



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
176 Croghan Spur Road, Suite 200  
Charleston, South Carolina 29407

February 2, 2006

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

Re: Interstate 73 - Northern Phase Cooperating Agency Invitation

Dear Mr. Tyndall:

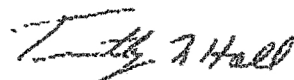
The U.S. Fish and Wildlife Service (Service) has received your letter requesting Service involvement as a cooperating agency for the proposed northern phase of the Interstate 73 project. This phase of the project will lead from I-95 in Dillon County, SC to the vicinity of Hamlet, NC.

In accordance with applicable Council on Environmental Quality guidance, the Service would be pleased to serve as a National Environmental Policy Act "cooperating agency" in developing the Environmental Impact Statement (EIS). For that portion of the proposed project within South Carolina, our participation will be specifically limited to: (1) participating in meetings and field trips to obtain baseline information on project-area fish and wildlife resources in South Carolina; (2) evaluating the proposed project's impacts to fish and wildlife resources and habitats in South Carolina, and assisting in the development of measures to avoid, minimize, and/or compensate for those impacts; and (3) providing technical assistance in the development of a Biological Assessment describing the impacts of the proposed activity to federally listed threatened or endangered species and/or their critical habitat in South Carolina.

Although a portion of the northern section of I-73 will enter North Carolina, the Charleston, SC field office will serve as the lead contact for the Service. The Charleston field office will coordinate with Service personnel in Raleigh, NC during the course of this phase. However, in order to enhance this coordination, we recommend that the Raleigh field office contacts be included in all correspondence regarding the northern phase of I-73.

If the Service can be of further assistance to the Federal Highway Administration in this matter, please do not hesitate to contact me or our transportation liaison, Mr. Mark Caldwell, who may be reached at

Sincerely,

A handwritten signature in dark ink, appearing to read "Timothy N. Hall". The signature is fluid and cursive, with the first name "Timothy" and last name "Hall" being clearly distinguishable.

Timothy N. Hall  
Field Supervisor

TNH/MAC

cc: Mr. Gary Jordan, U.S. Fish & Wildlife Service, Raleigh, NC



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

Southeast Regional Office  
263 13<sup>th</sup> Avenue South  
St. Petersburg, Florida 33701-5511  
(727) 824-5317; FAX (727) 824-5300  
<http://sero.nmfs.noaa.gov/>

January 31, 2006

F/SER4:PB/dd

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

Dear Mr. Metts:

The National Marine Fisheries Service (NMFS) has reviewed the December 1, 2005, Final Draft NEPA Purpose and Need Statement (Draft Statement) for the North section of the proposed new Interstate Highway 73 (I-73) Project to be located in South Carolina. The Draft Statement was provided for review in December 2005 and discussed at the interagency study team meeting on January 19, 2006. The proposed North section I-73 planning area extends from the state line near the town of Hamlet, North Carolina, to Interstate Highway 95 near Dillon, South Carolina.

Based on review of the Draft Statement and participation with the interagency team, NMFS concurs with the defined purpose and need for the North section of the I-73 Project in South Carolina. We look forward to participation in future planning stages on this important project.

Sincerely,

/ for

Miles M. Croom  
Assistant Regional Administrator  
Habitat Conservation Division

cc: (via electronic mail)  
Ms. Elizabeth Mabry, SCDOT, Columbia  
Mr. Richard Chinnis, OCRM, Charleston  
Mr. Ed Duncan, SCDNR, Charleston  
Mr. Heinz Mueller, EPA, Atlanta  
Mr. Tim Hall, FWS, Charleston  
F/SER4





January 31, 2006

Mr. Neil Rashley  
Director of Governmental Affairs  
South Carolina Department of Commerce  
1201 Main Street, Suite 1600  
Columbia, South Carolina 29201-3200

SUBJECT: I-73 Cooperating Agency Invitation to South Carolina Department of Commerce

Dear Mr. Rashley:

The FHWA and SCDOT are beginning the process for developing an environmental impact statement for the northern I-73 project. Interstate 73 is a new, major interstate roadway facility proposed from Michigan to South Carolina. The project study area is located between Interstate 95 in South Carolina and I-74 in the vicinity of Hamlet, North Carolina.

As stated in Section 6002(d)(1) of SAFETEA-LU, (P.L. 109-59, 119 Stat. 1859 (2005)), the FHWA, as the lead agency, may request any other Federal and non-Federal agencies that may have an interest in the project become participating agencies.

Because of the nature and magnitude of this project, the SCDOT and the FHWA are proposing an Interagency Coordination Process to achieve the best overall public decision on this project. The goals of this Interagency Coordination are to streamline the process in a manner consistent with federal laws and policies, while at the same time insuring stewardship of resources. This would be accomplished by developing a process that will:

- Aggressively pursue improved communication and collaboration with all Federal, State, and local partners in the transportation decision-making process to gain meaningful involvement.
- Streamline and improve NEPA process efficiency for an Environmental Impact statement on the I-73 project, including the merger of the NEPA and 404 processes.
- Actively involve all partners in an open, cooperative, and collaborative process, beginning at the earliest planning stages and continuing through project development into construction.
- Help each agency meet or exceed their objectives, including the transportation objectives of this project.

We propose that two steps be taken to start the process, establishing an Agency Coordination Team (ACT) and agreeing to a formal process agreement governing the ACT. These steps are explained below.

**Establishment of an Agency Coordination Team (ACT)**

The ACT will serve as the primary decision-making body for the I-73 project regarding all NEPA and permit decisions. The ACT will be composed of one designee from the following agencies:

- U.S. Army Corps of Engineers
- U.S. Fish and Wildlife Service
- U.S. Environmental Protection Agency
- NOAA Fisheries
- Federal Highway Administration
- U.S. Department of Agriculture – National Resource Conservation Service
- S.C. Emergency Management Division Representative
- S.C. Parks, Recreation, & Tourism Representative (PRT)
- S.C. Department of Health and Environmental Control (SCDHEC)
- SCDHEC – Office of Ocean and Coastal Resource Management
- S.C. Department of Natural Resources
- S.C. State Historic Preservation Office
- S.C. Department of Transportation

We would like to add the South Carolina Department of Commerce to this list.

It is important to note that ACT members should be empowered to attend ACT team meetings and make important project decisions. The intent is for each agency's ACT team member to continue with the I-73 project for the duration of the EIS and permitting, which will take approximately 3 years.

**Sign A Process Agreement**

A process for the ACT was developed during the southern I-73 project, which extends from Interstate 95 south to the Myrtle Beach Area. A copy of this process agreement is attached to this letter. This same process is proposed for use for the northern I-73 project. All ACT members shall sign a written agreement concurring with the use of this process.

In accordance with the above stated regulations and guidance, the FHWA and SCDOT take this opportunity to formally invite the South Carolina Department of Commerce to become a cooperating agency as well as a member of the Agency Coordination Team for the northern I-73 project. Please indicate, by signature at the bottom of this letter, your agreement to be a cooperating agency.

Page Three  
Mr. Rashley  
January 31, 2006

Please return this letter in the envelope provided and confirm that your agency will participate in the ACT with an email to Mr. Skip Johnson. We would welcome an opportunity to meet with you and provide you with an update on the I-73 projects and explain in greater detail the Interagency Coordination Process. We look forward to working with you on this project of statewide and national importance.

Sincerely,



Mr. Patrick Tyndall  
Environmental Program Manager  
Federal Highway Administration



Mr. Mitchell Metts, P.E.  
Project Manager  
SC Department of Transportation

As a representative of the South Carolina Department of Commerce, J. Edwin West  
*Print Name Here*  
formally accept the invitation to become a cooperating agency for the I-73 project.

J. Edwin West  
*Signature*

Sr. Community Development Mgr.  
*Title*

2/2/06  
*Date*



January 30, 2006

Ms. Renee Gledhill-Earley  
State Historical Preservation Office/Department Cultural Resources  
119 East Jones Street  
Raleigh, North Carolina 27601-2807

SUBJECT: I-73 Cooperating Agency Invitation

Dear Ms. Gledhill-Earley:

As you are aware, the Federal Highway Administration (South Carolina Division) and the South Carolina Department of Transportation are preparing an Environmental Impact Statement (EIS) for Interstate 73 from the vicinity of Hamlet, NC southward to I-95 in Dillon County, SC. Since this project crosses the state line, the project team is working closely with the NC Division office of FHWA and the NCDOT, but both states have agreed that South Carolina will take the lead in developing the EIS.

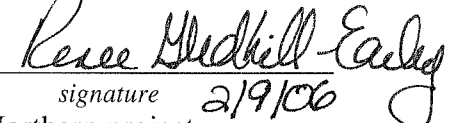
As we discussed during the Interagency Meeting on October 13, 2005, your agency is invited to become a cooperating agency for this project. As stated in *40 CFR 1501.6*, the FHWA, as the lead federal agency, may request any other agency that has jurisdiction by law or special expertise with respect to an environmental issue to be a cooperating agency.

In accordance with the above stated regulations, the FHWA and SCDOT take this opportunity to formally invite your agency to become a cooperating agency for the I-73 Northern project. Attached are the CEQ Regulations *40 CFR 1501.6* that outline the duties of a lead agency and a cooperating agency. Please indicate, by signature at the bottom of this letter, your agreement to be a cooperating agency and return this letter. We look forward to working with you on this very important project. Please call Patrick at \_\_\_\_\_ or Mitchell at \_\_\_\_\_ if you have further questions.

Sincerely,

Mr. Patrick Tyndall  
FHWA Environmental Program Manager

Mr. Mitchell Metts, P.E.  
SC Department of Transportation Project Manager

As a representative of the NC State Historic Preservation   
insert agency name Office signature 2/9/06  
accept the invitation to become a cooperating agency on the I-73 Northern project.

cc: Derrick Weaver, NCDOT  
Skip Johnson, THE LPA GROUP INCORPORATED



January 30, 2006

Mr. David Kelly  
S.C. Department of Archives and History  
State Historic Preservation Office  
8301 Parklane Road  
Columbia, South Carolina 29223

SUBJECT: I-73 Cooperating Agency Invitation

Dear Mr. Kelly:

As you are aware, the Federal Highway Administration (South Carolina Division) and the South Carolina Department of Transportation are preparing an Environmental Impact Statement (EIS) for Interstate 73 from the vicinity of Hamlet, NC southward to I-95 in Dillon County, SC. Since this project crosses the state line, the project team is working closely with the NC Division office of FHWA and the NCDOT, but both states have agreed that South Carolina will take the lead in developing the EIS.

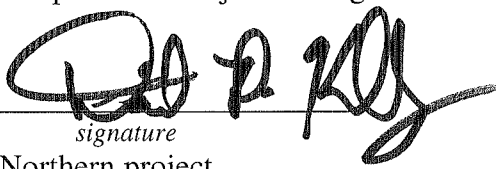
As we discussed during the Scoping Meeting held on October 19, 2005, your agency is invited to become a cooperating agency for this project. As stated in *40 CFR 1501.6*, the FHWA, as the lead federal agency, may request any other agency that has jurisdiction by law or special expertise with respect to an environmental issue to be a cooperating agency.

In accordance with the above stated regulations, the FHWA and SCDOT take this opportunity to formally invite your agency to become a cooperating agency for the I-73 Northern project. Attached are the CEQ Regulations *40 CFR 1501.6* that outline the duties of a lead agency and a cooperating agency. Please indicate, by signature at the bottom of this letter, your agreement to be a cooperating agency and return this letter. We look forward to working with you on this very important project. Please call Patrick at \_\_\_\_\_ or Mitchell at \_\_\_\_\_ if you have further questions.

Sincerely,

Mr. Patrick Tyndall  
FHWA Environmental Program Manager

Mr. Mitchell Metts, P.E.  
SC Department of Transportation Project Manager

As a representative of the SC Dept. of Archives + History, I   
insert agency name signature  
accept the invitation to become a cooperating agency on the I-73 Northern project.

cc: Skip Johnson, THE LPA GROUP INCORPORATED