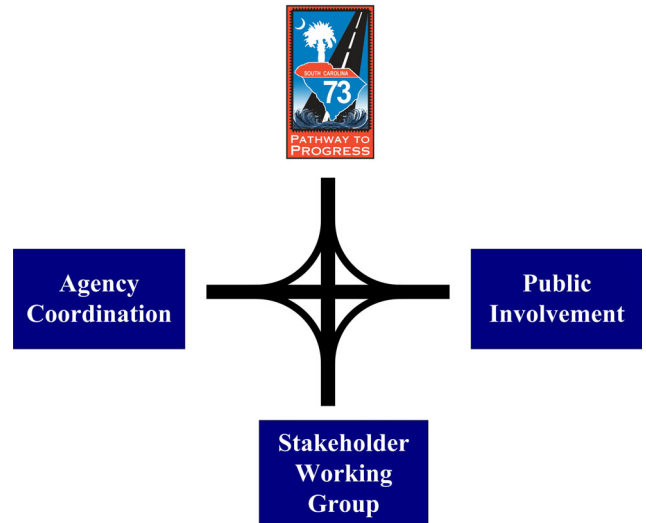




## CHAPTER 4. PUBLIC INVOLVEMENT AND AGENCY COORDINATION

The FHWA and SCDOT developed a three-tiered approach for involvement, which included agency involvement through the formation of the ACT, special interest and local involvement through the Stakeholder Working Group, and public input through meetings, mailings, a website, and the public information hotline. The public, agencies, and other interested groups (such as local and county organizations) had unprecedented project involvement throughout this process.



### 4.1 PUBLIC INVOLVEMENT

#### 4.1.1 How was the public engaged in the project?

The public has been involved extensively throughout the project. Public meetings were held throughout the project’s duration, including the following:

- Public Scoping Meeting – September 18, 2004, in Mullins, S.C.;
- Public Scoping Meeting – September 21, 2004, in Conway, S.C.;
- Public Information Meeting – March 8, 2005, in Dillon, S.C.;
- Public Information Meeting – March 10, 2005, in Myrtle Beach, S.C.;
- Public Information Meeting – March 22, 2005, in Aynor, S.C.;
- Public Information Meeting – May 3, 2005, in Mullins, S.C.;
- Public Hearing – June 15, 2006, in Aynor, S.C.;
- Public Hearing – June 20, 2006, in Mullins, S.C.; and,
- Public Hearing – June 22, 2006, in Dillon, S.C.

A telephone hotline and a website have been available since June 2004 for the public to view information and comment on the project. Community information meetings were also held throughout the project study area in an effort to reach out to minority populations and other community groups.

#### 4.1.2 What happened at the Public Scoping Meetings?

Public scoping meetings were held to gather comments and input from the communities during the early stages of the project. The meetings allowed the public to provide input on issues and resources that could be considered during alternative development. There were two Public Scoping Meetings for the project. The first meeting was held in Mullins, South Carolina, at the Marion County Vocational Education Center on September 18, 2004. At the meeting, FHWA and SCDOT explained the project and answered questions. There were four stations set up in the room, which included maps of the project study area, the Purpose and Need for the project, an area to specifically record the issues and concerns with the project,



and maps showing constraints (such as wetlands and historic resources) that were known in the project study area. A total of 152 people attended, with 146 individuals filling out issue and comment sheets. Each person attending the meeting was requested to complete an “Issues Survey” that asked the public questions regarding how they felt about the project. They were also given a “Comment Card” to fill out information about the overall quality of the meeting and provide demographic information.



The second meeting on September 21, 2004, at Conway High School in Horry County was set up in the same format. One-hundred and fifty people attended this meeting, while 105 people completed the issues survey and comment cards.

In total, 72 percent of the respondents who completed the issues survey and comment cards at the scoping meetings supported the construction of I-73. Only six percent were against the construction, while the remainder were undecided (eight percent) or did not provide an answer (14 percent). The majority of respondents viewed the interstate’s potential to provide a positive impact on the economy through job creation as the most important issue. Other issues that were important to the respondents were the provision of improved transportation connections and the potential reduction in travel time during hurricane evacuations. Minimizing impacts to natural and historic resources was also important to the respondents, but was not as high of a priority as the economy, transportation connections, and hurricane evacuation.

#### **4.1.3 What took place at the Public Information Meetings?**



Once preliminary corridors referred to as “Potential Alternative Corridors” were developed, another series of Public Meetings was held to provide information and seek public input on the potential corridors. A Public Information Meeting was held in each of the three counties in the project study area. At these meetings, displays with the 2,500-foot Potential Alternative Corridors were shown to the public at various stations. Comment forms were distributed and could be returned at the meeting or via mail. The first meeting was at Dillon County High School on March 8, 2005. At this meeting, 141 people attended and 22 left comments during the meeting. The comments included concerns about alignments, in relation to using existing routes, in terms of access to businesses and residences along the road, and

relieving traffic congestion. Some of the other respondents stated that they would like the interstate to be constructed as soon as possible. Others supported the project because it was needed in economically

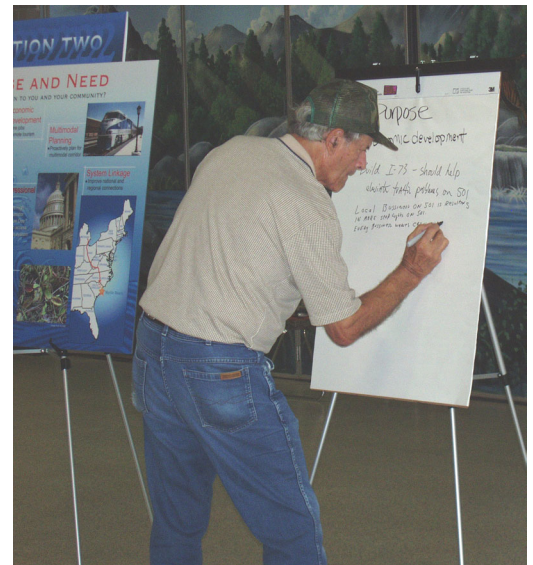


distressed areas. Respondents were also concerned about dividing family farms and the impacts to prime and unique farmland in the project study area.

On March 10, 2005, a second Public Information Meeting was held at Myrtle Beach High School in Horry County. A total of 235 people attended and 49 left comments at the meeting. The use of U.S. Route 501 was favored by some respondents and opposed by others. Those who were in favor of using U.S. Route 501 felt it would be the least destructive alternative since it was already constructed and the right-of-way was already in place. In addition, they felt that road impacts to local businesses and residences are already occurring, so there would be no major increase of impacts. Other respondents opposed the use of U.S. Route 501 because it was already congested and favored a new road, so that U.S. Route 501 would

be primarily left for local traffic use. Respondents also opposed the use of U.S. Route 501 because construction would take longer, and there would not be an additional evacuation route or major highway to and from the Myrtle Beach region. Respondents were also concerned with loss of residences, historic sites, wetlands, and family farms. Most wanted the interstate to avoid small communities and towns such as Aynor, Cool Spring, Ketchuptown, and Galivants Ferry. In general, some felt that the interstate was needed and believed it would be a tremendous asset and addition to the community. Respondents suggested that the multimodal planning element of the project be removed to reduce the right-of-way necessary. There were also suggestions to make it a six-lane road with tollbooths and to locate the interstate farther to the south.

The third Public Information Meeting took place at Aynor High School on March 22, 2005. Six-hundred and twenty people attended this meeting and 194 people submitted a comment form. The general sentiment from the public who commented was to avoid Aynor as much as possible. Many comments showed the public was concerned with the potential impacts of I-73 and how it would affect their culture and way of life. Approximately 40 comments were against relocating or having their farms split due to the project. Many suggested moving the roadway either north or south of Aynor. Forty-five comments wanted the road located south of Aynor and crossing the Little Pee Dee River at Gunter's Island because the respondents believed it would be less populated and would impact less people. Five comments were against a more southern route because of environmental concerns. Sixty-five comments suggested looking at more northern corridors such as S.C. Route 9. Some people were in favor of using U.S. Route 501 because it would minimize impacts to people and the environment where it was already in place. Others were against using U.S. Route 501 because the road was already







congested and an additional route would provide more relief for traffic congestion.

The fourth Public Information Meeting took place at Marion County Vocational Education Center on May 3, 2005. A total of 263 people attended this meeting and 39 people left comments. Most comments were opposed to alignments in close proximity to their homes. Many were in favor of the interstate based on the hope it would enhance economic development, help attract new businesses, and alleviate high unemployment rates in Marion and Dillon Counties. Some wanted to see the project avoid farms, historic homes, and churches. Other respondents would rather their property be taken by the

road than to live beside the interstate. Some respondents felt that U.S. Route 501 should be used because it is an existing route and would potentially have lower impacts. Others suggested looking at S.C. Route 9 or S.C. Route 38 for a possible route in that area. Comments also suggested a more southern route to the beach because they believed that it would be more logical and reduce impacts. Several comments suggested the route follow existing corridors to minimize impacts and protect rare and high-quality plant communities. Some respondents felt that swampy areas should be taken instead of farms and homes. A few respondents also brought up the idea of having frontage roads on one side of the roadway and to make sure that the crossing at the Little Pee Dee River was wide enough that future widening would not be needed immediately.

A total of 1,259 people attended the Public Scoping and Information Meetings while 1,023 comment cards were received based on these meetings. Comments varied from support for the project because of its potential for bringing in new businesses and creating job growth to opposition due to the concerns of splitting family farms and disrupting community cohesion.

#### **4.1.4 What happened at the Public Hearings?**

The first Public Hearing was held at Aynor High School in Aynor, South Carolina, on June 15, 2006, with 440 people attending. Four identical stations were set up so that the public would have ample opportunity to see the displays. The stations consisted of an aerial photograph of the project study area that





showed the Preferred Alternative and the other seven alternatives. This aerial photograph also identified the properties potentially impacted by the Preferred Alternative. Display boards summarizing the potentially impacted resources for the eight alternatives were available at each station. The four-lane and future six-lane typical sections were also set up for viewing by the public. Project Team members were available at each station to answer questions and help individuals find their property. A computer station, operated by the Project Team, showed individuals where their property was in relation to the Preferred Alternative. Tables were provided to write comments and a private area was available for those who wanted to record verbal comments. Seventy-six comments were received

from the public at this meeting. Many commented they wanted the alignment moved away from their specific property so they were no longer impacted. Additional concerns included access to their properties, maintaining traditional travel routes, noise and air pollution from the interstate, community impacts, and the division of farmlands. Other comments were received about the potential impacts to Nichols Highway (Road S-23) since it was being crossed numerous times, and the additional relocations due to the alignment through Ketchuptown.

The second Public Hearing was held in Mullins, South Carolina, at the Marion County Vocational Education Center on June 20, 2006. Six hundred and thirty-six people attended and 62 comments were received. Many comments received were from residents of the Temperance Hill Community who were concerned about disruption to their community and way of life. In addition, other commenters raised concerns about maintaining traditional travel routes, the amount of right-of-way required from specific properties, separation of families, and lowering of property values near the Preferred Alternative. Others supported the project because of the potential economic benefit to the area and the anticipated reduction of traffic on existing roads.

The third Public Hearing was held in Dillon, South Carolina, at Dillon High School on June 22, 2006, with 367 people attending. Ninety-one comments were received at the meeting, many of which were in support of the Preferred Alternative, stating it would benefit the Latta area. Some commenters stated that the northern corridor should have been selected as the Preferred Alternative between Latta and Dillon. Concerns raised by those commenting included potential impacts to property, potential impacts to the Signode Plant, farmlands being divided, and maintaining access to property. Additional comments provided information about previously unknown family cemeteries that were near the alignment and questions about when construction would begin. Those living north of Dillon in the community of Minturn supported the Preferred Alternative, and stated that they hoped the Northern I-73 Project would stay west of their community.



Following the series of Public Hearings, 632 comments were received from the public. Of those, 382 were a standard form from the Dillon Herald Newspaper stating that they were against the Preferred Alternative (Alternative 3) and in favor of Alternative 6. Three people modified the Dillon Herald Newspaper form to indicate their support for the Preferred Alternative (Alternative 3) and opposition to Alternative 6. The other 247 comments varied between those that supported the Preferred Alternative and those that did not. Some of the comments supported the Preferred Alternative, stating it would benefit Latta and the whole area economically. Others opposed the project, instead suggesting that existing roads be utilized. Concerns raised in the comments included access issues, possible noise pollution, aesthetics of the area, maintaining traditional travel routes, impact to businesses and residences, splitting of family farmlands, impacts to quality of life and property values, and increase in crime. The community of Bakers Chapel had additional concerns since the community had been divided previously with the construction of S.C. Route 22, and it did not want this to happen again.

Overall, 1,443 people attended the Public Hearings and 861 comments were received on the project during the Public Hearing comment period. Based on all the public comments received, the Project Team modified the Preferred Alternative; refer to Chapter Two for more information.

#### **4.1.5 How were local governments involved?**

The SCDOT has had extensive communication with many federal, state, county, and local elected officials throughout this project. In order to assist these elected officials, the Project Team provided information and answers to these officials. The Project Team also endeavored to provide periodic project information and updates to elected officials. In addition, various elected officials and community leaders were involved in the Stakeholder Working Group process (refer to Section 4.3, page 4-33).

Elected officials and government entities wrote letters throughout the process to the Project Team expressing their concerns and issues. Of the letters received, Horry County Council, Town of Aynor Council and Mayor, Horry County Schools, and Aynor Area Chamber of Commerce all supported northerly I-73 routes that would avoid geographically dividing the Town of Aynor and the school districts. Concerns raised by these officials included impacts to traditional travel routes which may lengthen school bus travel times and impact travel to and from Aynor. In addition, routes that divided Aynor were opposed due to the division of the community and town, separation of Aynor Elementary, Middle, and High Schools, and possible noise pollution to the schools from an interstate in Aynor. Local governments also passed resolutions stating their views on the Project (refer to Table 4.1).

The Project Team met with local representatives from Dillon County, along with state senators and representatives from the project study area to discuss the Preferred Alternative alignment through Dillon County on October 3, 2006. The local representatives from Dillon County discussed their concerns regarding the Preferred Alternative and what improvements or additions could be made to help the City of Dillon economically.





**Table 4.1**  
**Summary of Letters and Resolutions Received for Proposed Project**  
**Interstate 73 FEIS: I-95 to the Myrtle Beach Area**

<b>Person/Entity</b>	<b>Date</b>	<b>Description</b>
Dillon County Council	November 17, 2006	Letter to SCDOT stating that the Preferred Alternative would have a negative impact on Dillon County and not create any meaningful economic opportunities. They wanted the SCDOT to look into building an Industrial Corridor from I-95 to the Preferred Alternative.
Representative John Spratt	August 1, 2006	Letter to SCDOT wanting the SCDOT to look at avoiding the Signode Plant with the Preferred Alternative and write letter to Signode affirming that I-73 will be constructed in a way to avoid Signode and allow its expansion to go unabated. There were attached letters from Signode (dated June 27, 2006) stating concerns of I-73 impacting their plant.
Town Council and Mayor of Aynor	July 12, 2006	Letter to SCDOT stating that the Aynor Town Council and Mayor continued to support northerly course of I-73 through Horry County to avoid geographical division of Aynor. Also, they requested that the traditional travel routes are maintained along the Preferred Alternative.
Aynor Area Chamber of Commerce	June 28, 2006	Letter to SCDOT expressing concern about disruption of traffic flow to and from Aynor, and asked for overpasses to be built along I-73 where possible to minimize travel disruption to and from Aynor.
Latta Town Council and Mayor	June 27, 2006	Letter to SCDOT stating that the Town of Latta fully supported the Preferred Alternative.
County of Dillon, City of Dillon, Dillon County Development Board, and I-95 Gateway Industrial Park	June 21, 2006	Letter to SCDOT stating that the County and City of Dillon, along with the Dillon County Development Board and I-95 Gateway Industrial Park, were opposed to the Preferred Alternative and felt it would provide little benefit to Dillon County. Stated that the route should be between Latta and Dillon.
City of Dillon	June 21, 2006	City of Dillon Resolution stating that it did not support Preferred Alternative.
Dillon County Council	June 20, 2006	Dillon County Council Resolution stating that (1) I-73 should be located so that no industry in Dillon County is impacted; (2) that no less than three interchanges be in Dillon County; and (3) that all contractors performing construction work on I-73 be encouraged to hire as much local labor as possible.
Marion County Council	March 27, 2006	Letter to SCDOT that discussed a large inland port being developed in Marion County and stated support for a southern I-73 route through Marion.
Town Council and Mayor of Aynor	March 21, 2006	Letter to SCDOT stating that the Town Council of Aynor voted unanimously against the proposed alternative that would go through Aynor down U.S. Route 501.
Marion County Council	March 14, 2006	Marion County Council Resolution that supported I-73 but requested that the I-73 Project Team try to reduce impacts to Temperance Hill Community.



**Table 4.1 (continued)  
Summary of Letters and Resolutions Received for Proposed Project  
Interstate 73 FEIS: I-95 to the Myrtle Beach Area**

<b>Person/Entity</b>	<b>Date</b>	<b>Description</b>
Horry County Council	March 13, 2006	Letter to SCDOT stating that, by unanimous vote, Council did not support the proposed route through Aynor, and supported using more northerly courses of proposed I-73 to avoid geographical division of Aynor.
Marion County Council	March 6, 2006	Letter to SCDOT that discussed an inland port and asked SCDOT to give consideration to the project location when choosing the Preferred Alternative for I-73 through Marion County.
I-95 Gateway Industrial Park	March 1, 2006	Letter to SCDOT stating that it voted in its February meeting to support the northern route of I-73 through Dillon County.
Dillon County Economic Development Board	March 1, 2006	Letter to SCDOT supporting the route for the proposed I-73 crossing I-95 in Dillon County closest to Highway 34; stated this route will most favorably enhance economic development efforts.
Dillon County Council	February 28, 2006	Letter to SCDOT from Dillon County Council supporting the northern route of I-73 through Dillon County because it (1) appeared to be a more direct link; (2) appeared to be less disruptive of homes and businesses; and (3) appeared that economic benefit would be more beneficial due to the route's proximity to I-95 Gateway Industrial Park and proposed new airport.
Horry County School District	January 27, 2006	Letter to SCDOT raising concerns of proposed I-73 routes in relation to extended bus routes and possible noise pollution. Further stated that the District hoped attendance boundaries were identified and considered during the planning phase.
Dillon County Council	April 27, 2005	Dillon County Council Resolution supporting I-73, supporting a design of intersection of I-73 and I-95 to allow for economic development at the intersection of two interstates so Dillon County can receive greatest economic benefit.
Horry County School District	April 12, 2005	Letter to SCDOT raising concerns of limited access on I-73 and how it could negatively impact transportation routes. Stated that disruption of rural established routes could create one way travel times in excess of an hour.
Horry County School District	April 6, 2005	Letter to SCDOT stating that western route of I-73 conflicted with Aynor Elementary, Middle, and High Schools. In addition, they were concerned that an interstate being close to schools would be detrimental to schools' instructional programs and overall safety of students, staff, and patrons.
Horry County Council	April 5, 2005	Horry County Council Resolution recommending I-73 be routed south of U.S. Route 501 to S.C. Route 31, and that the Galivant's Ferry Crossing of Little Pee Dee River not be used.





#### 4.1.6 How did the FHWA and SCDOT reach out to communities?

Communities were engaged throughout the public involvement process. In addition, the CIA process was implemented to better understand the communities and to collect their opinions and comments on the proposed project. Several methods of community outreach were used in the project study area based on preliminary community information, including demographic characteristics. The CIA process was customized to each county and/or community based on their specific needs. A letter mailed to members of the Stakeholder Working Group to initiate the CIA, explained the process and offered an opportunity to participate. Surveys were also distributed throughout the project study area in various outreach methods discussed below. A total of 6,488 surveys were distributed in communities throughout the project study area and 989 were returned.

##### *How was the CIA process conducted in the project study area?*

Outreach techniques were developed to collect community information and opinions in Horry County based on the active participation in the public involvement process prior to the CIA. Surveys were mailed to residents within the two zip codes that encompassed the portion of Horry County located in the project study area. In total, 4,372 surveys were mailed that requested information about community characteristics and comments on the project.

Packets were also developed for fifth grade students at Aynor Elementary School in order to discuss the project with their parents. Ninety students received survey packets that were customized for the Aynor area, which included a map that focused on the surrounding community. No surveys were received back from this distribution.

In addition, school packets were developed for schools in Dillon and Marion Counties. Survey packets were distributed to 5th grade classes at the following schools:

- 260 students at Gordon Elementary in Dillon;
- 250 students at Marion Intermediate School in Marion;
- 164 students at Palmetto Elementary in Mullins; and,
- 50 students at Rains Centenary Elementary in Rains.

School surveys were customized for each individual school and included a map that focused on the surrounding community. A total of 276 responses were received from the distribution, including 129 from Dillon, 73 from Marion, 48 from Mullins, and 26 from Rains. An effort was made to distribute surveys to the fifth grade classes at elementary schools in Latta, and announcements were made in churches about upcoming public meetings. There was a low response from these outreach methods, so in order to gain information from the town, an additional 882 surveys were mailed to residents along the two postal routes within the downtown area. A total of 63 surveys were received from the mailings.



Review of the census data showed large concentrations of minority and low-income populations within Dillon and Marion Counties. Community outreach techniques were developed to target these historically underserved populations.

A minority liaison was designated to work in coordination with local ministers to provide information about the project and receive input, guidance, and assistance in identifying other local leaders and members of their congregations. Through these church contacts, the Project Team was invited to attend a church meeting at Westin Chapel in Latta on November 15, 2005. At church services on the preceding Sunday, this meeting was announced by leaders of minority churches throughout Dillon and Marion Counties. Approximately 35 people attended the meeting where one-on-one interviews were conducted, extra surveys were distributed, and general questions from the public were answered. The importance of community input was emphasized at this meeting.

The Project Team was also invited to attend the District African Methodist Episcopal meeting on November 20, 2005. Over 115 church leaders and members attended. The minority liaison briefly presented the project, stressing the importance of community involvement and participation. Many attendees took surveys to distribute to their congregations.

There were also several community information meetings. These meetings were held to reach out to the minority communities, as well as the local and county entities with interest in the project. The meetings were held mainly for citizen groups and churches. At the meetings, representatives from the Project Team would discuss the project and then take questions. The same presentation boards with the Purpose and Need, issues and concerns, study area map, wetlands map, and constraint map that were used at the Public Information Meetings were available for people to view at these meetings. A list of the community information meetings is found in Table 4.2.

For all three counties, communities were identified that lacked survey responses. The Project Team visited Zion, Ketchuptown, Emanuelville, and Temperance Hill and conducted one-on-one interviews and distributed surveys at each residence. Approximately 300 surveys were distributed door-to-door in these communities and 120 door-to-door surveys were conducted. Visits were also made to local convenience stores and gas stations to acquaint locals with the project and surveys were left for distribution to customers. A total of 32 interviews were conducted during the field visits, and 34 surveys were received from this effort.

#### **4.1.7 What other Public Involvement Meetings were held?**

The FHWA and SCDOT also made themselves available during the process to meet with special interest groups to discuss the project and receive feedback. Interest groups were included in the Stakeholder Working Group, but some also requested meetings with the lead agencies. Representatives from the Southern Environmental Law Center (SELN), the South Carolina Coastal Conservation League (SCCCL), and the I-73 Association attended and observed some of the ACT meetings.



**Table 4.2  
Community Information Meetings  
Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

Organization and Location (County)	Date	Number of Attendees
Rotary Club Myrtle Beach, SC (Horry)	March 18, 2005	approximately 35
Rotary Club Marion, SC (Marion)	May 9, 2005	approximately 45
Rotary Club Latta, SC (Dillon)	May 10, 2005	approximately 25
St. John A.M.E. Church Marion, SC (Marion)	May 10, 2005	29
Bethel A.M.E. Church Brittons Neck, SC (Marion)	May 12, 2005	27
St. Paul Baptist Church Mullins, SC (Marion)	May 24, 2005	24
Rotary Club Mullins, SC (Marion)	May 26, 2005	approximately 30
Society of Professional Surveyors Pee Dee Chapter of South Carolina (Florence)	June 6, 2005	16
North Eastern Strategic Alliance Meeting Columbia, SC	June 14, 2005	approximately 30
Cherry Hill Baptist Church Conway, SC (Horry)	June 27, 2005	3
St. Matthews Missionary Baptist Church Cool Springs, SC (Horry)	June 28, 2005	19
Mt. Pigsah Baptist Church Conway, SC (Horry)	June 30, 2005	10
Freemont Missionary Baptist Church Longs, SC (Horry)	July 13, 2005	28
Mount Moriah Missionary Baptist Church Buckspport, SC (Horry)	July 14, 2005	36
Cherry Hill Baptist Church Conway, SC (Horry)	July 18, 2005	25
Winyah Bay Focus Group Georgetown, SC (Georgetown)	July 19, 2005	13
New Hope Missionary Baptist Church Latta, SC (Dillon)	August 15, 2005	17
Marion District A.M.E. Church Leadership Meeting	October 17, 2006	approximately 100

The Project Team met with the SELC and SCCCL on November 10, 2004, to discuss the Purpose and Need of the project. The SELC and SCCCL had concerns about the Purpose and Need and also suggested more emphasis be placed on the project being a connection from I-95 to Myrtle Beach. Concerns were raised by SELC and SCCCL with regard to providing a future right-of-way for high speed rail within the current project footprint as well as economic development in the region as project needs.





The project was presented to the Winyah Bay Focus Group on July 19, 2005. This focus group consists of government and non-governmental entities such as the SCDNR, USFWS, SCCCL, and The Nature Conservancy.

The SELC and SCCCL met with the Project Team concerning the indirect and cumulative impacts of the project on November 4, 2005. The Project Team explained how the indirect and cumulative impacts would be addressed in the DEIS. The SELC also asked about the time period for the analysis and the Project Team explained the timeline would include the past five years and all reasonably foreseeable future actions when analyzing cumulative impacts.

The Project Team met with the Signode Company on June 22, 2006. The Signode Plant in Latta, South Carolina, was within the alignment for the Preferred Alternative. The Signode representatives discussed the plant, and the proposed expansion at the Latta site. The company stated its needs for the alignment to be shifted off the plant so it can further expand, and the addition of a frontage road connector between U.S. Route 501 and U.S. Route 301 at Latta.

The Project Team attended the August 2, 2006, South Carolina Heritage Trust Board Meeting to discuss using 30 acres of the Little Pee Dee Heritage Preserve. The Project Team gave an overview of the project and explained that it was modified to parallel the S.C. Route 917 Corridor. This modification minimized potential wetland impacts and would avoid additional habitat fragmentation along the Little Pee Dee River.

#### **4.1.8 How else was the public involved in the project?**

Ten petitions were received for the project, both in support and opposition of the Preferred Alternative from various communities in the project study area (refer to Table 4.3).

A petition, received July 7, 2006, with 626 signatures, was received from Dillon County residents supporting the Preferred Alternative and opposing Alternative 6. Another petition from 284 residents, dated April 3, 2004, in Dillon County requested that I-73 not be routed through the Northern Potential Corridor (Alternative 6) of the Southern Project. Twenty-one residents in Dillon County sent a petition dated March 21, 2006, requesting that the I-73 Corridor be changed from the Southern (Preferred Alternative) to the Northern Route (Alternative 6).

In two petitions, the Temperance Hill Community in Marion County objected to the alternatives that would come in close proximity to their community. One petition was from Ebenezer Southern Methodist Church, dated March 28, 2005, and signed by 43 people. The second petition was from “Residents and Concerned Citizens Concerning I-73 Routing Through Temperance Hill” and signed by 161 people, dated February 27, 2006. Nazarene Baptist Church (on Old Stage Road in Marion County) sent a petition received on July 7, 2006, and signed by 108 people. It requested that the entrance to Nazarene Baptist Church not be obstructed during the construction or after I-73 was completed. The residents of Pecan Pointe subdivision in Marion County also sent in an undated petition signed by 183 people opposing the Preferred Alternative (Alternative 3), asking that the roadway be moved to the south side of Gapway, or on U.S. Highway 501.



**Table 4.3**  
**Summary of Petitions Received for Project**  
**Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

<b>Petition Name</b>	<b>Petition Summary</b>
Dillon County Petition #1	Petition, received July 7, 2006, from Dillon County citizens stating that they supported the Preferred Alternative and did not support Alternative 6. 626 signatures.
Dillon County Petition #2	Petition, dated April 3, 2006, received from Dillon County citizens requesting that I-73 not be routed through the Northern Potential Corridor of the Southern Project. 284 signatures.
Dillon County Petition #3	Petition, dated March 21, 2006, received from “The Citizens of the Southern Route in Dillon County” requesting that the Northern Route be used for I-73 through Dillon County. 21 signatures.
Ebenezer Southern Methodist Church (Temperance Hill)	Petition, dated March 28, 2005, received from the Ebenezer Southern Methodist Church in the Temperance Hill Community stating they were opposed to any corridor of I-73 that traveled through the Temperance Hill Community. 43 signatures.
Temperance Hill Community	Petition, dated February 27, 2006, received from Residents and Concerned Citizens Concerning I-73 Routing Through Temperance Hill. Petition listed issues the community had with the project. 161 signatures.
Nazarene Baptist Church	Petition, received July 7, 2006, from Nazarene Baptist Church requesting that the authorities do not permit obstruction of the entrance to Nazarene Baptist Church during construction or after completion of the Highway. 108 signatures.
Pecan Pointe Subdivision	Undated petition from Pecan Pointe subdivision and surrounding area, entitled “Petition against Alternative Preferred Route #3 for I-73”. Stated reasons for opposing the Preferred Alternative and asked for roadway to be moved to southern side of Gapway, or to U.S. Route 501. 183 signatures.
Winburn Road Community	Petition, dated January 23, 2006, stating that the new Preferred Route for I-73 in Horry County will impact busing students, local residents property, and ultimately our livelihood by cutting paved and unpaved roads forever. They suggested another route that would follow Lake Swamp, which divides Aynor schools from Green Sea Floyds schools which they thought would have a far less impact on the Aynor/Galivants Ferry Area. 6 signatures.
Aynor School Districts and Citizens	Petition, dated January 16, 2006, stating support for an alternative that would closely follow the existing attendance zones for the Aynor area schools, which would preserve this long standing, close knit community and for the most part, follow a more natural boundary and minimize the impact on the Horry County School District bus system since the existing routes cross each of the proposed corridors numerous times each school day. Petition requested the same consideration for Aynor that would be given to any town when determining the final proposed route. 888 signatures.
Georgetown County Citizens	Undated petition stating their vigorous opposition to any plan to build I-73, any other interstate highway, or any other highway built to interstate standards from Conway, South Carolina, to Georgetown, South Carolina, and/or Charleston, South Carolina, along, adjoining, or adjacent to U.S. Highway 701 South, and that they would oppose any action to pursue such a roadway via any federal highway funding re-authorization bill. 113 signatures.



Six people along the Winburn Road community in Horry County sent in a petition dated January 23, 2006, asking that the reasonable alternatives be moved northeast of Lake Swamp along the Aynor and Green Sea School Districts' boundaries. Aynor School District and Citizens of Aynor sent a petition, dated January 16, 2006, and signed by 888 people, that asked for the reasonable alternatives to closely follow the existing attendance zones for the Aynor area schools, and that the same consideration be given for the Aynor community that would be given for every other community when determining the final proposed route.

Citizens in Georgetown County also sent an undated petition signed by 113 people that opposed I-73 or any interstate highway being built from Conway, South Carolina, to Georgetown, South Carolina, and/or Charleston, South Carolina.

#### **4.1.9 What other forms of information were available to the public?**

The project website, ([www.i73insc.com](http://www.i73insc.com)), included information about the history of the project, the Purpose and Need for the project, along with maps of the project study area. The website also contained important information concerning the times and locations of upcoming public meetings. The public was able to provide input or ask questions about the project. As of April 20, 2007, the website has received over 120,861 visits since its creation in March 2005.

The project telephone hotline, 1-866-I73-inSC (1-866-473-4672), allowed the public who could not attend meetings or did not have internet access to be involved in providing input on the project. When the number was dialed, an informational message played that explained the project and gave the most up-to-date information concerning the time and location of public meetings. This message was updated ten times from its inception until April 20, 2007. At the end of the message, the hotline allowed messages to be recorded to provide input or ask a question. A total of 105 people left comments and questions.

## **4.2 AGENCY INVOLVEMENT AND COORDINATION**

From the beginning, FHWA and SCDOT recognized that agency involvement was a vital component to the success of the project. Executive Order 13274, signed in 2002, directs federal agencies to promote environmental stewardship in transportation projects and expedite environmental reviews of high-priority transportation infrastructure projects. The FHWA and SCDOT, recognizing the goals and policy of Executive Order 13274, wanted a more efficient, teamwork-oriented approach to the agency involvement process to promote environmental stewardship and streamline environmental reviews. As a result of this modified approach, the ACT was formed.

### **Agency Coordination Team (ACT)**

**The ACT is a group of representatives from state and federal cooperating agencies that provided input and helped make decisions throughout the project.**





#### 4.2.1 What is the Agency Coordination Team?

The ACT is an enhancement of the cooperating agency process found in 40 C.F.R. §1501.6. Lead agencies, in this case, the FHWA, USACE, and SCDOT, are those with the primary responsibility for the project. The lead agencies can invite other agencies that have special expertise or jurisdiction by law over a resource to be a cooperating agency. Due to the large project study area and array of resources, FHWA, USACE, and SCDOT invited NOAA, SCDAH, SCDHEC, SCDNR, SCPRT, SCEMD, USCG, USFWS, and the USEPA to be cooperating agencies on this project (refer to Chapter 1, Section 1.1.4, page 1-7).

The ACT enhanced the cooperating agency process by allowing extensive agency involvement and collaboration on the project. The main goals of the ACT were the following:

- To increase agency involvement;
- To reach decisions by consensus;
- To improve efficiency of the NEPA process;
- To meet or exceed agency mandates; and
- To improve communications and relationships between agencies.

#### 4.2.2 How did the ACT contribute to the project?

The ACT has been involved from the initiation of the project, providing input on many aspects of the project. Several major decision points that the ACT was involved in included defining the Purpose and Need, developing alternatives, evaluating the alternatives, giving input on the Preferred Alternative, and determining the mitigation needed to adequately offset impacts. The ACT met on a regular basis for meetings, workshops, and a field trip. ACT members agreed to have a two-week notice of each meeting. At that time, a meeting agenda, meeting objectives, and handout materials were distributed. During the meetings, ACT members were informed of the latest updates on the project, discussed issues they had with the project, made decision by consensus voting and worked together to come up with the best alternatives for the project. In the end, the ACT process resulted in an improved and more informed decision, while incorporating agency comments and input into the process early, rather than after a Draft EIS was completed.

#### ACT Project Milestones

- July 30, 2004: Formation of the ACT**
- December 9, 2004: ACT consensus reached on Purpose and Need of project**
- September 7, 2005: ACT consensus reached on Reasonable Alternatives for the DEIS**
- January 19, 2006: ACT consensus reached to add two alternatives to the Reasonable Alternatives for the DEIS**
- April 10, 2007: ACT consensus for mitigation methodology**

#### 4.2.3 Were there any meetings with agencies prior to the formation of the ACT?

All previously mentioned agencies were formally invited by letter to be cooperating agencies and members of the ACT. Meetings prior to the first ACT meeting were held between the Project Team and NOAA,



SCDAH, SCDHEC, SCDNR, and USEPA to discuss the project. The initial meetings between these agencies and the Project Team pertained to the formation of the ACT, and occurred in May and June of 2004. The agencies received a brief overview about the project, as well as an anticipated level of involvement as cooperating agencies and as members of the ACT. The Project Team also met with the SCEMD on June 7, 2004, to discuss how the project might affect hurricane evacuation. The discussion included the possible scenarios of lane reversals, message boards, and traffic cameras to facilitate more efficient evacuation. The SCEMD suggested contacting the hurricane evacuation model developer, along with SCDOT Traffic Engineers and Emergency Traffic Management, for input on roadway design to aid hurricane evacuation. In addition to these meetings, the project was presented to the Southeast Natural Resources Leaders Group on July 13, 2004.

#### **4.2.4 Who participated in the ACT meetings and contributed to the project?**

Each agency designated representative(s) to be ACT members and provide input on the project. The ACT had a total of 42 members from 15 state and federal agencies. Several members were involved for only a portion of the ACT Process and were replaced by other representatives from their agency. Each agency had only one vote in the ACT Process. A list of ACT members is found in Table 4.4.

**Table 4.4  
Agency Coordination Team Members  
Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

<b>Member</b>	<b>Agency</b>	<b>Member</b>	<b>Agency</b>
Shane Belcher	FHWA	Bob Perry	SCDNR
Hamilton Duncan	FHWA	Leo Rose*	SCDNR
Patrick Tyndall	FHWA	Ralph Willoughby	SCDNR
Stephania Bolden*	NOAA-NMFS	Ed West	SCDOC
Prescott Brownell	NOAA-NMFS	Wayne Hall	SCDOT
Kay Davy*	NOAA-NMFS	Mitchell Metts	SCDOT
Christy Fellas*	NOAA-NMFS	Amanda B. Queen	SCDOT
Jocelyn Karazsia*	NOAA-NMFS	Wayne Roberts	SCDOT
Ronnie Feaster	NRCS	Berry Still*	SCDOT
Pam Thomas	NRCS	Jon Boettcher	SCEMD
David Kelly	SCDAH	Charles Harrison	SCPRT
Richard Chinnis*	SCDHEC-OCRM	Steve McCalla	SCPRT
William C. Eiser	SCDHEC-OCRM	Steve Brumagin	USACE
Quinton Epps*	SCDHEC	Tina Hadden	USACE
Rheta Geddings	SCDHEC	Travis Hughes	USACE
Robert "Hop" Ridgell*	SCDHEC	Randall Overton	USCG
Mark Giffin	SCDHEC	Brodie Rich*	USCG
Ron Ahle*	SCDNR	Kacy Campbell*	USEPA
Susan Davis*	SCDNR	Bob Lord	USEPA
Ed Duncan	SCDNR	Ramona McConney	USEPA
Greg Mixon	SCDNR	Mark Caldwell	USFWS

\* Participated for part of the ACT Process



## 4.2.5 When did the ACT meetings occur and what happened at the meetings?

The ACT team met regularly during the project. The following pages summarize the ACT meetings, subcommittee meetings, workshops, and a field visit that took place between 2004 and 2006. A list of the agencies that participated in each meeting is found in Table 4.5 (refer to page 4-18). A few meetings did occur outside of the ACT, mainly to address specific agency concerns or issues, for information exchange, special expertise, and methodology for evaluating certain resources.

### 4.2.5.1 June 30, 2004 to July 1, 2004 ACT Meeting

At the first meeting, the ACT helped define the project study area to exclude the Great Pee Dee River floodplain by using the eastern boundary of the floodplain as the west and southwest borders of the project study area. U.S. Route 378 and U.S. Route 501 on the south and southeast, and the North Carolina state line for the northeast and north, and I-95 for the northwest and western borders were identified for the project study area boundaries (refer to Figure 1-2, page 1-3). Members then listed goals for the project, which ranged from enhancing public safety to protection of wetlands and cultural resources. Each agency representative gave a presentation on issues their agency felt were important to the project study area. Some of the issues the agencies discussed included the following:

- protecting federally listed and state species of concern;
- the economic impacts of tourism to the Myrtle Beach area as well as South Carolina;
- bridge and culvert replacement;
- streamlining and timeliness of NEPA and Section 401/Section 404 permit process; and
- preservation of heritage preserves, Carolina bays, and historic resources.

A draft Process Agreement was developed and distributed to the ACT for review. This document explained the goals of the ACT, its procedures, and the dispute resolution process. ACT members were asked to vote on decisions. A consensus of the voting was used to make decisions, and when a party disagreed with the outcome, there was a dispute resolution process that could be used to resolve the issue.

There were two levels to the dispute resolution process. The first level involved focused discussion between the ACT members to attempt to resolve the issue. If there was no resolution at this point, then the issue would move to the second level of the dispute resolution process. At this point, the issue would be elevated to higher authorities in the respective members' agencies for discussion and resolution. Once a decision was reached, written statements of the decision and the rationale behind it would be prepared and distributed to the ACT for review and approval. If a consensus was reached and not elevated, or if the elevation process was satisfactorily concluded, the concurrence was reached. Concurrence letters were issued by each agency at the major decision points of the project, such as the interagency coordination process, Purpose and Need, the Preferred Alternative, and mitigation.





**Table 4.5  
ACT Meetings and Attendance  
Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

<b>Date</b>	<b>Agencies Attending</b>	<b>Number of Representatives</b>
June 30, 2004 and July 1, 2004 Kickoff Meeting	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, SCEMD, USACE, USCG, USFWS, and USEPA	20
July 7, 2004 NEPA and 404/401 Process Merger Sub-committee Meeting	FHWA, SCDHEC, SCDOT, USACE, and USEPA	6
August 12, 2004 Scoping Meeting	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCEMD, SCPRT, USACE, USCG, USEPA, and USFWS	16
September 23, 2004 Methodology Meeting	FHWA, NOAA, SCDAH, SCDNR, SCDOT, SCPRT, USACE, USCG, USEPA, and USFWS	16
November 18, 2004	FHWA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USCG, USEPA, and USFWS	16
December 9, 2004	FHWA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	12
March 24, 2005	FHWA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	17
April 21, 2005 NEPA and 404/401 Process Merger Sub-committee Meeting	FHWA, SCDHEC, SCDOT, USACE, and USEPA with NOAA, SCDNR, and USFWS providing input	16
May 17-19, 2005 Project Field Tour	FHWA, SCDAH, SCDHEC, SCDNR, SCDOT, USCG, USEPA, and USFWS	14
June 16, 2005 Indirect and Cumulative Effects Workshop	FHWA, SCDHEC, SCDNR, SCDOT, SCPRT, USEPA, and USFWS	13
July 27, 2005	FHWA, NOAA, SCDHEC, SCDNR, SCDOT, SCEMD, SCPRT, USACE, USEPA, and USFWS	20
August 24, 2005	FHWA, SCDAH, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS.	15
September 7, 2005	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	15
November 14, 2005 NEPA and 404/401 Process Merger Sub-committee Meeting	FHWA, SCDHEC, SCDOT, USACE, and USEPA	12
December 15, 2005	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	14
January 19, 2006	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	16
March 2, 2006	FHWA, NOAA, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	16
April 19, 2006	FHWA, SCDAH, SCDHEC, SCDNR, SCDOT, USACE, USEPA, and USFWS	13
July 13, 2006	FHWA, NOAA, NRCS, SCDAH, SCDHEC, SCDNR, SCDOC, SCDOT, USACE, USEPA, and USFWS	19



**Table 4.5 (continued)  
ACT Meetings and Attendance  
Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

Date	Agencies Attending	Number of Representatives
August 3, 2006	FHWA, NOAA, NRCS, SCDAH, SCDHEC, SCDNR, SCDOC, SCDOT, USACE, USEPA, and USFWS	16
September 28, 2006	FHWA, NOAA, NRCS, SCDAH, SCDHEC, SCDNR, SCDOT, USACE, USEPA, and USFWS	16
November 2, 2006	FHWA, NRCS, SCDNR, USACE, USEPA, and USFWS	13
January 18, 2007	FHWA, NRCS, SCDAH, SCDHEC, SCDNR, SCDOC, SCDOT, SCPRT, USACE, USEPA, and USFWS	16
January 29, 2007 Southern Mitigation Sub-committee Meeting	FHWA, SCDHEC, SCDNR, USACE, USEPA, and USFWS	9
February 22, 2007	FHWA, NOAA, NRCS, SCDAH, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	17
April 10, 2007	FHWA, NOAA, SCDHEC, SCDNR, SCDOT, SCPRT, USACE, USEPA, and USFWS	17

**4.2.5.2 July 7, 2004 ACT NEPA/Section 404 Sub-committee Meeting**

The ACT formed a sub-committee to specifically handle the NEPA/Section 404 process merger. The FHWA, SCDHEC, SCDOT, USACE, and USEPA were members of this sub-committee because they were the lead agencies or had jurisdiction by law over the resources needing a permit.



The sub-committee first met via conference call and discussed the merger of the NEPA and permit (Section 401 and Section 404) processes. The sub-committee also discussed the appropriate time to submit the request for a jurisdictional determination. The USACE suggested reviewing soil data, aerial photography, and NWI mapping to identify wetland areas for preliminary review during the early stages of the project. The USACE stated that FHWA and SCDOT had already initiated the pre-application consultation required during the permitting process. The sub-committee discussed the application process and the USACE stated that the initial application can include a range of reasonable alternatives. The USACE went on to state that once a Preferred Alternative was identified, the permit could be modified, as necessary, and another public notice would not be necessary. As for public notices, the SCDOT wanted to publish



the public notice simultaneously with the notice of availability of the document. The USACE agreed to check the statutory requirements to determine if this would be viable.

#### ***4.2.5.3 August 6, 2004 Meeting with SCDAH***

The Project Team met with the SCDAH to discuss how to evaluate cultural resources in the project study area during the preliminary analysis of alternatives. The SCDAH agreed with using an archaeological predictive model to help develop alternatives for the project. SCDAH also wanted architectural field surveys on the reasonable alternatives. SCDAH agreed to provide information from previous work completed in the project study area for a predictive model. A full archaeological survey would be completed for the Preferred Alternative. Mitigation was also discussed, and SCDAH suggested that mitigation for impacts could be offset by the lead agencies funding some countywide surveys. As a result of subsequent meetings, the SCDOT did fund the countywide surveys as a separate initiative. FHWA discussed the Tribal consultation process for the project. The Tribes would be invited to be a consulting party, so that they could provide input and any information they may have concerning possible tribal resources in the project study area. SCDAH requested to attend any meetings between the FHWA and Tribes.



#### ***4.2.5.4 August 12, 2004 ACT Scoping Meeting***

At the second ACT meeting, the draft Process Agreement was discussed and revised. The ACT members were asked to send a concurrence letter approving the Process Agreement. It was announced that the Notice of Intent was issued on August 9, 2004, and Public Scoping Meetings were to be held on September 18 and 19, 2004, (for Notice of Intent, refer to Appendix D).

ACT members focused on issues that were important to their respective agencies at this meeting. Many different issues were brought up, including water quality, wildlife habitats, floodplains, wetlands,

historic and cultural resources, and visual and noise impacts. The ACT developed a full list of issues that would be considered during the alternative development process.

#### ***4.2.5.5 September 1, 2004 Meeting with USACE***

The Project Team met with the USACE to discuss the methodology for wetland delineation. The agencies discussed the use of the NWI mapping for initial screening, followed by screening the reasonable alternatives with infrared photography, ground-truthing, and an ACT field review. It was agreed that the wetlands impacted by the Preferred Alternative would be delineated using a Global Positioning System with sub-meter accuracy.



#### ***4.2.5.6 September 23, 2004 ACT Meeting***

At its third meeting, the ACT discussed the Purpose and Need for the project. The FHWA expressed the need to have a balance between meeting the project's purpose while minimizing impacts to the environment. The ACT agreed that there should be a very clearly defined purpose statement for the project. Members discussed system linkage, economic development, tourism promotion, congressional intent, hurricane evacuation, multimodal planning, and environmental sensitivity. The CAT was demonstrated and the ACT learned how the CAT would be used for developing alternatives. (A full explanation of how the CAT works can be found in Chapter Two.) The ACT selected layers, "weighted" the layers, and assigned numerical values to features within the data layers utilized by the CAT. The ACT also designated features as constraints, which would be avoided while developing alternatives. Members reached a consensus on the values.

#### ***4.2.5.7 November 18, 2004 ACT Meeting***

At the fourth ACT meeting, continued discussion was held on the draft Purpose and Need statement. The primary needs for the project were determined to be system linkage and economic development, and the secondary needs were identified as hurricane evacuation, relieving local traffic congestion, and multimodal planning. The purpose statement was revised to state: "To provide an interstate link between I-95 and the Myrtle Beach region to serve residents, businesses, and tourists while fulfilling congressional intent in an environmentally responsible and community sensitive manner." The ACT also discussed preliminary corridors generated by the CAT.

#### ***4.2.5.8 December 3, 2004 ACT CAT Workshop***

The SCDAH and SCDNR attended a workshop on the CAT. The details of operation of this tool were explained and it was used to complete runs proposed by the SCDAH and SCDNR.

#### ***4.2.5.9 December 9, 2004 ACT Meeting***

The ACT held its fifth meeting, and after minor revisions, approved the Purpose and Need statement for the project by consensus. The ACT discussed potential corridors and seven were recommended for further analysis. ACT members also recommended that additional aerial photography be acquired where the corridors would cross the Little Pee Dee River, along U.S. Route 501, and in the vicinity of the Conway Bypass for further analysis.

#### ***4.2.5.10 December 16, 2004 and January 7, 2005 Meetings with SCDNR***

The SCDNR met with the Project Team to discuss the Agency's concerns about using the NWI mapping for preliminary evaluation of alternatives and the elimination of a segment by the ACT from further analysis. On January 4, 2005, SCDNR submitted a letter to SCDOT about the concerns it had previously discussed with the Project Team, and distributed it to the ACT. Subsequently, the FHWA and SCDOT met with the SCDNR on January 7, 2005, concerning the issues raised. The SCDOT





gave a formal response to the SCDNR's concerns on January 12, 2005, by letter and distributed it to the ACT.

#### *4.2.5.11 March 24, 2005 ACT Meeting*

At the ACT's sixth meeting, the Project Team discussed the results of the evaluation for constructability by engineers of the corridors that the ACT had previously approved for further analysis. The ACT was presented this information, along with demonstrations of how the proposed revisions would change the impacts to resources. Most revisions had resulted in only minor differences from the original corridors. The ACT was also informed of the additional project alternatives that were being evaluated based on suggestions by the public as a result of the Public Information Meetings.

The ACT members discussed potential mitigation sites. SCDOT presented a potential mitigation site, the Haulover Tract, which would be available for purchase as a component of the mitigation. The ACT discussed this mitigation site, and, by consensus, decided not to recommend to the SCDOT to purchase it at that time. Some members felt that it was too early to discuss mitigation because it may cause bias and influence the outcome or decision of a preferred alternative. Others thought that mitigation should be discussed when the amount of impacted acreage was known.

The ACT also discussed the upcoming field trip to the project study area. Members identified sites of interest, such as major stream and river crossings, sand ridges along the eastern side of the Little Pee Dee River, Carolina bays, and Galivants Ferry.

#### *4.2.5.12 April 21, 2005 NEPA/Section 404 Sub-committee Meeting*

The FHWA, NOAA, SCDHEC, SCDNR, SCDOT, USACE, USEPA, and USFWS were present for the second sub-committee meeting. The members discussed how to merge the NEPA and permit processes (Section 401 and Section 404). In order to use the EIS for permit processes, the USACE stated that the EIS needed to address FHWA and Section 404 guidelines. The USEPA and USACE stated that the permit application needed to contain adequate information on both natural and human resource impacts. The USACE and SCDHEC both discussed the one year timeline for 401 certification and how that may be a problem if the lead agencies submitted the permit too early in the process. SCDHEC stated that if all the information was not provided to them within one year of the public notice, then the permit would be denied. USACE and SCDNR suggested issuing a public scoping notice for the permit application when the DEIS was made available. This would give the agencies and the public more information on potential impacts, which would allow them to offer more substantive comments on the permit application. The SCDOT asked the USACE what information should be put in the public notice for scoping. The USACE responded by stating information on corridors, routes, and preliminary information on impacts should be included. In addition, the USACE stated the general typical section, Purpose and Need, background information, and details concerning how the ACT selected the reasonable alternatives would be important to add in the public notice.



#### ***4.2.5.13 April 22, 2005 Meeting with SCDNR***

The Project Team met with the SCDNR to discuss the agency’s concerns about the CAT. At this time additional analyses were completed at the request of the SCDNR with new CAT waypoints and endpoints, as well as different assigned values to layers (refer to Chapter 2 for more information regarding waypoints, endpoints, and layer values in the CAT).

#### ***4.2.5.14 May 17, 2005 to May 19, 2005 ACT Field Tour***

The seventh ACT meeting was a field trip to the project study area. The project study area was reviewed by boat, on foot, and by van. The ACT visited areas including Galivants Ferry, the Little Pee Dee River, segments of existing roads, and Carolina bays that were within the project study area.



#### ***4.2.5.15 June 1, 2005 Meeting with SCDNR***

The SCDNR met with the Project Team to conduct additional analyses using the CAT. The agency requested to use the CAT with different values for upland evergreen forests and to also use different starting and ending points. The FHWA and SCDOT completed the analyses during this meeting and discussed the results with the SCDNR.

#### ***4.2.5.16 June 16, 2005 ACT Meeting***

ACT members met for their eighth meeting for an indirect and cumulative effects workshop. The different types of impacts were explained and an explanation was provided for cumulative impacts. The responsibilities of the FHWA regarding indirect and cumulative impacts were also presented. The ACT members learned that the FHWA is not responsible for mitigating the effects of indirect impacts since it does not have control over them, but it is responsible for discussing the effects in the EIS.





#### ***4.2.5.17 July 27, 2005 ACT Meeting***

At the ninth ACT meeting, a presentation was given of the remaining segments and the combinations of the segments that could comprise the possible alternatives to be further evaluated in the DEIS. A discussion followed about the segments and the advantages and disadvantages of each in terms of impacts to resources. The ACT members were also presented with the initial criteria for locating interchanges along the corridors. FHWA and SCDOT based the criteria on the Purpose and Need and stated that any future interchanges would be separate actions and would be required to follow the NEPA process.

#### ***4.2.5.18 August 24, 2005 ACT Meeting***

At the 10th ACT meeting, the ACT members continued their detailed discussion of segments for developing the alternative routes. Members discussed each set of competing segments and voted to eliminate or to further analyze them. The ACT reached consensus to eliminate 18 segments and keep 16 segments for further analysis.



#### ***4.2.5.19 September 7, 2005 ACT Meeting***

The 11th ACT meeting took place on September 7, 2005. Based on the remaining segments from the prior ACT meeting, ten alternatives were derived and presented to the ACT. All alternatives met the Purpose and Need equally, so the ACT used the impacts to resources to eliminate possible alternatives. The Project Team recommended eliminating three alternatives due to their relatively higher impacts to resources. ACT members discussed all alternatives and voted on each individually. Based on consensus voting, four alternatives were eliminated from further analysis.

#### ***4.2.5.20 November 14, 2005 NEPA/Section 404 Sub-committee Meeting***

The members of the NEPA and Section 404/Section 401 process merger sub-committee with regulatory authority by law met to discuss the NEPA process. The FHWA, SCDHEC, SCDOT, USACE, and USEPA attended. Based on the comments received at the initial ACT scoping meeting, the participating agencies originally requested that the ACT provide consensus on a Preferred Alternative prior to the DEIS being issued and the Public Hearings. The USEPA expressed concern about the ACT voting on a Preferred Alternative without having the DEIS available for review. After discussing their position,





agencies agreed that a vote would not be requested from the ACT on a Preferred Alternative until the DEIS had been issued and Public Hearings had taken place. It was agreed that the FHWA and SCDOT would designate a Preferred Alternative for the DEIS.

The group then discussed the next steps in the NEPA/Section 404 processes. The members decided that the FHWA and SCDOT would submit the permit application based on the Preferred Alternative in the DEIS to the USACE. Next, the sub-committee decided the FHWA and SCDOT would hold Public Hearings while the USACE concurrently issued the joint public notice for the permit. The FHWA and SCDOT would request the ACT provide consensus on a Preferred Alternative and the least environmentally damaging practicable alternative. The USACE said it would defer taking a position on the least environmentally damaging practicable alternative until they took action on the permit application. Once detailed fieldwork was completed, along with the necessary revisions to the DEIS, the FHWA and SCDOT would issue the FEIS which would include a mitigation plan. The FHWA would issue a Record of Decision and the USACE would subsequently issue a permit decision.

#### ***4.2.5.21 December 15, 2005 ACT Meeting***

The FHWA presented the results of the sub-committee meeting held on November 14, 2005, at the 12th ACT meeting. The process for the project would be changed due to regulatory requirements of the permitting agencies. In the new process, the DEIS would be published with the applicants' (FHWA and SCDOT) Preferred Alternative designated. Public hearings would be held and then ACT consensus would be requested on a Preferred Alternative. FHWA and SCDOT explained that they would be forthcoming with the ACT about their reasoning and methodology for selecting the Preferred Alternative. The ACT unanimously agreed to change the process.



Mitigation was also discussed at this meeting. A conceptual plan of mitigation would be developed for the DEIS and it would have both preservation and restoration components. Categories of mitigation were discussed, along with types of mitigation that would fit within each category. The FHWA and SCDOT asked that any mitigation ideas be provided so that they could be inventoried for further review by the ACT.

Alternatives for the project were discussed in detail based on the most current information available. A reasonable alternatives summary matrix was explained in detail, with discussion about the values for each category. The matrix would be further refined as more data became available. NOAA and





SCDNR requested a reevaluation of an alternative that was previously eliminated. It was agreed that the information for the eliminated alternative would be distributed to the ACT members. However, it was also decided that if any ACT member wanted the eliminated alternative to be considered in further detail, that the member would have to follow the dispute resolution procedure in the Process Agreement.

#### *4.2.5.22 January 19, 2006 ACT Meeting*

During its 13th meeting, the ACT discussed a new alignment for the alternatives crossing the Little Pee Dee River near S.C. Route 917. This new alignment would cross the Little Pee Dee River parallel to S.C. Route 917. The alignment was not previously considered because it would impact a SCDNR Heritage Trust Preserve along the Little Pee Dee River. However, this alignment was proposed because it would result in less habitat fragmentation. The SCDNR stated that in order to go through the



Preserve, approval would be required from the Heritage Trust Board of Trustees. The ACT voted, and agreed by consensus to pursue moving the crossing to the existing crossing, with the understanding that the Heritage Trust Board would have to approve the use of this property. Another adjustment to the alignment was proposed by the SCDNR to straighten an alignment just east of the Little Pee Dee River crossing at U.S. Route 501. This adjustment would have the roadway cross Dawsey Swamp, an outstanding resource water, once, instead of twice. The ACT voted and reached consensus to straighten the alignment in this area.

Prior to this ACT meeting, the USEPA and NOAA both elevated the issue of reinstating Alternative 7 that had been previously eliminated in September of 2005 by the ACT. The ACT dispute resolution process was used for this issue.

The ACT members that elevated the issue were first allowed to present their views, after which other members were allowed to state their views on the issue. USACE stated that it would also like to reinstate Alternative 8 that was eliminated at the September 2005 ACT meeting. USACE stated it was concerned that by only analyzing seven of the eight possible combinations and by reinstating the one with the highest potential wetland impacts, that the NEPA process may be viewed in a negative light.

SCDOT proposed either to keep the six alternatives currently under evaluation, or instead of adding only the one other alternative to make a total of seven, have all eight alternatives, so that all possible combinations of the segments were analyzed.



A vote was requested to reinstate both Alternative 7 and Alternative 8 into the alternatives under consideration. The ACT, by unanimous consensus, voted to reinstate both alternatives.

The indirect and cumulative impacts strategy was presented to the ACT for review and comment. An overview was given on how the strategy was developed and what resources were used in the process.

SCDNR made a presentation for a tract of land that could be used as mitigation for the project. This parcel was located in and adjacent to the project study area and contains a diversity of wildlife and historic resources. Following the presentation, most agencies were in support of considering it as a mitigation option.

The ACT also discussed the new question and answer format for the EIS. The ACT was given a high-level outline of the EIS, and asked to provide any comments on the outline to the Project Team.

#### ***4.2.5.23 February 10, 2006 Meeting with SCDHEC-OCRM***

The Project Team met with SCDHEC-OCRM and gave the agency an update on the project.

#### ***4.2.5.24 February 23, 2006 Meeting with SCDAH***

The Project Team met with SCDAH to discuss the results of the aboveground historic resources survey. A proposed Bethea Rural Historic District, composed of two plantation homes, tenant houses, schoolhouse, cemetery, store, mill, outbuildings, and barns, was discussed. The property was significant to the local and regional history of the area. If SHPO determined the property was eligible for listing as a rural historic district, then a field trip would be needed to set the boundaries of the district.

Two other possible historic districts were found during the survey; one was located south of Marion, and another was located in Ketchuptown. SCDAH was unsure whether these two possible areas should be considered districts or not, and stated that a field review would be needed prior to making a sound determination.

#### ***4.2.5.25 March 2, 2006 ACT Meeting***

The ACT met for its 14th meeting and was updated on the project. SCDOT stated that they were continuing to receive feedback and petitions from the public about the project. Some municipalities and County Councils in the project study area had passed resolutions supporting certain alternatives (refer to Appendix B for resolutions). The development of approximately 17,000 acres north of the City of Marion and its possible cumulative impacts were also discussed at the meeting.





The FHWA updated the ACT concerning the designation of I-73 as a toll facility and how it would be addressed in the DEIS. The S.C. General Assembly had passed a resolution stating that tolls may be installed to pay for the road. The FHWA decided that the DEIS would be done as a non-tolled road. This would result in the worst-case scenario for the project, reflecting higher impacts to natural resources due to higher traffic volumes rather than if the road were tolled. If the road is tolled in the future, a NEPA reevaluation would be done to identify potential impacts of toll plazas and infrastructure.

SCDAH gave an update on the proposed Bethea Rural Historic District.

The indirect and cumulative impacts strategy was discussed in detail at this meeting. Revisions were discussed and made at this time by the ACT. Once these revisions were made, it was understood that this was the final strategy and only the issues of potential historic districts and the inland port would be modified as more details became available.

#### ***4.2.5.26 March 14, 2006 Meeting with SCDAH***

SCDAH met with the Project Team to further update the status of the newly proposed historic districts in the project study area. The Project Team, SCDAH, and SCDOT had completed a field review of the possible historic districts to determine NRHP eligibility. SCDAH stated that while there were possibly eligible structures at both Ketchuptown and Marion, neither of these areas qualified as eligible historic districts. The proposed Bethea Rural Historic District, however, was eligible, and would more than likely become an NRHP listed historic district within the year.

#### ***4.2.5.27 April 19, 2006 ACT Meeting***



The ACT met for its 15th meeting and the SCDOT explained the process for announcing the Preferred Alternative. A comprehensive meeting with the ACT, stakeholders, elected officials, and others with interest in the project would be held at the end of May. At this time, the Preferred Alternative would be announced and the DEIS would be signed by the SCDOT and FHWA. Following the announcement, Public Hearings would be held in June.

ACT members received an update about the Bethea Rural Historic District and its revised boundary. The alignment and interchange for Alternatives 2, 6, and 8 were being redesigned around the new boundary and impacts would be calculated for the alternatives. SCDOT explained the complexity of the new interchange design at I-95 due to the existing interchange at I-95 and S.C. Route 34.





The ACT was updated about a field visit taken by the Project Team and the USACE to check wetland areas that were in question. The USACE stated that the methodology the Project Team was using for verifying wetlands was sound. There were some changes to the amount of wetlands that were impacted by the project, and this was updated in a matrix and redistributed to the ACT.

Some of the ACT members (SCDHEC, SCDNR, USACE, and USFWS) had met to discuss the project alternatives to determine which were preferred. The SCDHEC and USACE could not take a position on this matter due to their regulatory authority over the project. However, the SCDNR and USFWS stated that they supported Alternatives 3, 5, and 7 because the alternatives did not cross Buck Swamp, had reasonable wetland impacts, used existing roadways to some extent, and connected farther east on S.C. Route 22. Other agencies were asked to state opinions on any alternatives. The SCDAH stated that it preferred Alternative 3 due to its avoidance of both the Bethea Rural Historic District and the Galivants Ferry Historic District. The SCDOC stated that it disliked the alternatives that would directly impact the I-95 Gateway Industrial Park (Alternatives 2, 6, and 8) since it is a three-county investment for economic development in the region.

#### ***4.2.5.28 July 13, 2006 ACT Meeting***

At the ACT's 16th meeting, the SCDOT gave an overview of what occurred at the Public Hearings held in June of 2006 and the feedback that was received from those who attended the meetings. A summary of the comments received from the public was distributed to the ACT. It was reported that in response to the public comments some possible shifts were being evaluated. The ACT held an open discussion about the Preferred Alternative and the DEIS, with specific comments being provided by the agencies in writing.

The ACT also discussed the 404 Permit process for the Preferred Alternative. A discussion of the process for determining mitigation took place, in addition to the discussion of what type of mitigation would be needed for the project. ACT members were requested to identify potential mitigation options available in the project study area and present them at the September 28, 2006 meeting. The timing of the permit was also discussed along with its duration.

#### ***4.2.5.29 August 1, 2006 Meeting with the USACE and SCDHEC***

The FHWA, SCDOT, USACE, and SCDHEC met to discuss the 401/404 Permit for the Preferred Alternative. The USACE discussed what should be included in the permit application and mitigation plan prior to it being submitted for review.

#### ***4.2.5.30 August 3, 2006 ACT Meeting***

The 17th ACT meeting was held on August 3, 2006. The Project Team gave the ACT an update about the project and a presentation given to the SCDNR Heritage Trust Board. The NRCS read a letter from the national FRPP manager about their agency's position on the conservation easements





that were being crossed by the Preferred Alternative. SCDOT and FHWA stated it would discuss the federal conservation easements with their right-of-way offices to determine what needed to be done. The Project Team reminded the ACT that mitigation presentations would be done at the September 28, 2006 meeting and if they had any suggestions to present them at that time.

#### ***4.2.5.31 August 10, 2006 Meeting with NRCS***

The Project Team met with the NRCS to discuss the FRPP easements that were potentially impacted by the Preferred Alternative. The NRCS gave the Project Team an overview of their easement programs and discussed possible modifications to some easements, based on the program through which they were funded. FRPP easements were not subject to modification or condemnation and the NRCS stated that the U.S. Secretary of Agriculture was not willing to release these easements.

#### ***4.2.5.32 September 20, 2006 Meeting with the USACE***

The Project Team met with the USACE to discuss the EIS. The USACE suggested making some revisions to the EIS so that it also could be used for their permit process. The USACE discussed revisions and additions that were needed to the EIS so that it would meet their requirements and in turn improve efficiency during the permit process.

#### ***4.2.5.33 September 28, 2006 ACT Meeting***

At the ACT's 18th meeting, the Project Team updated the ACT on possible alignment shifts the public suggested that were evaluated. The USACE discussed the recent meeting between itself and the Project Team concerning the DEIS. It stated that the Project Team would incorporate minor changes into the FEIS so that the USACE could use it as the agency's decision document for the 404 permit process. The Project Team gave an update on the progress of fieldwork for the Preferred Alternative. The SCDNR and USFWS presented the ACT with possible mitigation options for the project. The ACT discussed mitigation in detail along with the use of Sandy Island Mitigation Bank as part of the mitigation package.

#### ***4.2.5.34 November 2, 2006 ACT Meeting***

The Project Team updated the ACT on the status of the Southern Project at the 19th meeting. FHWA stated that mitigation issues may be decided by higher-level agency officials than those at the ACT due to the high costs and complex mitigation requirements for the project. The Project Team discussed the wetland delineation and archaeology fieldwork, the possibility of shifting the alignment around FRPP easements, and the requests by the public to shift the alignment.



#### ***4.2.5.35 January 18, 2007 ACT Meeting***

The ACT held its 20th meeting, and mainly discussed wetland mitigation for the I-73 Project. It had been previously discussed that the USACE Standard Operating Procedures (SOP) for determining wetland mitigation could not be used due to the magnitude of the project. The Project Team presented a mitigation worksheet to begin the discussion with the ACT. It was proposed to use the remaining credits from the Sandy Island Mitigation Bank and these credits were deducted from the total mitigation. In addition, the compensatory property that would be purchased in exchange for using the SCDNR Heritage Preserve was also factored into the worksheet.

#### ***4.2.5.36 January 29, 2007 ACT Sub-committee Meeting on Mitigation***

The FHWA, SCDHEC, SCDNR, SCDOT, USACE, USEPA, and USFWS met with the Project Team to discuss how mitigation would be determined for the I-73 Project. Those attending agreed that some methodology was needed to determine the amount of mitigation needed for the project. The USACE SOP was discussed at length and how it applied to small projects. The cumulative impact factor of the SOP was debated, and the need for it to be altered or capped in some way was recommended by the Project Team. It was determined that the SOP would be applied for wetland filling and wetland clearing to the total acres impacted, and a cap of three would be used for the cumulative impact factor. Most agencies attending agreed to this cap, while others stated that they would have to further evaluate this suggestion. The USEPA stated it would like to see the balance of preservation, restoration, and creation that is in the SOP maintained. The USACE stated that it would like to meet the guidelines for the balance of preservation, restoration, and creation, but did not want to be locked into the set percentages in case a large-scale mitigation opportunity arises. Among the agencies attending, none were opposed to using the remainder of the Sandy Island Mitigation Bank as part of the mitigation package needed for the project. The determinations and suggestions from the sub-committee were taken to the following ACT meeting for full discussion among all the members.

#### ***4.2.5.37 February 1, 2007 Meeting with NRCS***

SCDOT, FHWA, and USDA-NRCS met to discuss the FRPP easements being impacted by the Preferred Alternative. The USDA-NRCS stated that more detail needed to be included in the farmlands section of the FEIS on the Preferred Alternative's possible impacts to farmlands and farmland easements. The agencies discussed that the easements could not be extinguished by USDA regardless of mitigation or other considerations.

#### ***4.2.5.38 February 22, 2007 ACT Meeting***

At the 21st meeting, the Project Team discussed the FRPP easements held by the USDA-NRCS that would be impacted by the Preferred Alternative. The Project Team stated that after looking at the language and terms of the easements, and after discussions with the USDA-NRCS, the Preferred Alternative would be modified to avoid both easements.



The Project Team stated that the ACT Sub-committee on Mitigation met on January 29, 2007 and at that time, the Project Team thought there was a general consensus to recommend capping the cumulative impact factor for the SOP at three, and using the remaining credits from the Sandy Island Mitigation Bank as part of the mitigation for the project. However, prior to the ACT Meeting, the SCDNR sent a letter to the ACT and Project Team stating that the meeting minutes from the January 29, 2007 meeting did not accurately reflect the agency's opinion of capping the cumulative impact factor and it did not agree with this decision.

The Project Team reminded the ACT that the SOP is a federal guideline for the USACE, and while the ACT could recommend capping the cumulative impact factor, it would only be an advisory vote, and the USACE would have the final decision on the mitigation. The ACT members discussed at length the advantages and disadvantages of capping the cumulative impact factor and whether to use the SOP. In addition, some ACT members discussed using a landscape-scale approach where impacts were not quantified, but mitigation was decided upon by general consensus of the group. The ACT was asked to vote on the proposal to "calculate mitigation using the SOP with a cap of the cumulative impact factor of three, to be used as a guideline for determining mitigation." Of those attending, six voted yes, two voted no, and three abstained from the vote. The proposal was approved, and the Project Team reminded members who voted against it that they could use the dispute resolution process to resolve their concerns.

The use of the Sandy Island Mitigation Bank was also discussed. The amount of acreage left in the Bank is known, however the ratio used for debiting the project is decided by the USACE and SCDHEC. The ACT members agreed that they could only recommend a ratio to these agencies.

#### ***4.2.5.39 April 10, 2007 ACT Meeting***

At the 22nd meeting, the SCDNR and USFWS elevated the issue of capping the cumulative impact factor at three. The SCDNR stated that the SOP should be used without modification if the ACT was recommending using it to calculate mitigation credits, or to come up with a different way of determining mitigation. The USFWS stated that placing a cap on the cumulative impact factor may have violated the Clean Water Act, and that the SOP only focuses on aquatic impacts, instead of all habitat impacts. The SCDNR recommended a landscape scale approach and to calculate credits by using the unmodified SOP for each 11-digit watershed unit impacted by the project. In addition, it proposed using the Sandy Island Mitigation Bank for all remaining credits needed. The USFWS stated it had reviewed SCDNR's plan, it was similar to the methodology used for the port project, and it would meet the agency's concerns. After discussion among ACT members about SCDNR's proposed mitigation plan, it was accepted by unanimous consensus vote.



The Project Team also discussed the possibility of applying for one permit for the Southern and Northern I-73 Projects. The SCDNR and SCDHEC stated they supported doing the permit and mitigation for both projects at one time. The USACE stated it had no problem with one permit; however, it would need detailed information on impacts and that mitigation may be more challenging. Funding for the project was also discussed and how it could affect the purchase of mitigation.

### 4.3 STAKEHOLDER WORKING GROUP INVOLVEMENT

#### 4.3.1 What was the Stakeholder Working Group?

The Stakeholder Working Group was composed of volunteers from state, local, and county governments, along with businesses and non-government organizations that had an interest in the project. They were to provide input to the FHWA and SCDOT regarding the project. They were also to provide information about the project to their constituencies.

#### 4.3.2 What Happened at the Stakeholder Working Group Meetings?

The first Stakeholder Working Group meeting was held on September 16, 2004, in Dillon, South Carolina. There were 30 attendees at the meeting from various local and county governments, non-government entities, and citizens' groups. At this meeting, the attendees were given a short presentation on the project and the possible issues and concerns surrounding it. They were asked for input on what issues were important to them. There was a wide range of comments received from the attendees, which included impacts to the economy, environment, schools, wetlands, and land use of the areas. Other comments raised concerns about the project route, size of the right-of-way, safety design of the road, toll booth possibilities, and planning for the future needs of the area.



The next Stakeholder Working Group meeting was held on February 24, 2005, in Conway, South Carolina, and 26 people participated at this meeting. The attendees were given an overview of the alternative corridor development process and the CAT software program was explained. The meeting allowed participants to help identify natural and cultural resources, infrastructure, churches, cemeteries, landfills, parks, and hazardous material sites that were present in the project study area that may need to be avoided. Participants also received answers to the questions they posed at the prior meeting concerning possible impacts and design of the project.





The third Stakeholder Working Group meeting was held on June 6, 2006, at Marion County Vocational Education Center in Mullins, South Carolina with 21 people participating. The Project Team described the process of how the Preferred Alternative was selected and discussed it in detail. The stakeholders provided input and asked questions regarding the Preferred Alternative.

## **4.4 TRIBAL INVOLVEMENT**

### **4.4.1 How was Tribal Consultation handled for this project?**

Federal agencies have requirements under the National Historic Preservation Act to consult with Native American Tribes before undertaking actions that may have effects on historic properties of religious or cultural significance. The FHWA and SCDOT have made a good faith and reasonable effort to identify and contact Tribes that may have such properties in the project study area. The FHWA, as the lead federal agency, gathered information about the federally-recognized Tribes that may have had interest in the project study area and contacted them.

During the project scoping process, the FHWA sent letters to 16 Tribes listed in Table 4.6, including the Cherokee, Shawnee, Choctaw, Muscogee (Creek), Seminole, Chickasaw, Catawba, and Tuscarora Nations describing the project, its location, and requested any information on sites or resources in the area (a copy of the letter is located in Appendix J). The letter included a project study area map and fact sheet about the project. The FHWA offered funding for Tribal members to travel to South Carolina to meet about the project and to provide updates about the project as they became available. An e-mail was sent in November of 2004 to again inform the Tribes about the project. Of the seven Tribes that responded to the initial letter and e-mail, the Jena Band of the Choctaw Indians stated that they had no interest in the project. The Eastern Band of the Cherokee Nation responded by stating they had no interest in the project because it was outside of their traditional territory. The Choctaw Nation of Oklahoma originally stated it did not want to meet with the FHWA, but did want to be included on future mailings. In future correspondence, the Choctaw Nation asked to be removed from future mailings concerning the project. The Catawba Indian Nation, Shawnee Tribe of Oklahoma, Tuscarora Nation, and the United Keetoowah Band of Cherokee Nation of Oklahoma expressed that they were interested in the project. Follow-up communications were attempted with the Shawnee Tribe of Oklahoma and the Tuscarora Nation, and have not been successful as of yet. The project was discussed with the United Keetoowah Band of the Cherokee Nation of Oklahoma, and their Tribe will be included in future mailings.

FHWA and SCDOT provided a copy of the completed DEIS to the Catawba Indian Nation, Shawnee Tribe of Oklahoma, Tuscarora Nation, and the United Keetoowah Band of Cherokee Nation of Oklahoma for comment. Comments were received from the Catawba Indian Nation on the DEIS requesting to be consulted in regards to Native American archaeological sites whenever the SHPO is consulted. A copy of the Draft Cultural Resources Survey was also sent to the Catawba Indian Nation, Shawnee Tribe of Oklahoma, Tuscarora Nation, and the United Keetoowah Band of Cherokee Nation of Oklahoma for comment. Comments were received from the Catawba Indian Nation requesting to be included in any comprehensive data recovery plan associated with archaeological site 38HR560.



**Table 4.6**  
**Tribal Consultation Process**  
**Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

Scoping Letters to Tribal Chiefs (sent September 2004)	Response Letters or Communications from Tribes	Consultation				
Shawnee Tribe of OK	Expressed interest in the project	Follow-up email sent November 2004	Updated Tribe October 2005	FHWA contacted Tribe for further consultation	Sent a copy of the DEIS to the Tribe on June 7, 2006.	Will send copy of the FEIS once it is published.
Catawba Indian Nation	Expressed interest in the project	Follow-up email sent November 2004	Updated Nation October 2005	Met with Catawba Indian Nation Historic Officer on 9/17/04 and 2/11/05 about project	Sent a copy of the DEIS to the Tribe on June 7, 2006. Catawba Indian Nation provided comments on DEIS by letter on August 18, 2006.	Will send copy of the FEIS once it is published.
Cherokee Nation of OK	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Nation October 2005			
Choctaw Nation of OK	Initially expressed interest; however, follow-up call on 10/12/05 stated that they had <b>no interest</b> in the project.	Follow-up email sent November 2004	No further update needed	No further consultation needed		
Eastern Band of the Cherokee Nation	Expressed <b>no interest</b> in the project	Follow-up email sent November 2004	No further update needed	No further consultation needed		
Eastern Shawnee Tribe of OK	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Tribe October 2005			
Jena Band of Choctaw Indians	Expressed <b>no interest</b> in the project	Follow-up email sent November 2004	No further update needed	No further consultation needed		
Mississippi Band of Choctaw Indians	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Tribe October 2005			
Muscogee (Creek) Nation	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Nation October 2005			
Poarch Band of Creek Indians	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Tribe October 2005			
Tuscorara Nation	Expressed interest in the project	Follow-up email sent November 2004	Updated Nation October 2005	FHWA contacted Tribe for further consultation	Sent a copy of the DEIS to the Tribe on June 7, 2006.	Will send copy of the FEIS once it is published.
Shawnee Tribe	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Tribe October 2005			
Seminole Tribe of FL	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Tribe October 2005			



**Table 4.6 (continued)  
Tribal Consultation Process  
Interstate 73 FEIS: I-95 to the Myrtle Beach Region**

Scoping Letters to Tribal Chiefs (sent September 2004)	Response Letters or Communications from Tribes	Consultation				
Seminole Nation of OK	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Nation October 2005			
The Chickasaw Nation	No response from Tribe as of 4/2006	Follow-up email sent November 2004	Updated Nation October 2005			
United Keetoowah Band of Cherokee Indians of OK	Expressed interest in the project	Follow-up email sent November 2004	Updated Tribe October 2005 and May 2006	Wanted to be included on future mailings and updates	Sent a copy of the DEIS to the Tribe on June 7, 2006.	Will send copy of the FEIS once it is published.

#### **4.5 DRAFT EIS COMMENT LETTERS**

Several letters were received in response to the Draft EIS. Each letter was reviewed and the comments were given due consideration. The Draft EIS was amended in response to many of these comments. In some cases the information was already contained within the Draft EIS. Each letter received is included in this section. A response to each comment is on the opposite page and where a change was incorporated in the document, a section and page number identifying the location of the change is included.



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**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE

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August 17, 2006

F/SER4:KD/pw

Mr. Patrick Tyndall  
Environmental Program Manager  
Federal Highway Administration  
1835 Assembly Street, Suite 1270  
Columbia, South Carolina 29201

Dear Mr. Tyndall:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the Draft Environmental Impact Statement (DEIS) for the proposed Interstate 73 South (I-73) submitted by the Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT). The proposed interstate highway would join with existing roadways near the border of North Carolina and South Carolina in Hamlet, NC, and would extend south to the Myrtle Beach area on the South Carolina coast. The interstate would be constructed in two phases. The DEIS addresses the southern route (phase 1) extending from Interstate 95 in Dillon County to SC Route 22 in Horry County. FHWA and SCDOT intend to address the northern route (phase 2) in a separate EIS. As the nation's federal trustee for the conservation and management of marine, estuarine, and anadromous fishery resources, the following comments and recommendations are provided pursuant to authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

It is not clear how the proposed I-73 will relate to the proposed Interstate 74 corridor (I-74) located in North Carolina 15 to 30 miles northeast of the I-73 corridor. Currently, the I-74 corridor is proposed to follow the existing Highway 74, which is located approximately 15 miles northeast of the border between North Carolina and South Carolina beginning at Hamlet, NC, and would then follow that highway to Bolton, NC, where it would then parallel NC 211 to near Shallotte, NC, and then parallel Highway 17 to join an extension of the Carolina Bays Parkway (SC 31) in Horry County, SC. According to information provided by the North Carolina Department of Transportation on February 11, 2005, the states have an agreement whereby North Carolina will build I-73 from Highway 74 near Hamlet, NC, to the border with South Carolina in exchange for South Carolina funding the construction of a 5-mile extension of the Carolina Bays Parkway from SC 9 to the border with North Carolina, all of which would then be designated I-74 (or an I-74 spur). We are concerned that the DEIS for I-73 does not address the potential cumulative impacts to the environment associated with having a second interstate in the coastal region.

