifying preliminary corridors, evaluating the potential environmental impacts of those corridors, and establishing a viable range of alternatives for consideration. Also, please identify any permits or approvals which may be required by your agency.

An agency scoping meeting will be held at the Turnpike Environmental Agency Coordination Meeting on January 25, 2007 in the NCTA Board Room (Address: 5400 Glenwood Avenue, Suite 400, Raleigh, NC 27612). This meeting will begin at 2:15 p.m. The purpose of the meeting will be to identify significant issues related to the proposed action that should be considered during the study process. We strongly encourage you or a representative of your agency to participate in this meeting; however, if your agency can not be represented, please provide written comments by February 9, 2007. Your response should be mailed to the following:

Ms. Jennifer Harris, PE
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

If you have any questions concerning the proposed project, please call Ms. Harris at (919) 571-3004.

Sincerely,

A handwritten signature in black ink, appearing to read "S.D. DeWitt", followed by a horizontal line extending to the right.

Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. David Joyner, NCTA
Ms. Jennifer Harris, P.E., NCTA
Ms. Teresa Hart, P.E., NCDOT
Mr. John Conforti, REM, NCDOT
Ms. Anne Lenart-Redmond, E.I., HNTB
Mr. Carl Gibilaro, P.E., PBS&J



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
151 PATTON AVENUE
ROOM 208
ASHEVILLE, NORTH CAROLINA 28801-5006
CESAW-RG-A

ORIGINAL

February 13, 2007

MEMORANDUM FOR MS. JENNIFER HARRIS, PE, NORTH CAROLINA TURNPIKE
AUTHORITY, 1578 MAIL SERVICE CENTER, RALEIGH, NORTH CAROLINA 27699-1578

SUBJECT: Comments on Monroe Connector/Bypass, TIP Nos. R-3329 and R-2559, Union County

1. Reference your request of January 25, 2007 for our comments on the proposed Study Area, Draft Purpose and Need Statement, Scoping and assessment methods for the subject Turnpike Authority project.
2. There is an apparent disparity in the study area boundary regarding the region's water supply lakes. Lake Twitty to the north of US Highway 74 is excluded while Lake Lee to the south of US Highway 74 has been included. We recommend that the same deference be shown to both lakes.
3. We recommend that the study area boundary on the north be adjusted to include all the preliminary corridors for both R-3329 and R-2559. Applicable information developed as part of the earlier NEPA processes could then be utilized in your EIS process.
4. We believe that the term mobility is not adequately defined in the preliminary draft Purpose and Need Statement. We recommend that it be defined in terms of reduced travel time, increased traffic capacity and improved Level of Service.
5. Use of the terms/phrases "high speed" and "maintaining access to properties" in the Purpose and Need Statement could be interpreted as limiting the range alternatives to be considered in your EIS, particularly the upgrade of existing routes. Since upgrading existing routes typically has the least impact on aquatic resources, we believe that some consideration must be given to this alternative in order to meet the 404(b)(1) Guidelines. Specifically citing property access also raises questions regarding access control on the proposed project. We recommend that these terms be dropped from the final Purpose and Need Statement.
6. Safety could potentially be incorporated as a project purpose by examining safety improvements realized by similar multi-lane facilities in the Charlotte Metropolitan region such as the Southern and Western portions of the Charlotte Outer Loop (I-485). These portions of I-485 have been open to traffic for a number of years.
7. Our previous comments provided for R-3329 and R-2559 regarding the identification, avoidance and minimization of aquatic resources, including waters and wetlands, remain applicable.
8. Field jurisdictional determinations (JDs) have been completed for NCDOT's preferred alternative on R-2559 B/C and for all the detailed study alternatives for R-3329. These JDs were updated in March of 2006 and remain valid. A comparative analysis of any new alternatives or corridors developed as part of this EIS with these existing corridors will have to be accomplished at the same level of detail in order to be valid.

ORIGINAL

9. If you have any questions, please contact me at telephone (828) 271-7980 or by email at steven.w.lund@usace.army.mil.



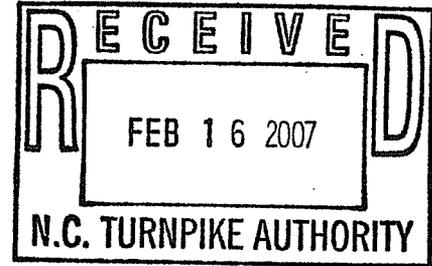
Steven W. Lund
Project Manager
Asheville Regulatory Field Office



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FEB 14 2007



February 14, 2007

Ms. Jennifer Harris, P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, North Carolina 27699-1578

RE: USEPA Comments: Start of Study and Agency Scoping Notification
Monroe Connector/Monroe Bypass Toll Project; From I-485 to US 74
Mecklenburg and Union Counties
TIP Project Numbers: R-3329 and R-2559

Dear Ms. Harris:

The U.S. Environmental Protection Agency (EPA) Region 4 Office has reviewed the January 5, 2007, above referenced notification information from the North Carolina Turnpike Authority (NCTA) for the Monroe Connector/Monroe Bypass project. EPA understands that the proposed facility is expected to be a 4-lane, divided highway that would ultimately be re-signed as Interstate 74 between Marshville and I-485 (Charlotte Outer Loop) for an approximate distance of 21 miles.

The start of study notification requests information that EPA may have in assisting NCTA in establishing the project study area, identifying preliminary corridors, evaluating the potential impacts of those corridors, and establishing a viable range of alternatives for consideration. EPA acknowledges that the two TIP projects have been combined by NCTA into a single project and that the new facility will be evaluated in a single Environmental Impact Statement (EIS) by NCTA and the Federal Highway Administration (FHWA).

EPA has three primary environmental concerns that were previously identified from past project scoping activities and NEPA documents, including potential impacts to waters of the U.S. (Jurisdictional streams and wetlands, water quality), potential air quality impacts and potential impacts to prime farmlands. Each of these three primary environmental concerns is further discussed below:

Clean Water Act Sections 401, 402 and 404

EPA requests that Federal Highway Administration (FHWA) and NCTA need to fully consider and address in the NEPA document the detailed study alternatives that avoid and minimize water quality impacts, including direct and indirect and cumulative

impacts to the streams, wetlands and riparian areas within the project study area. It is important to consider not only the 'typical' 300-foot right-of-way impacts but also the number and documented need for free-flowing interchanges and toll collection facilities. Alternative design considerations, including Single-point Urban Interchanges (SPUI) and 'compressed clover-leaves' should be identified and discussed in the EIS in order to potentially reduce the footprint and impacts from the detailed study alternatives. All reasonable avoidance and minimization measures planned by the transportation agencies need to be identified and evaluated in the EIS, including where applicable the reduction of fill slopes and median widths at stream and wetland crossings.

From previous NEPA planning, there were five (5) detailed study alternatives for the R-3329 portion of the project, including Alternatives D2, D3, E2, E3 and G. Several of the wetland systems were considered high to medium quality, including wetland #46, 17, 26, 35, 42, 66 and 70. Impacts to these systems should be avoided and minimized to the extent practicable. Potential impacts to the North Fork Crooked Creek, South Fork Crooked Creek, Fourmile Creek, Stewarts Creek and East Fork Stewarts Creek should also be considered for minimization measures, including bridging where appropriate. The total linear feet of stream impacts for the 5 alternatives ranged between 4,233 linear feet and 8,520 linear feet, which is high for a 10.8-12.4 mile section of the proposed combined project. Numerous interchanges were proposed for this section of the project as well, including new potential interchanges at US 601, North Rocky-River Road, Wesley Chapel-Stouts Road, Indian Trail-Fairview Road and I-485.

Based upon available EPA project file information for R-2559 B/C, the preferred alternative for this 9.1-mile section included 4.26 acres of wetlands impacts, 3.72 acres of open water pond impacts and 6,771 linear feet of stream impacts. EPA does not have the most recent NCDOT design information for the preferred alternative and cannot ascertain what avoidance and minimization measures were considered for this section of the project. The draft EIS should address potential bridging locations and proposed lengths as part of the overall strategy to avoid and minimization impacts. EPA notes that there were potential impacts to Lake Twiddy, Richardson Creek, Spring Branch, Jacks Branch, and Salem Creek.

The NCDOT and FHWA need to also consider detailed compensatory mitigation for direct impacts to jurisdictional streams and wetlands in the EIS and provide a 'conceptual plan' in the EIS that includes opportunities for on-site mitigation. Indirect and cumulative impacts to water quality resulting from a new location facility need to be quantitatively assessed in the EIS, including specific provisions and conditions for stormwater control. FHWA regulations and policy allow for full mitigation of all project impacts, including indirect and cumulative impacts. EPA would request that NCTA and FHWA fully explore all possible methods of directly addressing mitigation for indirect and cumulative effects of the proposed project, including long-term impacts to water quality. NCTA will be required to obtain a CWA Section 402 NPDES (National Pollution Discharge Elimination System) stormwater permit as well as the CWA Section 401 water quality certification from NCDWQ.

Currently, NCTA is not a signatory agency to the Ecosystem Enhancement Program (EEP) Memorandum of Understanding (MOU) for compensatory mitigation needs. The issue of compensatory mitigation should be fully coordinated with the EEP and other agencies to insure that there are adequate mitigation credits available in the hydrologic cataloguing units (HUCs) where the impacts are occurring. The project is partly located in the Catawba HUC #03050103, which is currently the most difficult watershed in NC to find mitigation sites. This may be particularly difficult in and around the Mecklenburg-Union-Gaston area where other development pressures are reducing potential mitigation opportunities. Please consult with Ms. Kathy Matthews of EPA's Wetlands Section at matthews.kathy@epa.gov.

Clean Air Act

As identified in the NCTA's start of study and scoping meeting notification, the proposed project study area is within the Charlotte-Gastonia-Rock Hill 8-hour non-attainment area for ozone. EPA requests that a detailed analysis and disclosure be conducted regarding air conformity requirements for the combined Monroe Bypass/Monroe Connector projects. As part of this analysis, the NCTA may also need to consider the potential cumulative effects to air quality from the Gaston East-West project (U-3321) which is another potentially large NCTA candidate project, as well as other NCDOT TIP projects proposed in Mecklenburg, Union and Gaston counties (e.g., R-2248E, R-2248F, R-4902, R-3101, R-2632A, U-2507, U-3603, U-3633, etc.).

This proposed NCTA project might also be a 'pilot' for a full quantitative analysis for Mobile Source Air Toxics (MSATs) that are required to be analyzed under Section 202 of the Clean Air Act and are more fully addressed in the Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources (66 Federal Register 17229; 3/29/2001). Currently, FHWA's interim guidance provides for qualitative analysis and cites that project specific information is unavailable. EPA believes that a more 'robust' analysis needs to be considered, including development of an emissions inventory, obtaining 'near-roadside' baseline monitoring data, and an evaluation of the potential health impacts (including cancer risk estimates based upon published values) for the different detailed study alternatives. The quantitative analysis should include the identification of existing and potential 'near-roadside' sensitive receptors, such as day care facilities, nursing homes, hospitals, etc. Please contact Dr. Kenneth L. Mitchell or one of his staff within the EPA Region 4's Air Toxics Assessment and Implementation Section at mitchell.ken@epa.gov or by telephone at 404-562-9065 for further guidance on performing a technically-sound, project specific analysis for the 21 MSAT compounds that are found for highway projects.

Prime Farmlands

EPA notes NCTA's comment in the start of study letter and also recognizes that the project study area and surrounding areas near Charlotte are going through a land use change from rural/agricultural to suburban. EPA recommends that NCTA perform a full analysis on how the different alternatives (with emphasis on the new location

alternatives) will also effect land use changes and conversions of prime agricultural land to non-agricultural uses. The EIS should also specifically address the direct impacts to prime farmland from potentially 21-miles of new right-of-way (e.g., A new 300-foot ROW facility permanently converts/impacts 36.4 acres per mile of highway, not including interchanges, toll facilities, rest areas, etc., that are typically expanded beyond 300 feet and the ROW can be as much as 1,000 feet at interchanges). This direct loss of agricultural crop production can have a long-term and compounded effect on a regional economy. Furthermore, the 1981 Farmland Protection Policy Act requires that Federal agencies provide for avoidance and minimization measures to prime farmlands {the term in this context refers to prime farmlands which includes prime and unique farmlands as well as farmlands classified as being of Statewide and locally important}. FHWA and NCTA should clearly identify what avoidance and minimization measures were considered in the development of detailed study alternatives with regard to prime farmlands.

Other Potential NEPA 'Cross-cutters' and Recent Project Issues

The NCTA should consider some of other potential NEPA 'Cross-cutters' in the EIS, including Executive Order 13112 on Invasive Species and requirements under the Migratory Bird Treaty Reform Act (MBTRA) of 2004. The U.S. Fish and Wildlife Service should be consulted regarding an analysis of avian Federal Species of Concern (FSOC) and potential requirements and considerations under MBTRA. The NCTA is already aware of the threatened and endangered species issues under the Endangered Species Act (ESA) for the Carolina heelsplitter (*Lasmigona decorata*) as well as the numerous other Federal Species of Concern (FSOC) and State-listed threatened and endangered species within the project study area.

At a recent meeting with the NCTA, EPA learned that there may have been a change to the project study area for the connector portion from what was presented on NCTA's website. Furthermore, local planning officials attending the meeting (i.e., the Mecklenburg-Union Metropolitan Planning Organization-MUMPO) indicated that the new facility would only be partially tolled. The bypass section would not be tolled and the connector would be tolled. EPA has not reviewed the NCTA's preliminary traffic and revenue study and is uncertain how this '½ tolled facility' would work effectively to reduce congestion on existing US 74, which is one of the primary purposes for both the bypass and connector. These specific issues need to be fully analyzed and disclosed in the draft EIS, including the rationale for altering the project study area and changing the project segments to be tolled.

The proposed Purpose and Need statement as provided during the January 25, 2007, TEAC meeting may preclude the "upgrade existing" alternative. In particular, the defined need for "a high-speed regional travel...while maintaining access to properties along existing US 74;" may unduly limit the alternatives considered, and FHWA and NCTA's ability to 'balance impacts to the human and natural' environment. The rationale for the need for providing this access along US 74 should be further explained in the draft EIS. The NCTA may also wish to explore the NCDOT's "Superstreet design" that would allow

for continued property access along existing US 74 and improve regional travel conditions. In addition, the NCTA and FHWA should also clearly identify the basis of the need for a high-speed regional travel corridor and the relationship to this proposed corridor and the need to design and built more than 10 interchanges in less than 20 miles, including ones at secondary roads.

EPA appreciates the opportunity for early comments and to highlight some of the issues of environmental concern on this proposed toll facility under SAFETEA-LU Section 6002. Should you have any questions, please feel free to contact me at 404-562-9611 or the EPA Merger Team Representative for NCDOT projects, Christopher Militscher at (919) 856-4206. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz Mueller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Heinz J. Mueller, Chief
NEPA Program Office

Cc: Clarence Coleman, FHWA
Scott McLendon, USACE
John Hennessy, NCDWQ
Brian Cole, USFWS

Bcc: T. Welborn
R. Mikulak
K. Matthews



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801

February 13, 2007

Mr. John F. Sullivan, III
Division Administrator
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

Dear Mr. Sullivan:

Subject: Comments on Start of Study and Agency Scoping for the Proposed Monroe Connector/Bypass Project, Mecklenburg and Union Counties, North Carolina. TIP Nos. R-3329 and R-2559.

This letter responds to a request for our review and comments regarding the initiation of scoping for the subject project. Our comments are provided in accordance with the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e), and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

The North Carolina Turnpike Authority (NCTA) has begun study of improvements to US 74 from east of Monroe, North Carolina, to the I-485 Charlotte Outer Loop. The current study combines two projects previously studied separately. The Service was involved in review and comment for both of these projects and complete details of comments and recommendations for these projects as they were developed can be found in the project files. Our past concerns and comments remain valid. Given that the study is starting over, we will limit our comments to general areas of concern and plan to comment more specifically as alternatives are developed and environmental data are updated. We also attended the January 25, 2007, Agency Coordination meeting and will continue to participate in the coordination process as project plans progress.

General Concerns

Given the length of time since environmental documents were initiated or completed for these projects, we strongly recommend a complete reassessment of habitats and where necessary, update surveys, for federally listed species and Federal Species of Concern

(FSC). FSC are not legally protected under the Act and are not subject to any of its provisions, including Section 7, unless they are formally proposed or listed as endangered or threatened. We request your assistance in protecting them where they are found in the vicinity of your project.

We are concerned with the direct impacts to streams, wetlands, fish and wildlife habitat, and sensitive species in the project area. The previously proposed project study corridors contain portions of Richardson Creek, North and South Fork Crooked Creek, Stewart's Creek, and East Fork Stewart's Creek and their tributaries. Richardson Creek supports populations of native freshwater mussels including two FSC, Savannah lilliput (*Toxolasma pullus*), and Carolina creekshell (*Villosa vaughaniana*). South and North Fork Crooked Creek have Savannah lilliput, Carolina creekshell and a third FSC mussel, the Atlantic pigtoe (*Fusconaia masoni*). These populations of the Savannah lilliput are among the few remaining populations of this species in the Yadkin-Pee Dee River basin and are in decline.

Federally Listed Species

The previously proposed project corridors are just south of the Goose Creek basin, which supports one of six remaining populations of the federally listed as endangered Carolina heelsplitter (*Lasmigona decorata*) and is designated as critical habitat for the heelsplitter. This population is considered vital to the continued existence of the species. Although there likely will be no direct effects to the Goose Creek watershed associated with the project, we believe there is the potential for indirect and cumulative impacts from development induced by construction of this highway project. Implementing measures to protect the Goose Creek watershed and its habitat are essential to maintaining the heelsplitter in North Carolina.

We have consistently recommended protection of riparian buffers on perennial and intermittent streams, strict stormwater controls, and comprehensive land use planning that incorporates conservation areas and minimizes the extent of impervious surface in the watershed. We have worked with a number of the local jurisdictions in the watershed to help determine measures to address these recommendations and continue to strongly support adoption of local regulations that would provide appropriate protection for the watershed. Measures to mitigate secondary and cumulative impacts can be found in the North Carolina Wildlife Resources Commission 2002 Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality.

In addition to potential impacts to the Goose Creek watershed, we are concerned about potential impacts to the federally endangered Schweinitz's sunflower (*Helianthus schweinitzii*). A population of this plant has been found within the previous project study area near the city of Monroe. Further analysis and consultation are required in order to determine direct impacts to listed species and appropriate avoidance and minimization measures.

In conclusion, we recommend that the revised environmental document provide a thorough analysis of the direct, indirect and cumulative impacts from this project and include an analysis of the measures local governments have adopted to minimize and mitigate impacts. We appreciate the opportunity to provide comments at this early project planning stage. If you have questions about these comments please contact Ms. Marella Buncick of our staff at 828/258-3939, Ext. 237. In any future correspondence concerning this project, please reference our Log Number 4-2-07-132.

Sincerely,



Brian P. Cole
Field Supervisor

CC:

Ms. Marla J. Chambers, Western NCDOT Permit Coordinator, North Carolina Wildlife Resources Commission, 4614 Wilgrove-Mint Hill Road, Suite M, Charlotte, NC 28227
Ms. Polly Lospinasse, NC Division of Water Quality, 610 East Center Avenue, Suite 301, Mooresville, NC 28115
Mr. Steve Lund, Asheville Regulatory Field Office, U.S. Army Corps of Engineers, 151 Patton Avenue, Room 208, Asheville, NC 28801-5006
Mr. Chris Militscher, c/o Federal Highway Administration, U.S. Environmental Protection Agency, Terry Sanford Federal Courthouse, 310 New Bern Avenue, Room 206, Raleigh, NC 27601
Mr. Steve DeWitt, North Carolina Turnpike Authority, 1578 Mail Service Center, Raleigh NC 27699-1578



North Carolina Department of Administration

Michael F. Easley, Governor

Britt Cobb, Secretary

February 12, 2007

Ms. Jennifer Harris
State of N.C. Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

Dear Ms. Harris:

Re: SCH File # 07-E-4220-0235; Scoping; Improvements in the Monroe Connector/Bypass from I-485 to US 74 in the vicinity of the Town of Marshville in Union Co. TIP Nos. R-3329 & R-2559

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Chrys Baggett/SJ6".

Ms. Chrys Baggett
Environmental Policy Act Coordinator

Attachments

cc: Region F

Mailing Address:
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone: (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail Chrys.Baggett@ncmail.net

Location Address:
116 West Jones Street
Raleigh, North Carolina

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

STATE NUMBER: 07-E-4220-0235

F05

DATE RECEIVED: 01/09/2007

AGENCY RESPONSE: 02/05/2007

REVIEW CLOSED: 02/09/2007

MR PHIL LETSINGER
CLEARINGHOUSE COORD
CC&PS - DEM, NFIP
MSC # 4716
RALEIGH NC

REVIEW DISTRIBUTION
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CENTRALINA COG
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CUL RESOURCES
DEPT OF TRANSPORTATION



PROJECT INFORMATION

APPLICANT: State of N.C. Turnpike Authority

TYPE: National Environmental Policy Act

ERD: Scoping

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

CROSS-REFERENCE NUMBER: 02-E-4220-0309 04-E-4220-0332

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.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:

- NO COMMENT
 COMMENTS ATTACHED

SIGNED BY:

Elaine Currier

DATE:

Feb. 8, 2007



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

MEMORANDUM

TO: Chrys Baggett
State Clearinghouse

FROM: Melba McGee *jm*
Environmental Review Coordinator

SUBJECT: 07-0235 Scoping US 74 Improvements, Marshville in Union County

DATE: February 7, 2007

The Department of Environment and Natural Resources has reviewed the proposed information. The attached comments are for the applicant's information.

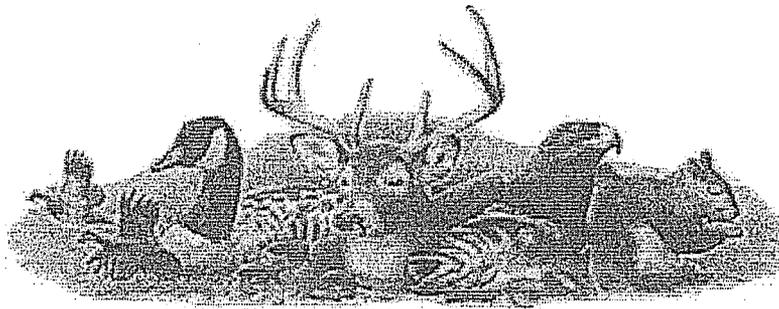
Thank you for the opportunity to review.

Attachments:

1601 Mail Service Center, Raleigh, North Carolina 27699-1601
Phone: 919-733-4984 \ FAX: 919-715-3060 \ Internet: www.enr.state.nc.us/ENR/

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☒ North Carolina Wildlife Resources Commission ☒

Richard B. Hamilton, Executive Director

TO: Melba McGee, Environmental Coordinator
Office of Legislative and Intergovernmental Affairs, DENR

FROM: Marla Chambers, Western NCDOT Permit Coordinator *Marla Chambers*
Habitat Conservation Program, NCWRC

DATE: February 5, 2007

SUBJECT: Scoping review of the proposed improvements to the US 74 corridor between I-485 in Mecklenburg County and US 74 in the vicinity of the Town of Marshville in Union County (Monroe Bypass and Monroe Connector). TIP No. R-2559 and R-3329. OLIA Project No.: 07-0235, due 02/05/2007.

The North Carolina Turnpike Authority (NCTA) has initiated the project development, environmental, and engineering studies for the proposed Monroe Bypass/Connector project, which had previously been analyzed by the North Carolina Department of Transportation (NCDOT) as two separate projects. Staff biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the information provided and are familiar with habitat values in the project area. These comments are provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

NCWRC has provided comments on the two projects to NCDOT throughout the planning process. Our most recent comments were dated August 16, 2002 for the B and C sections of the Monroe Bypass (R-2559) and January 14, 2004 for the Monroe Connector (R-3329). Our concerns and recommendations from these comments remain valid. We agree that these two projects should be considered together as one project. We attended the NCTA scoping meeting on January 25, 2007; at that time a decision had not been made as to what portion of the project would be proposed as a toll road.

The project is located in a very rapidly growing area of the state; Union and Mecklenburg counties grew by 47% and 36%, respectively, from 1990 to 2000, compared to the state's growth

rate of 25%. Urban sprawl is a serious concern for the project area. The widen existing alternative (Alternative G) for the Monroe Connector portion of the project has always appeared to be the least environmentally damaging alternative and should receive serious consideration. Existing roads in the project area, such as the two roads running parallel to US 74 - Secret Shortcut Road (Idlewild Road in Mecklenburg County) to the east and Old Charlotte Highway (Monroe Road in Mecklenburg County) to the west, should be also analyzed as possible alternatives or portions of alternatives. Utilizing existing roads would reduce impacts to the natural community and wildlife resources by crossing streams and wetlands at existing crossings and avoid forested land and open spaces. New location alternatives have the greatest impact on wildlife habitat, wooded areas and open space and habitat fragmentation would be significant. The new location alternatives would tend to promote urban sprawl and have the greatest potential for serious impacts to rare, listed, and Endangered species in the project vicinity.

Streams of concern within the project area include Richardson Creek, North Fork Crooked Creek and South Fork Richardson Creek, all class "C" waters and on the 303(d) list of impaired waters. The Carolina darter (*Etheostoma collis*), Federal Species of Concern (FSC) and state Special Concern (SC), and the following listed mussel species are present in both the South Fork and North Fork of Crooked Creek: Savannah lilliput (*Toxolasma pullus*), FSC and state Endangered (E); Atlantic pigtoe (*Fusconaia masoni*), FSC and state E; and Carolina creekshell (*Villosa vaughaniana*), FSC and state E. The populations of the Savannah lilliput and Atlantic pigtoe are among the few remaining populations of these species within the Yadkin-Pee Dee River basin and all appear to be in decline. Richardson Creek is also inhabited by the Savannah lilliput, as well as the eastern creekshell (*V. delumbis*), state Significantly Rare. The Natural Heritage program has designated portions of these streams as Significant Aquatic Habitats. In addition, Stewarts Creek and East Fork Stewarts Creek, classified WS-III, flow to Lake Twitty, a water supply reservoir for Monroe just east of the project area.

Secondary and cumulative impacts are a very serious concern for this project and have the potential to be much more significant than the direct impacts. Goose Creek, just east of the project, is inhabited by the Carolina heelsplitter (*Lasmigona decorata*), a federal and state Endangered freshwater mussel. Goose Creek supports one of only six populations of this species in the world. Each of these populations is considered essential to the continued existence of the species. Additional listed species observed in Goose and Duck creeks include Atlantic pigtoe; Carolina creekshell; creeper (*Strophitus undulatus*), state Threatened; notched rainbow (*V. constricta*), state SC; and eastern creekshell.

As we have emphasized in previous comments, protection of water quality is essential to the protection of listed species and sensitive habitats in the project study area. We strongly recommend that local authorities adopt regulations and measures that would provide significant protection to the sensitive natural resources in their jurisdiction. This will play a significant role in our concurrence of permits for this project. Measures to mitigate secondary and cumulative impacts can be found in the Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality (NCWRC 2002). Appropriate buffers (200 feet for perennial and 100 feet for intermittent), stormwater management, and impervious surface limits are particularly important for this project. We also encourage NCDOT and local authorities to use low impact development techniques to manage

stormwater quantity and quality in developed and developing areas (see www.lowimpactdevelopment.org for information).

We recommend that all portions of the project have full control of access and a wide enough right-of-way be protected to allow for future widenings, preventing the need for future new location roadways to accommodate traffic once the area reaches build-out. Environmental analysis should include a discussion of urban sprawl and a thorough analysis of secondary and cumulative impacts in the project vicinity. Details of protective measures provided by the local governments and expected impacts to all state and federally listed species in and near the project should be included. Habitat fragmentation and impacts to stream channels and water quality should be examined and mitigating measures provided.

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact me at (704) 545-3841.

Literature Cited:

NCWRC (North Carolina Wildlife Resources Commission). 2002. Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality. NCWRC, Raleigh. Available: http://www.ncwildlife.org/pg07_WildlifeSpeciesCon/pg7c3_impacts.pdf. (February 2003).

cc: Marella Buncick, USFWS
Polly Lespinasse, NCDWQ
Chris Militscher, USEPA
Angie Rodgers, NCNHP



Michael F. Easley, Governor
William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources
Alan W. Klimek, P.E. Director
Division of Water Quality

January 22, 2007

MEMORANDUM

To: Melba McGee, Environmental Coordinator
From: Polly Lespinasse, NC Division of Water Quality, Mooresville Regional Office
Subject: **Scoping Comments on the Proposed Monroe Connector/Bypass Project, Improvements in US 74 Corridor Between I-485 in Mecklenburg County and US 74 in the Vicinity of the Town of Marshville in Union County, North Carolina Turnpike Authority Project, TIPs R-3329 and R-2559, DENR Project No. 07-0235, Project Due Date 02/05/2007**

Please reference the correspondence dated January 5, 2007 in which comments were requested for the above referenced project. Preliminary analysis of the project reveals the potential for multiple impacts to jurisdictional streams and wetlands in the project area. More specifically, impacts to:

Stream Name	River Basin	Stream Classification(s)	Stream Index Number
Negro Head Creek (Salem Creek)	Yadkin	C	13-17-36-15
Meadow Branch	Yadkin	C	13-17-36-11
Spring Branch	Yadkin	C	13-17-36-11-1
Middle Branch Rays Fork	Yadkin	C	13-17-36-8-1
Richardson Creek	Yadkin	C	13-17-36-(5)
Bearskin Creek	Yadkin	C	13-17-36-6
Buck Branch	Yadkin	C	13-17-36-15-2
Lick Branch	Yadkin	WS-III	13-17-36-9-3
Stewarts Creek	Yadkin	C	13-17-36-9-(6)
South Fork Crooked Creek	Yadkin	C	13-17-20-2
North Fork Crooked Creek	Yadkin	C	13-17-20-1
Austin Branch	Yadkin	C	13-17-36-15-1
Jacks Branch	Yadkin	C	13-17-36-15-4
Stumplick Branch	Yadkin	WS-III	13-17-36-9-4
Stevens Creek	Yadkin	C	13-17-18-1

Further investigations at a higher resolution should be undertaken to verify the presence of other streams and/or jurisdictional wetlands in the area. In the event that any jurisdictional areas are identified, the Division of Water Quality requests that the North Carolina Turnpike Authority (NCTA) consider the following environmental issues for the proposed project:



North Carolina Division of Water Quality
Internet: h2o.enr.state.nc.us

610 East Center Avenue, Suite 301
Mooresville, NC 28115

Phone (704) 663-1699
Fax (704) 663-6040

General Project Comments:

1. The environmental document should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.
2. Environmental assessment alternatives should consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. These alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of NC DWQ *Stormwater Best Management Practices*, such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.
3. After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCTA is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. In accordance with the Environmental Management Commission's Rules {15A NCAC 2H.0506(h)}, mitigation will be required for impacts of greater than 1 acre to wetlands. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as wetland mitigation.
4. In accordance with the Environmental Management Commission's Rules {15A NCAC 2H.0506(h)}, mitigation will be required for impacts of greater than 150 linear feet to any single perennial stream. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. The NC Ecosystem Enhancement Program may be available for use as stream mitigation.
5. DWQ is very concerned with sediment and erosion impacts that could result from this project. NCTA should address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigating factors that would reduce the impacts.
6. If a bridge is being replaced with a hydraulic conveyance other than another bridge, DWQ believes the use of a Nationwide Permit may be required. Please contact the US Army Corp of Engineers to determine the required permit(s).
7. If the old bridge is removed, no discharge of bridge material into surface waters is allowed unless otherwise authorized by the US ACOE. Strict adherence to the Corps of Engineers guidelines for bridge demolition will be a condition of the 401 Water Quality Certification.
8. Bridge supports (bents) should not be placed in the stream when possible.
9. Whenever possible, the DWQ prefers spanning structures. Spanning structures usually do not require work within the stream or grubbing of the streambanks and do not require stream channel realignment. The horizontal and vertical clearances provided by bridges allow for human and wildlife passage beneath the structure, do not block fish passage and do not block navigation by canoeists and boaters.
10. Bridge deck drains should not discharge directly into the stream. Stormwater should be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of NC DWQ *Stormwater Best Management Practices*.

11. If concrete is used during construction, a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills.
12. If temporary access roads or detours are constructed, the site shall be graded to its preconstruction contours and elevations. Disturbed areas should be seeded or mulched to stabilize the soil and appropriate native woody species should be planted. When using temporary structures the area should be cleared but not grubbed. Clearing the area with chain saws, mowers, bush-hogs, or other mechanized equipment and leaving the stumps and root mat intact allows the area to re-vegetate naturally and minimizes soil disturbance.
13. Placement of culverts and other structures in waters, streams, and wetlands shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in disequilibrium of wetlands or streambeds or banks, adjacent to or upstream and down stream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by DWQ. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact DWQ for guidance on how to proceed and to determine whether or not a permit modification will be required.
14. If multiple pipes or barrels are required, they should be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.
15. If foundation test borings are necessary; it should be noted in the document. Geotechnical work is approved under General 401 Certification Number 3494/Nationwide Permit No. 6 for Survey Activities.
16. Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.
17. All work in or adjacent to stream waters should be conducted in a dry work area unless otherwise approved by NC DWQ. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures should be used to prevent excavation in flowing water.
18. Sediment and erosion control measures should not be placed in wetlands and streams.
19. Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas could precipitate compensatory mitigation.
20. While the use of National Wetland Inventory (NWI) maps and soil survey maps are useful tools, their inherent inaccuracies require that qualified personnel perform onsite wetland delineations prior to permit approval.
21. Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment should be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.

22. In most cases, the DWQ prefers the replacement of the existing structure at the same location with road closure. If road closure is not feasible, a temporary detour should be designed and located to avoid wetland impacts, minimize the need for clearing and to avoid destabilizing stream banks. If the structure will be on a new alignment, the old structure should be removed and the approach fills removed from the 100-year floodplain. Approach fills should be removed and restored to the natural ground elevation. The area should be stabilized with grass and planted with native tree species. Tall fescue should not be used in riparian areas.
23. Riprap should not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.

Thank you for requesting our input at this time. The NCTA is reminded that issuance of a 401 Water Quality Certification requires that appropriate measures be instituted to ensure that water quality standards are met and designated uses are not degraded or lost. If you have any questions or require additional information, please contact Polly Lespinasse at (704) 663-1699.

cc: Steve Lund, US Army Corps of Engineers, Asheville Field Office
Ron Lucas, Federal Highway Administration
Chris Millitscher, Environmental Protection Agency
Marla Chambers, NC Wildlife Resources Commission
Marella Buncick, US Fish and Wildlife Service
Sonia Gregory, DWQ Central Office
File Copy

State of North Carolina
Department of Environment and Natural Resources

Reviewing Office: Mooresville ^{Regional} Office

Project Number: 07-0235

Due Date: 3/5/07

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

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. Filling 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, 2Q.0300, 2H.0600)	N/A	60 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 20.1900		
<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 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 \$30 for the first acre and \$2000 for each additional acre or part must accompany the plan.		20 days (30 days)
<input type="checkbox"/>	The Sedimentation Pollution control Act of 1973 must be addressed with respect to the referenced Local Ordinance.		(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 soils	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, verify 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)

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 fees based on structure size is charged. 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 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-Palmico or Neuse Riparian Buffer Rules required.		
<p>* Other comments (attach additional pages as necessary, being certain to cite comment authority)</p> <p><i>LA - E&S plan must be approved by NCDOT local office. See 1/16/07</i></p> <p><i>Ag - open burning of land clearing debris must be done in accordance with 2D, 1900 m-1-14-07</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

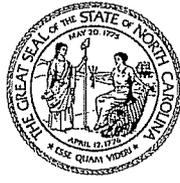
Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

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 Woughtown 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 Crime Control and Public Safety
Division of Emergency Management
Office of Geospatial & Technology Management



Michael F. Easley
Governor

Bryan E. Beatty
Secretary

National Flood Insurance Program

February 8, 2007

STATE NUMBER: 07-E-4220-0235

APPLICANT: State of North Carolina Turnpike Authority

DESC: Improvements in the Monroe Connector/Bypass from I-485 to US 74 in the vicinity of the town of Marshville in Union County

Issuance of revised Flood Insurance Rate Map (FIRM) panels for the Yadkin River Basin portion of Union County by the North Carolina Floodplain Mapping Program is currently scheduled for June 2007. The preliminary FIRMs issued at that time will provide Base (100-year) Flood Elevations and either regulatory floodways or non-encroachment areas for rivers and streams currently mapped as approximate Zone A floodplains with no floodways. Any road crossings of rivers or streams with floodplain mapped on the currently effective FIRM panels or revised preliminary FIRM panels that are located in communities that participate in the National Flood Insurance Program (NFIP) require a floodplain development issued by the appropriate county or municipal floodplain administrator. Rivers or streams mapped with floodways or with non-encroachment areas will require submittal of valid No-Impact studies or approved Conditional Letters of Map Revision (CLOMRs) to the county or municipal floodplain administrator whose jurisdictions are affected before floodplain development permits can be issued. Requirements for proposed floodway encroachments are specified in each community's current Flood Damage Prevention Ordinance. The new BFEs and non-encroachment data provided in the Flood Insurance Study report for the revised preliminary FIRM panels are considered best available data for Zone A floodplains. Communities are required to enforce their ordinances in accordance with this data during the interim period until the preliminary maps are adopted and become effective in 2008.

The following communities currently participate in the NFIP:

- Mecklenburg County
- Union County
- Lake Park
- Indian Trail
- Monroe
- Wingate

Hemby Bridge, Marshville, and Unionville do not currently participate in the NFIP.

Please let me know if you have any questions about this.

Edward M. Curtis, P.E., CFM
Division of Emergency Management – NFIP
919-715-8000 extension 3369
ecurtis@ncem.org



MAILING ADDRESS:
4713 Mail Service Center
Raleigh, NC 27699-4713

Fax: (919) 715-5408



OFFICE LOCATION:
Disaster Recovery Operations Center
1830-B Tillery Place
Raleigh, NC 27604
Telephone: (919)715-8000

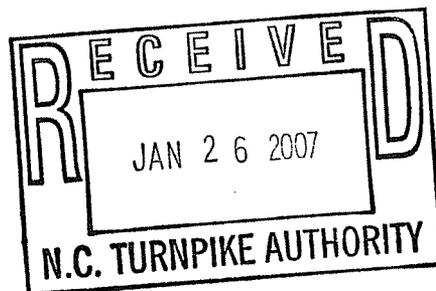


North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

January 23, 2007



Ms. Jennifer Harris, PE
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

Re: Start of Study and Agency Scoping Meeting Notification
Monroe Connector/Bypass - From I-485 to US 74
Mecklenburg and Union Counties
TIP Project Numbers: R-3329 & R-2559

Dear Ms. Harris:

The NC Natural Heritage Program database shows several occurrences of rare plants and animals within the 21 mile study area southeast of Charlotte described in your letter of January 5, 2007. These rare species are generally in two categories: aquatic species and plants adapted for open woodlands and "Piedmont Prairies". These sun-loving plants often thrive on roadsides, if properly managed, and should be carefully considered in any surveys conducted in this area.

Plants:

Thin-Pod White Wild Indigo (*Baptisia albescens*) - NC Significantly Rare
Piedmont Aster (*Eurybia mirabilis*) - US: Federal Species of Concern, NC: Significantly Rare
Indian Physic (*Gillenia stipulata*) - NC: Significantly Rare
Smooth Sunflower (*Helianthus laevigatus*) - NC: Significantly Rare
Schweinitz's Sunflower (*Helianthus schweinitzii*) - US: Endangered, NC: Endangered
Small Wood-bark Moss (*Orthotrichum exiguum*) - NC: Significantly Rare
Georgia Aster (*Aster georgianum* or *Symphotrichum georgianum*) - NC: Threatened, US: Candidate

Animals:

Carolina Darter - Central Piedmont Population (*Etheostoma collis* pop. 1) - US: Federal Species of Concern, NC: Special Concern
Loggerhead Shrike (*Lanius ludovicianus*) - NC: Special Concern
Carolina Heelsplitter (*Lasmigona decorata*) - US: Endangered, NC: Endangered
Savannah Lilliput (*Toxolasma pullus*) - US: Federal Species of Concern, NC: Endangered
Eastern Creekshell (*Villosa delumbis*) - NC: Significantly Rare
Notched Rainbow (*Villosa constricta*) - NC: Special Concern
Carolina Creekshell (*Villosa vaughaniana*) - US: Endangered, NC: Federal Species of Concern

1601 Mail Service Center, Raleigh, North Carolina 27699-1601
Phone: 919-715-8700 \ FAX: 919-715-3085 \ Internet www.ncnhp.org

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In addition to the species listed above, the study area includes 4 Significant Natural Heritage Areas, which support important populations of rare species and natural communities:

Crooked Creek Aquatic Habitat
East Fork Twelve Mile Creek Aquatic Habitat
Goose Creek/Duck Creek Aquatic Habitat
North Fork Crooked Creek Sunflower Site

We recommend careful surveys and planning to minimize impacts to the many rare species, natural communities, and Significant Natural Heritage that occur within the study area. If rare species are encountered during surveys, we request that information about these occurrences be submitted to NC Natural Heritage Program.

Because of the extreme endangerment of Carolina Heelsplitter and the importance of this study area to Schweinitz's Sunflower, we recommend that the US Fish and Wildlife Service and NC Wildlife Resources Commission be consulted early in the project, to avoid and mitigate impacts to these protected species. Secondary and cumulative impacts should also be carefully considered, as these impacts will reach far beyond the footprint of the original project.

The use of Natural Heritage Program data should not be substituted for actual field surveys, particularly if the project area contains suitable habitat for rare species, significant natural communities, or priority natural areas.

You may wish to check the Natural Heritage Program database website at www.ncnhp.org for a listing of rare plants and animals and significant natural communities in the county and on the topographic quad map. Alternatively, the NC Center for Geographic Information and Analysis (CGIA) provides digital Natural Heritage data online on a cost recovery basis. Subscribers can get site specific information on GIS layers with Natural Heritage Program rare species occurrences and Significant Natural Heritage Areas. The CGIA website provides Element Occurrence (EO) ID numbers (instead of species name), and the data user is then encouraged to contact the Natural Heritage Program for detailed information. This service allows the user to quickly and efficiently get site specific NHP data without visiting the NHP workroom or waiting for the Information Request to be answered by NHP staff. For more information about data formats, pricing structure and ordering procedures, visit <http://www.cgia.state.nc.us/cgdb/datalist.html>, or call CGIA Production Services at (919) 733_2090.

Please do not hesitate to contact me at 919-715-8700 if you have questions or need further information

Sincerely,



Misty Franklin, Botanist
NC Natural Heritage Program

cc: Dale Suiter, US Fish and Wildlife Service
Marla Chambers, NC Wildlife Resources Commission

Town of Marshville

Mayor Franklin D. Deese
 Mayor Pro Tem Dora Bridget
 Council Member Margaret Bivens
 Council Member Doug High, Jr.
 Council Member Gail Kiker
 Council Member Ned V. Beachum



Town Administrator Carl Webber
 Park Director Jim Chaffin
 Chief of Police Mike Gaddy
 Public Works Director Bivens Steele
 Tax Collector Carolyn Haigler
 Finance Officer/Clerk Scott Howard

January 31, 2007

Ms. Jennifer Harris, PE
 North Carolina Turnpike Authority
 1578 Mail Services Center
 Raleigh NC 27699-1578

Re: Start of Study and Agency Scoping Meeting Notification
 Monroe Connector/Bypass – from I-485 to US 74
 Mecklenburg and Union Counties
 TIP Project Numbers R-3329 and R-2559

Dear Ms. Harris:

I have received and reviewed the letter of January 5, 2007 from Steven D. DeWitt, P.E. regarding the captioned projects and wish to submit the following comments:

The Town of Marshville is the eastern terminal community of the proposed Monroe Bypass/Connector. The town has gone on record for many years and in many venues as being supportive of the expeditious completion of this essential project. The Monroe Bypass (NCDOT TIP Project R-2559) is already funded and right of way has already been acquired.

Many residents of eastern Union County were displaced from their homes and businesses approximately 10 years ago during the right of way acquisition for this project. Many of these residents are life-long residents of Union County and had occupied their homes for many decades. Many of the affected businesses were displaced from their established locations entirely, others saw portions of their business properties removed or the future development of those properties prevented in preparation for a project that has yet to be realized.

The Monroe/Union County Chamber of Commerce, The Mecklenburg/Union Metropolitan Planning Organization, The Rocky River Rural Planning Organization, The Town of Marshville, The County of Union, The County of Anson (immediately east of Union County) and other local governments, businesses and organizations have repeatedly identified the completion of the Monroe Bypass/Monroe Connector as being the single most important transportation project in

201 West Main Street Marshville North Carolina Phone 704-624-2515 Fax 704-624-0175 email: marshvilletownhall@alltel.net

MISSION STATEMENT OF THE TOWN OF MARSHVILLE

The Town Government of Marshville shall seek to provide the highest standard of service to its citizens by the efficient and comprehensive efforts of its elected officials and employees. Priorities for service shall promote equality, accessibility, communication, teamwork, and prudent vision for an ever - changing and diverse community in accordance with the General Statutes of the State of North Carolina.

our region. The completion of this project is essential to the economic vitality to eastern Union County and points east.

Union County is the sixteenth fastest growing county in the United States. Ponder that for just a moment. The impact of that growth is visible on all phases of public infrastructure. The increased traffic congestion on roads in Union County is one immediately apparent condition brought on by growth. That traffic congestion has nothing but negative consequences. As identified in Mr. DeWitt's letter, this project is within the Charlotte, Gastonia, Rock Hill 8-hour ozone nonattainment area. The impact of Mobile Source Emissions (motor vehicles) has been established as a significant cause of that nonattainment status. It can take a commuter up to 2 hours to drive the 35 miles from Marshville to downtown Charlotte during "rush" hour. That equates to an average speed of 17.5 miles per hour with tailpipe emissions present from tens of thousands of vehicles per day. I am aware of the concern over the project's impact on the potential habitat for the federally listed species enumerated in Mr. DeWitt's letter. I am also aware of a growing concern over the impact of fossil fuel emissions on the habitat of Homo Sapiens. The more efficient movement of people, products and goods in our region will result in a reduction of the tailpipe emissions from the inefficient operation of motor vehicles forced to operate at idle or near idle conditions in the traffic congestion I have described.

The economic vitality of our region is also of concern. When faced with vehicular transportation hurdles as described, it is unlikely that new employment opportunities will develop in our region as potential non-residential development relies heavily upon the efficient movement of raw materials and finished product. If our region is unable to present a competitive level of transportation efficiency through interstate or limited access roadways, as proposed in this project, it is unlikely that new employment opportunities will elect to develop in our region including areas east of Marshville. A recent industrial site evaluation on a parcel of land east of Marshville identified our present traffic congestion reality as an item likely to be viewed as a negative attribute. It should be noted here that residential development has not been evenly distributed across Union County. While the western portions of "Sweet Union" have seen the residential growth described above, Marshville and the rest of eastern Union County have experienced very limited growth. The lack of employment opportunities in the east and the lack of an efficient road network to the employment center of Charlotte/Mecklenburg has been a recognizable hindrance to residential development. It should be noted that the rampant residential development in western Union County is in close proximity to many of the species identified in Mr. DeWitt's letter. An efficient roadway improvement, such as the proposed project, could encourage development away from those potential habitat areas. Studies have shown that Union County has been a "donor" county into the highway trust fund for years. That is, Union County has contributed more to that fund than the dollar amount of new road construction in Union County. With the growth experienced in Union County that is no longer an acceptable arrangement. It is time for sufficient funds and other resources to be brought to bear in Union County for the betterment of our county and our region.

All of these points contribute to a level of frustration over the extraordinary delays faced by this project. The Monroe Bypass has been discussed for over 20 years. The right of way for the Bypass was acquired nearly 10 years ago. We have watched the Charlotte region, including western Union County experience unprecedented growth and prosperity and have felt ourselves

increasingly isolated by the failure of our transportation networks to keep up with the level of growth, without valid reasoning.

It is imperative that this project receive the highest priority. The Monroe Bypass (R-2559) should be constructed without unnecessary delay upon the existing right of way. A logical termination point for the Connector (R-3329) which would provide safe, efficient movement of vehicles must be identified without unnecessary delay and all required environmental and engineering studies must be completed in an expeditious manner.

Should you require additional information regarding this issue feel free to contact me.

Sincerely,



Carl Webber,
Town Administrator

APPENDIX A-4**CORRESPONDENCE WITH THE STATE HISTORIC
PRESERVATION OFFICE**

- Letter from SHPO Regarding the Archaeological Survey Report 09/16/03
- Letter from SHPO Commenting on the Historic Architectural Resources Reconnaissance Report 12/21/07
- Concurrence Form – Assessment of Effects 11/14/08
- Letter to SHPO Regarding Revised APE 1/16/09



CITIZENS PARTICIPATION
RECEIVED

SEP 19 2003

North Carolina Department of Cultural Resources
State Historic Preservation Office

David L. S. Brook, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary
Office of Archives and History

Division of Historical Resources

September 16, 2003

MEMORANDUM

TO: Greg Thorpe, Manager
Project Development and Environmental Analysis Branch
NCDOT Division of Highways

FROM: David Brook *David Brook*

SUBJECT: Monroe Connector, R-3329, Union and Mecklenburg Counties, ER94-7983, ER97-8732

Thank you for having a staff archaeologist transmit, in an e-mail, information about the proposed project.

In 1997 NCDOT made a commitment to conduct an archaeological survey. The following year NCDOT made a commitment to a citizen to survey his property that was stated to include an old log-cabin homestead, if it was within the preferred alignment.

Since so many alignments are still under consideration we recommend postponing a final decision regarding an archaeological survey until the preferred alignment has been selected. Based upon previous work, we see no reason to survey all alignments. However, given the discovery of eligible sites in Mecklenburg County and the number of drainages within the project area, it is possible that sites with integrity may exist within parts of the preferred alignment.

Please forward a copy of the preferred alignment, on an USGS map, to us after it is selected.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, please contact Renee Gledhill-Earley, environmental review coordinator, at 919/733-4763. In all future communication concerning this project, please cite the above-referenced tracking number.

cc: ✓ Matt Wilkerson, NCDOT
John F. Sullivan, FHWA

www.hpo.dcr.state.nc.us

	Location	Mailing Address	Telephone/Fax
ADMINISTRATION	307 N. Blount St., Raleigh NC	4617 Mail Service Center, Raleigh NC 27699-4617	(919) 733-4763 • 733-8633
RESTORATION	315 N. Blount St., Raleigh NC	4617 Mail Service Center, Raleigh NC 27699-4617	(919) 733-6547 • 715-4801
SURVEY & PLANNING	315 N. Blount St., Raleigh NC	4617 Mail Service Center, Raleigh NC 27699-4617	(919) 733-6545 • 715-4801



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

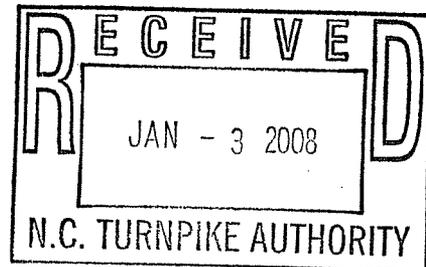
Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

December 21, 2007

Jennifer H. Harris, PE
NC Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578



RE: Draft Alternatives Development & Analysis Report and Reconnaissance Report on Historic Architectural Resources, Monroe Connector/Bypass, R-3329 & 2559, Mecklenburg and Union Counties, CH03-3581

Dear Ms. Harris:

Thank you for your letter of November 5, 2007, transmitting the draft Alternatives Development and Analysis Report. We also received and reviewed the above referenced reconnaissance report, prepared by the Department of Transportation's Historic Architectural Unit, for the same project. Given the relationship of the two documents to one another, we offer our comments in this single letter.

The architectural report correctly lists and describes properties that are listed in the National Register of Historic Places and those previously determined eligible for listing. It also provides a list of three properties with exceptional architectural merit, which were identified as part of a visual survey of 100% of the Area of Potential Effects (APE) and would require additional study. Because the survey work was only a reconnaissance level, there may be other properties in the APE that could be eligible for listing under Criteria A, B, or D and were not identified. Once the alternatives for in-depth study are selected, additional architectural survey work may be needed.

As for archaeological resources, we understand that a plan for survey and testing will be developed once a preferred/least environmentally damaging alternative is selected. This is acceptable to us.

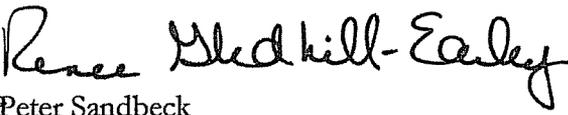
Although the three sites identified for additional study are not on the alternatives map, we understand that this is likely due to the timing of the two reports. However, we would note that the Indian Trail Presbyterian Church, which was previously determined eligible for listing in the National Register is not shown on Figure 4-1a.

At this point in the process of narrowing alternatives, we find that improve the existing and any of the alternatives with an interchange near the Secret Farm and Hiram Secret House are also likely to adversely affect these resources.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-733-4763. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,


Peter Sandbeck

cc: Mary Pope Furr, NCDOT/OHE
Matt Wilkerson, NCDOT/OHE

Federal Aid #:

TIP#: R-3329 & R-2559

County: Union and Mecklenburg

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Project Description: Monroe Connector/Bypass

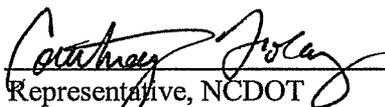
On, 22 September 2008 representatives of the

- North Carolina Department of Transportation (NCDOT)
- Federal Highway Administration (FHWA)
- North Carolina State Historic Preservation Office (HPO)
- North Carolina Turnpike Authority

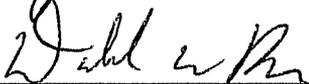
Reviewed the subject project and agreed

- There are no effects on the National Register-listed property/properties located within the project's area of potential effect and listed on the reverse.
- There are no effects on the National Register-eligible property/properties located within the project's area of potential effect and listed on the reverse.
- There is an effect on the National Register-listed property/properties located within the project's area of potential effect. The property/properties and the effect(s) are listed on the reverse.
- There is an effect on the National Register-eligible property/properties located within the project's area of potential effect. The property/properties and effect(s) are listed on the reverse.

Signed:


Representative, NCDOT

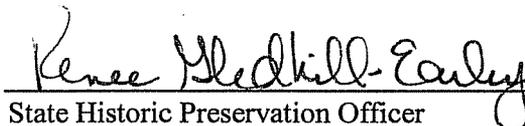
14 NOVEMBER 2008
Date


FHWA, for the Division Administrator, or other Federal Agency

3-24-09
Date

Representative, HPO

Date


State Historic Preservation Officer

11-14-08
Date

Federal Aid #:

TIP#: R-3329 & R-2559

County: Union and Mecklenburg

Properties evaluated that are now located outside of the area of potential effect. Indicate if property is National Register-listed (NR) or determined eligible (DE).

- Monroe City Hall (NR)
- Malcolm K. Lee House (NR)
- John C. Sikes House (NR)
- US Post Office (NR)
- James Orr Stores (DE)
- Monroe Downtown Historic District (NR)
- Monroe Residential Historic District (NR)
- Union County Courthouse (NR)
- Indian Trail Presbyterian Church (DE)

Properties within the area of potential effect for which there is no effect. Indicate property status (NR or DE).

- William Bivens House (DE) – Alternative 34; Alternative 36

Properties within the area of potential effect for which there is an effect. Indicate property status (NR or DE) and describe the effect. State reason(s) why the effect is not adverse (if applicable).

- Secrest Farm (DE) – No Adverse Effect Alternative 22A
No Adverse Effect Alternative 30
The property is located over 1000 feet away from the controlled access corridor on either alternative.
- Hiram Secrest House (DE) – No Adverse Effect Alternative 22A
No Adverse Effect Alternative 30
The property is located over 1000 feet away from the controlled access corridor on either alternative.
- Perry McIntyre Farm – No Adverse Effect Alternative 40
No Adverse Effect Alternative 41
Ansonville Road will bridge the new corridor and the taper end will occur before the property boundary.

Initialed:

NCDOT CAF

FHWA DB

HPO lsg



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

BEVERLY E. PERDUE
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

January 16, 2009

Mr. Peter Sandbeck
Administrator, State Historic Preservation Office
Deputy State Historic Preservation Officer
4617 Mail Service Center
Raleigh, NC 27699-4677

**RE: North Carolina Turnpike Authority: STIP R-3329/R-2559 Monroe Connector/Bypass
Draft Environmental Impact Statement**

Dear Mr. Sandbeck:

In October 2007, the North Carolina Department of Transportation (NCDOT) prepared a *Historic Architecture Resources Reconnaissance Report* for the Monroe Connector/Bypass Project (R-3329/R-2559) in Mecklenburg and Union Counties. At the time the report was prepared, numerous Preliminary Corridor Segments were under consideration for the project, including segments south of and along existing US 74, and an Area of Potential Effects (APE) was defined to encompass all of these segments. However, during alternatives screening, Preliminary Corridor Segments south of and along existing US 74 were eliminated from consideration, and the Detailed Study Alternatives were identified. With the refinement of the alternatives since the initial studies, some of the historic properties are now outside of the original project corridor and APE. The attached figure outlines the original APE, the proposed revised APE, and the historic sites in relation to the project area and APEs.

At a meeting on September 22, 2008, representatives of the NCDOT and HPO agreed that the following properties are now outside of the original APE:

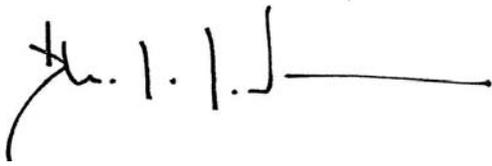
- Monroe City Hall
- Malcolm K. Lee House
- John C. Sikes House
- US Post Office
- James Orr Stores
- Monroe Downtown Historic District
- Monroe Residential District
- Union County Courthouse
- Indian Trail Presbyterian Church

The following properties remain within the revised APE:

- William Bivens House (No Effect)
- Secrest Farm (No Adverse Effect)
- Hiram Secrest House (No Adverse Effect)
- Perry McIntyre Farm (No Adverse Effect)

If you have any questions, or need additional information, please do not hesitate to contact Jennifer Harris at (919) 571-3004.

Sincerely,

A handwritten signature in black ink, appearing to read "S.D. DeWitt", followed by a horizontal line extending to the right.

Steven D. DeWitt, P.E.
Chief Engineer

cc w/attachment:

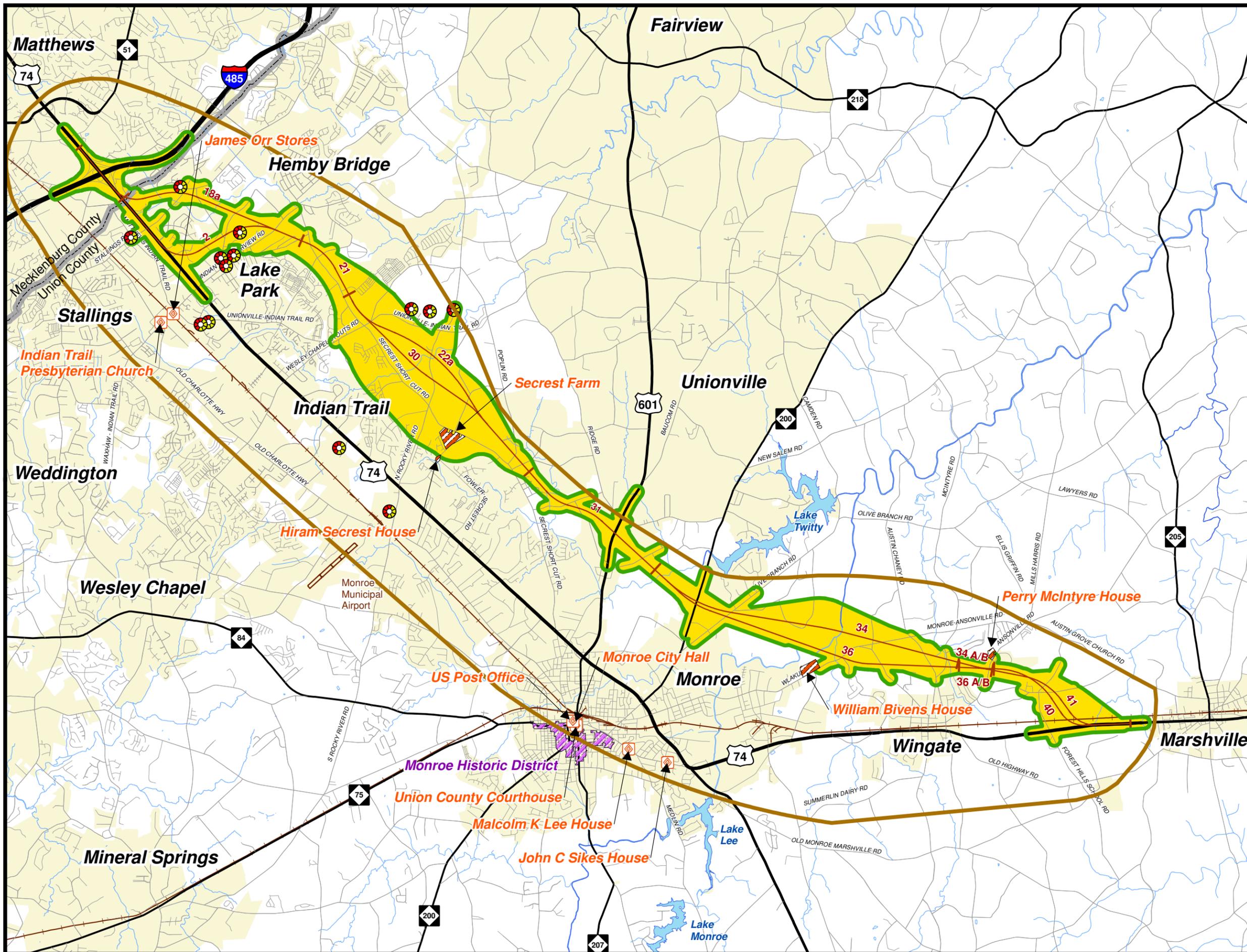
Renee Gledhill-Earley, HPO-Environmental Review Coordinator

Mary Pope Furr, NCDOT-Historic Architecture Supervisor

Jennifer Harris, P.E., NCTA-Staff Engineer

George Hoops P.E., FHWA-Major Projects Engineer

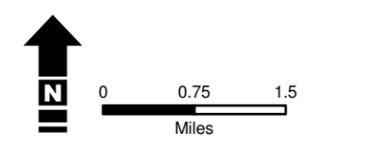
Attachment: Draft Environmental Impact Statement – Figure 5-1 (Historic Architectural Resources)



- Legend**
- Area of Potential Effects
 - Revised Area of Potential Effects
 - Historic Structures
 - Historic Sites
 - Historic Districts
 - Gold Mines
 - Segment Breakline
 - Preliminary Design Centerline
 - Corridor Study Area
 - County Boundary
 - Lake
 - River / Stream
 - Interstate Highway
 - US Highway
 - NC State Highway
 - State Road
 - Railroad



Source: Mecklenburg County and Union Counties GIS.
Map Printed On 1-16-09.



STIP PROJECT
NO. R-3329/R-2559
Mecklenburg County and Union County

**MONROE CONNECTOR/
BYPASS
HISTORIC
ARCHITECTURAL
RESOURCES AND
OLD GOLD MINES**

Figure 5-1

APPENDIX A-5

**SECTION 6002 COORDINATION PLAN FOR MONROE
CONNECTOR/BYPASS PROJECT**

- Letter from NCTA submitting the Final Section 6002 Project Coordination Plan 10/11/07
- Section 6002 Project Coordination Plan 10/11/07
- Participating and Cooperating Agency Invitation Letters 02/14/07



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

October 11, 2007

John F. Sullivan, III, P.E.
Division Administrator
FHWA North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

Deborah M. Barbour, P.E.
Director of Preconstruction
North Carolina Department of Transportation
1541 Mail Service Center
Raleigh, NC 27699-1541

**RE: TIP R-3329/R-2559 Monroe Connector/Bypass
Section 6002 Project Coordination Plan**

Dear Mr. Sullivan and Ms. Barbour,

In accordance with Section 6002 of SAFETEA-LU, the North Carolina Turnpike Authority (NCTA) has developed a "Project Coordination Plan" for the proposed Monroe Connector/Bypass project for coordinating public and agency participation in the planning process. The plan discusses the project schedule, sets a schedule for monthly coordination meetings, establishes agency review times, identifies a process for resolving issues of concern, and lists Cooperating and Participating Agencies. Development of the Section 6002 Project Coordination Plan has been completed in consultation with other Lead Agencies, Federal Highway Administration (FHWA) and North Carolina Department of Transportation (NCDOT). The Lead Agencies are in agreement with this coordination plan.

Draft versions of the plan were shared with Cooperating and Participating Agencies and discussed at monthly agency coordination meetings. Written comments on the plan were received from US Army Corps of Engineers, US Environmental Protection Agency, North Carolina Department of Environment and Natural Resources (NCDENR) Wildlife Resources Commission, NCDENR-Division of Coastal Management, and North Carolina Department of Cultural Resources, and the plan was revised to incorporate these comments.

The final Section 6002 Project Coordination Plan for the Monroe Connector/Bypass project is attached for information. Also included with this letter for reference are copies of invitation letters to Cooperating and Participating Agencies (distributed February 14, 2007) and responses to those invitations.

If you have any questions or would like to discuss this in more detail, please contact Jennifer Harris at (919) 571-3004.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. D. DeWitt', with a long horizontal line extending to the right.

Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, P.E., FHWA-Major Projects Engineer
Ms. Jennifer Harris, P.E., NCTA
Mr. Shannon Lasater, P.E., NCDOT-Asst. State Highway Administrator
Ms. Sandy Nance, NCDOT-Asst. to State Highway Administrator
Mr. Greg Thorpe, Ph.D., NCDOT-PDEA
Ms. Missy Dickens, P.E., NCDOT-PDEA

**Section 6002 Coordination Plan for Monroe Connector/Bypass Project
TIP Projects R-3329 & R-2559**

COORDINATION PLAN

1. Purpose of Plan.

- 1.1. Section 6002 Compliance. This plan is intended to satisfy the requirement for a Coordination Plan under Section 6002 of SAFETEA-LU (23 U.S.C § 139) for the Monroe Connector/Bypass project (TIP No. R-3329 & R-2559).
- 1.2. Integration of NEPA and Section 404 Requirements. The process established in this plan is intended to ensure that the requirements of NEPA and Section 404 of the Clean Water Act can be satisfied as part of a single process. Specifically, this plan is intended ensure that, to the maximum extent practicable,
- there is regular communication and collaborative discussion among all agencies that have information, experience, and/or expertise relevant to issues considered in Section 404 permitting;
 - NCDENR can issue Section 401, Riparian Buffer Authorizations, Isolated Wetland Permits, and State Stormwater Permits based on information developed as part of the NEPA process; and
 - the USACE can issue a Section 404 permit for the project promptly following the end of the NEPA process, without the need for supplemental NEPA studies,
 - so that any other required permits or approvals can be obtained without unexpected issues or delays.
- 1.3. Agency Communication. This plan establishes a framework for regular communication among all of the agencies involved in the environmental review process. This communication will include regular agency coordination meetings. These meetings will provide a forum for open discussion and dialogue among agencies. Meetings with one or more individual agencies also may occur as part of this process. When possible, all Participating Agencies will be informed of a smaller meeting to ensure all appropriate parties are included and will be updated after the meeting.

2. Project Initiation

- 2.1. Project Initiation Notice. The environmental review process for a project is initiated when the North Carolina Turnpike Authority submits a project initiation notice to the FHWA. This notice was provided in the form of a letter from NCTA to FHWA on January 5, 2007. A draft Notice of Intent was included with this notice.

2.2. Notice of Intent. A Notice of Intent to prepare an Environmental Impact Statement (EIS) for this project was published in the Federal Register on January 19, 2007. The project initiation notice and the Notice of Intent are attached as Exhibit 1.

3. Project Schedule

3.1. Schedule. The NCTA will prepare a project schedule showing projected dates for completing all environmental studies and permitting. The schedule will conform to SAFETEA-LU time frames for comment periods and the FHWA “Vital Few Goal” of achieving a median time frame of three years for completing an EIS. A draft schedule for the Monroe Connector/Bypass project is shown in Table 1.

Table 1: Draft Project Schedule

Notice of Intent	Winter 2007
Identify Detailed Study Alternatives	July 2007
DEIS	July 2008
Identify Preferred Alternative	November 2008
FEIS	May 2009
ROD	July 2009
Permit Application(s)	August 2009
Let Contract/Begin Construction	December 2009

3.2. Agency Consultation. The schedule will be shared with the agencies and discussed at a TEAC meeting. Agency comments will be considered and the schedule may be revised as appropriate.

3.3. Updating Schedules. The project schedule may be revised from time to time by the lead agencies during the environmental review process. Schedule changes will be communicated to all participating agencies and the public. Under the statute, the schedule may be extended by the lead agencies for good cause, and may be shortened only with the consent of Cooperating Agencies.

4. Agency Roles

4.1. Lead Federal Agency. FHWA will be the lead Federal agency. As lead Federal agency in the Section 6002 process, FHWA is responsible for making certain decisions as specified in Section 6002. In addition, FHWA has an overall responsibility for facilitating the expeditious completion of the environmental review process.

4.2. Joint Lead Agencies. NCTA will be a joint lead agency, and thus will share with FHWA the responsibilities of the “lead agency” under the process defined in Section 6002.

NCDOT also will have the status of a joint lead agency; however, NCDOT will primarily have a review/support role in the process, consistent with the Preconstruction Guidelines adopted by NCDOT and NCTA in July 2006.

4.3. Participating Agencies. NCTA will issue letters inviting Federal and non-Federal agencies to serve as Participating Agencies for each project developed under this plan. Participating Agencies include any Federal, State, or local agencies that may have an interest in the project.

4.3.1. Invitation List. Invitations will be sent to Federal and non-Federal agencies that, in the judgment of FHWA and NCTA, may have an interest in the project. A list of Participating Agencies is attached as Exhibit 1 to this plan. Additional Participating Agencies may be added later in the process based on new information, changes in the project, or changed circumstances. Table 2 lists agencies identified as having an interest in the Monroe Connector/Bypass project.

Table 2: Agency Roles

	Cooperating Agency	Participating Agency
US Army Corps of Engineers	✓	✓
US Environmental Protection Agency		✓
US Fish and Wildlife Service		✓
NC Department of Cultural Resources – Historic Preservation Office		✓
NC Department of Environment & Natural Resources		✓
Division of Water Quality		✓
Wildlife Resources Commission		✓
Mecklenburg-Union Metropolitan Planning Organization		✓

4.3.2. Deadline. Invitation letters will specify a 30-day deadline for agencies to respond to the invitation.

4.3.3. Federal Invitees. A Federal agency that is invited to be a Participating Agency will be presumed to have accepted the invitation, unless the agency informs NCTA in writing, by the deadline, that it: “(A) has no jurisdiction or authority with respect to the project; (B) has no expertise or information relevant to the project; and (C) does not intend to submit comments on the project.”

4.3.4. Non-Federal Invitees. Non-Federal agencies are not required to accept designation; they become Participating Agencies only if they affirmatively accept the invitation. If a non-Federal agency declines or does not respond to the invitation, the agency will not be considered a Participating Agency.

- 4.3.5. No Implied Support. Designation as a Participating Agency shall not imply that the Participating Agency supports a proposed project; or has any jurisdiction over, or special expertise with respect to evaluation of, the project.
- 4.3.6. No Effect on Other Laws. Nothing in Section 6002, or in this Coordination Plan, preempts or interferes with any power, jurisdiction, responsibility, or authority that a Federal, State, or local government agency, metropolitan planning organization, Indian tribe, or project sponsor has with respect to carrying out a project or any other provisions of law applicable to projects, plans, or programs.
- 4.4. Cooperating Agencies. A Participating Agency also may be designated as a Cooperating Agency. The responsibilities of a “Cooperating Agency” are defined in the CEQ regulations and are unchanged by SAFETEA-LU. In general, designation as a Cooperating Agency signifies a somewhat higher level of involvement and responsibility in the environmental review process. Federal, State, or local government agencies can be designated as Cooperating Agencies. As shown in Table 2, the USACE was invited to become a Cooperating Agency. It is recognized that due to other program commitments, Cooperating Agencies will not be responsible for funding or writing portions of the NEPA document.
- 4.5. Local Government Coordination. The Mecklenburg-Union Metropolitan Planning Organization (MUMPO) will serve as the official local representative for the project. MUMPO staff will be provided the same opportunities for input as other Participating Agencies. Local municipalities will be kept apprised of project developments through their involvement with MUMPO. The following municipalities are represented by MUMPO: City of Charlotte, Town of Cornelius, Town of Davidson, Town of Huntersville, Town of Indian Trail, Town of Matthews, Mecklenburg County, Town of Mint Hill, City of Monroe, Town of Pineville, Town of Stallings, Union County, Town of Waxhaw, Town of Weddington, Village of Wesley Chapel, and Town of Wingate. In addition, NCTA will provide regular updates to the Rocky River Rural Planning Organization, including the Town of Marshville.
- 4.5.1. MUMPO Technical Coordinating Committee (TCC). A NCTA staff member will represent NCTA at MUMPO Technical Coordinating Committee (TCC) meetings.
- 4.5.2. Meeting Summaries. Summaries of monthly TEAC meetings will be provided to MUMPO members.
5. Turnpike-Environmental Agency Coordination (TEAC) Meetings
- 5.1. TEAC Meetings. The principal method for agency coordination on turnpike projects will be Turnpike-Environmental Agency Coordination (TEAC) meetings, which will be hosted by NCTA. These meetings will be used as a forum for discussing all turnpike projects, including those being studied under other procedures as well as those being studied under Section 6002. All TEAC meetings will be held at the NCTA office in Raleigh, unless otherwise specified in the meeting invitation.

- 5.2. Meeting Dates. The schedule for the TEAC meetings will be determined by FHWA and NCTA after consultation with NCDOT and the Participating Agencies. This schedule will be established, to the extent possible, for 12-month periods. The schedule will be coordinated with NCDOT interagency meetings to avoid or minimize conflicts and minimize travel. Changes to the schedule will be provided to the Participating Agencies as far in advance as possible. The schedule for 2007 is attached as Exhibit 2.
- 5.3. Meeting Agenda and Objectives. The agenda for each TEAC meeting will be circulated via e-mail to all Participating Agencies. The agenda will identify (a) any specific issues that NCTA would like to resolve at the meeting and (b) any specific issues on which NCTA is seeking comments from the Participating Agencies at the meeting.
- 5.4. Meeting Materials. NCTA will post the agenda and materials for each TEAC meeting on a secure web site accessible to all TEAC members. Guidelines for circulating meeting materials are provided below.
 - 5.4.1. Timing of Circulation. To the greatest extent possible, NCTA will post the agenda and materials at least two weeks in advance of the meeting. In some cases, materials will be provided less than two weeks in advance, or will be circulated in the TEAC meeting itself. NCTA will not seek to resolve issues or obtain Participating Agency comments on materials that the Participating Agencies received less than two weeks in advance of the meeting.
 - 5.4.2. Availability of Paper Copies. In addition to posting documents on the TEAC web site, NCTA will make paper copies of TEAC meeting materials available to all attendees at each TEAC meeting.
 - 5.4.3. Large Documents. Documents that would be difficult or time-consuming for agencies to reproduce (e.g., large maps, lengthy bound documents with color, fold-out pages, etc.) will be made available to Participating Agencies in hard-copy format at a TEAC meeting (or by mail two weeks or more in advance) for discussion at a subsequent TEAC meeting. NCTA will consult with the Participating Agencies to determine when this type of distribution is appropriate.
- 5.5. Meeting Summaries. After each TEAC meeting, the NCTA will prepare a meeting summary. The summary will list the attendees, topics discussed, unresolved issues, and action items. The Meeting Summary will be posted in draft form to the NCTA web site for review and comment two weeks in advance of the next meeting. Meetings will be recorded on audiotape; the recording will be used in preparing the meeting summaries. The meeting summaries will be included in the administrative record.
- 5.6. Attendees. Participating Agencies (including Cooperating Agencies) will designate primary contacts for each turnpike project. These primary contacts will regularly attend TEAC meetings. Attendance may vary from month to month depending on the issues being discussed. Primary contacts for the Monroe Connector/Bypass project listed in Table 3.

Table 3: Primary Agency Contacts

US Army Corps of Engineers	Steve Lund
US Environmental Protection Agency	Chris Militscher
US Fish and Wildlife Service	Marella Buncick
NC Department of Cultural Resources – Historic Preservation Office	Peter Sandbeck
NC Department of Environment & Natural Resources	--
Division of Water Quality	Polly Lespinasse
Wildlife Resources Commission	Marla Chambers
Mecklenburg-Union Metropolitan Planning Organization	Bob Cook

6. Identification and Resolution of Project Issues

- 6.1. Constraint Mapping and Environmental Data. As early as practicable in project development, NCTA will provide FHWA and the Participating Agencies with mapping that shows key environmental resources, communities, topographic conditions, and other constraints in the project area. This mapping also will identify potential conceptual alternatives for the project, to the extent possible. (An “alternative” at this stage will generally be defined as a corridor.) The mapping may be accompanied by other supporting materials. This mapping may be presented to the Participating Agencies over a series of TEAC meetings and/or field meetings.
- 6.2. Field Visits and Agency Meetings. One or more field visits may be held with Participating Agencies to discuss constraints and obtain early input into development of alternatives. Attendees in field visits may be a sub-set of the Participating Agencies, depending on the issues to be discussed on the field visit; however, all Participating Agencies will be informed of upcoming meetings to determine interest in attending. The results of the field visit(s) will be discussed at a TEAC meeting, which will provide another opportunity for agency input.
- 6.3. General Project Issues. Throughout the process, Participating Agencies will be invited to identify issues that need to be considered by the Lead Agencies in preparing the environmental documentation and making project decisions, including issues that relate to the agencies’ ability to approve (or comment favorably on the approval of) any necessary permits for the project. These issues will be referred to as “general project issues.”
- 6.4. Issues of Concern. At any time in the process, a Participating Agency may identify an “issue of concern” as defined in SAFETEA-LU, which is an issue that in the agency’s judgment could result in denial of a permit or substantial delay in issuing a permit.
- 6.4.1. Format. Participating agencies will be strongly encouraged to submit any “issues of concern” in writing to FHWA and NCTA on agency letterhead. Issues of concern submitted in other formats (e.g., e-mail) will also be considered.

- 6.4.2. Timing. Participating Agencies are required by statute to identify any issues of concern “as early as practicable” in the environmental review process, but this determination is based on information provided by the lead agencies. In some cases, it may not be practicable to identify an issue of concern until late in the process. The statute does not set a specific deadline for raising these issues.
- 6.4.3. Request for Comment. At any point in the process, the NCTA may ask the Participating Agencies to state in writing whether there are any issues of concern. If such a request is made, NCTA will consult with the Participating Agencies before setting a deadline for a response. If agreed by the Lead and Participating Agencies, a deadline longer than 30 days could be established.
- 6.5. Monitoring and Updating. NCTA will maintain a list of both “general project issues” and “issues of concern” (if any) identified by the Participating Agencies. Separate meetings may be scheduled to resolve general project issues and/or any issues of concern. Additional issues may be added to the list based on new information or changed circumstances at any point in project development. This list will be posted to the TEAC web site.
- 6.6. Resolving General Project Issues. General project issues that are not resolved among the regular participants in the TEAC meetings can be elevated for consideration by the more senior officials within the relevant agencies. Any agency – Lead or Participating – can invoke the elevation process. The process is intended to be flexible, with specific procedures determined on a case-by-case basis depending on the nature of the issue. In general, the elevation process will involve the following steps:
- A TEAC member requests elevation on an issue within the jurisdiction of that agency. This request can be made in a TEAC meeting or in a letter or e-mail to the other TEAC members.
 - The request for elevation is placed on the agenda for discussion at a subsequent TEAC meeting.
 - If the issue is not resolved at that subsequent TEAC meeting, the issue is elevated to more senior officials within the TEAC agencies.
 - Each TEAC member is responsible for identifying the more senior official(s) within his or her agency who will be directly involved in the elevation.
 - The TEAC members will work together to plan the logistics and timing of the elevation process, including any briefing materials or other documents that need to be prepared prior to a resolution of the issue.
- 6.7. Resolving Issues of Concern. Under the statute, NCTA or the Governor may request a meeting at any time to resolve issues of concern. If such a meeting is requested, FHWA will convene a meeting in accordance with SAFETEA-LU to resolve the specified issues of concern. If an issue of concern is not resolved within 30 days after such a meeting, a report must be submitted to Congress and to the heads of certain agencies, as provided in SAFETEA-LU. If such a meeting is not requested, FHWA and NCTA will seek to address and resolve the agencies’ issues of concern as part of normal agency

coordination during the environmental review process. NCTA anticipates that this process will be invoked rarely.

7. Development of Purpose and Need

7.1. Preliminary P&N with Supporting Information. Early in project development, NCTA will prepare a brief preliminary statement of purpose and need – generally no more than one page in length. The preliminary statement purpose and need will be distributed to the agencies. This preliminary statement will be accompanied by supporting information to the extent that it is available. This information will include:

- GIS map of study area (with study area identified)
- Summary of local concerns that resulted in project addition to LRTP and MTIP
- Traffic data related to project needs
- Justification for designation as turnpike project (based on funding needs, etc.)
- Description of how the action will address the need.

7.2. Discussion at TEAC Meeting. The preliminary purpose and need will be discussed with the Participating Agencies at a TEAC meeting. This will provide an early opportunity for agency input into the Purpose and Need for the project. In accordance with Section 6002, the comment period will be 30 days (unless otherwise agreed).

7.3. Determination of Purpose and Need. The purpose and need will be refined, as appropriate, based on input from the Participating Agencies and the public. Refinement of the purpose and need may be a gradual, iterative process that occurs during the alternatives development and screening process. This process will include an opportunity for agencies and the public to comment on the purpose and need as part of their review of the alternatives screening report. (See Part 8.4 and 8.5 below.) The Purpose and Need will be determined by the time of selection of Detailed Study Alternatives.

8. Development and Screening of Alternatives

8.1. Conceptual Alternatives. An initial set of conceptual alternatives will be developed as early as practicable in the process. The conceptual alternatives may be developed concurrently with the preliminary purpose and need statement. These alternatives will be provided to the agencies along with the environmental constraint mapping that provides the basis for identifying issues of concern. (See Part 6.1 above.)

8.2. Alternatives Development. Through agency coordination and public involvement, NCTA will develop a range of preliminary alternatives for consideration. This range may extend beyond the initial set of conceptual alternatives. This effort is intended to be comprehensive and inclusive. NCTA will maintain a summary of all alternatives suggested by Participating Agencies and the public.

- 8.3. Alternatives Screening Report. The NCTA will prepare an alternatives screening report that presents the justification for eliminating alternatives from further consideration, and identifies alternatives proposed for detailed study. The alternatives screening report will be provided to the Participating Agencies and discussed in a TEAC meeting.
- 8.4. Opportunity for Public Input. A summary of the alternatives screening report will be made available for public review and comment. A public meeting (or meetings) will be held in the project area during the public comment period on this report. This comment period will serve as the public's opportunity for involvement in both developing the purpose and need and determining the range of alternatives to be considered in the EIS. A report summarizing public input will be provided to Participating Agencies. Agencies will be given notice of the public meeting and will be welcome to attend.
- 8.5. Opportunity for Agency Input. Participating Agencies will be given a 30-day period to provide additional comments on the alternatives screening report following distribution of the report summarizing public comments. Participating Agencies will not be asked to concur on the alternatives screening report. Participating Agencies will be asked to submit any significant objections to the alternatives screening report in writing to FHWA and NCTA on agency letterhead.
- 8.6. Lead Agency Decision. The Lead Agencies identify the detailed study alternatives based on the comments received from Participating Agencies and the public. In general, the NCTA and FHWA will seek to resolve any issues or concerns regarding the range of detailed study alternatives at this stage of the process. Any issues that are not resolved at this stage will need to be resolved prior to issuance of a Section 404 permit by the USACE. It is incumbent on all Participating Agencies to raise issues, concerns, or comments in a timely manner and to also provide suggestions for resolution.

9. Methodologies and Level of Detail for Alternatives Analysis

- 9.1. Proposed Methodologies. Early in project development, NCTA will prepare materials outlining proposed methodologies for analyzing alternatives. The materials will summarize the methodologies intended to be used for each substantive area within the EIS – noise, air, water resources, traffic issues, secondary and cumulative impacts, etc. Standard procedures will simply be referenced, where applicable. Any modifications to standard procedures will be identified and discussed in more depth.
- 9.2. Opportunity for Agency Input. The proposed methodologies will be developed in consultation with agencies having relevant information, experience, or expertise. For example, the USACE and NCDENR and other Participating Agencies as appropriate will be consulted in developing the methodology for analyzing impacts to aquatic resources; the SHPO will be consulted in developing methodologies for analyzing impacts to historic sites (including both architectural and archeological resources).
- 9.3. Ongoing Coordination. Methodologies for alternatives analysis will be refined throughout the environmental review process. The Lead Agencies will discuss adjustments, as appropriate, with Participating Agencies at TEAC meetings.

9.4. Level of Detail. The Lead Agencies, in consultation with the Participating Agencies, will determine the appropriate level of design detail for preliminary alternatives, for the detailed study alternatives, and for the preferred alternative.

9.4.1. Preliminary Alternatives. The level of design for the detailed study alternatives will be determined in consultation with the Participating Agencies. There is no presumption that any specific level of design is needed; this issue will be determined based on the information needed to allow informed decision-making.

9.4.2. Detailed Study Alternatives. In general, functional design will be used as the basis for comparing the impacts of the alternatives in the DEIS (known as the Detailed Study Alternatives) and will be used for developing the cost estimates presented in the DEIS. A higher level of design detail may be developed for Detailed Study Alternatives in some cases; this issue will be discussed with Participating Agencies in accordance with Sections 9.1, 9.2, and 9.3.

9.4.3. Bridging Decisions. The Lead Agencies, in consultation with USACE and NCDENR (and, if appropriate, other Participating Agencies) will determine bridge locations and approximate lengths for each of the Detailed Study Alternatives. These issues also will be discussed in TEAC meetings with all Participating Agencies.

9.4.4. Preferred Alternative. The Preferred Alternative may be developed to a higher level of detail in the FEIS, in accordance with procedures specified in FHWA/FTA guidance for the Section 6002 process. If phased construction is anticipated, the higher level of design detail may be developed for a portion of the Preferred Alternative. As allowed under Section 6002, the higher level of design detail may be prepared for the purpose of developing mitigation measures and/or for complying with permitting requirements (e.g., Section 404 permitting).

9.5. Lead Agency Decision. If there are disagreements about methodology, or about the appropriate level of design detail, FHWA and NCTA will seek to resolve those disagreements with the agencies having the concern and those with relevant expertise – for example, the SHPO on historic property issues. After consultation, the Lead Agencies will determine the methodology to be used in the NEPA document. The basis for that decision will be documented in the project file and provided to the Participating Agencies.

10. Selection of Preferred Alternative/LEDPA

10.1. Timing for Identifying Preferred Alternative. The following actions will be completed before NCTA submits a Preferred Alternative Report to the Participating Agencies:

- the DEIS has been issued (including a Conceptual Mitigation Proposal) and submitted to the State Clearinghouse;
- a Section 404 Public Notice Request has been submitted to USACE, and the Public Notice has been issued by the USACE;

- a public hearing on the DEIS has been held, and the comment period on the DEIS has ended,

10.2. Process for Identifying Preferred Alternative. The process for identifying a preferred alternative will include:

- the NCTA will prepare an information package containing an impacts comparison matrix, responses to substantive comments on the DEIS that relate to selection of the preferred alternative, and other pertinent information;
- the NCTA will provide the information package to the Participating Agencies at least two weeks prior to the TEAC meeting at which the package will be discussed.
- the Participating Agencies will be given a 30-day period following the TEAC meeting to provide comments on the information package, and there will be a discussion of the alternatives comparison package at a TEAC meeting; and
- if requested by the Participating Agencies, the NCTA will arrange for a field review of the alternatives.

10.3. Preparation of Preferred Alternative Report. The NCTA will prepare a report identifying its preferred alternative and the justification for selecting that alternative. The report will address all applicable regulatory requirements, such as Section 404 and 401 of the Clean Water Act and Section 4(f) of the USDOT Act. The report will be prepared in coordination with FHWA and with input from the Participating Agencies as described in Section 10.2.

10.4. Opportunity for Agency Input. The NCTA will provide FHWA, NCDOT, and all Participating Agencies with a copy of the preferred alternative report. The report will be discussed at a TEAC meeting. Agencies will be provided with a 30-day period to comment on the report after the meeting (in addition to the comment opportunities provided under Section 10.1 above). Agencies will not be asked to concur in this report. Agencies will be asked to submit any significant objections in writing to FHWA and NCTA on agency letterhead.

10.5. Lead Agency Decision. FHWA will formally identify its preferred alternative after considering all comments received from Participating Agencies, including both written comments and comments provided in TEAC meetings.

11. Avoidance, Minimization, Mitigation, and Enhancement

11.1. Integration into Project Development. Opportunities to avoid, minimize, and mitigate impacts, and to enhance the impacted resources, will be considered throughout the process, including during initial development of alternatives. As allowed under Section 6002, the preferred alternative may be developed to a higher level of detail for purposes of developing mitigation measures and meeting permitting requirements.

11.2. Required Compensatory Mitigation. The Lead Agencies will consult with USACE and NCDENR (and other Participating Agencies as appropriate) to determine the type, size, and location of required compensatory mitigation for impacts to waters of the United States.

11.2.1. On-Site Mitigation. The potential for on-site mitigation for impacts to waters of the United States will be considered in the DEIS for each of the Detailed Study Alternatives. This discussion will typically include a discussion of conceptual on-site mitigation locations. The potential for on-site mitigation will be discussed in more detail for the Preferred Alternative in the FEIS.

11.2.2. Off-Site/Ecosystem Enhancement Program (EEP). Where applicable, the NCTA will coordinate with the Ecosystem Enhancement Program (EEP) during project development and design regarding the use of credits from the EEP to meet mitigation requirements for impacts to waters of the United States. The EEP also may be used to carry out on-site mitigation on behalf of NCTA.

12. Section 404/401 Permitting and Other Permits/Approvals

12.1. Early Coordination. NCTA will conduct early coordination with the Participating Agencies to identify applicable permitting requirements and to determine the analysis and documentation required to satisfy those requirements. See Parts 6 and 9 above. Permits that may be applicable to this project include:

- Section 404/401 Permits
- Successful completion of Section 7 consultation
- Successful completion of Section 106 process (and Section 4(f), if applicable)
- Air quality conformity compliance

12.2. Comment Opportunities. The environmental review process includes multiple opportunities for comment by Participating Agencies, as described below:

12.2.1. Participating Agencies may submit comments at the monthly TEAC meetings and in other meetings or field visits held during the environmental review process. NCTA will prepare meeting summaries for all substantive meetings with Participating Agencies. The meeting summaries will document comments provided by Participating Agencies.

12.2.2. Participating Agencies also will be invited to provide written comments at various points in the process as noted above. Agencies are encouraged to provide their written comments on agency letterhead; in particular, agencies are strongly encouraged to use letterhead when identifying issues of concern. However, all written comments submitted by agencies, including comments submitted by email, will be accepted and considered in decision-making.

- 12.2.3. If a Participating Agency raises an issue of concern, the Lead Agencies will confer with that agency, and with other agencies as appropriate, to address those issues.
- 12.2.4. Meeting summaries and written agency comments (regardless of format) be considered by the Lead Agencies in decision-making and will be included in the project files.
- 12.3. Jurisdictional Determinations. The NCTA will prepare the necessary documentation to obtain jurisdictional determinations by the USACE (and, as appropriate, NCDENR) for all wetlands and streams within a corridor along each of the detailed study alternatives (unless otherwise determined as part of the discussion of methodologies in accordance with Section 9 of this plan). These determinations will be used as the basis for comparing wetlands and stream impacts in the DEIS. The width of the corridor within which jurisdictional determinations are made will be determined on a project-by-project basis.
- 12.4. Pre-Application Consultation. The NCTA will engage in pre-application consultation, as appropriate, with each agency that is responsible for making a permit decision on the project. For projects requiring a Section 401 and Section 404 permits, the pre-application consultation will include a detailed hydraulic design review.
- 12.5. Request for Public Notice. The NCTA will submit the Section 404 permit application to the USACE at the time the DEIS is issued. This application will typically be submitted prior to identification of a preferred alternative; therefore, it typically will not identify the specific alternative for which the permit is being requested. This submittal will enable the USACE to issue a public notice and to use the FHWA/NCTA public hearing on the DEIS as the USACE's public hearing on the Section 404 application. *[Note: This could be modified on a case-by-case basis.]*
- 12.6. Public Hearing. The public hearing on the DEIS will also serve as the public hearing for the Section 404 permit application. *[Note: This could be modified on a case-by-case basis.]*
- 12.7. Refining the Permit Application. After selection of a preferred alternative, the NCTA will coordinate on a regular basis with the USACE, NCDENR, and other Participating Agencies as appropriate regarding all applicable permit applications for the project. This coordination may occur as part of the TEAC meetings and/or in separate meetings convened to discuss permitting issues. These meetings will include discussions of:
- avoidance and minimization measures
 - compensatory mitigation
 - review of hydraulic design *[the process for this review will be defined more specifically in project-specific coordination plans]*
 - review of stormwater management plans
 - review of final permit drawings

- 12.8. Permit Application and Decision. After the permitting meetings described above, the NCTA will submit an updated Section 404 permit application to the USACE and a Section 401 certification request to NCDENR. Permit applications under other applicable laws will also be filed. All permit applications shall be filed in accordance with the respective agency permitting requirements in place at the time of application. All respective permitting agencies shall forward the permit applications to other agencies for review as required by the respective agency regulations and/or rules.
- 12.9. Permit Decisions. The permitting agencies will consider and act upon the permit applications in accordance with their procedures.
- 12.10. Permitting Delay. If a Section 404 permit (or any other permit or approval) is not issued within 180 days after the FHWA issues a ROD *and* a complete permit application is submitted, the USDOT will be required by Section 6002 to submit a report to the Congress – specifically, to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure in the House of Representatives. Reports must be submitted every 60 days thereafter until the issue is resolved. The same requirement applies to other permitting decisions.
- 12.11. Coordination After Permit Issuance. After permit issuance, NCTA will coordinate directly with permitting agencies and others as required by the terms of project permits. Such coordination may include issues such as reviewing final project plans, tracking compliance with permit conditions, and modifying permits to address changes to the project’s design, construction methodology or construction timeframe.
- 12.12. Permitting for Phased Construction. [This is a placeholder. If a phased approach is contemplated for a project, a section will be added here to describe that approach. It will be modeled on phasing as used in the NCDOT Merger agreement.]

Exhibit 1

**PROJECT INITIATION LETTER
&
NOTICE OF INTENT**



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

January 5, 2007

John F. Sullivan, III, P.E.
Division Administrator
FHWA North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

**RE: TIP R-3329/R-2559 Monroe Connector/Bypass
Notification of Project Initiation**

Dear Mr. Sullivan,

In accordance with Section 6002 of SAFETEA-LU, the North Carolina Turnpike Authority (NCTA) is notifying the Federal Highway Administration (FHWA) that planning, environmental, and engineering studies for the proposed Monroe Connector/Bypass project are underway. The project is included in the 2006-2012 North Carolina Transportation Improvement Program (TIP) in addition to the Draft 2007-2013 TIP as Projects R-3329 and R-2559. The Monroe Connector project was adopted by NCTA as a toll-candidate project in February 2005, and the Monroe Bypass was added in October 2006. They are now being developed as a single project in a single Environmental Impact Statement (EIS).

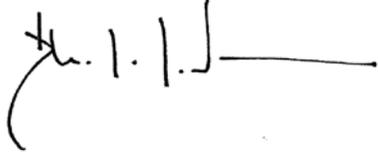
NCTA, in cooperation with North Carolina Department of Transportation (NCDOT), will prepare an EIS on the proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and the vicinity of the Town of Marshville in Union County. The proposed project is approximately 21 miles in length and is located southeast of Charlotte in the vicinity of the towns of Lake Park, Stallings, and Mint Hill and the cities of Monroe, Indian Trail, and Matthews.

It is anticipated that a Clean Water Act 404 Individual Permit will be required from the US Army Corps of Engineers. NCTA will coordinate throughout project development with the Corps to assure that their concerns are addressed and incorporated into the EIS.

Enclosed, please find a Draft Notice of Intent to begin work on the environmental document for the combined Monroe Connector and Monroe Bypass project. If you have

any questions or would like to discuss the project in more detail, please contact Jennifer Harris at (919) 571-3004.

Sincerely,

A handwritten signature in black ink, appearing to read "S.D. DeWitt", with a horizontal line extending to the right.

Steven D. DeWitt, P.E.
Chief Engineer

cc: Ms. Jennifer Harris, P.E., NCTA
Ms. Deborah Barbour, P.E., NCDOT
Ms. Anne Lenart-Redmond, E.I., HNTB

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Membership Availability in the National Parks Overflights Advisory Group Aviation Rulemaking Committee To Represent Commercial Air Tour Interests****ACTION:** Notice.

SUMMARY: The National Park Service (NPS) and the Federal Aviation Administration (FAA), as required by the National Parks Air Tour Management Act of 2000, established the National Parks Overflights Advisory Group (NPOAG) in March 2001. The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. This notice informs the public of one vacancy (due to completion of membership on May 19, 2007), on the NPOAG (now the NPOAG Aviation Rulemaking Committee (ARC)) for a member representing commercial air tour operators, and invites interested persons to apply to fill the vacancy.

DATES: Persons interested in serving on the NPOAG ARC should contact Mr. Barry Brayer in writing and postmarked or e-mailed on or before March 1, 2007.

FOR FURTHER INFORMATION CONTACT: Barry Brayer, Executive Resource Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, 15000 Aviation Blvd., Hawthorne, CA 90250, telephone: (310) 725-3800, e-mail: Barry.Brayer@faa.gov.

SUPPLEMENTARY INFORMATION:**Background**

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The advisory group is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the advisory group.

The advisory group provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) On commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) On other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) At the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

Members of the advisory group may be allowed certain travel expenses as authorized by Section 5703 of Title 5, United States Code, for intermittent Government service.

By FAA Order No. 1110-138, signed by the FAA Administrator on October 10, 2003, the NPOAG became an Aviation Rulemaking Committee (ARC). FAA Order No. 1110-138, was amended and became effective as FAA Order No. 1110-138A, on January 20, 2006.

The current NPOAG ARC is made up on one member representing general aviation, three members representing the air tour industry, four members representing environmental concerns, and two members representing Native American interests. Current members of the NPOAG ARC are: Heidi Williams, Aircraft Owners and Pilots Association; Alan Stephen, fixed-winged air tour operator representative; Elling Halvorson, Papillon Airways, Inc.; Matthew Zuccaro, Helicopters Association International; Chip Dennerlein, Siskiyou Project; Greg Miller, American Hiking Society; Mark Peterson, National Audubon Society; Don Barger, National Parks Conservation Association; Rory Majenty, Hualapai Nation; and Richard Deertrack, Taos Pueblo.

Public Participation in the NPOAG ARC

In order to retain balance within the NPOAG ARC, the FAA and NPS invite persons interested in serving on the ARC to represent the commercial air tour industry, to contact Mr. Barry Brayer (contact information is written above in **FOR FURTHER INFORMATION CONTACT**) Requests to serve on the ARC must be made to Mr. Brayer in writing and postmarked or e-mailed on or before March 1, 2007. The request should indicate whether or not you are a member of an association representing commercial air tours or have another affiliation with issues relating to aircraft flights over national parks. The request should also state what expertise you would bring to the NPOAG ARC as related to environmental interests. The

term of service NPOAG ARC members is 3 years.

Issued in Hawthorne, CA on January 11, 2007.

Barry Brayer,*Manager, Executive Resource Staff, Western-Pacific Region.*

[FR Doc. 07-186 Filed 1-18-07; 8:45 am]

BILLING CODE 4910-13-M**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Environmental Impact Statement: Mecklenburg and Union Counties, NC****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed project in Mecklenburg and Union Counties, North Carolina.

FOR FURTHER INFORMATION CONTACT: Mr. George Hoops, Major Projects Engineer, Federal Highway Administration, 310 New Bern Avenue, Suite 410, Raleigh, North Carolina 27601-1418, Telephone: (919) 856-4350 extension 104.

SUPPLEMENTARY INFORMATION: Pursuant to Title 23, Code of Federal Regulations, Part 771, Environmental Impact and Related Procedures, the FHWA, in cooperation with the North Carolina Turnpike Authority (NCTA) and the North Carolina Department of Transportation (NCDOT), will prepare an environmental impact statement (EIS) addressing proposed improvements in the US 74 corridor from I-485 in Mecklenburg County to the vicinity of the Town of Marshville, which is east of the City of Monroe (the County seat) in Union County. The proposed project study extends from I-485 in the west to the vicinity of the Town of Marshville in the east and extends north and south of US 74. The proposed action is included in the long range transportation plan approved by the Mecklenburg-Union Metropolitan Planning Organization (MUMPO).

This study is a combination of two projects previously analyzed by NCDOT, the Monroe Bypass (NCDOT Transportation Improvement Program [TIP] Project R-2559) and the Monroe Connector (NCDOT TIP Project R-3329). The Monroe Bypass study addressed in the US 74 corridor from just west of the City of Monroe to just west of the Town of Marshville. An Environmental Assessment for this project was approved in March 1996, and a Finding

of No Significant Impact was issued in June 1997. The Monroe Connector study previously addressed improvements in the US 74 corridor from I-485 to US 601 in the City of Monroe, where it ended at the proposed Monroe Bypass. A Draft EIS for this project was approved in November 2003; however, a public hearing was never held. In February 2005, the NCTA adopted the Monroe Connector as a toll candidate facility, and in January 2006, the Notice of Intent for the Monroe Connector EIS was rescinded (**Federal Register** Vol. 71, No. 19, page 4958). Subsequently, NCTA adopted the Monroe Bypass project as a toll candidate facility in October 2006. The Monroe Connector and Monroe Bypass projects have been combined into a single project and will be evaluated in a single EIS.

The EIS for the proposed action will consider alternatives for improvements in the US 74 corridor from I-485 to US 74 in the vicinity of the Town of Marshville. Alternatives, including a "No-Build" Alternative (continuation of the existing condition), improving the existing US 74 corridor, and constructing a new location facility, will be considered. Several alternative corridors for a new location facility will be studied. As part of the EIS, NCTA will study the feasibility and impacts of developing the proposed project, in whole or in part, as a toll road.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies. Scoping will occur over a series of meetings with the agencies and citizens informational workshops with the public. Information on the dates, times, and locations of the citizens informational workshops will be advertised in the local news media and newsletters will be mailed to those on the project mailing list. If you wish to be placed on the mailing list, contact Jennifer Harris at the address listed below. The Draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments and questions concerning the proposed action should be directed to the FHWA at the address provided above or directed to: Ms. Jennifer Harris, Staff Engineer, North Carolina Turnpike Authority, 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina, 27612. Telephone: (919) 571-3004.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research,

Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation of Federal programs and activities apply to this program.)

George Hoops,

Major Projects Engineer, Federal Highway Administration, Raleigh, North Carolina.

[FR Doc. 07-196 Filed 1-18-07; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[Docket No: FTA-2006-23697]

Public-Private Partnership Pilot Program

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of establishment of Public-Private Partnership Pilot Program; solicitation of applications.

SUMMARY: Section 3011(c) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") authorizes the U.S. Secretary of Transportation to establish and implement a pilot program to demonstrate the advantages and disadvantages of public-private partnerships for certain new fixed guideway capital projects (the "Pilot Program"). This notice establishes and sets forth the definitive terms of the Pilot Program. By separate notice to be published in the **Federal Register** not later than March 31, 2007, FTA will summarize and respond to comments solicited by FTA by notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568. This notice is not a "binding obligation" as defined at 49 U.S.C. 5334(l)(2). This notice is organized into three sections: (1) "Background;" (2) "Overview of Pilot Program;" and (3) "Definitive Terms."

DATES: To be considered in FTA's first quarterly review of applications to the Pilot Program, applications must be received by FTA on or before March 31, 2007. Applications received by FTA between March 31, 2007, and July 1, 2007, will be reviewed in FTA's second quarterly review of applications to the Pilot Program. See "Applications" at section 3(f) of this notice.

ADDRESSES: Applications should be submitted by U.S. Post or express mail to the Federal Transit Administration, c/o the Chief Counsel, Office of Chief Counsel, Room 9328, 400 Seventh Street, SW., Washington, DC 20590. Please note that due to security procedures in effect since October 2001 regarding mail deliveries, mail received

through the U.S. Postal Service may be subject to delays. Parties making applications to the Pilot Program should consider using an express mail service to ensure the prompt filing of any applications not filed by express mail.

FOR FURTHER INFORMATION CONTACT: Questions concerning the Pilot Program should be addressed to David B. Horner, Esq., Chief Counsel, Federal Transit Administration, by e-mail at David.Horner@dot.gov or by telephone at (202) 689-4464. To read materials on the DOT docket responsive to FTA's notice published in the **Federal Register** on March 22, 2006, at 71 FR 14568, please go to <http://dms.dot.gov> at any time or to the Docket Management System.

SUPPLEMENTARY INFORMATION:

1. Background

(a) *Objective.* The Public-Private Partnership Pilot Program (the "Pilot Program") is intended to demonstrate the advantages and disadvantages of public-private partnerships ("PPPs") for certain new fixed guideway capital projects funded by the Federal Transit Administration ("FTA"). In particular, the Pilot Program is intended to study whether, in comparison to conventional procurements, PPPs better reduce and allocate risks associated with new construction, accelerate project delivery, improve the reliability of projections of project costs and benefits, and enhance project performance. The Pilot Program will accordingly study projects that, among other things, utilize methods of procurement that integrate risk-sharing and streamline project development, engineering, construction,¹ operation, and maintenance.² The amount and terms of private investment to be made in such projects will be a significant consideration in selecting projects to participate in the Pilot Program.

(b) *PPPs in General.* As the growth in traditional transportation revenue sources, such as gasoline taxes, continues to decline and transportation operation, maintenance, replacement, and expansion needs and costs increase, transportation agencies are experiencing significant pressure to find ways to

¹ Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users H.R. REP. NO. 109-203, at 936-37 (2005), reprinted in 2005 U.S.C.C.A.N. 452.

² Section 5309(c)(4)(A), which permits the Secretary to approve an application to the Pilot Program if "State and local laws permit public-private agreements for all phases of project development, construction and operation of the project" (emphasis added) indicates that the Pilot Program is intended to demonstrate the advantages and disadvantages of PPPs for all aspects certain new fixed guideway capital projects, including their operation and maintenance.

Exhibit 2

2007 CONCURRENCE AND INTERAGENCY MEETINGS

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JANUARY 1

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- State and Federal Holidays
- Interagency Meetings - Mornings
- Eastern Concurrence Meetings
- Western Concurrence Meetings
- Eastern Hydraulics Meetings
- Western Hydraulics Meetings
- NC Turnpike Authority East
- NC Turnpike Authority West - Afternoon
- NC Turnpike Authority East & West



U.S. Department
of Transportation

**Federal Highway
Administration**

North Carolina Division

February 13, 2007

310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

In Reply Refer To:
HDA-NC

Mr. Steve Lund
US Army Corps of Engineers
Asheville Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

RE: Invitation to Become Participating Agency and Cooperating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Mr. Lund:

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

FHWA also requests the participation of the US Army Corps of Engineers as a cooperating agency in the preparation of the Draft EIS and Final EIS, in accordance with 40 CFR 1501.6 of the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the National Environmental Policy Act.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

- 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.

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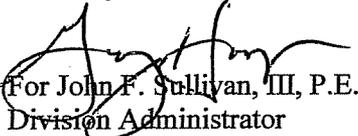
A federal agency who does not respond to this letter will automatically be designated as a participating agency. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation to Ms. Jennifer Harris, P.E., NCTA Staff Engineer, at 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina 27612 by March 22, 2007. Pursuant to SAFETEA-LU Section 6002, any federal agency that chooses to decline the invitation to be a participating agency must specifically state in its response that it:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intent to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350 or Ms. Harris at (919) 571-3004.

Thank you for your cooperation and interest in this project.

Sincerely,



For John F. Sullivan, III, P.E.
Division Administrator

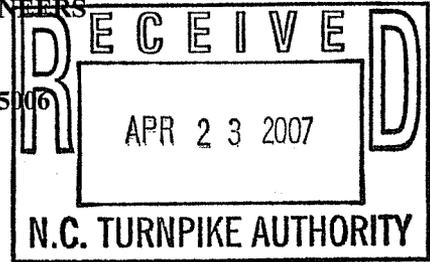
cc: Mr. George Hoops, P.E., FHWA
Ms. Jennifer Harris, P.E., NCTA
Mr. Scott McLendon, USACE



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
151 PATTON AVENUE
ROOM 208
ASHEVILLE, NORTH CAROLINA 28801-5006

April 16, 2007



Regulatory Division

SUBJECT: TIP Project Nos. R-3329 (Monroe Connector) and R2559 (Monroe Bypass)

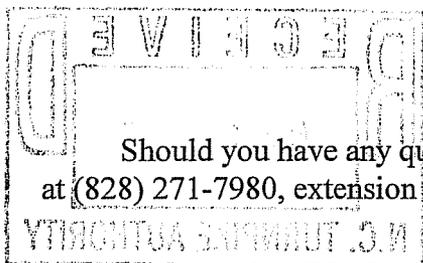
Mr. John F. Sullivan, III
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601-1418

Dear Mr. Sullivan:

This is in response to your letter of February 13, 2007 requesting the participation of the US Army Corps of Engineers as a cooperating agency in the preparation of the Draft and Final Environmental Impact Statement (EIS) for proposed transportation improvements in the US Highway 74 corridor between Interstate 485 in Mecklenburg County and existing US Highway 74 in Union County. The subject projects are being combined into one project and will be evaluated in a single environmental document. It is our understanding that this project may be developed in cooperation with the North Carolina Turnpike Authority (NCTA) as a toll facility.

Department of the Army (DA) permit authorization, pursuant to Section 404 of the Clean Water Act of 1977, as amended, will be required for the discharge of dredged or fill material in waters of the United States or any adjacent wetlands in conjunction with this project, including disposal of construction debris. Pursuant to our mitigation policy, impacts to wetlands should first be avoided or minimized. We will then consider compensatory mitigation for unavoidable impacts.

Pursuant to the Council on Environmental Quality, (40 CFR 1501.6 Cooperating Agencies), we would like to participate in the development of the necessary environmental document as a Cooperating Agency. It is our intention to formally adopt the Federal Highway Administration EIS, in whole or in part, provided it meets our requirements relative to Section 404 of the Clean Water Act and NEPA when the Record of Decision is completed. Please note that other program commitments will preclude us from funding or writing any portion of the subject document. However, it is our intention to fully participate in the development of the necessary document through the approved Coordination Plan pursuant to Section 6002 of SAFETEA-LU.



Should you have any questions please contact the undersigned in the Asheville Field Office at (828) 271-7980, extension 223.

Sincerely,

Steven W. Lund
Project Manager
Asheville Regulatory Field Office

Copies Furnished:

Mr. George Hoops, PE
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601-1418

Mr. John Hennessey
NCDENR-DWQ
Wetlands Section
1621 Mail Service Center
Raleigh, NC 27699-1621

Ms. Jennifer Harris, PE
North Carolina Turnpike Authority
5400 Glenwood Avenue, Suite 400
Raleigh, North Carolina 27612



U.S. Department
of Transportation

**Federal Highway
Administration**

North Carolina Division

February 13, 2007

310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

In Reply Refer To:
HDA-NC

Mr. Chris Militscher
US Environmental Protection Agency
310 New Bern Ave, Suite 410
Raleigh, NC 27601

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Mr. Militscher,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

- 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.

A federal agency who does not respond to this letter will automatically be designated as a participating agency. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation to Ms. Jennifer Harris, P.E., NCTA Staff Engineer, at 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina 27612 by March 22, 2007. Pursuant to SAFETEA-LU Section 6002,

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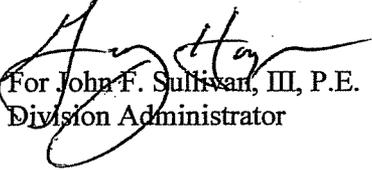
any federal agency that chooses to decline the invitation to be a participating agency must specifically state in its response that it:

- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intent to submit comments on the project.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350 or Ms. Harris at (919) 571-3004.

Thank you for your cooperation and interest in this project.

Sincerely,



For John F. Sullivan, III, P.E.
Division Administrator

cc: Mr. George Hoops, P.E., FHWA
Ms. Jennifer Harris, P.E., NCTA
Mr. Ted Bisterfield, EPA-Atlanta



U.S. Department
of Transportation

**Federal Highway
Administration**

North Carolina Division

February 13, 2007

310 New Bern Avenue, Suite 410
Raleigh, North Carolina 27601

In Reply Refer To:
HDA-NC

Ms. Marella Buncick
US Fish and Wildlife Service
Asheville Field Office
160 Zillicoa Street
Asheville, NC 28801

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Ms. Buncick,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

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- 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.

A federal agency who does not respond to this letter will automatically be designated as a participating agency. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation to Ms. Jennifer Harris, P.E., NCTA Staff Engineer, at 5400 Glenwood Avenue,

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AMERICAN
ECONOMY



Suite 400, Raleigh, North Carolina 27612 by March 22, 2007. Pursuant to SAFETEA-LU Section 6002, any federal agency that chooses to decline the invitation to be a participating agency must specifically state in its response that it:

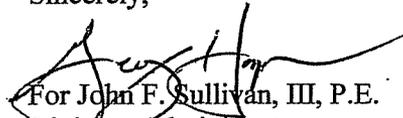
- Has no jurisdiction or authority with respect to the project;
- Has no expertise or information relevant to the project; and
- Does not intent to submit comments on the project.

A federal agency that does not decline the invitation by the date specified above will automatically be designated as a participating agency.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact please contact Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350 or Ms. Harris at (919) 571-3004.

Thank you for your cooperation and interest in this project.

Sincerely,



For John F. Sullivan, III, P.E.
Division Administrator

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA
Mr. Brian Cole, USFWS



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

February 14, 2007

Ms. Polly Lespinasse
NCDENR-Division of Water Quality
610 East Center Ave., Suite 301
 Mooresville, NC 28115

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Ms. Lespinasse,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

- 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.

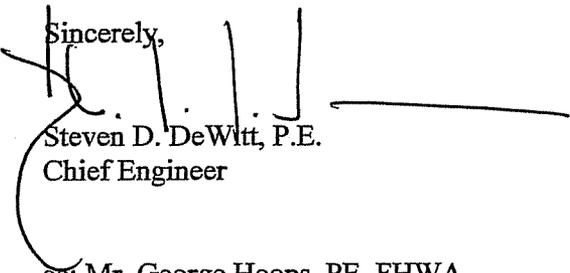
Please respond to this invitation prior to March 22, 2007. If you wish to accept this invitation, please sign in the space below and return a copy to Ms. Jennifer Harris, P.E., NCTA Staff

Engineer, at 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina 27612. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact Ms. Harris at (919) 571-3004 or Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350.

Thank you for your cooperation and interest in this project.

Sincerely,



Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA
Mr. John Hennessy, NCDENR-DWQ

We accept the invitation to become a participating agency.

John Hennessy
Print Name

John E. Hennessy
Signature

4/18/07
Date



RECEIVED
NCWRC

FEB 16 2007

Habitat Conservation Program
pm 2-14

STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

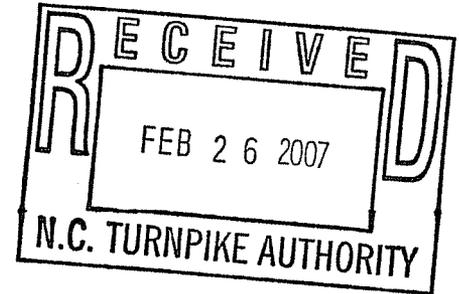
1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

February 14, 2007

Ms. Marla Chambers
NC Wildlife Resources Commission
4614 Wilgrove-Mint Hill Rd, Suite M
Charlotte, NC 28227

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559



Dear Ms. Chambers,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

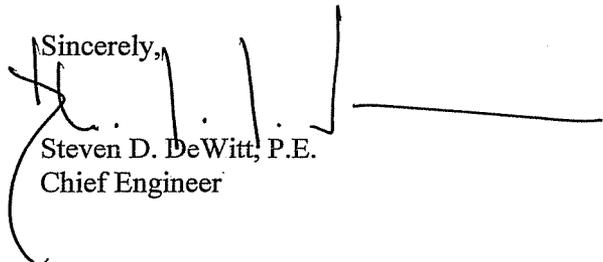
- 1) Provide meaningful and early input on defining the purpose and need, determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis.
- 2) Participate in coordination meetings and joint field reviews as appropriate.
- 3) Timely review and comment on documents provided for your agency's input during the environmental review process.

Please respond to this invitation prior to March 22, 2007. If you wish to accept this invitation, please sign in the space below and return a copy to Ms. Jennifer Harris, P.E., NCTA Staff Engineer, at 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina 27612. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact Ms. Harris at (919) 571-3004 or Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350.

Thank you for your cooperation and interest in this project.

Sincerely,



Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA

We accept the invitation to become a participating agency.

Marla Chambers

Print Name

Marla Chambers

Signature

2-20-2007

Date

I'll be the ^{agency} contact person
for this project.



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

February 14, 2007

Ms. Sarah McBride
State Historic Preservation Office
4617 Mail Service Center
Raleigh, NC 27699-4617

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Ms. McBride,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

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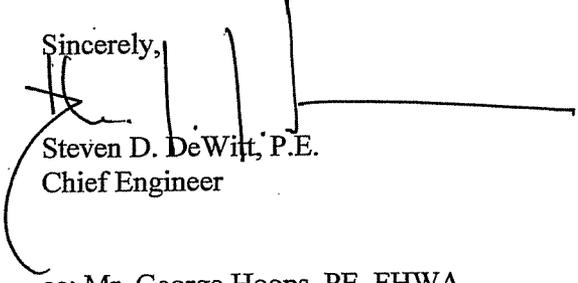
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Thank you for your cooperation and interest in this project.

Sincerely,



Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA
Ms. Renee Gledhill-Early, SHPO

We accept the invitation to become a participating agency.

Print Name

Signature

Date



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

February 14, 2007

Mr. Stephen Claggett
Office of State Archaeology
North Carolina Department of Cultural Resources
4619 Mail Service Center
Raleigh, NC 27699-4619

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Mr. Claggett,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

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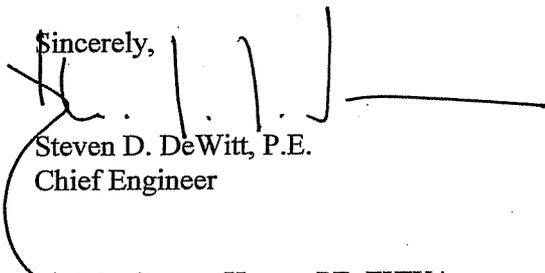
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Thank you for your cooperation and interest in this project.

Sincerely,



Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA
Dr. Jeffrey Crow, NCDCR

We accept the invitation to become a participating agency.

Print Name

Signature

Date



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

February 21, 2007

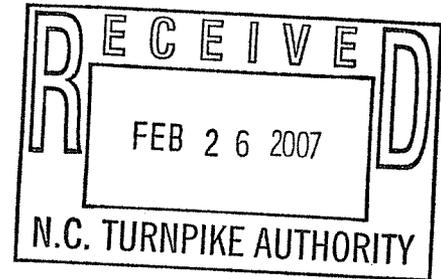
MEMORANDUM

To: Jennifer Harris
NC Turnpike Authority

George Hoops
Federal Highway Administration

From: Peter Sandbeck *By Peter Sandbeck*

Re: Invitation to become a Participating Agency, Monroe Connector/Bypass Project,
R-3329 and R-2559, Mecklenburg & Union Counties, CH 03-3581 & ER 02-9791



Thank you for your February 14, 2007, letters to Jeffrey Crow, Deputy Secretary for the Department of Cultural Resources; Steve Claggett, State Archaeologist; and Sarah McBride, Environmental Review Specialist for Transportation Projects, inviting their agencies to become participating parties in the above-referenced undertaking. As explained in the attached memorandum of February 21, 2007, it is our intent to coordinate the participation and consultation of our department, the Office of State Archaeology, and State Historic Preservation Office with the North Carolina Turnpike Authority through the State Historic Preservation Office, under my signature as Deputy State Historic Preservation Officer. Thus, I am pleased to accept your invitation of become a Participating Agency in the subject project and to serve as the single point of contact for the three entities.

We look forward to working with the Authority and the other agencies involved in this project. Please contact Renee-Gledhill-Earley at 733-4763 or renee.gledhill-earley@ncmail.net, if you have any questions concerning this matter.

Attachment

cc: Jeffrey Crow, DCR
Steve Claggett, OSA
Sarah McBride



STATE OF NORTH CAROLINA
TURNPIKE AUTHORITY

MICHAEL F. EASLEY
GOVERNOR

1578 MAIL SERVICE CENTER, RALEIGH, N.C. 27699-1578

DAVID W. JOYNER
EXECUTIVE DIRECTOR

February 14, 2007

Mr. Bob Cook
Transportation Program Manager
Charlotte-Mecklenburg Planning Department
600 East Fourth Street (8th Floor)
Charlotte, NC 28202

RE: Invitation to Become Participating Agency
Monroe Connector/Bypass Project
Mecklenburg & Union Counties/TIP Projects: R-3329 & R-2559

Dear Mr. Cook,

The Federal Highway Administration (FHWA) in cooperation with the North Carolina Turnpike Authority (NCTA) and North Carolina Department of Transportation (NCDOT), is initiating an Environmental Impact Statement (EIS) for proposed improvements in the US 74 corridor between I-485 in Mecklenburg County and US 74 in Union County. This project is included in the Draft 2007-2013 North Carolina Transportation Improvement Program as TIP Projects R-3329 (Monroe Connector) and R-2559 (Monroe Bypass). These projects are being combined into one project and will be evaluated in a single environmental document. The purpose of the project, as currently defined, is to improve mobility in the US 74 corridor within the project study area.

Your agency was identified as an agency that may have an interest in the project. With this letter, we are extending to your agency an invitation to be a participating agency with the FHWA in the development of the EIS for the subject project. This designation does not imply that your agency either supports the proposal or has any special expertise with respect to evaluation of the project.

Pursuant to Section 6002 of SAFETEA-LU, participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. We suggest that your agency's role in the development of the above project include the following as they relate to your area of expertise:

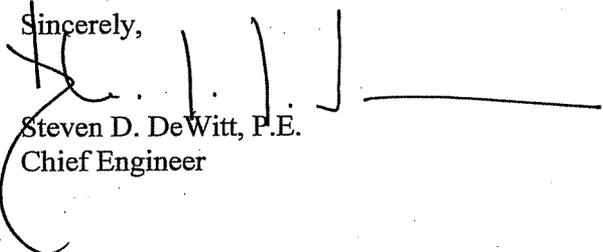
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- 2) Participate in coordination meetings and joint field reviews as appropriate.
- 3) Timely review and comment on documents provided for your agency's input during the environmental review process.

Please respond to this invitation prior to March 22, 2007. If you wish to accept this invitation, please sign in the space below and return a copy to Ms. Jennifer Harris, P.E., NCTA Staff Engineer, at 5400 Glenwood Avenue, Suite 400, Raleigh, North Carolina 27612. If you wish to decline, we ask that your agency submit a separate letter stating your reason for declining the invitation.

If you have any questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of the EIS, please contact Ms. Harris at (919) 571-3004 or Mr. George Hoops, FHWA Major Projects Engineer, at (919) 856-4350.

Thank you for your cooperation and interest in this project.

Sincerely,



Steven D. DeWitt, P.E.
Chief Engineer

cc: Mr. George Hoops, PE, FHWA
Ms. Jennifer Harris, PE, NCTA

We accept the invitation to become a participating agency.

Robert W. Cook
Print Name

Robert W. Cook
Signature

February 26, 2007
Date

APPENDIX A-6

AIR QUALITY CONFORMITY CORRESPONDENCE

- Letter to NCDENR from USEPA regarding SIP 11/17/08
- Response Letter from NCDENR 12/19/08
- Response Letter from USEPA 01/09/09



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

NOV 17 2008

Mr. William G. Ross, Jr., Secretary
North Carolina Department of
Environment and Natural Resources
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Dear Secretary Ross:

I am writing to you concerning your State Implementation Plan (SIP) for demonstrating attainment of the 8-hour national ambient air quality standard for ozone in the bi-state Charlotte nonattainment area. The bi-state Charlotte nonattainment area is comprised of several counties in North Carolina and a portion of York County in South Carolina. The York County portion also includes tribal land for the Catawba Indian Tribe. The plan for the North Carolina portion of this area was submitted to the U.S. Environmental Protection Agency (EPA) for review on June 15, 2008. Although our staffs have discussed the contents of this plan, we have not taken formal action to approve or disapprove the SIP.

The Clean Air Act and EPA rules for implementation of the 1997 ozone standard require that the attainment demonstration SIP for a moderate area such as the bi-state Charlotte area contain the State's demonstration that the SIP is capable of providing for attainment of the ozone standard by no later than June 15, 2010. This can only be done by projecting (through modeling and other analysis) that the area will achieve ozone levels consistent with the ozone standard by the end of the 2009 ozone season. Such modeling demonstrations are extremely complex and contain some uncertainty in the predictions.

After areas reach the attainment date, achievement of the standard is determined by assessing actual monitoring data from the most recent three years. Because we are now so close to the attainment date, we now believe that attainment will not be achieved by the required moderate area deadline based on air quality measurements from the summers of 2007 and 2008 that exceed the standard by a sizeable amount. Furthermore, we believe that the area will not meet the requirements for a one-year extension of the attainment date. Therefore, if we are required to take rulemaking action on the SIP, we see no alternative to proposing disapproval of the SIP's attainment demonstration. [Please see Attachment A to this letter, which contains the air quality data which lead EPA to its conclusion.]

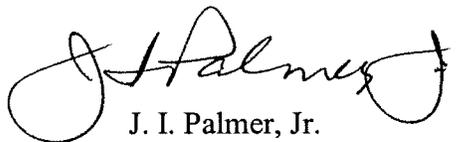
In cases where attainment of the ozone standard cannot be achieved by the required date, the Clean Air Act allows a State to seek a higher classification for the area. Section 181(b)(3) provides for States to request EPA to reclassify a nonattainment area to a higher classification

and requires EPA to grant such a request. Such a reclassification will have the effect of allowing for a new attainment date for the area (based on the new classification), which would be established in the new attainment demonstration. In conjunction with EPA's action on the reclassification request, EPA will establish a date for submission of a new attainment demonstration and any other additional requirements based on the area's new classification. It should be noted, however, that the Clean Air Act requires States to move forward to adopt and implement (to the extent measures are not yet in place) all RACT (Reasonably Available Control Technology) and other control measures needed to attain the 1997 ozone air quality standard as expeditiously as practicable. In particular, measures planned for the 2009 ozone season should not be delayed.

Please consider making a request to reclassify the North Carolina portion of the bi-state Charlotte nonattainment area to a higher classification. I will need a response from you no later than December 8, 2008, if you are going to make such a request. In the absence of a reclassification request for the North Carolina portion of the bi-state Charlotte nonattainment area, I intend to sign a proposed disapproval of your existing attainment demonstration by no later than January 9, 2009. A letter similar to this was sent to South Carolina with this same request.

As always, please feel free to contact me or Beverly Banister in Region 4 at (404) 562-9326, if additional information is needed. I will look forward to hearing from you regarding your decision.

Sincerely,

A handwritten signature in black ink, appearing to read "J. I. Palmer, Jr.", with a large, stylized flourish at the end.

J. I. Palmer, Jr.
Regional Administrator

Attachment

cc: Bob King, SC DHEC
B. Keith Overcash, NC DENR
Myra Reece, SC DHEC
Don Willard, Mecklenburg County
Marcus Peacock, U.S. EPA
Robert Meyers, U.S. EPA
Beverly Banister, U.S. EPA Region 4

Attachment A

Air Quality Data Which Leads U.S. EPA to Conclude that the Charlotte-Gastonia-Rock Hill, NC-SC Ozone Nonattainment Area Will Not Achieve the Ozone NAAQS (0.08 ppm) by the End of the 2009 Ozone Season

Monitoring Site ID	POC	County	State	Preliminary 2006-2008 Design Value as of November 12, 2008 (ppm)	Did this site meet NAAQS as of November 12, 2008?	Number of Days in 2008 Above the 1997 Standard	2006 4th Maximum Value (ppm)	2007 4th Maximum Value (ppm)	2008 4th Maximum Value as of November 12, 2008 (ppm)	Critical Value in 2009 as of November 12, 2008 (ppm)
371090004	1	Lincoln	North Carolina	0.082	Yes	3	0.082	0.085	0.079	0.091
371190041	1	Mecklenburg	North Carolina	0.089	No	4	0.091	0.093	0.085	0.077
371191005	1	Mecklenburg	North Carolina	0.079	Yes	1	0.078	0.087	0.073	0.095
371191009	1	Mecklenburg	North Carolina	0.094	No	5	0.093	0.096	0.093	0.066
371590021	1	Rowan	North Carolina	0.088	No	3	0.085	0.096	0.084	0.075
371590022	1	Rowan	North Carolina	0.088	No	2	0.089	0.095	0.082	0.078
371790003	1	Union	North Carolina	0.080	Yes	1	0.080	0.082	0.080	0.093

Number of sites exceeding the ozone NAAQS in 2006-2008

4

Source of Data

The 2006 and 2007 monitoring results are based on data already submitted and certified by the respective monitoring agencies to U.S. EPA's Air Quality System data base. The 2008 monitoring result is based on data submitted to the AirNow data system, and is considered preliminary.

The Meaning of "Critical Value"

The critical value shown for 2009 is the magnitude of the 4th highest value in 2009 (given the 2007 and 2008 data) that would result in a conclusion that the monitor shows compliance with the ozone NAAQS for 2007-2009. For the nonattainment area to be found to attain, all monitors' 4th highest readings in 2009 must be below their respective critical values.

Condition for a One-Year Extension

To be eligible for a one-year extension of the attainment date, the 4th highest value at all monitors in the area during 2009 must be less than 0.085 ppm. EPA judges this to be highly unlikely given the concentrations observed at some monitors in 2007 and 2008.



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross, Jr., Secretary

December 19, 2008

J. I. Palmer, Jr.
Regional Administrator
USEPA Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Re: Attainment Demonstration for the North Carolina Portion of the Charlotte-Gastonia-Rock Hill Eight-Hour Ozone Nonattainment Area

Dear Mr. Palmer:

I am in receipt of your letter dated November 17, 2008, which addressed the North Carolina State Implementation Plan (SIP) for demonstrating attainment of the 1997 8-hour national ambient air quality standard for ozone in the bi-state Charlotte-Gastonia-Rock Hill (Metrolina) nonattainment area. The letter stated that the Environmental Protection Agency (EPA) could not approve this SIP since the area is unlikely to attain the 1997 ozone standard by June 15, 2010 or meet the requirements for a one-year extension of the attainment date. The EPA offered North Carolina the option of requesting a reclassification from Moderate to Serious to avoid disapproval of the Metrolina SIP. I have thoroughly considered both options, the proposed disapproval of the SIP and the voluntary reclassification to Serious. Both options present rather negative implications for the State. Therefore, to address EPA's concern over the Metrolina SIP attainment demonstration, North Carolina requests that EPA return the attainment demonstration originally submitted on June 15, 2007, so that the State may improve the demonstration and submit an updated plan.

It is my understanding that the withdrawal of the attainment demonstration for the Metrolina area will result in North Carolina receiving a letter of finding of failure to submit a plan under Section 179 of the Clean Air Act, and that an eighteen month sanction clock will begin, along with a twenty-four month Federal Implementation Plan clock. It is North Carolina's intention to submit a revised attainment demonstration for the Metrolina region by November 2009, which would stop both the sanction and the FIP clocks. I request that EPA work with North Carolina to quickly review and deem adequate the motor vehicle emissions budgets that will be submitted as part of the revised demonstration in November 2009. These budgets are needed so that transportation conformity analyses can be conducted and approved by May of 2010. EPA's cooperation is essential in order for this schedule to be successful.

In arriving at this decision, North Carolina considered the option of reclassification. While EPA believes it is unlikely that the Metrolina area will attain the 1997 ozone standard by its attainment

date, the region may meet the requirements for requesting a one-year extension of the attainment date. The region will achieve additional nitrogen oxide (NOx) reductions as a result of new controls on utilities and in motor vehicle fleet turnover. North Carolina is in the process of adopting an idle reduction rule for heavy-duty vehicles. This new rule is expected to become effective on May 1, 2009, and will result in additional NOx emission reductions. It should be noted that in 2004 the region had a 4th highest value of 0.085 parts per million (ppm) and there have been significant reductions in NOx emissions since that time. Given that the region may qualify for a one-year extension of its attainment date, it is believed that disapproval of the SIP would be premature.

Further, many of the additional control requirements within the Clean Air Act (CAA) of a reclassification to Serious focus on reducing volatile organic compounds (VOCs). While any reduction in air pollution may be considered a positive step, much scientific knowledge has been gained since the 1990 CAA Amendments were promulgated relative to beneficial reductions in the precursor pollutants that contribute to the formation of ozone. The Metrolina region is NOx limited, so reductions in VOC emissions will not result in the reduction of ozone needed to meet the standard. In these hard economic times, it is unreasonable to require business and industry to go through this resource intensive and burdensome process and implement costly controls when the needed results will not be achieved.

North Carolina has demonstrated leadership by implementing legislation, regulation and voluntary measures to address air pollution. We are committed to develop a SIP that will address the air quality issues for the Metrolina region through partnership with the South Carolina Department of Health and Environmental Control and the Mecklenburg County Air Quality programs. We will review the current controls that will be going in place and determine if there are other controls that could be implemented quickly so that the area can meet the requirements necessary to request a one-year extension and, if necessary, a second one-year extension in 2010. Our projected timeline for developing and submitting a revised attainment demonstration is:

January 2, 2009 – DAQ staff begins updating the area, nonroad mobile and point source inventory so that it reflects a more refined inventory and addresses the CAIR vacatur for other States;

February 27, 2009 – DAQ receives Metrolina transportation partners' data for future year modeling runs;

March 2, 2009 – DAQ begins emissions and air quality modeling runs;

July 1, 2009 – Modeling and quality assurance reviews are completed;

August 1, 2009 – Draft pre-hearing documentation is made available for review by EPA and transportation partners;

September 1, 2009 – Comments on the draft plan are received and addressed by DAQ;

September 21, 2009 – Pre-hearing draft SIP is made available to public;

Jimmy Palmer, Jr.
December 19, 2008
Page 3

November 1, 2009 – The public comment period ends;

November 30, 2009 –DAQ submits the revised plan to EPA.

If at some point during 2009 ozone season the monitoring data shows that the Metrolina area is not eligible for a one year extension of the attainment date, North Carolina will consider submitting a request to reclassify to Serious instead of waiting for the mandatory reclassification from EPA.

Please feel free to contact Keith Overcash at (919) 715-6290 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Wm G. Ross, Jr.", written in a cursive style.

William G. Ross, Jr.

cc: B. Keith Overcash, NCDENR
Myra C. Reece, SCDHEC
Don Willard, Mecklenburg County
Marcus Peacock, USEPA
Robert Meyers, USEPA
Beverly Banister, USEPA Region 4



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN - 9 2009

Mr. William G. Ross, Jr., Secretary
North Carolina Department of
Environment and Natural Resources
1601 Mail Service Center
Raleigh, North Carolina 27699-1601

Dear Secretary Ross:

I am writing to you concerning North Carolina's efforts to comply with Clean Air Act (the Act) requirements for the 1997 8-hour national ambient air quality standard (NAAQS) for ozone. Within three years after the effective date of the U.S. Environmental Protection Agency's (EPA) designations, the Act requires a state with areas designated nonattainment for the ozone NAAQS to submit a State Implementation Plan (SIP) describing how that state will attain and maintain the ozone standard. EPA made designations for the 1997 8-hour ozone standard, effective June 15, 2004; therefore, submissions were due June 15, 2007, for most areas. On June 15, 2007, the North Carolina Department of Environment and Natural Resources (DENR) submitted a plan to show how the Charlotte-Gastonia-Rock Hill (Charlotte) nonattainment area would attain the 1997 8-hour ozone standard by the statutory attainment date of June 15, 2010, and how the North Carolina portion of the bi-state Charlotte nonattainment area would achieve its portion of emission reductions necessary for the area to attain by that date. EPA has since reviewed North Carolina's submission to determine approvability.

On November 17, 2008, we sent you a letter noting that our analysis indicates that North Carolina's attainment demonstration submission is not approvable based on current air quality in the area. In that letter, we requested that DENR consider a voluntary reclassification to serious. We also noted that if a voluntary reclassification request was not made by December 8, 2008, EPA would propose disapproval of North Carolina's attainment demonstration for its portion of the Charlotte area by January 9, 2009. We sent a similar letter to the South Carolina Department of Health and Environmental Control regarding its attainment demonstration for the Charlotte area. On December 19, 2008, we received DENR's letter with a request to withdraw North Carolina's June 15, 2007, attainment demonstration for its portion of the Charlotte area. As such, EPA no longer has the required attainment demonstration submission from North Carolina for the bi-state Charlotte area for the 1997 8-hour ozone standard.

We consider the required SIP elements to be a high priority; therefore, we are notifying you that, pursuant to section 179(a) of the Act, EPA is making a finding of failure to submit the 1997 8-hour ozone attainment demonstration for North Carolina's portion of the bi-state Charlotte area. EPA will soon publish a rule in the Federal Register announcing this finding, which will be effective upon publication. In March 2008, we made similar findings of failure to submit for states that had not yet submitted attainment demonstrations and/or other required elements for the 1997 8-hour ozone standard (see enclosure). In general, findings are made in those cases where a state failed to submit some or all elements of a required SIP, or in this case where the State has withdrawn a required submission. Please be assured that we will continue to work closely with your staff to undertake all necessary efforts to ensure that a revised submittal is made as soon as possible so that we can avoid the implementation of sanctions and the need to promulgate a federal implementation plan (FIP). EPA anticipates ongoing consideration regarding whether any further actions are necessary to ensure that all states continue to make progress towards attainment of the ozone standards as expeditiously as practicable, consistent with the requirements of the Clean Air Act."

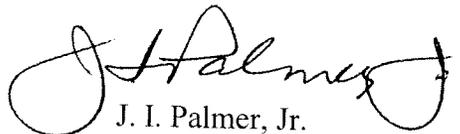
If within 18 months of EPA's finding, EPA has not affirmatively determined that North Carolina has submitted a completed attainment demonstration for the Charlotte area, pursuant to section 179(a) of the Act and 40 Code of Federal Regulations (CFR) section 52.31, the new source offset sanction identified in section 179(b) of the Act will apply in the affected area. If North Carolina still has not made a submission that EPA has determined complete six months after the new source offset sanction is imposed, the highway sanctions will apply in the affected areas in accordance with 40 CFR 52.31. In addition, section 110(c) of the Act requires EPA to promulgate a FIP no later than two years after a finding under section 179(a), if EPA has not approved the plan for which the finding was made.

The 18-month clock will stop and the sanctions will not take effect if, within 18 months after the date of the findings, EPA finds that North Carolina has made a complete submittal. In addition, EPA would no longer be obligated to promulgate a FIP, if the State makes the required SIP submittal and EPA takes final action to approve the submittal within two years of the findings.

As you are aware, there are transportation conformity issues associated with certain aspects of these findings of failure to submit pursuant to EPA's transportation conformity rule (40 CFR 93.120 (b)). The conformity status of the transportation plans and transportation improvement programs in the affected area would lapse on the date that highway sanctions under section 179 of the Act take effect, unless the State makes the required SIP submittal and EPA acknowledges this via a letter. During a conformity lapse, only projects that are exempt from transportation conformity (*e.g.*, road resurfacing, safety projects, reconstruction of bridges without adding travel lanes, bicycle and pedestrian facilities, etc.), transportation control measures that are in the approved SIP, and project phases that were approved prior to the start of the lapse can proceed during the lapse. No new project-level approvals or conformity determinations can be made and no new transportation plan or transportation improvement program may be found to conform until another attainment demonstration SIP is submitted and the motor vehicle emissions budget is found adequate.

EPA appreciates North Carolina's efforts towards compliance with the 1997 8-hour ozone standard. If you have any questions or would like to discuss this matter further, please contact me or have a member of your staff contact Beverly Banister at 404-562-9326. We look forward to working closely with you and your staff to ensure that the Act's requirements are met in a timely manner without adverse consequences.

Sincerely,

A handwritten signature in black ink, appearing to read "J. I. Palmer, Jr.", written in a cursive style.

J. I. Palmer, Jr.
Regional Administrator

Enclosure

cc: Bob King, SC DHEC
B. Keith Overcash, NC DENR
Myra Reece, SC DHEC
Don Willard, Mecklenburg County
Marcus Peacock, U.S. EPA
Bob Meyers, U.S. EPA
Beverly Banister, U.S. EPA Region 4

APPENDIX A-7

ICE ASSESSMENT AGENCY SCOPING MEETING MINUTES

- USFWS & NCWRC 06/29/07
- NCDENR- DWQ 07/26/07
- USACE 08/14/07



Monroe Connector / Bypass

Mecklenburg and Union Counties

TIP Nos. R-3329 / R-2559

ICE SCOPING MEETING MEETING MINUTES

Date: June 29, 2007

Time: 10:30 am

Place: NCTA Office/Conference Call

Purpose: Discuss scoping for Monroe Connector/Bypass indirect and cumulative impact studies.

Attendees:

Name	Organization	Email Address
Rob Ayers	FHWA	rob.ayers@fhwa.dot.gov
George Hoops	FHWA	george.hoops@fhwa.dot.gov
Marella Buncick	USFWS	marella.buncick@fws.gov
Marla Chambers	NCWRC	chambersmj@carolina.rr.com
Bob Deaton	NCDOT-HEU	rdeaton@dot.state.nc.us
Jennifer Harris	NCTA	jennifer.harris@ncturnpike.org
Jeff Dayton	NCTA-GEC	jeff.dayton@ncturnpike.org
Anne Redmond	NCTA-GEC	anne.redmond@ncturnpike.org
Christy Shumate	NCTA-GEC	christy.shumate@ncturnpike.org
Susan Fisher	HNTB	sfisher@hntb.com
Jill Gurak	PBS&J	jsgurak@pbsj.com
Ross Andrews	Ecoscience	andrews@ecosciencenc.com

Ms. Gurak briefly reviewed the history and current status of the project, and Ms. Redmond explained that the purpose of the meeting was to begin discussion on the scope for the indirect and cumulative effects studies for the Monroe Connector/Bypass project. As a starting point, Ms. Redmond asked the agencies for their opinions on ICE studies completed as part of the previous Monroe Connector and Monroe Bypass projects. Ms. Buncick noted that during the previous studies, several independent ICI studies were completed over the course of a few years and with different study areas and assumptions.

Mr. Ayers pointed out that the new study will have a different scope than previous studies. For example, if there are determined to be indirect or cumulative impacts on the Carolina heelsplitter, analysis would be completed for the entire Goose and Duck Creek watersheds rather than just for portions of the watersheds in Union County. FHWA and NCTA would like USFWS to provide input on what indicators

should be used for analyzing impacts to the mussels. It would be beneficial to get this feedback early in the project process so that relevant data can be collected up front.

Ms. Buncick suggested revisiting discussions from the previous Biological Assessment as a starting point for identifying indicators. In addition, she noted that impact analysis will be influenced by NPDES permit decisions in the project area, and she recommended that NCTA follow-up with NCDWQ to discuss the status of NPDES permitting in the project area. Ms. Buncick suggested that Tom Augspurger, USFWS-Raleigh, or John Hennessy, NCDWQ, may have information on this.

Ms. Redmond suggested that ICI scoping be added to the TEAC meeting agenda for July so that all agencies can participate in the discussion, and asked what information NCTA could provide to facilitate the discussion. Ms. Buncick suggested that NCTA determine the current status of land use controls and regulations in the study area.

Ms. Buncick questioned the current state of the practice for ICI analysis, noting that previous studies have used a standard five to seven mile distance from interchanges as an assumed study area for induced growth. Ms. Redmond stated that assumption would be revisited as part of this study. Ms. Buncick cautioned that changes to the study areas from earlier studies should be carefully documented.

Ms. Chambers asked about including Six Mile Creek or Waxhaw Creek in the ICI project study area, as Carolina heelsplitters have recently been discovered there. Mr. Ayers noted that the local governments and planners will be relied upon to provide information on projected land use changes associated with the project. The ICI study area will be based on the area of potential land use change.

Ms. Chambers also noted that water quality issues, including 303d streams, should be considered, as well as federal and state listed species, including aquatic species in North and South Fork Crooked Creeks. She added that resources have been impacted substantially by past and ongoing activity in the project area and are already showing signs of degradation. It will be important to discuss how much additional degradation of resources can be attributed to the road project. Ms. Chambers also stated that Union County has not historically been cooperative with implementing development and stormwater controls to protect resources.

Mr. Ayers asked about occurrences of federally-listed species in Mecklenburg County that do not occur in Union County. Ms. Buncick noted that bald eagle was listed in Mecklenburg County but is not likely to occur in the part of the county impacted by the project. Ms. Buncick also stated that there is a known occurrence of Schweinitz sunflower in the project area and recommended an analysis similar to what was done as part of the Shelby Bypass project – looking at suitable habitat around proposed interchanges. She added that the sunflower will not require the same level of analysis as the heelsplitter.

Ms. Chambers stated that for the land use analysis, she would like to see analysis of impervious surface increase and date of projected build out by locality.

Ms. Redmond noted that the previous study included different build out scenarios but there have been changes in the project area. Ms. Chambers noted that Union County has proposed stormwater controls but she does not know if they have been implemented. NCTA will check with Bruce Ellis, NCDOT-NEU, on the status of this. Mr. Deaton also noted that since the previous studies, Unionville and Fairview have incorporated and may have additional land use controls. The Centralina Council of Governments may be able to provide information on this.

Ms. Redmond asked about preferred methodologies or analysis tools. Ms. Buncick stated that the previous BA had identified a set of indicators for impacts to the heelsplitter. She will look at those and discuss them with experts at USFWS to determine if they are still appropriate.

Ms. Gurak questioned the plan for completing qualitative vs. quantitative studies for this project. Ms. Buncick stressed that it will be very important to have a good comparison of the alternatives – the more detail the better. Ms. Redmond pointed out that because of the aggressive project schedule, NEPA studies will likely overlap with permitting and Section 7 consultations.

NCTA envisions a single scope of work for ICE studies with sub-sections for analyzing specific resources. The land use assessment should be completed first so that the results can be used to determine study areas for other resources.

Action Items:

- 1) USFWS will look at the previous BA to determine potential indicators for impacts to the heelsplitter and discuss these internally.
- 2) NCTA will contact NCDWQ and NCDOT-NEU to discuss the status of NPDES permitting and other land use controls in the project area.
- 3) ICI scoping will be included on the July 26 TEAC agenda.
- 4) NCTA will begin drafting a scope of work for ICE studies and provide to USFWS and NCWRC for review.



Monroe Connector / Bypass

Mecklenburg and Union Counties

TIP Nos. R-3329 / R-2559

ICE SCOPING MEETING MEETING MINUTES

Date: July 26, 2007

Time: 3:00 pm

Place: NCTA Office/Conference Call

Purpose: Discuss scoping for Monroe Connector/Bypass indirect and cumulative impact studies.

Attendees:

Name	Organization	Email Address
Rob Ayers	FHWA	rob.ayers@fhwa.dot.gov
George Hoops	FHWA	george.hoops@fhwa.dot.gov
Polly Lespinasse	NCDWQ	Polly.lespinasse@ncmail.net
Bob Deaton	NCDOT-HEU	rdeaton@dot.state.nc.us
Jennifer Harris	NCTA	jennifer.harris@ncturnpike.org
Anne Redmond	NCTA-GEC	anne.redmond@ncturnpike.org
Christy Shumate	NCTA-GEC	christy.shumate@ncturnpike.org
Susan Fisher	HNTB	sfisher@hntb.com
Jill Gurak	PBS&J	jsgurak@pbsj.com
Carl Gibilaro	PBS&J	cgibilaro@pbsj.com
Kim Bereis	PBS&J	kdbereis@pbsj.com
Ross Andrews	Ecoscience	andrews@ecosciencenc.com
Michael Gloden	Ecoscience	gloden@ecosciencenc.com

Mr. Gibilaro briefly reviewed the history and current status of the project, and Ms. Redmond explained that the purpose of the meeting was to begin discussion on the scope for the indirect and cumulative effects studies for the Monroe Connector/Bypass project.

As a starting point, Ms. Redmond asked if Ms. Lespinasse had reviewed ICE studies completed as part of the previous Monroe Connector and Monroe Bypass projects. Ms. Lespinasse was aware that previous studies had been completed but was not familiar with the details of the studies. Ms. Redmond noted that several other agencies did not like the format of the report, which was broken into separate reports for the land use component and water quality component.

Ms. Redmond explained the proposed process for proceeding with the ICE studies for the project:

- NCTA, in coordination with the agencies, will identify detailed study alternatives
- ICE studies will begin with qualitative land use evaluations to determine potential induced growth, specifically in the Goose and Duck Creek watersheds
- Land use changes will be evaluated in coordination with local planners and MUMPO
- If, following the qualitative study it is determined that a quantitative ICI is necessary, it will be completed for the preferred alternative

Ms. Lespinasse noted that a quantitative study would likely be required. Mr. Gibilaro added that the current project study area for direct impacts does not extend into the Goose Creek watershed.

Ms. Redmond added that there were some concerns with how the study area for previous ICE studies was defined – the study area did not extend into Mecklenburg County. She noted that the study area for this study will be redefined and will likely include entire watersheds rather than cutting them at the county line.

FHWA asked if NCDWQ had any issues with water quality on this project beyond those related to the endangered species in Goose Creek. Ms. Lespinasse responded that stormwater and 303(d) streams are issues. There are several 303(d) streams that cross the project study area.

FHWA asked if Ms. Lespinasse was aware of any waters in the project area that are not meeting their designated uses or if there are areas where standards are close to being exceeded. Ms. Lespinasse noted that the streams are listed by reach and reason for listing.

FHWA asked about indicators for analyzing impacts to water quality. Ms. Lespinasse said that she would check with NCDWQ's watershed group on preferred units of measurement. Mr. Ayers noted that it would be helpful to coordinate indicators among the agencies to streamline the analysis process.

NCTA is currently planning to do a qualitative analysis first to determine land use changes and then, if necessary, do a quantitative study on the preferred alternative only. FHWA agreed that land use changes will likely be equal across the alternatives due to their relative proximity; however, asked if Ms. Lespinasse thought that NCDWQ would require NCTA to analyze a different alternative for comparison. Ms. Lespinasse noted that she would check with John Hennessy.

Action Items:

- 1) Ms. Lespinasse will contact NCDWQ's watershed group for input on appropriate indicators and units of measurement for water quality impact analysis.
- 2) Ms. Lespinasse will discuss with John Hennessy whether NCDWQ has the discretion to require analysis of an alternative that either was never considered or was eliminated at some point previously for comparison of indirect and cumulative impacts.
- 3) Ms. Lespinasse will discuss NCTA's proposed approach of completing a qualitative analysis for preliminary alternatives and a quantitative analysis, if required, for the preferred alternative only with John Hennessy.
- 4) ICI scoping will be included on the August 15 TEAC agenda.
- 5) NCTA will begin drafting a scope of work for ICE studies.



Monroe Connector / Bypass

Mecklenburg and Union Counties

TIP Nos. R-3329 / R-2559

ICE SCOPING MEETING MEETING MINUTES

Date: August 14, 2007

Time: 4:30 pm

Place: NCTA Office/Conference Call

Purpose: Discuss scoping for Monroe Connector/Bypass indirect and cumulative impact studies.

Attendees:

Name	Organization	Email Address
Steve Lund	USACE	steven.w.lund@SAW02.usace.army.mil
Anne Redmond	NCTA-GEC	anne.redmond@ncturnpike.org
Christy Shumate	NCTA-GEC	christy.shumate@ncturnpike.org
Jeff Dayton	NCTA-GEC	Jeff.dayton@ncturnpike.org
Susan Fisher	HNTB	sfisher@hntb.com
Ross Andrews	Ecoscience	andrews@ecosciencenc.com

Ms. Redmond explained that the purpose of the meeting was to begin discussion on the scope for the indirect and cumulative effects studies for the Monroe Connector/Bypass project. Ms. Redmond explained the proposed process for proceeding with the ICE studies for the project:

- NCTA, in coordination with the agencies, will identify detailed study alternatives
- ICE studies will begin with qualitative land use evaluations to determine potential induced growth, specifically in the Goose and Duck Creek watersheds
- Land use changes will be evaluated in coordination with local planners and MUMPO
- If, following the qualitative study it is determined that a quantitative ICI is necessary, it will be completed for the preferred alternative

Ms. Fisher explained that the scope of work for the qualitative ICE study is based on NCDOT-HEU's standard scope of work and 8-step guidance for preparing ICE's. The product will be a report with figures showing the proposed project, study areas, natural features, etc.

Mr. Lund was not familiar with ICE studies previously completed for the Monroe Connector and Monroe Bypass projects. Ms. Redmond noted that there were some concerns with how the study area for previous ICI was defined – the study area did not extend into Mecklenburg County. She noted that the study area for this study will be redefined and will likely include entire watersheds rather than cutting them at the county line. The Goose Creek watershed will likely be included in the ICE study area.

Ms. Shumate pointed out that other agencies have identified threatened and endangered species, upland habitat, and water quality (including stormwater and 303d streams) as issues to be considered in the ICE. Ms. Redmond asked if USACE has any additional issues or preferred methodologies for analyzing impacts to these resources.

Mr. Lund stated that USACE generally defers to other agencies' requirements related to ICE. He asked how tolling will be incorporated. Ms. Redmond responded that traffic diversion as a result of tolling will be considered. She added that the Mecklenburg-Union MPO is expected to make a final recommendation on tolling at their September meeting and indications are that they will recommend tolling for the entire project. That being the case, NCTA will likely look only at toll alternatives for the project.

Gaston E-W Connector

With respect to the Gaston E-W Connector project, Mr. Lund was most concerned with secondary effects on wetlands and streams. In some instances, wetlands could be avoided by the preferred alternative. Mr. Lund also questioned how traffic patterns might change, and how would development patterns change. Ms. Redmond noted that this project is somewhat precedent-setting since the study area will be reaching into portions of South Carolina. Typically, NCDOT-HEU doesn't include detailed information from other states in the ICE studies. This may have an effect on potential mussels in SC and how it would fit into the permitting process.

Mr. Lund stated that he had concerns with the high quality wetlands throughout Gaston County. He also added that not all of these wetlands are discrete (based on Rapanos definition). Mr. Lund also had questions about the potential impacts to the larger floodplains within the project area (Catawba Creek, Crowders Creek).



Monroe Connector / Bypass

Mecklenburg and Union Counties

TIP Nos. R-3329 / R-2559

ICE SCOPING MEETING MEETING MINUTES

Date: August 14, 2007

Time: 4:30 pm

Place: NCTA Office/Conference Call

Purpose: Discuss scoping for Monroe Connector/Bypass indirect and cumulative impact studies.

Attendees:

Name	Organization	Email Address
Steve Lund	USACE	steven.w.lund@SAW02.usace.army.mil
Anne Redmond	NCTA-GEC	anne.redmond@ncturnpike.org
Christy Shumate	NCTA-GEC	christy.shumate@ncturnpike.org
Jeff Dayton	NCTA-GEC	Jeff.dayton@ncturnpike.org
Susan Fisher	HNTB	sfisher@hntb.com
Ross Andrews	Ecoscience	andrews@ecosciencenc.com

Ms. Redmond explained that the purpose of the meeting was to begin discussion on the scope for the indirect and cumulative effects studies for the Monroe Connector/Bypass project. Ms. Redmond explained the proposed process for proceeding with the ICE studies for the project:

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Ms. Fisher explained that the scope of work for the qualitative ICE study is based on NCDOT-HEU's standard scope of work and 8-step guidance for preparing ICE's. The product will be a report with figures showing the proposed project, study areas, natural features, etc.

Mr. Lund was not familiar with ICE studies previously completed for the Monroe Connector and Monroe Bypass projects. Ms. Redmond noted that there were some concerns with how the study area for previous ICI was defined – the study area did not extend into Mecklenburg County. She noted that the study area for this study will be redefined and will likely include entire watersheds rather than cutting them at the county line. The Goose Creek watershed will likely be included in the ICE study area.

Ms. Shumate pointed out that other agencies have identified threatened and endangered species, upland habitat, and water quality (including stormwater and 303d streams) as issues to be considered in the ICE. Ms. Redmond asked if USACE has any additional issues or preferred methodologies for analyzing impacts to these resources.

Mr. Lund stated that USACE generally defers to other agencies' requirements related to ICE. He asked how tolling will be incorporated. Ms. Redmond responded that traffic diversion as a result of tolling will be considered. She added that the Mecklenburg-Union MPO is expected to make a final recommendation on tolling at their September meeting and indications are that they will recommend tolling for the entire project. That being the case, NCTA will likely look only at toll alternatives for the project.

Gaston E-W Connector

With respect to the Gaston E-W Connector project, Mr. Lund was most concerned with secondary effects on wetlands and streams. In some instances, wetlands could be avoided by the preferred alternative. Mr. Lund also questioned how traffic patterns might change, and how would development patterns change. Ms. Redmond noted that this project is somewhat precedent-setting since the study area will be reaching into portions of South Carolina. Typically, NCDOT-HEU doesn't include detailed information from other states in the ICE studies. This may have an effect on potential mussels in SC and how it would fit into the permitting process.

Mr. Lund stated that he had concerns with the high quality wetlands throughout Gaston County. He also added that not all of these wetlands are discrete (based on Rapanos definition). Mr. Lund also had questions about the potential impacts to the larger floodplains within the project area (Catawba Creek, Crowders Creek).

APPENDIX A-8

ALTERNATIVES ANALYSIS REPORT COMMENTS

- USEPA 12/04/07
- NCDCCR-HPO 12/21/07
- USFWS 12/26/07
- NCDENR-DWQ 01/11/08
- NCWRC 01/14/08
- USACE 01/11/08

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 4 RALEIGH OFFICE
TERRY SANFORD FEDERAL COURTHOUSE
310 NEW BERN AVENUE
RALEIGH, NORTH CAROLINA 27601

Date: December 4, 2007

Ms. Jennifer Harris, P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, North Carolina 27699-1578

RE: USEPA Comments: Draft Alternatives Development and Analysis Report
Monroe Connector/Monroe Bypass Toll Project; From I-485 to US 74
Mecklenburg and Union Counties
TIP Project Numbers: R-3329 and R-2559

Dear Ms. Harris:

The U.S. Environmental Protection Agency (EPA) Region 4 Office has reviewed the November 5, 2007, above referenced report from the North Carolina Turnpike Authority (NCTA) and Federal Highway Administration (FHWA) for the Monroe Connector/Monroe Bypass project. EPA understands that the proposed facility is expected to be a 4-lane, divided highway that would ultimately be re-signed as Interstate 74 between Marshville and I-485 (Charlotte Outer Loop) for an approximate distance of 22 miles. NCTA requested comments from Section 6002 participating agencies by December 5, 2007. The project is not proposed for the NEPA/Section 404 Merger 01 process. EPA's records indicate that the connector portion of the project was previously a Merger 'pipeline' project when with the N.C. Department of Transportation.

The draft alternatives report includes a quantitative geographical information system (GIS) analysis screening of preliminary study alternatives. Ms. Kathy Matthews and I specifically met to review the draft report and discuss the alternatives that EPA believes should be carried forward for further analysis in the NEPA document (i.e., Draft Environmental Impact Statement – DEIS).

Based upon our review of the draft report and the screening information provided, EPA offers the following recommendations. From Table 4-2, there are 25 preliminary study alternatives. However, there are 7 primary alternative corridors (i.e., A, B, C, D, E, F and G) under consideration to be carried forward in the NEPA document with variations included for all but Corridor G (Improve existing for the entire project length). EPA concurs with the NCTA recommendation to eliminate Alternatives E and F, including E1, F1, E2, F2, E3 and F3. These alternatives compared to some of the others have significant impacts to both the human and natural environment and offer no discernible traffic benefits. Similarly, preliminary study alternatives B, B1, B2, B3, D,

D1, D2, and D3 have substantially higher impacts to both human and natural resources compared to the A and C corridor alternatives. EPA recommends that the B and/or D alternatives be eliminated from further detailed study.

As previously discussed as several “TEAC” meetings for this and other turnpike projects, EPA requests that Alternative G be carried forward in the NEPA document as a baseline of comparison to the remaining new location alternatives (Alternatives A and C). EPA recognizes the potentially substantial impacts to businesses along existing US 74. The ‘no-build’ alternative does not meet the stated purpose and need identified by NCTA and FHWA for the proposed project. Council on Environmental Quality (CEQ) and implementing NEPA regulations require that a full range of alternatives be considered. The new location Alternatives A and C, by themselves or compared to the ‘no-build’, do not provide that ‘full range’ that EPA believes is needed for comparison purposes. Some of the ‘ability to meet project purpose and need’ comments that are included in Section 1.2.6, Improve Existing US 74 support this general position.

EPA has identified an environmental concern regarding the typical new location section and the proposed median width of 70 feet and the ‘improve existing’ typical section with frontage roads and a 74-foot median width (Figure 4-2). EPA requests further clarification and justification regarding the need for the proposed expanded median widths in the DEIS.

EPA also has a general comment regarding the presentation of technical data at this preliminary screening level based upon GIS data. Based upon recent conversations, FHWA and other agencies recognize the potential accuracy and precision issues for developing quantitative impact numbers at this stage of planning and using GIS data. Stream impacts are presented to the ‘foot’. NWI wetlands and pond impacts are represented to the ‘tenth of an acre’. Floodplain impacts are also shown in the tables to the nearest foot. EPA believes that this level of accuracy of impacts to natural resources is neither necessary for the purpose of alternative screening nor required for DEIS comparison purposes. FHWA and NCTA might consider reasonable ‘rounding’ to significant estimates at this stage in planning.

Based upon recent correspondence received from the public and NCTA’s response, EPA requests that a detailed analysis and disclosure be conducted regarding air conformity requirements for the combined Monroe Bypass/Monroe Connector projects. As part of this analysis, the NCTA may also need to consider the potential cumulative effects to air quality from the Gaston East-West project (U-3321) which is another potentially large NCTA candidate project, as well as other NCDOT TIP projects proposed in Mecklenburg, Union and Gaston counties (e.g., R-2123CE, R-2248E, R-2248F, R-4902, R-3101, R-2632A, U-2507, U-3603, U-3633, etc.).

This proposed NCTA project might also be a ‘pilot’ for a full quantitative analysis for Mobile Source Air Toxics (MSATs) that are required to be analyzed under Section 202 of the Clean Air Act and are more fully addressed in the Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources (66 Federal Register 17229;

3/29/2001). Currently, FHWA's interim guidance includes a very general qualitative analysis and cites that project specific information is unavailable. NCTA has recently stated that the public's concern for MSATs will be further examined in the DEIS.

EPA again requests that a more 'robust' quantitative analysis needs to be conducted for this project, including development of an emissions inventory, obtaining 'near-roadside' baseline monitoring data, and an evaluation of the potential health impacts (including cancer risk estimates based upon published values) for the different detailed study alternatives A, C and G. The quantitative analysis should include the identification of existing and potential 'near-roadside' sensitive receptors, such as day care facilities, nursing homes, hospitals, etc. Please feel free to contact EPA Region 4's Air Toxics Assessment and Implementation Section for further guidance on performing a technically sound, project specific analysis for the 21 MSAT compounds that are found for highway projects.

EPA appreciates the opportunity for early comments on the draft alternatives report and to highlight some of the issues of environmental concern on this proposed toll facility under SAFETEA-LU Section 6002. Should you have any questions, please feel free to contact me at 919-856-4206. Thank you.

Sincerely,

Christopher A. Militscher, REM, CHMM
Merger Team Representative
NEPA Program Office - Raleigh

For: Heinz J. Mueller, Chief
EPA Region 4 NEPA Program Office

cc: Steve Lund, USACE
George Hoops, FHWA
Brian Wrenn, NCDWQ



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

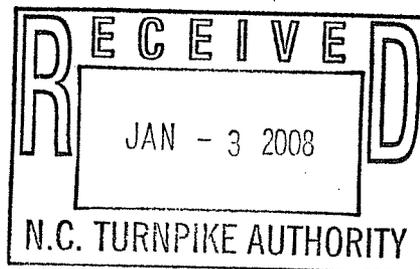
Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David Brook, Director

December 21, 2007

Jennifer H. Harris, PE
NC Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578



RE: Draft Alternatives Development & Analysis Report and Reconnaissance Report on Historic Architectural Resources, Monroe Connector/Bypass, R-3329 & 2559, Mecklenburg and Union Counties, CH03-3581

Dear Ms. Harris:

Thank you for your letter of November 5, 2007, transmitting the draft Alternatives Development and Analysis Report. We also received and reviewed the above referenced reconnaissance report, prepared by the Department of Transportation's Historic Architectural Unit, for the same project. Given the relationship of the two documents to one another, we offer our comments in this single letter.

The architectural report correctly lists and describes properties that are listed in the National Register of Historic Places and those previously determined eligible for listing. It also provides a list of three properties with exceptional architectural merit, which were identified as part of a visual survey of 100% of the Area of Potential Effects (APE) and would require additional study. Because the survey work was only a reconnaissance level, there may be other properties in the APE that could be eligible for listing under Criteria A, B, or D and were not identified. Once the alternatives for in-depth study are selected, additional architectural survey work may be needed.

As for archaeological resources, we understand that a plan for survey and testing will be developed once a preferred/least environmentally damaging alternative is selected. This is acceptable to us.

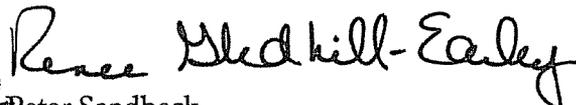
Although the three sites identified for additional study are not on the alternatives map, we understand that this is likely due to the timing of the two reports. However, we would note that the Indian Trail Presbyterian Church, which was previously determined eligible for listing in the National Register is not shown on Figure 4-1a.

At this point in the process of narrowing alternatives, we find that improve the existing and any of the alternatives with an interchange near the Secret Farm and Hiram Secret House are also likely to adversely affect these resources.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-733-4763. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,


Peter Sandbeck

cc: Mary Pope Furr, NCDOT/OHE
Matt Wilkerson, NCDOT/OHE

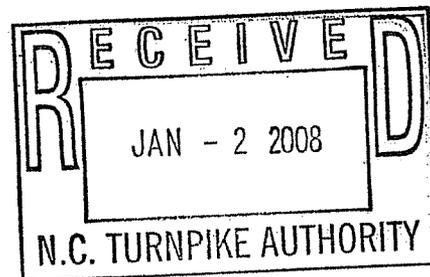


United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street
Asheville, North Carolina 28801.

December 26, 2007



Ms. Jennifer H. Harris, P.E.
Staff Engineer
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, North Carolina 27699-1578

Dear Ms. Harris:

Subject: Comments on the Draft Alternatives Development and Analysis Report for the Proposed Monroe Connector/Bypass Project, Mecklenburg and Union Counties, North Carolina (TIP Nos. R-3329 and R-2559)

This letter responds to a request for our review and comments regarding the selection of alternatives for detailed study for the subject project. Our comments are provided in accordance with the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e), and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

The North Carolina Turnpike Authority (NCTA) continues to study improvements to US 74 from east of Monroe, North Carolina, to the I-485 Charlotte Outer Loop. We have participated in the NCTA's interagency meetings to discuss various levels of screening to help determine appropriate alternatives to carry forward for detailed study, and the NCTA has held several public meetings and has published a newsletter to gather public input regarding alternatives to study in detail. Currently, the NCTA is proposing to carry forward four primary alternatives (Alternatives A-D) with variations (1-3) of each, which have minor differences from the primary alternatives. Alternatives E, F, and G are proposed to be dropped from further consideration. These three alternatives involve partially or completely improving the existing US 74 route. When viewed at a large scale, the four alternatives that are proposed to remain for detailed study represent one single corridor with three variations.

General Concerns - We are concerned about the direct impacts from new location alternatives to streams, wetlands, fish and wildlife habitat, and sensitive species in the project area. The current proposal--to study only those alternatives that will be built on new location--greatly limits the opportunity to avoid impacts to the natural environment. The proposed project study corridors contain portions of Richardson Creek, North and South Fork Crooked Creek, Stewart's

Creek, and East Fork Stewart's Creek and their tributaries. Richardson Creek supports populations of native freshwater mussels, including two federal species of concern--the Savannah lilliput (*Toxolasma pullus*) and the Carolina creekshell (*Villosa vaughaniana*). North and South Fork Crooked Creek contain the Savannah lilliput and Carolina creekshell as well as a third mussel that is also a federal species of concern--the Atlantic pigtoe (*Fusconaia masoni*). These populations of the Savannah lilliput are among the few remaining populations of this species in the Yadkin-Pee Dee River basin and are in decline.

Federally Listed Species - The currently proposed project corridors are just south of the Goose Creek watershed, which supports one of ten remaining populations of the federally endangered Carolina heelsplitter (*Lasmigona decorata*) and is designated as critical habitat for the heelsplitter. This population is considered vital to the continued existence of the species. Although there likely will be no direct effects to the Goose Creek watershed associated with the project, we believe there is the potential for indirect and cumulative impacts from development induced by construction of this highway project. Implementing measures to protect the Goose Creek watershed and its habitat are essential to maintaining the heelsplitter in North Carolina. We continue to recommend protective measures as described in our letter dated February 13, 2007, in which we responded to a request for our review and comments regarding the initiation of scoping for this project.

At this time we recommend that Alternative G--improving the existing US 74 corridor alternative--remain an option for study. This alternative minimizes direct impacts to natural resources and is physically the farthest from the Goose Creek basin. Alternative G will likely have the least amount of induced development, and whatever development does result from implementing the project will be concentrated in an already-developed area. Alternative G also provides a more realistic comparison to the new-location alternatives for all impacts (direct, indirect, and cumulative) than does the no-build alternative. In addition to the proposed set of alternatives, we recommend that at least one alternative eliminate the interchange at US 601. This interchange has the potential to induce development directly in the Goose Creek watershed through improvements to US 601 itself as well as through the growth and development along US 601 that will be facilitated by the new highway.

We appreciate the opportunity to provide comments at this early stage in project planning. If you have questions about these comments, please contact Ms. Marella Buncick of our staff at 828/258-3939, Ext. 237. In any future correspondence concerning this project, please reference our Log Number 4-2-07-132.

Sincerely,



Brian P. Cole
Field Supervisor

cc:

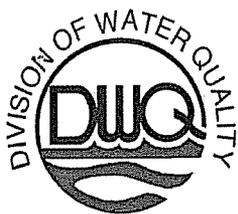
Ms. Marla J. Chambers, Western NCDOT Permit Coordinator, North Carolina Wildlife
Resources Commission, 12275 Swift Road, Oakboro, NC 28129

Ms. Polly Lespinasse, Mooresville Regional Office, North Carolina Division of Water Quality,
610 East Center Avenue, Suite 301, Mooresville, NC 28115

Mr. Steve Lund, Asheville Regulatory Field Office, U.S. Army Corps of Engineers, 151 Patton
Avenue, Room 208, Asheville, NC 28801-5006

Mr. Chris Militscher, Environmental Protection Agency, 1313 Alderman Circle, Raleigh, NC
27603

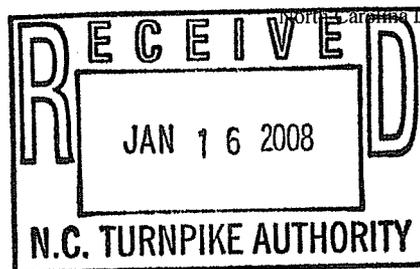
Mr. John F. Sullivan, III, Division Administrator, Federal Highway Administration, 310 New
Bern Avenue, Suite 410, Raleigh, NC 27601



Michael F. Easley, Governor

William G. Ross Jr., Secretary
North Carolina Department of Environment and Natural Resources

Coleen H. Sullins, Director
Division of Water Quality



January 11, 2008

Ms. Jennifer Harris, P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

SUBJECT: Comments on Proposed Draft Alternatives Development and Analysis Report for the Monroe Connector/Bypass, Dated November 5, 2007, Union and Mecklenburg Counties, STIP Project Nos. R-3329 and R-2559

Dear Ms. Harris:

This letter is being provided in response to the North Carolina Turnpike Authority's (NCTA) request for comments from the North Carolina Division of Water Quality (NCDWQ) for the above referenced project. The purpose of the above referenced project is to improve mobility and capacity in the US 74 corridor from I-485 in Mecklenburg County to the area just west of the Town of Marshville in Union County, for a distance of approximately 20 miles.

Alternatives for the project were developed and then screened to determine whether they had the ability to meet "purpose and need" and whether the alternatives would be "practical and reasonable". Based on this screening process, 25 Preliminary Study Alternatives (PSAs) progressed to the Quantitative Third Screening. Subsequently, as a result of the Quantitative Third Screening, the NCTA is recommending that nine (9) PSAs be eliminated from further study in the Draft Environmental Impact Statement (DEIS) due to overall higher impacts than the remaining 16 PSAs.

At this time, NCDWQ is prepared to recommend elimination of Alternatives E and F, including E1, E2, E3 F1, F2 and F3 due to overall substantially higher impacts associated with these alternatives. However, NCDWQ is not prepared to eliminate any other alternatives at this time, including Alternative G and any alternative which incorporates Section 22A (all A and C alternatives).

Alternative G (improve existing US 74 – controlled access highway), as documented in the report, meets the purpose and need of the project. The remaining alternatives, A, B, C and D, appear to represent a single "corridor" with only minor variations in location. Based on this information, NCDWQ does not believe that eliminating Alternative G, at this time, allows for consideration of "all" feasible alternatives, specifically since this alternative continues to meet the purpose and need of the project. As discussed in the meeting on December 5, 2007, it is recommended that a "limited" Indirect and Cumulative Impacts (ICI) evaluation be conducted on the remaining alternatives, including Alternative G, which may provide information that allows for further elimination of additional alternatives.

Stream impacts for Alternatives A and C (A, A1, A2, A3, C, C1, C2 and C3) do not accurately reflect the estimated amount of stream impact due to a proposed interchange which is included in the Mecklenburg-Union Metropolitan Planning Organization's (MUMPO) Long Range Transportation Plan (LRTP). Currently, Table 4-2 in the Draft Alternatives Development and Analysis Report does not include stream impact estimates for an interchange on this segment at Rocky River Road.

One
North Carolina
Naturally

North Carolina Division of Water Quality
Internet: h2o.enr.state.nc.us

610 East Center Avenue, Suite 301
 Mooresville, NC 28115

Phone (704) 663-1699
Fax (704) 663-6040

Ms. Jennifer Harris
Page Two

Additional impacts associated with this interchange would be incurred to the South Fork of Crooked Creek, which is currently on the NCDWQ 303d List for impaired biological integrity. Prior to recommending the elimination of any alternatives, NCDWQ requests that the table be updated to accurately reflect additional stream impacts associated with an interchange on this segment.

NCDWQ appreciates the opportunity to provide comments on the Draft Alternatives Development and Analysis Report and looks forward to our continued working relationship on this project. If you have any questions or need additional information, please contact Polly Lespinasse at (704) 663-1699.

Sincerely,



Robert B. Krebs
Regional Supervisor
Surface Water Protection Section

Cc: Polly Lespinasse, NCDWQ Mooresville
Brian Wrenn, Supervisor, Transportation Permitting Unit, Raleigh
Steve Lund, USACE Asheville Field Office
Marella Buncick, USFWS
Marla Chambers, NCWRC
Chris Militscher, EPA



◊ North Carolina Wildlife Resources Commission ◊

TO: Jennifer Harris, P.E.
North Carolina Turnpike Authority

FROM: Marla Chambers, Western NCDOT Permit Coordinator *Marla Chambers*
Habitat Conservation Program, NCWRC

DATE: January 14, 2008

SUBJECT: Review of the Draft Alternatives Development and Analysis Report for the Monroe Connector/Bypass, Union and Mecklenburg Counties. TIP No. R-3329 and R-2559.

As a participating agency and in accordance with Section 6002 of SAFETEA-LU, staff biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the Draft Alternatives Development and Analysis Report prepared for the North Carolina Turnpike Authority (NCTA) and have participated in Turnpike Environmental Agency Coordination (TEAC) meetings regarding the subject project. Screening of preliminary alternatives for the Monroe Connector/Bypass was discussed at TEAC meetings on 15 August 2007, 27 September 2007, 17 October 2007, and 5 December 2007.

NCWRC commented previously on this project, formerly two projects under the North Carolina Department of Transportation (NCDOT) – the Monroe Bypass and the Monroe Connector, which is now being developed as a toll road by NCTA. If ultimately it does not become a toll facility, the project would go back to NCDOT and it should be noted that the screening process for alternatives would need to be repeated for a non-toll facility as ability to toll was a crucial screening factor in the process.

NCWRC provided information on a number of state and federally listed species inhabiting streams in the project area, such as North Fork and South Fork Crooked Creek, and Richardson Creek, in comments dated 16 August 2002 and 14 January 2004. Although the streams were identified and their 303(d) list status provided, the sensitive nature of the streams was not mentioned and it does not appear these species were fully accounted for in Table 4-2 in the “Natural Heritage Program Occurrences/Sites” screening criteria.

A major concern we have with this report is that the alternatives remaining after the second qualitative screening and those remaining after the third quantitative screening are portrayed as more numerous than they actually are, which makes the analysis more confusing and more complex than need be. The “Relative Segment Comparison Assessment” (section 3.3) looked at four areas where several route options exist to get from one point to another within the same area. While the number of routes was reduced in some areas, each of the four areas carried two route options to the third screening level. Figure 3-13 illustrates the alternatives to be carried to the third quantitative screening, which shows essentially four alternative corridors, however they are portrayed as 25 separate Preliminary Study Alternatives (see Table 3-1) and evaluated in the extensive Table 4-2. After the third quantitative screening, the 16 alternatives proposed to be carried forward for detailed study in the Draft Environmental Impact Statement (DEIS) are depicted in Figure 4-5; however, they are essentially minor variations of one alternative corridor, differing only by the similar parallel segments in the four aforementioned areas.

We recommend that the four pairs of similar segments be illustrated as widened areas of the alternative corridors and be analyzed the same as other portions of the alternatives, using a best-fit conceptual design. A different approach would be to put the four pairs of segments through the quantitative third screening first to choose between each pair, and then connect segments from endpoint to endpoint for the analysis between the basic remaining corridors. It appears the basic corridors after the second level screening are widen existing (Alternative G), new location (Alternatives A, B, C, D and variations containing these letters), and two alternatives with both new location and existing roadway segments (Alternatives E and F and their variations).

We would also like to reiterate that segment 26, which has a number of issues including historic resources, should be adjusted westward to provide a best-fit connection to segment 24 in the vicinity of the ridgeline (see email comments dated 10/11/2007). Together segments 26 and 24 provide one of the two connections between the new location and existing roadway portions of the alternatives. We are concerned that essentially one alternative corridor is proposed to be studied in detail and recommend that at least one other viable alternative be carried forward in order to provide a thorough assessment and comparison of potential alternatives. Analysis of more than one corridor may help the public and agency reviewers of the DEIS to support the eventual preferred alternative.

In addition, the following minor comments and suggestions are to assist in completing the final alternatives report:

1. Figures that show alternative segments on a map may need segment labels repositioned for clarity. For example, on Figure 2-5 labels for segments 2 and 13 appear to be located on existing US 74.
2. It is helpful that the color of segments in the figures are consistent throughout the document, however on Figure 3-13 segment 34 changed from green to brown.
3. Section 1.1.1 – the second paragraph is a repeat of most of the first paragraph.
4. Section 3.1 – a word is missing in the last sentence of “Relative Segment Comparison” bullet.

5. Section 3.2.2.3 – in the first paragraph, the reference to Section 3.2.3 likely should be Section 3.3 or 3.3.2 as Section 3.2.3 wasn't found in the report.
6. Section 3.3.2 – the crossings in the second and third bullet under “Comparison” (page 3-8) could be better identified in Figure 3.6.
7. Table 4-1 – “Watersheds” should be “Protected Watersheds” or “Water Supply Watersheds” and the impacts for it, and for “Floodplains”, should be in acres for better comparison.
8. Section 4.2.1 – “Stream Impacts” discussed perennial and intermittent streams separately, however it may be useful to also report total stream impacts.
9. Table 4-2 – footnotes are not defined.

Thank you for the opportunity to review and comment on this document. If you have any questions regarding these comments, please contact me at (704) 984-1070.

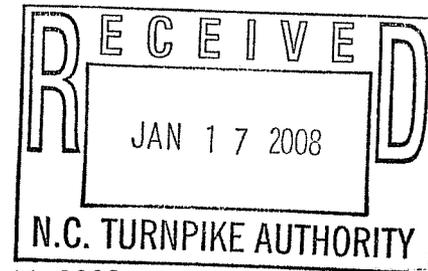


REPLY TO
ATTENTION OF:

**DEPARTMENT OF THE ARMY
WILMINGTON DISTRICT, CORPS OF ENGINEERS
151 PATTON AVENUE
ROOM 208
ASHEVILLE, NORTH CAROLINA 28801-5006**

CESAW-RG-A

January 11, 2008



MEMORANDUM FOR MS. JENNIFER HARRIS, NORTH CAROLINA TURNPIKE
AUTHORITY, 1578 MAIL SERVICE CENTER, RALEIGH, NORTH CAROLINA 27699-
1578

SUBJECT: Comments on Monroe Connector/Bypass, TIP Nos. R-3329 and R-2559

1. Reference your request of November 5, 2007 for our comments on the Draft Alternatives Development and Analysis Report for the subject project located in Union and Mecklenburg Counties.
2. We have completed our review of this report and offer the following comments in the context of our role as a cooperating agency in the preparation of the Draft and Final Environmental Impact Statements (EIS) for the project and as a regulatory agency with responsibilities under Section 404 of the Clean Water Act of 1977, as amended.
3. We would like to see an evaluation of the potential effects of induced and relocated development on aquatic resources of the area prior to dropping all alternatives that involve upgrading all or portions of the existing US Highway 74. We are particularly concerned with the potential effects from relocating large numbers (potentially hundreds) of businesses on streams within the US Highway 74 corridor. This could be accomplished by including an evaluation of potential cumulative effects for the preliminary study alternatives in the quantitative third screening. Alternatively, we recommend that Alternative G (upgrade existing US 74) be carried forward on an interim basis until such time as additional information on cumulative impacts can be developed and evaluated.
4. We concur with the decision to carry the new location Alternatives A-D forward for detailed evaluation. These four alternatives essentially form one corridor with variations of each. There are however, sufficient differences among these variations in residential and business relocations, hazardous materials sites, total linear feet of stream within the right-of-way and potential floodplain impacts to warrant detailed evaluation. As indicated in Item 3 above, Alternative G should also be carried forward at this time.
5. The screening process, as included in this report, is an integral part of the alternatives evaluation required by the 404(b)(1) Guidelines of the Clean Water Act as well as the NEPA process. As such, the entire Alternatives Development and Analysis Report should be included in the Draft EIS.
6. The term "isolated wetlands" has specific regulatory implications under Section 404 of the Clean Water Act and should not be used in the report except in this regulatory context (see Chapter 3, Section 3.3.3).

7. If you have any questions, please contact me at telephone (828) 271-7980 or by email at steven.w.lund@usace.army.mil

A handwritten signature in black ink that reads "Steven W. Lund". The signature is written in a cursive style with a large, looped initial 'S'.

Steven W. Lund
Project Manager
Asheville Regulatory Field Office

APPENDIX A-9

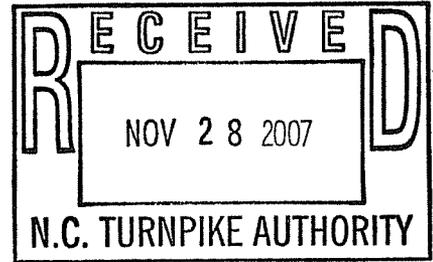
**LOCAL OFFICIALS CORRESPONDENCE REGARDING DSA
SEGMENTS 18A AND 2**

- Central Piedmont Community College 11/28/07
- Town of Indian Trail 03/17/08
- Town of Matthews 07/30/07, 11/12/07
- City of Monroe 11/20/07
- Town of Stallings 11/15/07, 10/21/08
- Union County Public Schools 12/05/07



November 21, 2007

Mr. David Joyner
Executive Director
North Carolina Turnpike Authority
5400 Glenwood Avenue, Suite 400
Raleigh, North Carolina 27612



Dear Mr. Joyner:

I write this letter in opposition to the proposed Routes #18 and #18A of the Monroe Bypass.

*Equal Opportunity
Institution*

Central Piedmont Community College operates its Levine Campus at the intersection of I485 and Highway 74. We are now serving over 12,000 students per year at this large campus and expect the growth to reach 15,000 students per year by 2010. 80% of our students access this campus via CPCC Lane just off Highway 74.

Of course, we are in support of a bypass around Monroe, but we believe the proposed Routes 18 and 18A would create such congestion and confusion that it would cause a critical detriment to our students and their ability to reach our campus. We also believe that Nos.18 or 18A Proposals would be extremely expensive and create safety concerns for us.

We prefer proposed Route #2 or something further away from the 485/74 Intersection than Routes 18 or 18A.

Thank you for the opportunity to provide our input to this important bypass project. I will be available for testimony before any appropriate body. Thank you for your consideration.

Cordially,

P. Anthony Zeiss
President

pam
cc Lyndo Tippett – Secretary Department of Transportation



Town of Indian Trail

MAYOR

John J. Quinn

MAYOR PRO TEM

Shirley S. Howe

TOWN COUNCIL

Gary J. D'Onofrio William L. Godwin
Jeffrey L. Goodall Dan P. Schallenkamp

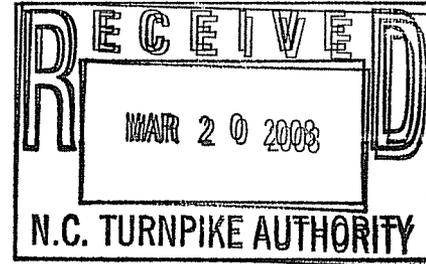
TOWN MANAGER

Ed Humphries
March 17, 2008

TOWN CLERK

Peggy Piontek

Ms. Jennifer Harris, P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578



Subject: Position on the Monroe By-Pass Segment

Dear Ms. Harris:

The Town of Indian Trail desires this opportunity to clearly state our opposition to the proposed segment 2 of the Monroe Connector/Bypass toll road for several reasons including the following:

1) The MUMPO Thoroughfare Plan has included a route, closely resembling segment 18 since 2004 or earlier. This route closely resembled alignment D-2 corridor of the Draft 203 EIS for the proposed Monroe Connector. Based on these MUMPO plans, Indian Trail incorporated this (segment 18) route into its Comprehensive Plan adopted in 2005. We believe Indian Trail has been a good participant in the regional planning process by doing our part in attempting to preserve right-of-way for this path and restrict it from further development through the use of our Comprehensive Plan and other zoning tools.

2) As stated in previous letters sent to the NCTA, segment 2 is inconsistent with both the MUMPO Thoroughfare Plan and with Indian Trail's Comprehensive Plan.

3) The alignment of proposed segment 2 will have real and potential adverse impact to approximately 38.25 acres of phase 6 of Old Hickory Industrial Park as well as impact to well over 49 acres of older (developed) phases of the park. Phase 6 of Old Hickory has processed an Industrial Park Master Plan and is currently under development projecting over 600,000 square feet of much needed economic development for our Town and for Union County. This economic development area recently received economic development funds from NCDOT to assist in roadway improvements on Indian Trail-Fairview Road valued in the area of an \$800,000 project.

Old Hickory was started in 1999 and consists of 225 acres, approximately 39% of this area lies within the current study area for segment 2. Over \$6.5 million has been invested in park infrastructure to date, including roads and utilities. Buildings in this park have been averaging 12,000 square feet per acre with an average tax value of \$110 per square foot or \$1.32 million per acre of improved value. This provides much needed property tax revenue for Union County. Acre for acre, these businesses have a lower water and sewer impact than residential development and unlike residential, this park has no impact on Union County Public Schools. The businesses

Communities in Pursuit of Excellence

Jennifer Harris, P.E. (continued)
Page 2
March 17, 2008

locating within Old Hickory average 12 employees per acre. These are much needed jobs for Union County.

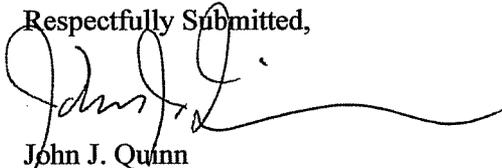
In addition to the 225 acres in Old Hickory, there are 200+ adjoining acres that are already zoned with sewer in place. The Phase 6 road in Old Hickory is planned to continue into this additional 200+ acres nearly doubling the size of this business/industrial park. This acreage is also in the study area for segment 2.

Old Hickory and adjoining acreage, zoned and used for clean, highly desirable business/light industrial park provides current and future much needed jobs and property tax revenue for Union County and Indian Trail and should be preserved as such.

4) Although it is never attractive for a new roadway to displace even a single residence, when such a displacement occurs, there are numerous locations and housing choices available within Union County to relocate. However, comparatively speaking, there are very few business/industrial parks within Union County for businesses to relocate that offer the easy access to both I-485 and Highway 74. Union County is highly-likely to loose many current and future jobs if segment 2 is built.

In summary, the Town of Indian Trail strongly opposes segment 2 for reasons stated above.

Respectfully Submitted,



John J. Quinn
Mayor
Town of Indian Trail

Cc: Union County Commissioners
Mayors of Stallings, Unionville, Hemby Bridge, Lake Park, Fairview, Wesley Chapel
Robert Cook, Secretary MUMPO
Brian Matthews, Stallings Town Manager
Maurice Euring, Union County Partnership for Progress
Steve DeWitt, NC Turnpike Authority
David Joyner, NC Turnpike Authority



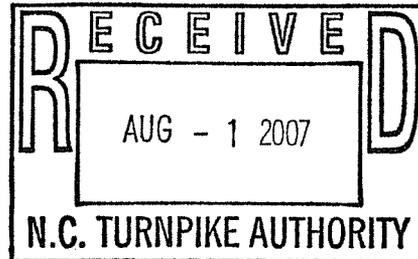
TOWN OF MATTHEWS

TRADITIONAL VALUES • PROGRESSIVE LEADERSHIP

July 30, 2007

Ms. Jennifer Harris P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

Re: Monroe ByPass/Connector



Dear Ms. Harris:

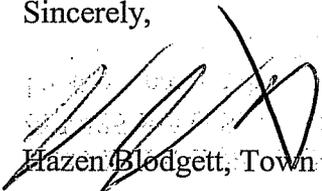
I am writing on behalf of the Mayor and Town Board of Commissioners of Matthews. For several years the Town has been aware of the discussions for the possible locations of the Monroe Connector. The Town supports alternate corridor E as a location for the Monroe Connector (this is #2 on the Turnpike Authority alternatives map). We are not supportive of Corridor D (Turnpike Authority alternative #18):

The Monroe ByPass/Connector terminates in Matthews. This project will stop at the intersection of I-485 and U.S. 74. If Turnpike Authority #18 is approve it will create a super interchange at this location, having three major highways coalesce at one point. This interchange in its current design is already a problem for the Matthews Police Department with the number of automobile accidents. In winter weather conditions portions of the interchange freeze as a result of poor drainage, creating a travel hazard. In talking to Town of Stallings officials the route #18 will impact subdivisions in their town as well as have a negative impact on a new elementary school that is approved for construction.

On behalf of the Town of Matthews we respectfully request the Turnpike Authority select alternative #2 for the Bypass/Connector. Alternative #18 is problematic for both the Town of Matthews and the Town of Stallings.

Thank you for your consideration in this matter.

Sincerely,


Hazen Blodgett, Town Manager

c: Mayor and Town Board of Commissioners
Robert Cook, Secretary of Mecklenburg-Union MPO



TOWN OF MATTHEWS

TRADITIONAL VALUES • PROGRESSIVE LEADERSHIP

A RESOLUTION REGARDING THE MONROE CONNECTOR/BY-PASS IN OPPOSITION TO PROPOSED ROUTE 18A

WHEREAS, the North Carolina DOT has passed off planning for the Monroe Connector/Bypass, to the North Carolina Turnpike Authority (NCTA); and

WHEREAS, the NCTA has initiated a new Public Participation Process regarding the possible location and route of this important roadway; and

WHEREAS, the Authority in June 2007, displayed a large number of alternatives to the public and local government officials; and

WHEREAS, since that time NCTA has reduced the alternatives for the western end of the project to two routes, known now as 2 and 18A, Route 18A being the revision of an earlier route 18 that was opposed by both local residents and the two most affected local governments being Matthews and Stallings; and,

WHEREAS, 18A is still an objectionable routing for its location near residential areas, its land use negatives, its creation of a super interchange on top of the current interchange with Independence and I-485; and

WHEREAS, this concept will have substantial land use negatives, access negatives to properties that currently abut Independence in Matthews as far back as NC 51, will have safety concerns, due to the complexity of the interchange along with winter weather operations,

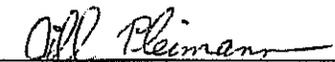
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Matthews, that the NCTA be notified that route 18A is not a route that Matthews can support and in fact will oppose by all means possible, and

BE IT FURTHER RESOLVED that we will oppose any and all funding for any project that includes 18A.

ADOPTED, this the 12th Day of November, 2007.



R. Lee Myers, Mayor



Jill Fleimann, Town Clerk

**RESOLUTION OF THE CITY OF MONROE
OPPOSING THE TURNPIKE AUTHORITY ROUTE 18A
AND REITERATING SUPPORT FOR ALTERNATIVE 2
FOR THE MONROE BYPASS CONNECTOR**

WHEREAS, the North Carolina Turnpike Authority is engaged in a detailed study analysis of human and environmental impacts for a reduced list of 16 alternatives for the location of the Monroe Bypass Connector, and

WHEREAS, Alternative 18A will have equivalent and significant adverse impact for the City of Monroe in the same manner as route 18 which was eliminated from further study, and

WHEREAS, Route 18A creates insufficient additional distance between the road and the elementary school under construction or existing neighborhoods to significantly improve noise levels, air quality, or quality of life issues, and

WHEREAS, Route 18A will have greater involvement with the 303b streams in the area, and

WHEREAS, projections by the NC Department of Transportation indicate average daily totals for traffic in the corridor between I-485 and Indian Trail-Fairview Road will exceed 84,000 by 2030, and

WHEREAS, Route 18A will provide no relief to the existing traffic safety concerns relative to the high speed traffic and merging difficulties at the interchange of Highway 74 and I-485, which pose particular concerns for the 12,000 students traveling to the CPCC campus near that interchange, and

WHEREAS, Alternative 2 will have minimal disruption of existing neighborhoods and require few business relocations within the section of Highway 74 between I-485 and the exit ramp, and

WHEREAS, redevelopment to achieve higher quality commercial business in the impacted portion of Highway 74 is an identified goal of the Stallings Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of Monroe hereby opposes Route 18A for the Monroe Bypass Connector and reiterates its support for Alternative 2 as the preferred route.

Adopted this 20th day of November, 2007.

Attest: Bobby G. Kilgore, Mayor

Bridgette H. Robinson, City Clerk

R-2007-95

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Town of Stallings

(Union County)
www.stallingsnc.org

(704) 821-8557
(704) 821-6841 fax

Mailing address:
Post Office Box 4030
Stallings, NC 28106

Street address:
315 Stallings Road
Stallings, NC 28104

Mayor:
Lynda M. Paxton
lpaxton@stallingsnc.org

Council:
Mark E. Franza
Mayor Pro Tem
Wyatt Dunn
Al Graham
Renee W. Hartis
Barbara Anne Price
Thelma L. Privette

Town Manager:
Brian W. Matthews
bmatthews@stallingsnc.org

Town Attorney:
Rhonda Ruth Jerry Hipkins
rhipkins@stallingsnc.org

Town Clerk &
Finance Officer:
Marie K. Garris
mgarris@stallingsnc.org

Deputy Town Clerk &
Tax Collector:
Deborah K. Wagenhauser
dwagenhauser@stallingsnc.org

Assistant Town Clerk:
Karen B. Williams
kwilliams@stallingsnc.org

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Code Enforcement Officer:
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edeason@stallingsnc.org

Information Officer:
Linda Tamilia
ltamilia@stallingsnc.org

Administrative Assistant:
Lynell Hillhouse
llhillhouse@stallingsnc.org

Town Services:
Richard Tanner

November 15, 2007

Ms. Jennifer Harris, PE
North Carolina Turnpike authority
5400 Glenwood Avenue, Suite 400
Raleigh, North Carolina 27612

RE: Route for Monroe Bypass Connector

Dear Jennifer:

Enclosed is a Resolution adopted by the Stallings Town Council on November 13, 2007 opposing the Turnpike Authority Route 18A and in support for Alternative 2.

I would welcome the opportunity to discuss this with you. My direct office number is 704-821-0314 and my cell is 980-721-4244.

Very truly yours,

Brian W. Matthews
Town Manager

Enclosure

**Resolution of the Town of Stallings
Opposing the Turnpike Authority Route 18A and Reiterating Support for
Alternative 2 for the Monroe Bypass Connector**

Whereas, the North Carolina Turnpike Authority is engaged in a detailed study analysis of human and environmental impacts for a reduced list of 16 alternatives for the location of the Monroe Bypass Connector, and

Whereas, Alternative 18A will have equivalent and significant adverse impact for the Town of Stallings in the same manner as route 18 which was eliminated from further study, and

Whereas, Route 18A creates insufficient additional distance between the road and the elementary school under construction or existing neighborhoods to significantly improve noise levels, air quality, or quality of life issues, and

Whereas, Route 18A will have greater involvement with the 303b streams in the area, and

Whereas, projections by the NC Department of Transportation indicate average daily totals for traffic in the corridor between I485 and Indian Trail Fairview Road will exceed 84,000 by 2030, and

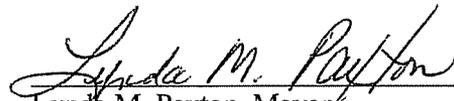
Whereas, Route 18A will provide no relief to the existing traffic safety concerns relative to the high speed traffic and merging difficulties at the interchange of Highway 74 and I485, which pose particular concerns for the 12,000 students traveling to the CPCC campus near that interchange, and

Whereas, Alternative 2 will have minimal disruption of existing neighborhoods and require few business relocations within the section of Highway 74 between I485 and the exit ramp, and

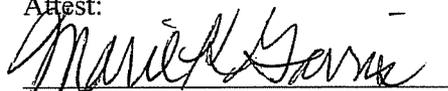
Whereas, redevelopment to achieve higher quality commercial business in the impacted portion of highway 74 is an identified goal of the Stallings Land Use Plan,

Now, Therefore, Be It Resolved that the Town of Stallings hereby opposes Route 18A for the Monroe Bypass Connector and reiterates its support for Alternative 2 as the preferred route.

Ratified this the 13th day of November 2007.


Lynda M. Paxton, Mayor

Attest:


Marie K. Garris, Town Clerk



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Assistant Chief of Police:
David Hearne
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Town Attorney:
H. Ligon Bundy

Town Clerk &
Finance Officer:
Erinn Nichols
enichols@stallingsnc.org

Deputy Town Clerk &
Tax Collector:
Deborah K. Wagenhauser
dwagenhauser@stallingsnc.org

Assistant Town Clerk:
Karen B. Williams
kwilliams@stallingsnc.org

October 21, 2008

Ms. Jennifer Harris, P.E.
North Carolina Turnpike Authority
1578 Mail Service Center
Raleigh, NC 27699-1578

Re: Monroe Bypass/Connector

Dear Ms. Harris;

I am writing to you on behalf of the Town Council of the Town of Stallings. The Town of Stallings had previously supported alternative route #2 which follows existing Highway 74 through town. The Town recently voted to change their position of support. This letter is meant to serve as the Town's position on the location and/or connection of the Bypass/Connector. The Town of Stallings supports alternative (#18A) shown on Turnpike Authority maps. The Council feels that alternative (#2) will have a negative impact on existing commercial development along Highway 74.

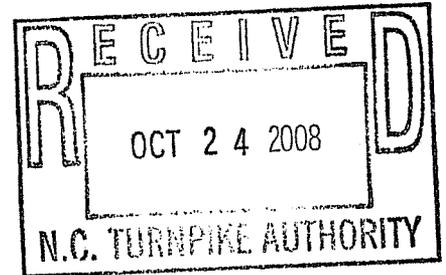
On behalf of the Town I am requesting the Turnpike Authority select alternative (#18A) for the Bypass/Connector and eliminate from consideration alternative (#2).

If you have any questions or need any additional information, please do not hesitate to contact me at (704) 821-0314.

Sincerely,

Brian W. Matthews
Town Manager

cc Robert Cook, Secretary to Mecklenburg-Union MPO
Ed Humphries, Indian Trail Town Manager





UNION COUNTY PUBLIC SCHOOLS

Department of Facilities, Planning, and Construction
116 North Main Street Monroe, North Carolina 28112
704-296-5960 Fax: 704-296-5973

Dr. Ed Davis
Superintendent

L. Dean Arp Jr., Chairman
John Collins, Vice Chairman

John H. Crowder Dr. Sharon Gallagher
Kimberly Morrison-Hansley Carolyn Lowder
John Parker Kim Rogers Richard Weiner

Date: 5 December 2007

To: North Carolina Turnpike Authority

From: Union County Board of Education

RE: Monroe Bypass Alternate 18A

The Board of Education approved a statement regarding the Monroe Bypass Alternate 18A at their regular meeting on 4 December 2007. The statement is as follows:

“We request that Alternate 18A not be placed in such a manner as to have an adverse effect on the health and safety of the occupants at Stallings Elementary School. In addition, we ask that Alternate 18A not be placed in such a way as to have an adverse effect on the traffic flow with regards to ingress and egress from Stallings Elementary School.”