

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****Environmental Impact Statement:
South Carolina****AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of Intent (revised).

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared with a revised terminus for the proposed Interstate 73 (I-73) highway project in eastern South Carolina.

FOR FURTHER INFORMATION CONTACT: Mr. Patrick Tyndall, Environmental Program Manager, Federal Highway Administration, 1835 Assembly Street, Suite 1270, Columbia, South Carolina 29201, telephone: (803) 765-5411, e-mail: Patrick.tyndall@fhwa.dot.gov.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the South Carolina Department of Transportation (SCDOT), previously published a Notice of Intent in the **Federal Register** (August 9, 2004; 69 FR 48271) to prepare a Tier 1 EIS from the South Carolina/North Carolina state line to the vicinity of I-95, a distance of approximately 35 miles. This revised notice provides for an EIS, not tiered, from the vicinity of Hamlet, North Carolina (southeast of Rockingham) to I-95 in South Carolina, a distance of approximately 40 miles.

Improvements to the corridor are considered necessary to improve national and regional connectivity to the Conway/Myrtle Beach area of South Carolina by providing a direct link from North Carolina. This link will enhance economic opportunities and tourism in South Carolina. The proposed project would fulfill congressional intent, as originally proposed in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 (Pub. L. 102-240; 105 Stat. 1914) and confirmed in the Transportation Equity Act (TEA-21) of 1998 (Pub. L. 105-178; 112 Stat. 107). Alternatives to be evaluated include the no action alternative, the upgrade of existing roads, construction on new alignment, and combinations of upgrades and new alignments.

The FHWA and SCDOT are seeking input as a part of the scoping process to assist in identifying issues relative to this project. Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. An interagency coordination process will begin soon, with the invitations to Cooperating Agencies and a formal scoping meeting to occur in Fall 2005. A public involvement plan is being developed for this project and will include a variety of opportunities for interested parties to be involved in the project. Two public interest group/public scoping meetings will be held in late summer 2005 at one location in northeastern South Carolina and one in Southern North Carolina. These meetings will be well publicized in advance, giving the location and time for each meeting. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

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

Issued on: July 18, 2005.

Patrick L. Tyndall,
Acting Division Administrator, FHWA, Columbia, South Carolina.

[FR Doc. 05-14486 Filed 7-21-05; 8:45 am]

BILLING CODE 4910-22-P



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

September 18, 2006

Mr. Patrick Tyndall
Environmental Program Manager
Federal Highway Administration
1835 Assembly Street, Suite 1270
Columbia, SC 29201-2430

Re: I-73 Northern Project (from I-95 to I-73/I-74)
Cooperating Agency Invitation
Concurrence on ACT Process
Concurrence at Purpose and Need Decision Point

Dear Mr. Tyndall:

The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) invited EPA to become a cooperating agency on the I-73 project from I-95 north to I-73/I-74. EPA is pleased to accept this invitation, with a reminder that our participation level is subject to our staffing availability and budgetary levels. We concur with the ACT meeting and dispute resolution processes, and look forward to future productive meetings with you.

FHWA and SCDOT also requested concurrence the purpose and need for the I-73 project from I-95 north to I-73/I-74. As a representative of the Environmental Protection Agency serving on the I-73 Agency Coordination Team (ACT), I agree with the consensus of the ACT, and in turn concur with the purpose and need.

This concurrence is based upon evaluation and discussion of the purpose and need for the project with regard to currently available information. If new information becomes available during the NEPA process, the purpose and need statement may need to be refined.

Concurrence at this decision point does not guarantee permit issuance. Please be aware that listing economic development as a primary purpose in the EIS may complicate the evaluation process that will take place under the 404(b)(1) guidelines.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

G. R. KINDLEY
P.O. BOX 280, ROCKINGHAM, N.C. 28380

LYNDO TIPPETT
SECRETARY

September 14, 2006

Mitchell D. Metts, P.E.
SCDOT
Post Office Box 191
Columbia, South Carolina 29202

RE: Preferred I-73 Corridor in North Carolina

Dear Mr. Metts:

After reviewing the potential corridors for the construction of I-73 in North Carolina, it is my opinion that the more westerly corridor (of the two identified) would be more beneficial for the State of North Carolina. Based on the maps I have reviewed, the more westerly corridor appears to be a shorter distance between I-74 and the South Carolina state line (approximately 3.3 miles); appears to impact less wetlands; and appears to minimize impacts on the existing interchanges along I-74. Therefore, it is my recommendation that the coordinated planning efforts of the NCDOT and SCDOT focus on the more westerly corridor as the preferred corridor.

If I can be of any further assistance, please call me.

Sincerely,

A handwritten signature in cursive script that reads "G.R. Kindley".

G.R. Kindley, Vice Chairman
NC Board of Transportation

South Carolina Department of Natural Resources



John E. Frampton
Director

August 22, 2006

Mr. Mitchell Metts
Program Manager
South Carolina Department of Transportation
P.O. Box 191
Columbia, SC 29202

Re: I-73 Concurrence on the Interagency Coordination Process

Dear Mr. Metts:

The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) have requested concurrence regarding the Interagency Coordination Process for the I-73 project. The Interagency Coordination Process has outlined the level of agency involvement, key decision points in the NEPA/permitting process, as well as a dispute resolution process.

Personnel with the S.C. Department of Natural Resources have participated in the development of the Interagency Coordination Process and concur with the use of this process for the I-73 Project.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Mixon".

Greg Mixon
Project Manager

cc: Patrick Tyndall – FHWA

Thank you for your early coordination with us. If you have any questions, please contact Ramona McConney of my staff

Sincerely,

A handwritten signature in black ink, appearing to read "Heinz Mueller", with a long horizontal flourish extending to the right.

Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

Cc: Mitchell Metts, SCDOT

Robbins, Heather

From: Kelly, David
Sent: Friday, August 11, 2006 3:19 PM
To: Robbins, Heather
Subject: Concurrence on Interagency Coordination Process for I-73 Northern Section

Hello Heather--

The South Carolina Department of Archives and History will let our concurrence on the Interagency Coordination Process for the Southern Section of I-73 act as concurrence for the Northern Section as well. I understand US Fish and Wildlife has done this as well and that doing so is acceptable for FHWA, SCDOT, and LPA. If you need anything other than this e-mail notification; please get in touch. I'll be happy to provide whatever you need.

Thanks--

David P. Kelly
Department of Transportation Coordinator
National Register Survey Coordinator

South Carolina Department of Archives and History
8301 Parklane Road
Columbia, SC 29223

To learn more about tax incentives and grants, the National Register of Historic Places, African American heritage, archaeology, and much more visit our website at www.state.sc.us/scdah/histrcpl.htm.

Herrell, Michelle L.

From: Robbins, Heather
Sent: Thursday, July 27, 2006 5:39 PM
To: Herrell, Michelle L.
Subject: FW: I-73 concurrences

Attachments: I-73processconcurrence.doc; ACT Concurrence Tracking-- North.xls



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Michelle, could you please check this "updated" list from Dan against ours and make note of what letters he has gotten, that we have not received the letters yet? We need to decide how to get a copy from Dan.

Thanks,
Heather M. Robbins

-----Original Message-----

From: Dan Dozier
Sent: Tuesday, July 18, 2006 5:00 PM
To: Robbins, Heather
Subject: FW: I-73 concurrences

Heather, thanks for the list. Mark Caldwell wrote me earlier today and then faxed me copies of the Fish and Wildlife Service concurrence letters for the Northern portion. They have concurred on Cooperating Agency, Process Agreement (by way of their original letter which they read as applying to both the North and South), and Purpose and Need.

Here is an updated spreadsheet with that information included. I will also update the spreadsheet if/when I get anything from Patrick or Mitchell.
Dan

-----Original Message-----

From: Mark_Caldwell
Sent: Tuesday, July 18, 2006 9:30 AM
To:
Cc: Tyndall, Patrick
Subject: I-73 concurrences

Dan,

I checked our files and found that we have already concurred with the Purpose and Need for the northern phase of I-73 as well as agreed to be a cooperating agency. I will fax them to you shortly. As far as the process concurrence, our letter of 8/17/04, should satisfy that requirement. It states we concur on the Interagency Coordination Process for I-73 and I believe this letter is applicable to both phases of the I-73 project. A copy of that letter is attached.

(See attached file: I-73processconcurrence.doc)

Mark A. Caldwell
U.S. Fish and Wildlife Service
Ecological Services

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April 18, 2006

Mr. Mitchell Metts
Program Manager
South Carolina Department of Transportation
P.O. Box 191
Columbia, SC 29202

Re: I-73 Cooperating Agency Invitation and Concurrence on the Purpose and Need

Dear Mr. Metts:

The Federal Highway Administration (FHWA) and the South Carolina Department of Transportation (SCDOT) have requested the South Carolina Department of Health and Environmental Control (Department) be a cooperating agency in the preparation of the Environmental Impact Statement for the northern portion of the Interstate 73 project that will run from the vicinity of Hamlet, North Carolina southward to I-95 in Dillon County, South Carolina. By way of this letter, the Department formally accepts this invitation.

Also, the FHWA and SCDOT have requested concurrence regarding the Interagency Coordination Process for the I-73 project. This process outlines a level of agency involvement, key decision points in the NEPA/permitting process, as well as a dispute resolution process. The goals of this process are to develop a mechanism that leads to decisions that hold fast and meet or exceed agency mandates, improve efficiency, merge NEPA and the Section 404/401/Coastal Zone Consistency processes, and to enhance communication and relationships. By way of this letter, the Department concurs with the Interagency Coordination Process as the Department is committed to improving communication and cooperation between the agencies.

The FHWA and the SCDOT have also requested concurrence regarding the Purpose and Need for the I-73 project. While the Department accepts the purpose and need as stated by the applicant, this is not a requirement for completion of the 401 Certification. Additionally, the Section 404(b)(1) guidelines require that the Corps determine a project's overall purpose and need that may be different from that stated by the applicant. Please be aware key decision-making points made by consensus vote where the Department's opinion varies from the final decision may necessitate the submittal of additional information during the permitting process, which in turn may require additional time for review and analysis.