





Jul-31-06 10:19am From-USEPA Environmental Accountability Div. +404 562 9486 T-804 P.003/009 F-992

require water body modification and could affect aquatic species movement. A compensatory mitigation plan is a necessary precursor to the application for a Section 404 permit. EPA looks forward to working with FHWA, SCDOT and the ACT team to expedite development of the mitigation plan.

In addition, the Preferred Alternative would impact a Section 4(f) resource, the Vaughn tract, which is part of the Little Pee Dee River Heritage Preserve. The DEIS states that mitigation for the impacted property would include locating and purchasing compensatory acreage, which would be done in coordination with SCDNR through a Memorandum of Agreement prior to issuance of the Record of Decision.

Noise impacts are also a concern. The DEIS notes that although some noise impacts are expected, based on a preliminary analysis noise barriers for impacted areas would not be reasonable based on cost per benefited receptor, and that a more detailed analysis may be needed. Unavoidable noise impacts should be reasonably mitigated. Other forms of noise mitigation (or their combination) should be considered in addition to barriers, where barriers are shown to be infeasible or unacceptable, particularly in residential areas.

Although Alternative 3 is identified as the Preferred Alternative in the DEIS, there are both advantages and mitigation issues with each alternative. Alternative 5 would have no Section 4(f) impacts, but would be more costly and in close proximity to the Temperance Hill Community, as well as having impacts on both the Zion and Winburn communities. It could also have potential visual impacts to the Galivants Ferry Historic District.

Alternative 7 would potentially impact a Section 4(f) archaeological site and be more costly than Alternative 3, but would have the fewest stream crossings among the build alternatives. It could also have potential visual impacts to the Galivants Ferry Historic District. Community opinions about Alternative 7 are mixed; this alternative is in accord with residents of some areas, but opposed by residents of potentially impacted communities.

Based on EPA's review of the DEIS, Alternatives 3, 5, and 7 received an "EC-1" rating, meaning that environmental concerns exist. Specifically, further information should be included in the FEIS regarding wetlands mitigation plans, stream impacts and noise impacts. Please see our enclosed detailed comments. Thank you for the opportunity to comment on this project, and your continuing coordination with EPA. If we may be of further assistance, please contact me or Ramona McConney of my staff at (404) 562-9615.

Sincerely,

Heinz J. Mueller, Chief
NEPA Program Office



A detailed mitigation plan will be developed prior to the Section 404 permit application. The ACT has agreed to develop mitigation based upon the USACE SOP, which will provide guidance in determining the appropriate magnitude and type of mitigation to be performed.

Please refer to Appendix E for the Section 4(f) Evaluation.

Additional text has been added to Chapter 3, Section 3.8.6, page 3-111 detailing the potential noise impacts from the Preferred Alternative.



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Attachment: EPA review comments

cc: Mitchell Metts, P.E., SCDOT





**EPA Review Comments on
Draft Environmental Impact Statement (DEIS)
Interstate 73: From I-95 to the Myrtle Beach Region
CEQ No. 20060245**

General Comments

Overall, the DEIS is clearly written with many helpful maps and illustrations. We appreciate the indexing and the reader-friendly style of the document, which facilitated review of the document.

We appreciate the inclusion of a diverse array of alternatives in this DEIS. The DEIS identifies Build Alternative 3 as the Preferred Alternative.

The DEIS notes that there is uncertainty regarding whether I-73 will be a toll road, and states that further NEPA analysis will be completed if the facility is tolled in the future. Tolling would be expected to influence the amount of project impacts.

Alternatives

The DEIS states that each of the eight build alternatives have features that are “favorable and advantageous.” Alternative 3 was selected as the Preferred Alternative by FHWA and SCDOT. This alternative has the lowest cost. Based on the public interest and comments on this project, Alternative 3 takes into consideration community concerns and school district boundaries, in addition to environmental parameters.

Although Alternative 3 has the lowest total wetland acreage impacts and wildlife habitat impacts and avoids direct impacts to cultural resources, mitigation will be required for some areas. Specifically, a mitigation plan to compensate for the 384 acres of wetlands impacts will be required, and for impacts to a tract of the Little Pee Dee River Heritage Preserve, a Section 4(f) resource. Noise impacts and impacts to EJ communities are also areas of concern.

Alternative 5 would have no Section 4(f) impacts, but would be more costly and in close proximity to the Temperance Hill Community, as well as having impacts on both the Zion and Winburn communities. It could also have potential visual impacts to the Galivants Ferry Historic District.

Alternative 7 would potentially impact a Section 4(f) archaeological site and be more costly than Alternative 3, but would have the fewest stream crossings among the build alternatives. It could also have potential visual impacts to the Galivants Ferry Historic District. Community opinions about Alternative 7 are mixed; this alternative is in accord with residents of some areas, but is opposed by residents of potentially impacted communities.

Air Quality

The DEIS states that “*Air quality is not likely to be impacted by this project,*” (Section 3.10.2). Statements made in Section 3.11.1 state that air quality impacts may occur during construction site activities, from vehicle emissions and traffic delays due to construction.

The project area is currently in attainment of the NAAQS standards. The three counties have entered into Early Action Compacts to set goals for cleaner air. I-73 has been included in the South Carolina Transportation Infrastructure Program.



Additional text has been included in Section 3.9.3 on page 3-124 regarding potential air quality impacts resulting from the Preferred Alternative.



Cultural Resources/Historic Preservation

According to the DEIS, the SHPO indicated that the Preferred Alternative is their preferred route because of the lack of direct impacts to cultural resources. The Preferred Alternative would have a potential visual impact to the Ketchuptown Store, (built in 1927), which is now a community center and museum.

The DEIS (page D-11) states that coordination will continue between the project team and the SHPO through the refinement of the preferred alternative and FEIS.

Heritage Preserve/ Section 4(f) Resource

The Preferred Alternative would impact a Section 4(f) resource, the Vaughn tract, which is part of the Little Pee Dee River Heritage Preserve. The Preserve is owned by SCDNR's Heritage Trust Program. The project would be built parallel, around the SC Route 917 crossing of the Little Pee Dee River, to avoid creating a new crossing of the Little Pee Dee River. This would use approximately 30 acres of the Preserve.

The DEIS states that mitigation for the impacted property would include locating and purchasing compensatory acreage, which would be done in coordination with SCDNR through a Memorandum of Agreement prior to issuance of the Record of Decision.

Environmental Justice

The DEIS states that there would be some impacts to EJ populations related to residential displacements, relocations and noise impacts as a result of the project. Efforts were made to shift alignments to avoid and minimize impacts to EJ communities, but not all impacts could be avoided. A conceptual relocation study will be conducted for the Preferred Alternative to confirm relocation impacts on EJ communities. Updated information should be included in the FEIS.

Economic benefits to EJ communities may result if more jobs and business development opportunities move into EJ areas as a result of increased access to the area via I-73.

Noise

Noise Measurements: Since the proposed roadway will be an interstate highway, the truck portion of anticipated traffic may significantly contribute to noise impacts. Trucks are considerably noisier than cars (noise from one truck equals that of many cars due to the relative number and size of the tires, and because cars have been manufactured over time to be quieter, while trucks have not). If I-73 will have heavy truck traffic, this would contribute to higher dBA levels.

In addition to traffic noise affecting residences and commercial sites, it should be noted, relevant to the proposed stream crossings, that traffic across bridges can be particularly noisy. This is because bridges are high and exposed, sound travels well and is unimpeded over water, and vehicle tires traveling across expansion joints produce additional noise. Overall, traffic noise is an environmental concern in terms of the project incremental increases over existing levels, and the resultant projected noise levels.



The SHPO has determined that the Preferred Alternative would have no visual impacts to the Ketchuptown Store. The distance between the Preferred Alternative and the historic resource is approximately 860 feet and was determined not to create an adverse visual impact (refer to SHPO letter in Appendix A).

Additional information has been included in Chapter 3, Section 3.4.3, page 3-98 and Appendix E that contains the Section 4(f) Evaluation.

The conceptual relocation study has been incorporated as Appendix F. A more detailed discussion of EJ impacts has been included in Chapter 3, Section 3.3.6, page 3-91.

The noise analysis accounted for the potential of the interstate to carry heavy truck traffic as well as the location of proposed bridges.



A 10 dBA increase, at any existing noise level, is perceived as a doubling of sound by the human ear. Section 3.9.4 of the DEIS states that 15 dBA or greater is a substantial increase.

Noise Mitigation: Impact avoidance and minimization is particularly important for noise impacts, due to the difficulty in effectively mitigating for noise. The DEIS states that efforts were made to avoid roadway alignments in close proximity to communities, which resulted in avoidance of many traffic noise impacts. However, it was not possible to avoid all impacts, and some areas will be affected by noise from I-73. The DEIS states that, based on a preliminary analysis, noise barriers for impacted areas would not be reasonable based on cost per benefited receptor, and that a more detailed analysis may be needed in the FEIS.

Unavoidable noise impacts should be reasonably mitigated. Other forms of noise mitigation (or their combination) should therefore be considered in addition to barriers where they are shown to be infeasible or unacceptable, particularly in residential areas. These forms may include sound proofing of any significantly affected public facilities, shifting of the right-of-way (ROW) to include residential or commercial receptors that otherwise would be adjacent but outside the ROW and be heavily impacted, and/or development of vegetative screens as part of the landscaping in order to provide a visual separation from the project ROW.

It is also our understanding that the type of roadway surfacing material used may substantially influence the amount of noise impacts generated. As long as feasibility and safety requirements are met, surfacing materials which minimize noise through source reduction are preferred.

Finally, noise levels should be monitored after construction, to determine the effectiveness of the mitigation and to determine whether further measures or mitigation are needed.

Water Quality

The Preferred Alternative would result in 41 stream crossings. The proposed bridges will require a Section 404 Permit from the USACE and a Section 401 Water Quality Certification from the South Carolina Water Division. The FEIS should include updated information regarding these actions.

Bridging across the entire floodplain of the stream crossings would help to avoid environmental impacts. The DEIS states that for wide rivers, such as the Little Pee Dee River, bridge pilings might be required within the channel (page 3-148).

Jurisdictional streams will be identified and mapped during the wetland delineation for the Preferred Alternative. The installation of pipes or box culverts for stream crossings would require water body modification and could affect aquatic species movement. Further information should be provided in the FEIS regarding jurisdictional streams.

Wetlands

EPA appreciates the project team's ongoing coordination with EPA regarding wetlands mitigation and the Section 404 Permitting process. A compensatory mitigation plan is a necessary precursor to the application for a Section 404 permit. EPA looks forward to working with FHWA, SCDOT and the ACT team to expedite development of the mitigation plan.



According to FHWA's "Procedures for Abatement of Highway Traffic Noise and Construction Noise", a substantial increase is defined as 15 dBA or greater.

Comment noted.

Comment noted.

Comment noted.

Please refer to Sections 3.12.12 through 3.12.14, pages 3-161 through 3-167, for updated information pertaining to the Section 404 permit and 401 Water Quality certification.

Chapter 3, Section 3.12.9, page 3-157 includes more detailed information regarding jurisdictional streams.



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Wetlands impacts are a significant concern, due to the number and quality of wetlands in the project area. The Preferred Alternative minimizes impacts to wetlands acreage in comparison with the other alternatives. However, mitigation will be required for unavoidable impacts resulting from I-73 construction. In comparison with the other alternatives, Alternative 3 has the lowest total wetland acreage impacts with 384 acres of wetlands (which includes approximately 19,200 linear-feet of stream impacts). However, Alternative 3 includes a crossing of Lake Swamp, whereas Alternatives 5 and 7 do not.

Hazardous Materials

The Preferred Alternative has the lowest number of potentially impacted hazardous material/waste sites (one). However, there is not a significant difference between the build alternatives, since only two of the eight sites are known to have had releases.

Secondary and Cumulative Impacts

Due to the large-scale and regional scope of I-73, significant secondary and cumulative impacts are anticipated. An anticipated benefit of the project is economic development due to facilitating travel through the area for visitors and tourists, potentially bringing new businesses into the region and development on currently vacant land.

Potential indirect impacts to wildlife habitat acreage is in a range of 1301.9 – 1374.6 acres for all the build alternatives.

The DEIS describes indirect and cumulative impacts within several sections of the document, however, it would be helpful if indirect and cumulative impacts were indexed and/or summarized in the FEIS.



As discussed in Chapter 2, Section 2.8.2, page 2-79, the Preferred Alternative was modified to parallel the existing crossing at Lake Swamp to minimize potential impacts.

Comment noted.

The index has been updated to include references to indirect and cumulative impacts.



SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS site, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment





Interstate 73 FEIS: I-95 to the Myrtle Beach Region

Catawba Indian Nation
Tribal Historic Preservation Office
P. O. Box 750
Rock Hill, South Carolina 29731



18 August 2006

Attention: Shane Belcher
FHWA South Carolina
1835 Assembly Street, Suite 1270
Columbia, SC 29201

Re. THPO #	Project
2006-133-12	I-73 Draft Environmental Impact Statement for the Southern Corridor of the Proposed I-73

Dear Shane,

Thank you for a copy of the Interstate 73 Draft Environmental Impact Statement. Our comments are as follows:

- The Catawba Indian Nation expects to be consulted in regards to Native American archaeological sites whenever the State Historic Preservation is consulted.
- "Catawba Tribe" should be changed to "Catawba Indian Nation" throughout the document.

Please note that the address you have for us is not correct. Please send future correspondence directly to the attention of Dr. Wenonah G. Haire, Catawba Indian Nation Tribal Historic Preservation Office, P. O. Box 750, Rock Hill, South Carolina. Material sent by Federal Express and / or UPS can be sent to our office location at 1536 Tom Steven Road, Rock Hill, South Carolina 29730.

Mail sent to 996 Avenue of Nations, Rock Hill, SC and / or 611 East Main Street, Rock Hill, SC 29730 may not reach the Tribal Historic Preservation Office in time to respond to a close deadline.



Comment noted.

Comment noted and FEIS was revised in accordance.



If you have questions please contact Sandra Reinhardt

Sincerely,

Wenonah G. Haire
Tribal Historic Preservation Officer

