



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

MEMO TO: Post Hearing Meeting Attendees

FROM: Heather Lane, PE
Division 2-Assistant Division Construction Engineer

DATE: November 13, 2019

SUBJECT: Project: 34460 (R-2553) Craven, Jones, and Lenoir Counties
USACE AID Number SAW-2009-01603
US 70 from La Grange to Dover
Kinston Bypass

Federal, State, and Local Agency Comments

The following represents comments received from federal, state, and local agencies during the comment period on the 2019 Draft Environmental Impact Statement (DEIS). The full comments are attached.

FEDERAL AGENCIES

United States Environmental Protection Agency (EPA)

Comment Summary – Human Environmental Impacts

The EPA supports an alternative that maintains community safety and continuity. The EPA recommends that transportation agencies continue to consult with impacted communities when developing compensation and minimization efforts for community impacts. We recommend that community enhancements such as screening walls, landscaping, and other aesthetic treatments that might lessen noise, visual, and other adverse effects be considered in the development of mitigative measures. Please also consider contributions to other community enhancement projects, such as community facilities or community beautification projects in the project area and surrounding neighborhoods, as appropriate.

Comment Summary – Environmental Justice

The EPA supports an alternative that maintains community continuity and minimizes the disproportionately high and adverse effects of the proposed project on the health or environment of minority and low-income populations. The EPA recommends that transportation agencies continue to consult with impacted communities when developing avoidance and mitigation for community impacts. Additionally, we recommend that a more in-depth evaluation of the potential social, transportation and economic impacts of this project upon the local community be developed and evaluated by the National Environmental Policy Act (NEPA)/Section 404 Merger team prior to the issuance of the Final Environmental Impact Statement (FEIS).

Comment Summary – Noise

The EPA recommends that the noise impacts and their effect upon potential EJ communities to be fully evaluated prior to the FEIS issuance. As part of the additional EJ impact assessment, the EPA recommends that the NEPA/Section 404 Merger Team also consider noise impacts as well. The EPA also encourages the transportation agencies to consider the design and implementation of noise abatement devices along with evergreen roadside vegetation in locations that do not meet the threshold for noise barriers. The use of vegetative roadside screening ameliorates noise impact issues, visual quality impacts, and demonstrated beneficial effects for downwind vehicle emissions from near-roadway air pollutants.

Comment Summary – Historic and Archaeological Resources

The FEIS should address the measures that will be proposed to alleviate the Adverse Effects on historic properties. The EPA encourages the transportation agencies to further ongoing coordination with the State Historic Preservation Office (HPO) in identifying and avoiding any adverse impacts to archaeological resources.

Comment Summary – Natural Environmental Impacts

The wetland and stream impacts provided in the DEIS may not be representative of the total actual impacts. The EPA recommends that a more complete estimate of the impacted jurisdictional wetlands and streams, including the bridged areas, is provided to the NEPA/Section 404 Merger team prior to the issuance of the FEIS. Additionally, the EPA recommends that the selected alternative is one that minimizes the impacts to wetlands and streams to the maximum extent practicable. Where it is not practicable to avoid wetlands, please consider measures to elevate the road and use end-on construction to the extent practicable to minimize short- and long-term impacts to wetlands associated with changes in hydrology and other adverse effects.

Comment Summary – Protected Species

The EPA encourages further collaboration and consultation with the United States Fish and Wildlife Service (USFWS) and the North Carolina Wildlife Resources Commission (NCWRC) and results of these coordination efforts be shared with the NEPA/Section 404 Merger team prior to the selection of the preferred alternative and the LEDPA.

Comment Summary – Environmentally Preferred Alternative

The EPA prefers a combination of Alternative 31 and Alternative 11 as its environmentally preferred alternative. The proposed revised alternative begins at the western terminus of

the project at the NC 903/US 70 interchange south of La Grange and follow existing US 70 for approximately 4.5 miles and would then travel southeast on new location. A new connector approximately 1.5 miles long would connect north to the US 70/NC 14 interchange. At NC 148, this alternative turn south and then east on a new location to NC 11/NC55, US 258 and NC 58. It then crosses NC 58 just south of Southwood Elementary School before diverging east of NC 58. It then continues eastward on new location before interchange with existing US 70 near Old US 70 just west of Dover. The revised alternative will provide additional avoidance to historic and architectural resources and reduce impacts to an identified EJ community. The EPA believes that this alternative potential represents a reasonable balance between resource impacts and may represent the LEDPA. The EPA is also interested in obtaining input on an environmentally preferred alternative from other Merger resources (e.g. USFWS on protected species).

National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS)

Comment Summary

At this time the NMFS has no preferred alternative and will continue to participate in the Section 404 Merger Process as a member of the Merger Team.

The NMFS provides the following specific comments and recommended corrections to the DEIS:

1. Section 7 consultation with the NMFS is likely required for sturgeon species within the project boundary. (Pages xxiv and 3-52).
2. Atlantic sturgeon Critical Habitat should be listed for the Neuse River. (Page 4-66).
3. The NRTR incorrectly states a "No Effect" Biological Conclusion based on no habitat within or within one mile of the study area. Atlantic sturgeon is not confined to estuarine waters and need fresh water areas to spawn. Additionally, on April 17, 2018, biologists from the North Carolina Wildlife Resources Commission observed a large Atlantic sturgeon in the Neuse cut-off near Goldsboro, above the Kinston Bypass study area.

United States Fish and Wildlife Service (USFWS)

Comment Summary

I have reviewed the PN for R-2553. My only comments regard Table 2. There have been three species recently proposed for listing under the ESA.

Atlantic Pigtoe (*Fusconaia masoni*) – proposed for listing as threatened with critical habitat on October 11, 2018. Listed as occurring in Lenoir County.

Carolina Madtom (*Noturus furiosus*) – proposed for listing as endangered with critical habitat on May 22, 2019. Listed as occurring in Lenoir, Craven, and Jones County.

Neuse River Waterdog (*Necturus lewisi*) – proposed for listing as threatened with critical habitat on May 22, 2019. Listed as occurring in Lenoir, Craven, and Jones County.

United States Coast Guard (USCG)

Comment Summary

A bridge permit will not be required for the highway fixed bridge - West New Bern Road Bridge over Neuse River.

The project will be placed in Coast Guard Authorization Act of 1982 exemption category for the location and structure described above and is valid for 5 years from the date of this letter.

The requirement to display navigational lighting at the bridge is waived as per Title 22 Code of Federal Regulations, Part 119.40(b).

The fact that a Coast Guard bridge permit is not required does not relieve you of the responsibility for compliance with the requirements of any other Federal, State, or local agency who may have jurisdiction over any aspect of the project.

STATE AGENCIES

North Carolina Department of Environmental Quality, Division of Waste Management

Comment Summary – Underground Storage Tank (UST) Branch

The project should not have any adverse impact upon groundwater.

- The Washington Regional Office UST Section recommends removal of any abandoned or out-of-use petroleum (USTs) or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs.
- Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations.
- Any petroleum spills must be contained, and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported.
- Any soils excavated during demolition or construction that show evidence of petroleum contamination such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist.
- Any questions or concerns regarding spills from petroleum USTs, ASTs or vehicles should be directed to the UST section.

Comment Summary – Inactive Hazardous Sites Branch

Thirty-four sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater.

**North Carolina Department of Natural and Cultural Resources, State
Historic Preservation Office**

Comment Summary

Given that adverse effects to National Register-eligible and listed properties have been determined for all of the alternatives, we are prepared to enter into consultation pursuant to Section 106 of the National Historic Preservation Act and the regulations of the Advisory Council on Historic Preservation at 36 CFR 800, with the USACE, NCDOT, and other consulting parties, agreed upon by the USACE and the SHPO.

We would note that depending upon the selected alternative, there is a high potential for encountering unmarked human remains associated with the Second Battle of Kinston/Wyse Fork Battlefield site. That these remains may well be those of soldiers lost in battle and a situation with which we have had no experience, we believe that any consultation for the undertaking must anticipate and address the proper treatment of such remains beyond the customary use of the North Carolina General Statutes 65 and 70.

As the USACE has determined that the permit area for the undertaking is only the highway right-of-way, including associated temporary construction easements, and that the USACE is not addressing the likelihood of future development(s) resulting from the highway, our having jointly established a proper and respectful process for dealing with the discovery of unmarked-human remains could prove important.

**North Carolina Department of Natural and Cultural Resources, Natural
Heritage Program**

Comment Summary

No comment.

North Carolina Department of Public Safety, Division of Emergency Services

Comment Summary

No Comment. SFHA impacts are addressed in the project commitments.

LOCAL AGENCIES

Neuse River Water and Sewer Authority (NRWASA)

Comment Summary

After reviewing the newly detailed proposed alternates by the NCDOT, NRWASA has compiled an inventory of perceived conflicts/sites of concern for each suggested path, as listed herein.

- Alternate 1SB: The route passes directly over the NRWASA Booster Pump Station at Site 5B on Hwy 58 as well as impacting a 12” water main in proximity.

- Alternate 1UE: The route will impact a 42” water main and a 4” sewer main along Hwy 70.
- Alternates 11&12: The route will impact a 42” water main and a 4” sewer main along Hwy 70, as well as potentially impacting the Deep Run connection on Hwy 55.
- Alternates 31&32: The route will impact a 42” water main and a 4” sewer main along Kennedy Home road, as well as potentially impacting the Deep Run connection on Hwy 55.
- Alternates 35&36: The route will make use of a NRWASA owned parcel on Hwy 11 held for a future-planned booster pump station to Deep Run, as well as the water treatment plant by making use of the land application parcel in its entirety. Possibly more impactful, the route proposes to cross the river directly upstream of the intake site immediately following a crossing of an unnamed tributary that enters the river at the intake site.
- Alternates 51&52: The route will impact a 36” raw water main along Kennedy Home Road, as well as a 12” water main on Hwy 58. This route will also impact the water treatment plant, skirting the #1 reclamation pond after bisecting the land application parcel, continuing onward to permanent disturbance of the water treatment plant drainage and waste stream.
- Alternates 63&65: The route will impact a 42” water main and a 4” sewer main on Kennedy Home Road, a 12” water main on Hwy 58, and a 20” water main to Deep Run from the water treatment plant, as well as potentially impacting the Deep Run connection on Hwy 55.

As summarized, each alternative has a certain inherent impact to NRWASA operations. However, specific alternatives are less or more disruptive than others. NRWASA requests these impacts be considered in all discussion and planning of each alternative. Should further clarification be required for any or all the listed instances of concern, please do not hesitate to contact. Thank you for your attentiveness.

Lenoir County Office of the Sheriff

Comment Summary

- The Sheriff opposes Alternatives 1UE and 1SB as proposed. These alternatives do not assist the Sheriff or his deputies in any way different than the current Highway 70 Bypass in Kinston during a flood event or normal responses throughout the county.
- The Sheriff supports Alternatives 11, 12, 31, 32, 63, and 65. We are not specific as to which of these is the preference because they all connect to the current Felix Harvey Parkway (NC Highway 148) and connect to higher elevation areas on the southern end of Lenoir County to include Jackson's crossroads at NC 11 and NC 55, NC 258 and NC 58 South. this will allow for travel through Lenoir County from both the east and west but also allow access from North to South during a flood event. In addition, these roads on a normal day will cut travel time for law enforcement vehicles to travel quicker to all areas of the County avoiding any city traffic when responding to calls.

- The Sheriff opposes Alternatives 35, 36, 51, and 52. Although these routes all provide routes to higher elevation to Southern Lenoir County, they do not provide easy access to the Felix Harvey Parkway which is instrumental in providing quicker travel for responses to the northern areas of Lenoir County.

Jones County Commissioners

Comment Summary

As you already know, several of the alternatives impact all our businesses and residents as well as the Wyse Fork Fire Department. The Wyse Fork area and community would be devastated if these alternatives are selected and built. We would ask officials with NCDOT to consider alternatives that do not take out these parcels. Jones County is already a small rural county with limited tax base and population. If these parcels are impacted or removed, we would further lose tax base and population.

It appears there is some better options that will lessen this impact and we lean heavily on those experts at NCDOT to make the right decision and choose the best design. It also should go without mentioning that Highway 70 has often become impassable in this area of Wyse Fork. We hope NCDOT chooses an option that makes Highway 70 more flood resilient so we can move people and goods in times like Hurricane Florence.

Wyse Fork Fire and Rescue

Comment Summary

Our highest concern surrounding the development of Future 42 is that many of the alternative routes will displace the location of our existing fire department at Wyse Fork Road and Hwy. 70. We are concerned about where we would relocate, all associated costs, and the potential interruption of services for our community.

If the Orange route were selected, we would like there to be consideration given to a service road from Neuse Road to Roy White Road to the East. Our ISO rating and response times would be significantly impaired without this alternative if the Orange Route was selected and did not have this service road in place.

Mayor of Dover

Comment Summary

By using Alternative -1 #12 -2 #11 or 3 #35 this could be easy tie on to town of Dover water and sewer system -For future businesses #1 [Alt 12] would work best.

Lenoir County Board of Commissioners

Comment Summary

The construction of the Kinston Bypass will have an economic impact on the City of Kinston and Lenoir County, dependent on the final determination of location, and in consideration of that potential impact on current economic activity and future economic

development, the Board of Commissioners believe that Alternative 1SB, commonly referred to as the "Shallow Kinston Highway Bypass" would represent our preferred design option.

NOW THEREFORE, BE IT RESOLVED that the Lenoir County Board of Commissioners do support the construction of the Kinston Bypass project as described in Alternative 1SB the "Shallow Kinston Highway Bypass" this the 16th day of September 2019.



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

SEP - 6 2019

Scott McLendon
Chief, Regulatory Division
U. S. Army Corps of Engineers
Wilmington District
69 Darlington Avenue
Wilmington, NC 28403

Re: EPA Review Comments on the Draft Environmental Impact Statement (DEIS) for STIP
Project No. R-2553, Kinston Bypass, Craven, Jones, and Lenoir Counties, North Carolina; CEQ
No.: 20190172

Dear Mr. McLendon:

The U.S. Environmental Protection Agency has reviewed the referenced DEIS in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The North Carolina Department of Transportation (NCDOT) and the U.S. Army Corps of Engineers-Wilmington District (USACE) are proposing the Kinston Bypass which would extend from US 70 near La Grange in Lenoir County to US 70 near Dover at the Jones and Craven county line, including a crossing of the Neuse River. This project is included in the 2018-2027 North Carolina State Transportation Improvement Program (STIP) as Project No. R-2553.

The EPA's Merger Team representative has been an active participant in the NEPA/§404 Merger team process for the proposed project, including detailed study alternatives to be carried forward. The EPA signed Concurrence Point 2, Detailed Study Alternatives Carried Forward, on November 17, 2011, and a revised Concurrence Point 2 on January 16, 2014. Specific technical review comments and recommendations on the DEIS are enclosed for your consideration (Please see enclosure).

Ms. Amanetta Somerville, of my staff, will continue to work with the NCDOT Merger team in the identification of reasonable and feasible alternatives and the relevant avoidance and minimization and mitigation measures to be considered as the proposed project is advanced through the NEPA/§404 Merger process. Should you have any questions concerning these comments or recommendations, please feel free to contact her at somerville.amanetta@epa.gov or (404) 562-9025. We appreciate the opportunity to comment on the proposed Kinston Bypass project.

Sincerely,

A handwritten signature in black ink that reads "Ntale Kajumba for CM".

Christopher A. Militscher
Chief, NEPA Section
Strategic Programs Office

ENCLOSURE
Draft Environmental Impact Statement
Kinston Bypass, Craven, Jones, and Lenoir Counties, North Carolina
CEQ No.: 20190172

PROJECT DESCRIPTION

The Kinston Bypass is a four-lane, median-divided freeway with full control of access in Lenoir, Jones, and Craven Counties, North Carolina. The project extends from US 70 near La Grange in Lenoir County to US 70 near Dover at the Jones and Craven county line, including a crossing of the Neuse River. The proposed 28-mile project involves the widening of the existing roadway to include adequate capacity to handle the forecasted traffic and provide for full control of access or building upon a new location. The purpose of the Kinston Bypass project is to improve regional mobility, connectivity, and capacity for US 70 between La Grange and Dover. The project has a design speed of 70 miles per hour (mph) and would serve as a bypass of Kinston from La Grange to Dover.

Detailed Study Alternatives

Several preliminary alternatives were developed and evaluated during the early phases of the project studies, including the No-Build Alternative, transportation system management (TSM) alternatives, and transportation demand management (TDM) alternatives. It was determined that these preliminary alternatives did not meet the project's purpose and need. Numerous build alternatives were selected as study alternatives. Following the evaluation of the 95 preliminary alternatives the 12 build alternatives carried forward and evaluated in the DEIS include the following:

- Alternative 1UE (Upgrade Existing US 70)
- Alternative 1SB (Shallow Bypass)
- Alternative 11
- Alternative 12
- Alternative 31
- Alternative 32
- Alternatives 35
- Alternatives 36
- Alternatives 51
- Alternative 52
- Alternatives 63
- Alternative 65

ENVIRONMENTAL ISSUES

Potential Impacts from the Proposed Project

Table S-1 (pages xxii - xxiii) of the DEIS provides a summary of the impacts to the human and natural environment for the 12 build alternatives.

- Alternative 1UE will result in 137 business relocations, 125 residential relocations; 2 sites with Section 106 adverse effects; 38 traffic noise impacts; 282.2 acres of farmland impacts; 89.9 acres of jurisdictional wetlands impacts, 32,057 linear feet of jurisdictional streams impacts; 358.6 acres of the 100-year floodplain, and 75 acres of the 500-year floodplain.

- Alternative 1SB will result in 67 business relocations, 162 residential relocations; 2 sites with Section 106 adverse effects; 56 traffic noise impacts; 302.3 acres of farmland impacts; 65 acres of jurisdictional wetlands impacts, 33,112 linear feet of jurisdictional streams impacts; 147.7 acres of the 100-year floodplain, and 130.8 acres of the 500-year floodplain.
- Alternative 11 will result in 35 business relocations, 95 residential relocations; 3 sites with Section 106 adverse effects; 34 traffic noise impacts; 392.5 acres of farmland impacts; 117.9 acres of jurisdictional wetlands impacts, 26,771 linear feet of jurisdictional streams impacts; 95.2 acres of the 100-year floodplain, and 23.9 acres of the 500-year floodplain.
- Alternative 12 will result in 40 business relocations, 101 residential relocations; 4 sites with Section 106 adverse effects; 37 traffic noise impacts; 422.4 acres of farmland impacts; 92.5 acres of jurisdictional wetlands impacts, 33,864 linear feet of jurisdictional streams impacts; 83.9 acres of the 100-year floodplain, and 23.9 acres of the 500-year floodplain.
- Alternative 31 will result in 30 business relocations, 76 residential relocations; 6 sites with Section 106 adverse effects; 41 traffic noise impacts; 404.3 acres of farmland impacts; 126.6 acres of jurisdictional wetlands impacts, 26,620 linear feet of jurisdictional streams impacts; 109.0 acres of the 100-year floodplain, and 21.7 acres of the 500-year floodplain.
- Alternative 32 will result in 37 business relocations, 92 residential relocations; 7 sites with Section 106 adverse effects; 44 traffic noise impacts; 434 acres of farmland impacts; 101.3 acres of jurisdictional wetlands impacts, 33,699 linear feet of jurisdictional streams impacts; 97.7 acres of the 100-year floodplain, and 21.7 acres of the 500-year floodplain.
- Alternative 35 will result in 32 business relocations, 130 residential relocations; 2 sites with Section 106 adverse effects; 23 traffic noise impacts; 432.4 acres of farmland impacts; 149 acres of jurisdictional wetlands impacts, 31,295 linear feet of jurisdictional streams impacts; 52.1 acres of the 100-year floodplain, and 40.2 acres of the 500-year floodplain.
- Alternative 36 will result in 27 business relocations, 113 residential relocations; 1 site with Section 106 adverse effects; 21 traffic noise impacts; 415.2 acres of farmland impacts; 171.8 acres of jurisdictional wetlands impacts, 24,888 linear feet of jurisdictional streams impacts; 62.3 acres of the 100-year floodplain, and 40.2 acres of the 500-year floodplain.
- Alternative 51 will result in 26 business relocations, 97 residential relocations; 1 site with Section 106 adverse effects; 24 traffic noise impacts; 410.3 acres of farmland impacts; 142.2 acres of jurisdictional wetlands impacts, 23,638 linear feet of jurisdictional streams impacts; 73.4 acres of the 100-year floodplain, and 46.2 acres of the 500-year floodplain.
- Alternative 52 will result in 32 business relocations, 113 residential relocations; 2 sites with Section 106 adverse effects; 27 traffic noise impacts; 440.1 acres of farmland impacts; 116.9 acres of jurisdictional wetlands impacts, 30,717 linear feet of jurisdictional streams impacts; 62.1 acres of the 100-year floodplain, and 46.2 acres of the 500-year floodplain.
- Alternative 63 will result in 36 business relocations, 80 residential relocations; 6 sites with Section 106 adverse effects; 41 traffic noise impacts; 420.5 acres of farmland impacts; 112.2 acres of jurisdictional wetlands impacts, 31,368 linear feet of jurisdictional streams impacts; 139.1 acres of the 100-year floodplain, and 29.2 acres of the 500-year floodplain.

- Alternative 65 will result in 30 business relocations, 92 residential relocations; 5 sites with Section 106 adverse effects; 38 traffic noise impacts; 390.6 acres of farmland impacts; 137.6 acres of jurisdictional wetlands impacts, 24,289 linear feet of jurisdictional streams impacts; 150.4 acres of the 100-year floodplain, and 29.2 acres of the 500-year floodplain.

HUMAN ENVIRONMENTAL IMPACTS

Relocations

Chapter 4.1 of the DEIS states that every alternative will result in the relocation of residences and businesses. The neighborhoods surrounding the existing interchange at NC 11, NC 55 and US 70 will be impacted by several of the alternatives. The total anticipated residential and business displacements for each detailed study alternative are shown in Table 4-1 of the DEIS. Alternative 1UE will result in the most total relocations with 128 residential locations and 188 business relocations. A lower level of impacts is expected from Alternatives 11, 12, 31, 32, 35, 36, 51, 52, 63, and 65. Alternative 31 will result in the least amount of total relocations, with 80 residential relocation and 27 business relocations. The community cohesion that exists in the area will be potentially impacted as a result of the need to acquire residential areas.

Recommendations: The EPA supports an alternative that maintains community safety and continuity. The EPA recommends that transportation agencies continue to consult with impacted communities when developing compensation and minimization efforts for community impacts. We recommend that community enhancements such as screening walls, landscaping, and other aesthetic treatments that might lessen noise, visual and other adverse effects be considered in the development of mitigative measures. Please also consider contributions to other community enhancement projects, such as community facilities or community beautification projects in the project area and surrounding neighborhoods, as appropriate.

Environmental Justice (EJ)

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*, directs federal agencies to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable. Section 4.1.5 of the DEIS states that the proposed project will cause impacts to populations identified as minority and/or low-income. The 11 EJ residential areas will require the acquisition of residential areas directly impacting the community cohesion that exists in the area.

- The Norbert Hill Road residential area will be affected by all proposed alternatives.
- The Foss Farm Road residential area will be displaced by Alternatives 1UE, 1SB, 11, 12, 35, 36, 51, and 52. Additionally, Alternatives 31, 32, 63, and 65 will result in a change in access.
- The Crooms Drive residential area will be impacted by Alternatives 51 and 52 via displacement and change of access to NC 55.
- The Jesse T. Bryan Road residential area will be impacted by Alternatives 51 and 52 resulting in a change in access.
- The Carrie Hill Drive and Howard Place Drive residential areas will be impacted by Alternatives 35 and 36 resulting in the displacement of approximately 35 homes.
- The Lonesome Pine Drive residential area will be impacted by Alternatives 63 and 65 resulting in displacements.

- The Albert Baker Road residential area will be impacted by Alternatives 35 and 36 resulting in displacements.
- The Fordham Lane residential area and the Johnson Road/NC 58 residential area will be displaced by Alternative 1SB.
- The Johnson Road/NC 58 residential area will be displaced by Alternative 1SB.
- The British Road and Caswell Station Road residential areas will be impacted by Alternatives 1UE and 1SB resulting in displacement and/or change in access to the US 70 corridor.
- The US 70/Tilghman Road residential area will be affected by Alternatives 1UE, 1SB, 12, 32, 35, 52, and 63 displacing most of these residences and changing access to US 70 for those that remain.

Recommendations: The EPA supports an alternative that maintains community continuity and minimizes the disproportionately high and adverse effects of the proposed project on the health or environment of minority and low-income populations. The EPA recommends that transportation agencies continue to consult with impacted communities when developing avoidance and mitigation for community impacts. Additionally, we recommend that a more in-depth evaluation of the potential social, transportation and economic impacts of this project upon the local community be developed and evaluated by the NEPA/§404 Merger team prior to the issuance of the Final Environmental Impact Statement (FEIS).

Noise

Section 4.10 and the Traffic Noise Assessment Report of the DEIS states that all of the detailed study alternatives will result in noise impacts. Residents will experience noise levels exceeding the Noise Abatement Criteria threshold of 67 dBA (Section 4.10). Additionally, noise impacts on potential EJ communities are possible.

Recommendations: The EPA recommends that the noise impacts and their effect upon potential EJ communities to be fully evaluated prior to the FEIS issuance. As part of the additional EJ impact assessment, the EPA recommends that the NEPA/§404 Merger team also consider noise impacts as well. The EPA also encourages the transportation agencies to consider the design and implementation of noise abatement devices along with evergreen roadside vegetation in locations that do not meet the threshold for noise barriers. The use of vegetative roadside screening ameliorates noise impact issues, visual quality impacts; and demonstrated beneficial effects for downwind vehicle emissions from near-roadway air pollutants.

Historic and Archaeological Resources

Section 4.4.1 of the DEIS addresses Historic and Archaeological Resources. Table 4-9 lists the determination of effects on Section 106 historic resources. On November 28, 2017, the U.S. Army Corps of Engineers (USACE), NCDOT, and the North Carolina Historic Preservation Office ('SHPO') determined the proposed Kinston Bypass project could have adverse effects on historic architectural resources. Specifically, the Wyse Fork Battlefield was identified. The Wyse Fork Battlefield contains approximately 4,000 acres southeast of Kinston along US 70 and would be crossed by Alternatives 1UE, 1SB, 12, 32, 35, 52, and 63. A detailed list of adverse effects was provided in Appendix E, section E-3 of the DEIS. Alternative 1UE, 1SB, 35, and 52 will result in the least amount of total Section 106 site adverse effects.

Recommendations: The FEIS should address the measures that will be proposed to alleviate the Adverse Effects on historic properties. The EPA encourages the transportation agencies to further ongoing coordination with the SHPO in identifying and avoiding any adverse impacts to archaeological resources.

NATURAL ENVIRONMENTAL IMPACTS

Section 4.6.7 of the DEIS discussed the Kinston Bypass impacts to water resources. However, the EPA notes that the areas where bridges would be placed over larger jurisdictional wetland systems or jurisdictional streams have been removed from the impact analysis. The impacts upon natural resources is below:

- Alternative 1UE will result in 89.9 acres of jurisdictional wetlands impacts, 32,057 linear feet of jurisdictional streams impacts; 358.6 acres of the 100-year floodplain, and 75 acres of the 500-year floodplain.
- Alternative 1SB will result in 65 acres of jurisdictional wetlands impacts, 33,112 linear feet of jurisdictional streams impacts; 147.7 acres of the 100-year floodplain, and 130.8 acres of the 500-year floodplain.
- Alternative 11 will result in 117.9 acres of jurisdictional wetlands impacts, 26,771 linear feet of jurisdictional streams impacts; 95.2 acres of the 100-year floodplain, and 23.9 acres of the 500-year floodplain.
- Alternative 12 will result in 92.5 acres of jurisdictional wetlands impacts, 33,864 linear feet of jurisdictional streams impacts; 83.9 acres of the 100-year floodplain, and 23.9 acres of the 500-year floodplain.
- Alternative 31 will result in 126.6 acres of jurisdictional wetlands impacts, 26,620 linear feet of jurisdictional streams impacts; 109.0 acres of the 100-year floodplain, and 21.7 acres of the 500-year floodplain.
- Alternative 32 will result in 101.3 acres of jurisdictional wetlands impacts, 33,699 linear feet of jurisdictional streams impacts; 97.7 acres of the 100-year floodplain, and 21.7 acres of the 500-year floodplain.
- Alternative 35 will result in 149 acres of jurisdictional wetlands impacts, 31,295 linear feet of jurisdictional streams impacts; 52.1 acres of the 100-year floodplain, and 40.2 acres of the 500-year floodplain.
- Alternative 36 will result in 171.8 acres of jurisdictional wetlands impacts, 24,888 linear feet of jurisdictional streams impacts; 62.3 acres of the 100-year floodplain, and 40.2 acres of the 500-year floodplain.
- Alternative 51 will result in 142.2 acres of jurisdictional wetlands impacts, 23,638 linear feet of jurisdictional streams impacts; 73.4 acres of the 100-year floodplain, and 46.2 acres of the 500-year floodplain.

- Alternative 52 will result in 116.9 acres of jurisdictional wetlands impacts, 30,717 linear feet of jurisdictional streams impacts; 62.1 acres of the 100-year floodplain, and 46.2 acres of the 500-year floodplain.
- Alternative 63 will result in 112.2 acres of jurisdictional wetlands impacts, 31,368 linear feet of jurisdictional streams impacts; 139.1 acres of the 100-year floodplain, and 29.2 acres of the 500-year floodplain.
- Alternative 65 will result in 137.6 acres of jurisdictional wetlands impacts, 24,289 linear feet of jurisdictional streams impacts; 150.4 acres of the 100-year floodplain, and 29.2 acres of the 500-year floodplain.

Recommendations: The wetland and stream impacts provided in the DEIS may not be representative of the total actual impacts. The EPA recommends that a more complete estimate of the impacted jurisdictional wetlands and streams, including the bridged areas, is provided to the NEPA/§404 Merger team prior to the issuance of the FEIS. Additionally, the EPA recommends that the selected alternative is one that minimizes the impacts to wetlands and streams to the maximum extent practicable. Where it is not practicable to avoid wetlands, please consider measures to elevate the road and use end-on construction to the extent practicable to minimize short- and long-term impacts to wetlands associated with changes in hydrology and other adverse effects.

Protected Species

Table 4-13 lists the federally-protected species found within Crave, Jones, and Lenoir Counties and the biological conclusions regarding the Kinston Bypass project's effects. Ten (10) threatened/endangered species have habitat present within the detailed study alternatives. One species, the Red-cockaded woodpecker (*Picoides borealis*), is as of yet unresolved concerning their biological conclusion and one species, Northern long-eared bat (*Myotis septentrionalis*), is indicated as "may effect - not likely to adversely affect."

Recommendation: The EPA encourages further collaboration and consultation with the U.S. Fish and Wildlife Service and the N.C. Wildlife Resources Commission and results of these coordination efforts be shared with the NEPA/§404 Merger team and prior to the selection of the preferred alternative and the Least Environmentally Damaging Practicable Alternative (LEDPA).

Environmentally Preferred Alternative

Based upon the current estimate of impacts on the human and natural environment provided in the DEIS, the EPA prefers a combination of Alternative 31 and Alternative 11 as its environmentally preferred alternative. The proposed revised alternative begins at the western terminus of the project at the NC 903/US 70 interchange south of La Grange and follow existing US 70 for approximately 4.5 miles and would then travel southeast on new location. A new connector approximately 1.5 miles long would connect north to the US 70/NC 148 interchange. At NC 148, this alternative turn south and then east on a new location to NC 11/NC 55, US 258, and NC 58. It then crosses NC 58 just south of Southwood Elementary School before diverging east of NC 58. It then continues eastward on new location before interchanging with existing US 70 near Old US 70 just west of Dover. The revised alternative will provide additional avoidance to historic and architectural resources and reduce impacts to an identified EJ community. The EPA believes that this alternative potentially represents a reasonable

balance between resource impacts and may represent the LEDPA. The EPA is also interested in obtaining input on an environmentally preferred alternative from other Merger resources agencies (e.g., U.S Fish and Wildlife Service on protected species).



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
<https://www.fisheries.noaa.gov/region/southeast>

(Sent via Electronic Mail)

September 20, 2019

F/SER47:TC/pw

Colonel Robert J. Clark., Commander
USACE Wilmington District
Washington Regulatory Field Office
2407 West 5th Street
Washington, North Carolina 27889

Attention: Tom Steffens

Dear Colonel Clark:

NOAA's National Marine Fisheries Service (NMFS) reviewed *Proposed Kinston Bypass, U.S. 70 from La Grange to Dover; Draven, Jones, and Lenoir Counties; STIP Project Number R-2553; Draft Environmental Impact Statement*, dated June 2019 (DEIS), and the corresponding public notice SAW-2009-01603, dated July 22, 2019, from the Wilmington District. The North Carolina Department of Transportation (NCDOT) requests authorization to discharge dredge or fill material into waters of the United States associated with a transportation project that would either upgrade U.S. Highway 70 or construct on a new location a four-lane, median-divided freeway on U.S. 70 from LaGrange in Lenoir County to Dover on the Lenoir/Jones county line near the City of Kinston. The USACE is soliciting public comments on the merits of this proposal and on the alternatives evaluated in the DEIS. As the nation's federal trustee for the conservation and management of marine, estuarine, and diadromous fishery resources, the NMFS provides the following comments pursuant to the authorities of the Fish and Wildlife Coordination Act and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The purpose of this plan is to improve regional mobility, connectivity, and capacity between LaGrange and Dover in a manner consistent with the North Carolina Strategic Transportation Policy. The stated needs addressed by the proposed project include reduced traffic congestion, capacity deficiencies, and through-traffic delays on U.S. Highway 70 between LaGrange and Dover. The purpose and need for this project was agreed upon by federal (including the NMFS), state, and local agency representatives as part of the Section 404-NEPA Merger Process (Merger Team) led by NCDOT. The Merger Team concurred with NCDOT's decision to carry forward twelve routes for detailed study analysis.

The State of North Carolina designates portions of the Neuse River and Falling Creek as Anadromous Fish Spawning Areas and the Neuse River as an Inland Primary Nursery Area. The NMFS designated the Neuse River as Critical Habitat for Atlantic sturgeon under the Endangered Species Act. All Build Alternatives discussed in the DEIS have the potential to cause adverse impacts to waters of the United States. At this time, the NMFS has no preferred



alternative and will continue to participate in the Section 404-NEPA Merger Process as a member of the Merger Team.

The NMFS provides the following specific comments and recommended corrections to the DEIS:

1. Section 7 consultation with the NMFS is likely required for sturgeon species within the project boundary. (Pages xxiv and 3-52)
2. Atlantic sturgeon Critical Habitat should be listed for the Neuse River. (Page 4-66)
3. The Natural Resources Technical Report incorrectly states a “No Effect” Biological Conclusion based on no habitat within or within one mile of the study area. Atlantic sturgeon are not confined to estuarine waters and need fresh water areas to spawn. Additionally, on April 17, 2018, biologists from the North Carolina Wildlife Resources Commission observed a large Atlantic sturgeon in the Neuse Cut-off near Goldsboro, above the Kinston Bypass study area.

Thank you for the opportunity to provide these comments. Please direct related questions or comments to the attention of Ms. Twyla Cheatwood at our Beaufort Field Office, 101 Pivers Island Road, Beaufort, North Carolina 28516-9722, or at (252)728-8758.

Sincerely,

/ for

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

cc: COE, Thomas.A.Steffens@usace.army.mil
USFWS, Pete_Benjamin@usfws.gov
NCDCM, Doug.Huggett@ncdenr.gov
NCDCM, Curt.Weychert@ncdenr.gov
NCWRC, Maria.Dunn@ncwildlife.org
EPA, Bowers.Todd@epa.gov
SAFMC, Roger.Pugliese@safmc.net
F/SER47, Twyla.Cheatwood@noaa.gov

From: [Jordan, Gary](#)
To: [Steffens, Thomas A CIV USARMY CESAW \(USA\)](#)
Cc: [Travis Wilson](#)
Subject: [Non-DoD Source] PN 2009-01603; R-2553
Date: Thursday, August 8, 2019 10:28:22 AM

Tom,

I have reviewed the PN for R-2553. My only comments regard Table 2. There have been three species recently proposed for listing under the ESA.

Atlantic Pigtoe (*Fusconaia masoni*) - proposed for listing as threatened with critical habitat on October 11, 2018. Listed as occurring in Lenoir County.

Carolina Madtom (*Noturus furiosus*) - proposed for listing as endangered with critical habitat on May 22, 2019. Listed as occurring in Lenoir, Craven, and Jones County.

Neuse River Waterdog (*Necturus lewisi*) - proposed for listing as threatened with critical habitat on May 22, 2019. Listed as occurring in Lenoir, Craven, and Jones County.

Gary Jordan
Fish and Wildlife Biologist, Liaison to NCDOT
US Fish and Wildlife Service

P.O. Box 33726
Raleigh, NC 27636-3726

Phone: 919-856-4520 x.32
Email: gary_jordan@fws.gov <mailto:gary_jordan@fws.gov>

NOTE: This email correspondence and any attachments to and from this sender are subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Fifth Coast Guard District

COPY

431 Crawford Street
Portsmouth, VA. 23704-5004
Staff Symbol: dpb
Phone: (757) 398-6422
Fax: (757) 398-6334
Email: Martin.A.Bridges@uscg.mil

16591
27 AUG 2019

Ms. Heather Lane, P.E.
Division Construction Engineer
North Carolina Department of Transportation
105 Pactolus Highway (NC 33)
Greenville, NC 27835

Dear Ms. Lane:

Coast Guard review of your proposed project as provided in an email dated July 12, 2019, from Mr. Kory Wilmot with AECOM, on behalf of the North Carolina Department of Transportation, is complete.

Based on the documentation provided and our research, it is determined that a Coast Guard bridge permit will not be required for the highway fixed bridge – West New Bern Road Bridge over Neuse River, at 35.261114, -77.619246, at Kingston, NC.

The project will be placed in our Coast Guard Authorization Act of 1982 exemption category for the location and structure described above and **is valid for five years from the date of this letter**. The Coast Guard Authorization Act of 1982 exempts bridge projects from Coast Guard Bridge permits when the bridge project crosses non-tidal waters which are not used, susceptible to use in their natural condition, or susceptible to use by reasonable improvement as a means to transport interstate commerce. The following conditions apply to this determination:

- a. If the construction project on the above bridge does not commence within this time, you must contact this office for reaffirmation of this determination.
- b. Future bridge projects along the above waterway will have to be independently evaluated before they may be considered for placement in the Coast Guard Authorization Act of 1982 exemption category. This includes modification, replacement and removal of the above bridge, following its initial construction.

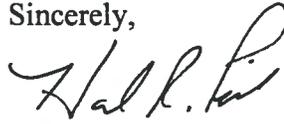
In addition, the requirement to display navigational lighting at the aforementioned bridge is waived as per Title 33 Code of Federal Regulations, Part 118.40(b). This waiver may be rescinded at any time in the future should nighttime navigation through the proposed bridge be increased to a level determined by the District Commander to warrant lighting.

The fact that a Coast Guard bridge permit is not required does not relieve you of the responsibility for compliance with the requirements of any other Federal, State, or local agency who may have jurisdiction over any aspect of the project.

16591
27 AUG 2019

If you have any further questions, please contact Mr. Marty Bridges at the above listed address or telephone number.

Sincerely,



HAL R. PITTS
Bridge Program Manager
By direction

Copy: Mr. Kory A. Wilmot, AECOM ✓
CG Sector North Carolina, Waterways Management
U. S. Army Corps of Engineers, Wilmington District



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JAMIE RAGAN
Director

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
NC Department of Administration

From: Lyn Hardison
Division of Environmental Assistance and Customer Service
Environmental Assistance and Project Review Coordinator
Washington Regional Office

RE: 20-0025
Draft Environmental Impact Statement - Proposed project is for the US 70 Kinston
bypass, four lane divided freeway on new location, WBS 34460, STIP No. R-2553
Lenoir County

Date: September 5, 2019

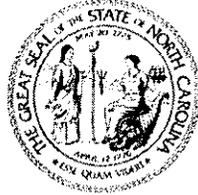
The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our agencies have offered some valuable information and advice that will assist the applicant in preparing the necessary environmental documents. The comments are attached for the applicant's consideration.

The Department encourages the applicant to continue to work with our agencies during the NEPA Merger Process and as this project moves forward.

Thank you for the opportunity to respond.

Attachments





NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

TO: Lyn Hardison, Environmental Coordinator

FROM: Sylvia Newsom-Hunneke, Regional UST Supervisor

COPY: Scott Bullock, Corrective Action Branch Head

COPY: Sharon Brinkley, Administrative Secretary

DATE: August 23, 2019

RE: Environmental Review – Project Number 20-0025 – Proposed project is for the US 70 Kinston Bypass, four-lane divided freeway, listing several alternative routes through Lenoir County.

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and review of those databases indicate that there will be a number of petroleum releases within the proposed project area. Please use this link (<https://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/waste-management-gis-maps/rust-map>) to search each route and contact Pam.Cade@ncdeq.gov to review individual files.

I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater. The following comments are pertinent to my review:

1. The Washington Regional Office (WaRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (252) 946-6481.
2. Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.
3. Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality – Division of Waste Management Underground Storage Tank Section in the Washington Regional Office at (252) 946-6481
4. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the Washington Regional Office at (252) 946-6481. Petroleum contaminated soils must be handled in accordance with all applicable regulations.
5. Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (252) 946-6481.





NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

Date: August 13, 2019

To: Michael Scott, Director
Division of Waste Management

Through: Janet Macdonald
Inactive Hazardous Sites Branch – Special Projects Unit

From: Bonnie S. Ware
Inactive Hazardous Sites Branch

Subject: SEPA Project #20-0025, NC Department of Transportation, Lenoir County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the NC Department of Transportation project. Proposed project is for the US 70 Kinston bypass, four lane divided freeway on new location, WBS 34460, STIP No. R 2553.

Thirty Four (34) sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <http://deq.nc.gov/waste-management-laserfiche>.

Please contact Janet Macdonald at 919.707.8349 if you have any questions.



20-0025 Lenoir County

Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	2	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	15	N/A	N/A
Pre-Regulatory Landfill Sites	11	N/A	N/A
Brownfields Program Sites	6	N/A	N/A

Certified DSCA Sites

#	Site_ID	Site_Name	Count
1	DC540001	Vicks Cleaners	1
2	DC540002	The Cleaners	1

Inactive Hazardous Sites

#	EPAID	SITENAME	Count
1	NONCD0001270	Andre Dixon	1
2	NONCD0001521	COASTAL LUMBER COMPANY - KINSTON SAWMILL	1
3	NONCD0001877	HUGH D. WALLER-TRAVELERS	1
4	NONCD0002004	COLONIAL ICE COMPANY (FRMR)	1
5	NONCD0002028	MALLARD GRIFFIN LUMBER	1
6	NONCD0002576	CASWELL CENTER RESEARCH FARM	1
7	NONCD0002755	Woods Service Station - Former	1
8	NONCD0002818	DUPONT-KENTEC	1
9	NONCD0002915	SUTTON PROPERTY	1
10	NONCD0003025	WORLD WOOD PRODUCTS	1
11	NONCD0003031	KINSTON SHIRT FACTORY	1
12	NCD003197704	SALT WOOD PRODUCTS, INC.	1
13	NCD9886197366	KINSTON COAL GAS PLANT	1
14	NCN000407582	WEST PHARMACEUTICAL SERVICES	1
15	NCN000410174	DALY-HERRING COMPANY/PRILLAMAN	1

Pre-Regulatory Landfill Sites

#	EPAID	SITENAME	Count
1	NONCD0000398	Seven Springs Dump	1
2	NONCD0000815	Carter Hill Sanitation	1
3	NCN000407588	Carter's Refuse Disposal	1
4	NONCD0000392	Caswell School Dump	1
5	NONCD0000391	Dobbs Farm Dump	1
6	NONCD0000259	Dover Refuse Dump	1
7	NONCD0000396	Everett Garbage Service Dump	1
8	NONCD0000500	Grifton Dump	1
9	NONCD0000393	Kennedy Home Dump	1
10	NCD075588913	Kinston Demolition LF	1
11	NONCD0000394	La Grange Refuse Disposal	1

Brownfields Program Sites

#	BF_ID	BF_Name	Count
1	2001316054	Kinston Shirt Factory	1
2	2001416054	Salt Wood, Former	1
3	2002116054	Glen Raven Mills II	1
4	1603412054	Family Dollar - LaGrange	1
5	1605312054	Dollar General - Kinston	1
6	1104807054	West Pharmaceutical	1

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 20-0025 Due Date: 09/11/2019
 County: Lenoir

After review of this project it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input checked="" type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with _____ Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 20-0025 Due Date: 09/11/2019
 County: Lenoir

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days (N/A)
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days (N/A)
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days (N/A)
<input type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 20-0025 Due Date: 09/11/2019
 County: Lenoir

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	FDB	<input checked="" type="checkbox"/>	No Comments	8/9/19
DWR-WQROS (Aquifer & Surface)	&	<input type="checkbox"/>	Contact Garcy Ward (252-946-6481)	/ / / /
DWR-PWS	DEL	<input type="checkbox"/>	See Above	8/23/19
DEMLR (LQ & SW)	SD	<input type="checkbox"/>	E&S by NCDOT, SW bot required	8/9/19
DWM – UST	SNH	<input type="checkbox"/>	See attached comments	8/23/19
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

- | | | |
|---|--|---|
| <input type="checkbox"/> Asheville Regional Office
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211
Phone: 828-296-4500
Fax: 828-299-7043 | <input type="checkbox"/> Fayetteville Regional Office
225 Green Street, Suite 714,
Fayetteville, NC 28301-5043
Phone: 910-433-3300
Fax: 910-486-0707 | <input type="checkbox"/> Mooresville Regional Office
610 East Center Avenue, Suite 301,
Mooresville, NC 28115
Phone: 704-663-1699
Fax: 704-663-6040 |
| <input type="checkbox"/> Raleigh Regional Office
3800 Barrett Drive,
Raleigh, NC 27609
Phone: 919-791-4200
Fax: 919-571-4718 | <input checked="" type="checkbox"/> Washington Regional Office
943 Washington Square Mall,
Washington, NC 27889
Phone: 252-946-6481
Fax: 252-975-3716 | <input type="checkbox"/> Wilmington Regional Office
127 Cardinal Drive Ext.,
Wilmington, NC 28405
Phone: 910-796-7215
Fax: 910-350-2004 |
| | <input type="checkbox"/> Winston-Salem Regional Office
450 Hanes Mill Road, Suite 300,
Winston-Salem, NC 27105
Phone: 336-776-9800
Fax: 336-776-9797 | |

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: LENOIR

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0025
DATE RECEIVED: 07/31/2019
AGENCY RESPONSE: 09/11/2019
REVIEW CLOSED: 09/16/2019

MS RENEE GLEDHILL-EARLEY
CLEARINGHOUSE COORDINATOR
DEPT OF NATURAL & CULTURAL RESOURCE
STATE HISTORIC PRESERVATION OFFICE
MSC 4617 - ARCHIVES BUILDING
RALEIGH NC

Received: 08/20/2019
State Historic Preservation Office

ER 09-1307

REVIEW DISTRIBUTION

DEPT OF AGRICULTURE
DEPT OF ENVIR. QUALITY - COASTAL MG
DEPT OF ENVIRONMENTAL QUALITY
DEPT OF NATURAL & CULTURAL RESOURCE
DEPT OF TRANSPORTATION
DNCR - NATURAL HERITAGE PROGRAM
DPS - DIV OF EMERGENCY MANAGEMENT
EASTERN CAROLINA COUNCIL

Due -- 8/28/19

A- (NC) JCS
8/28/19

PROJECT INFORMATION

APPLICANT: North Carolina Department of Transportat
TYPE: State Environmental Policy Act
Draft Environmental Impact Statement

Due -- 9/1/19

H- ~~PSZ~~

DESC: Proposed project is for the US 70 Kinston bypass, four-lane divided freeway on new location, WBS 34460, STIP No. R-2553 - View documents at <https://www.ncdot.gov/projects/kinston-bypass/Pages/draft-environmental-impact-statement.aspx>

CROSS-REFERENCE NUMBER: 09-E-4220-0349

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Renee Gledhill-Earley

DATE:

9-4-19

AUG 21 2019



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

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

August 30, 2019

Tom Steffans
Washington Regulatory Field Office
2407 West 5th Street
Washington, NC 27889

Thomas.a.steffans@usace.army.mil

Re: US 70 Kinston Bypass, R-2553, Lenoir County, ER 09-1307

Dear Mr. Steffans:

We are in receipt of the Public Notice (SAW 2009-01603) for the above-referenced undertaking. Having reviewed the notice and been involved in the merger-planning process for the project, we concur with your findings outlined in the notice and presented below.

As determined by the USACE and in coordination with NCDOT and the North Carolina State Historic Preservation Office (SHPO) at an effects meeting on November 28, 2017, the Kinston Bypass project DSAs may have adverse effects on historic architectural resources. The USACE determined that 15 historic properties within the project's area of potential effects (APE) were listed in the National Register of Historic Places (NRHP), NRHP eligible, or contained contributing components within an NRHP-listed historic district.

Potential archaeological sites within the DSAs were identified using background research and analysis in conjunction with a descriptive predictive model to identify areas of high- and low-probability for containing archaeological sites. Underwater archaeological studies will be conducted once the applicant's preferred alternative is selected to define specific river crossing locations. Based on an October 2017 update of the archaeological predictive model results, Alternatives 1UE, 1SB, 12, 32, and 63 have the most potential to encounter and affect archaeological resources. Conversely, Alternatives 35, 36, 51, and 65 have the least potential to affect archaeological resources. Five sites associated with the First Battle of Kinston are not anticipated to be impacted by any of the DSAs. However, seven of the DSAs may impact archaeological resources of the Second Battle of Kinston/Wyse Fork Battlefield site.

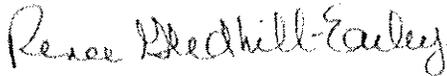
Given that adverse effects to National Register-eligible and listed properties have been determined for all of the alternatives, we are prepared to enter into consultation pursuant to Section 106 of the National Historic Preservation Act and the regulations of the Advisory Council on Historic Preservation at 36 CFR 800, with the USACE, NCDOT, and other consulting parties, agreed upon by the USACE and the State Historic Preservation Officer.

We would note that depending upon the selected alternative, there is a high potential for encountering unmarked human remains associated with the Second Battle of Kinston/Wyse Fork Battlefield site. That these remains may well be those of soldiers lost in battle and a situation with which we have had no experience, we believe that any consultation for the undertaking must anticipate and address the proper treatment of such remains beyond the customary use of North Carolina General Statutes 65 and 70.

As the USACE has determined that the permit area for the undertaking is only the highway right-of-way, including associated temporary construction easements, and that the USACE is not addressing the likelihood of future development(s) resulting from the highway, our having jointly established a proper and respectful process for dealing with the discovery of unmarked-human remains could prove important.

The above comments are offered in accord with Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's implementing regulations at 36 CFR 800. We look forward to beginning our consultation with the USACE and other parties. Please contact Renee Gledhill-Earley, environmental review coordinator at 919-814-6579 or renee.gledhill-earley@ncdcr.gov with any questions or to schedule a follow-up meeting. Thank you.

Sincerely,



for Ramona M. Bartos

cc: Heather Lane, NCDOT/Division 2
Mary Pope Furr, NCDOT/EAU
Matt Wilkerson, NCDOT/EAU

hclane@ncdot.gov
mfurr@ncdot.gov
mtwilkerson@ncdot.gov

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: LENOIR

FO2: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0025

DATE RECEIVED: 07/31/2019

AGENCY RESPONSE: 09/11/2019

REVIEW CLOSED: 09/16/2019

MR RODNEY BUTLER
CLEARINGHOUSE COORDINATOR
DNCR - NATURAL HERITAGE PROGRAM
1651 MAIL SERVICE CENTER
RALEIGH NC

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DNCR - NATURAL HERITAGE PROGRAM
DPS - DIV OF EMERGENCY MANAGEMENT
EASTERN CAROLINA COUNCIL

PROJECT INFORMATION

APPLICANT: North Carolina Department of Transportat

TYPE: State Environmental Policy Act
Draft Environmental Impact Statement

DESC: Proposed project is for the US 70 Kinston bypass, four-lane divided freeway on new location, WBS 34460, STIP No. R-2553 - View documents at <https://www.ncdot.gov/projects/kinston-bypass/Pages/draft-environmental-impact-statement.aspx>

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:

Guyane Mason (NANHP)

DATE:

2019-08-29

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

AUG 6 2019

COUNTY: LENOIR

F02: HIGHWAYS AND ROADS

STATE NUMBER: 20-E-4220-0025

DATE RECEIVED: 07/31/2019

AGENCY RESPONSE: 09/11/2019

REVIEW CLOSED: 09/16/2019

MS CINDY WILLIAMS
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT
FLOODPLAIN MANAGEMENT PROGRAM
4218 MAIL SERVICE CENTER
RALEIGH NC

REVIEW DISTRIBUTION

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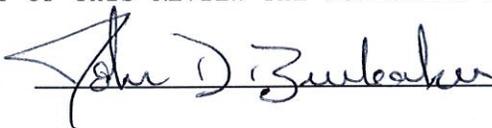
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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED

SIGNED BY:



DATE: 15 August 2019

SFHA impacts addressed in Project Commitments.



Neuse Regional Water and Sewer Authority

P.O. Box 6277
Kinston, N.C. 28501
(252) 522-2567

2811 Barrus Rd
La Grange, N.C. 28551-8228
Fax (252) 523-1639

www.nrwasa.org

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Executive Director

Debbie Purvis
Administrative Assistant

Amber Goodman
Administrative Secretary

James W. Norment
Legal Counsel

Barry Sutton
Chairman

Steve Miller
Vice-Chairman

Virgil O'Neal
Secretary

Bruce Parson
Treasurer

Sammy C. Aiken
Director - Kinston

Ray Baldree
Director – Bell Arthur

Rhonda Barwick
Director – Kinston

Jamie Cannon
Director - Deep Run

Polly Hardee
Director – Eastern Pines

Steven Harrell
Director – Ayden

Mike Hill
Director - Pink Hill

Anthony Riggs
Director - North Lenoir

Victor Styles
Director - North Lenoir

Clyde Sutton
Director - Deep Run

Mark Warren
Director - Grifton

To: Heather C. Lane, P.E.
Assistant Division Construction Engineer
Highway Division 2
NCDOT

Kory A. Wilmot, AICP
Senior Urban Planner
c/o AECOM
701 Corporate Center Drive, Suite 475
Raleigh, NC 27607

From: Harold Herring
NRWASA Executive Director

Date: 8/14/2019

Re: Kinston Bypass Project

Page: 1

The Kinston Bypass Project of the NC DOT has been of considerable interest to NRWASA from the project's initial announcement and NRWASA has followed the project as updates have been released to the public. A list of alternate routes for a southern bypass was released, concerning staff at NRWASA over perceived threats to business interests. After reviewing the newly detailed proposed alternates by the DOT, NRWASA has compiled an inventory of perceived conflicts/sites of concern for each suggested path, as listed herein.

Alternate 1SB: The route passes directly over the NRWASA Booster Pump Station at Site 5B on Hwy 58 as well as impacting a 12" water main in proximity.

Alternate 1UE: The route will impact a 42" water main and a 4" sewer main along Hwy 70.

Alternates 11&12: The route will impact a 42" water main and a 4" sewer main along Hwy 70, as well as potentially impacting the Deep Run connection on Hwy 55.

Alternates 31&32: The route will impact a 42" water main and a 4" sewer main along Kennedy Home road, as well as potentially impacting the Deep Run connection on Hwy 55.

“NRWASA Is an Equal Opportunity Provider and Employer”



Neuse Regional Water and Sewer Authority

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Director - Deep Run

Mark Warren
Director - Grifton

Heather C. Lane, P.E.

Kory A. Wilmot, AICP

August 14, 2019

Page 2

Alternates 35&36: The route will make use of a NRWASA owned parcel on Hwy 11 held for a future-planned booster pump station to Deep Run, as well as the water treatment plant by making use of the land application parcel in its entirety. Possibly more impactful, the route proposes to cross the river directly upstream of the intake site immediately following a crossing of an unnamed tributary that enters the river at the intake site.

Alternates 51&52: The route will impact a 36" raw water main along Kennedy Home Road, as well as a 12" water main on Hwy 58. This route will also impact the water treatment plant, skirting the #1 reclamation pond after bisecting the land application parcel, continuing onward to permanent disturbance of the water treatment plant drainage and waste stream.

Alternates 63&65: The route will impact a 42" water main and a 4" sewer main on Kennedy Home Road, a 12" water main on Hwy 58, and a 20" water main to Deep Run from the water treatment plant, as well as potentially impacting the Deep Run connection on Hwy 55.

As summarized, each alternative has a certain inherent impact to NRWASA operations. However, specific alternatives are less or more disruptive than others. NRWASA requests these impacts be considered in all discussion and planning of each alternative. Should further clarification be required for any or all the listed instances of concern, please do not hesitate to contact. Thank you for your attentiveness.

Sincerely,

Harold Herring
NRWASA Executive Director

Cc: Charlie Colie
NRWASA WTP Superintendent

Jacob Brown
NRWASA Assistant WTP Superintendent

“NRWASA Is an Equal Opportunity Provider and Employer”

Office of the Sheriff



SHERIFF
RONNIE T. INGRAM

PO BOX 3289
KINSTON, NC 28502

252-559-6100
FAX 252-527-3854

August 20, 2019

Mr. Preston Hunter P.E., NCDOT Division 2

Ms. Heather Lane, P.E., NCDOT Division 2

Mr. Kory Wilmont, AICP AECOM

On behalf of the Lenoir County Sheriff's Office and Lenoir County Sheriff Ronnie Ingram, I am writing to give comments on the Kinston Bypass project. I have reviewed the different maps, attended the public viewing of the maps and considered each of their routes in the interest of the Sheriff's Office. I wish to state that the support or opposition that is given to the alternatives of the Kinston Bypass is not based on residential or commercial areas, but on the requirements of the Sheriff to provide law enforcement services on a daily basis throughout the Lenoir County and which best assists in those matters. Although residential housing and commercial business is of great concern to Lenoir County, the Sheriff is responsible for providing law enforcement services in Lenoir County which carries the weight of our direction in these comments.

When making our decision to support or oppose the alternatives, special consideration was placed upon which routes will best assist the Sheriff on a daily basis with travel through Lenoir County for law enforcement activities and also travel through Lenoir County during flooding events for both law enforcement and citizens in need of commodities during these flooding events. In regards to this, we paid special attention to routes that would aid in traveling from North to South in Lenoir County. This can be described as the best way to travel from Pink Hill, Deep Run, Southwood and Jackson Heights areas to any northern area of Lenoir County where the majority of infrastructure is located. To accomplish this, we feel this must include connecting the proposed bypass to the current Felix Harvey Parkway to allow quicker access to areas of Lenoir County including the North Lenoir / Hugo areas and Hwy 70 towards LaGrange. I based much this information on the flooding events from Hurricane Fran, Floyd, Matthew and Florence that cut off travel from north to south in Lenoir County.

Based on the information that NCDOT has provided, the Sheriff's Office has taken the following positions in regards to the alternatives:

"The sheriff shall keep and preserve the peace of his county."

- The Sheriff opposes Alternatives 1UE and 1SB as proposed. These alternatives do not assist the Sheriff or his deputies in any way different than the current Hwy. 70 Bypass in Kinston during a flood event or normal responses throughout the county. The proposed locations of 1UE and 1SB do not allow for the access to any route on the southern side of Lenoir County to include Hwy. 11 South, Hwy. 258 South, or Hwy. 58 South during natural flooding events that routinely occur in Kinston and Lenoir County. These alternatives will allow for travel through Kinston from the Goldsboro area to the Jones County and New Bern area if built high enough of past flooding events, but do not assist the citizens of Lenoir County with being able to travel from North to South during a flood. Based on the maps, the exits that will be present on these alternatives will be flooded and not allow you to exit the bypass still eliminating travel from north to south in Lenoir County during a flood. This is not beneficial to law enforcement, emergency services of others agencies' providing assistance during flood. In addition, these roads do not allow our citizens to access many of the major areas of infrastructure in Lenoir County during flood event. These two routes will continue to isolate the Citizens of Lenoir County who live south of the Hwy 70 bypass by cutting them off from the infrastructure that is located north of the normal flood areas. It is our opinion that these alternatives only benefit travelers through Lenoir County from the East and West and not the citizens trying to travel in Lenoir County from North to South.
- The Sheriff supports Alternatives 11, 12, 31, 32, 63 and 65. We are not specific as to which of these is the preference because they all connect to the current Felix Harvey Parkway (NC Hwy 148) and connect to higher elevation areas on the southern end of Lenoir County to include Jackson's crossroads at NC 11 and NC 55, NC 258 South and NC 58 South. This will allow for travel through Lenoir County from both the east and west, but also allow access from North to South during a flood event. In our opinion, these alternatives benefit both persons traveling through Lenoir County and traveling in Lenoir County. In addition to the access during a flood, these roads on a normal day will cut travel time for law enforcement vehicles to travel quicker to all areas of the County avoiding any city traffic when responding to calls. This can be seen for cars traveling from Jacksons Crossroads to the LaGrange, North Lenoir or Hugo area. This will be an enormous benefit to our citizens as will assist in quicker response times to many areas of the county. These routes will also assist the citizens of Lenoir County during a flood who live here by giving them access to all areas of Lenoir County that are not in the flood plain areas rather than the current roads that prevent north to south travel.
- The Sheriff opposes Alternative 35, 36, 51, and 52. Although these routes all provide routes to higher elevation to Southern Lenoir County, they do not provide easy access to the Felix Harvey Parkway which is instrumental in providing quicker travel for

responses to the northern areas of Lenoir County. We feel this can be met by using alternatives 11, 12, 31, 32, 63 or 65.

In closing, we feel that this is the time that the Department of Transportation can take a step to assist the law enforcement and other emergency services of Lenoir County with travel through our county by both cutting travel time in all directions and also provide a travel path during our future flooding events. Thank you for the consideration of our support and opposition in this matter. Please feel free to contact me with any other questions regarding our position.

Sincerely,

A handwritten signature in cursive script that reads "Ryan Dawson". The signature is written in black ink and is positioned above the typed name and title.

Major Ryan Dawson
Chief Deputy
Lenoir County Sheriff's Office

From: [Franky Howard](#)
To: [Wilson, Diane](#)
Cc: [Hunter, Robert P](#)
Subject: [External] Kinston Bypass project Comments - Jones County Commissioners
Date: Monday, September 16, 2019 3:47:02 PM

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Mrs. Wilson,

Please accept this email on behalf of the Jones County Commissioners in regards to the impacts of the Kinston Bypass Project for Highway 70. At their last meeting they asked that I submit these comments:

As you already know, several of the alternatives impact all of our businesses and residents as well as the Wyse Fork Fire Department. The Wyse Fork area and community would be devastated if these alternatives are selected and built. We would ask officials with NCDOT to consider alternatives that do not take out these parcels. Jones County is already a small rural county with limited tax base and population. If these parcels are impacted or removed we would further lose tax base and population.

It appears there is some better options that will lessen this impact and we lean heavily on those experts at NCDOT to make the right decision and choose the best design. It also should go without mentioning that Highway 70 has often become impassable in this area of Wyse Fork. We hope NCDOT chooses an option that makes Highway 70 more flood resilient so we can move people and goods in times like Hurricane Florence.

Thank you for hearing our comments,

--

Franky J. Howard
Jones County Manager
418 Hwy 58 North Unit A
Trenton NC 28585
Office: 252-448-7571
Cell: 252-229-1411
email: fhoward@jonescountync.gov
www.jonescountync.gov

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by third parties.

Jones County is an Equal Opportunity Provider

<p>Wyse Fork Volunteer Fire and Rescue</p>		<p>Our highest concern surrounding the development of Future 42 is that many of the alternative routes will displace the location of our existing fire department at Wyse Fork Road and Hwy. 70. We are concerned about where we would relocate, all associated costs, and the potential interruption of services for our community.</p> <p>If the Orange route were selected, we would like there to be consideration given to a service road from Neuse Road to Roy White Road to the East. Our ISO rating and response times would be significantly impaired without this alternative if the Orange Route was selected and did not have this service road in place.</p> <p>We hope that you will be able to work with us so that we can continue to provide timely and professional emergency services to our community as the project progresses and that it does not impede our ability to continue to do so as the project concludes.</p> <p>Thank you, and please do not hesitate to reach out to us if we can be of further assistance. Joseph Noble. Captain Board of Directors Wyse Fork VFR</p>
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John P.	Whetherington Jr.	28526	Mayor of Dover	By using Alternative -1 #12 -2 #11 or 3 #35 this could be easy tie on to town of Dover water and sewer system -For furture businesses #1 [Alt 12] would work best. Thanks, Mayor of Dover
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Item No. 9

RESOLUTION IN SUPPORT OF US 70 BY-PASS

WHEREAS, the North Carolina Department of Transportation has proposed the construction of a Kinston Bypass in an effort to reduce traffic congestion and delays existing along U.S. 70 in Lenoir, Jones and Craven counties; and

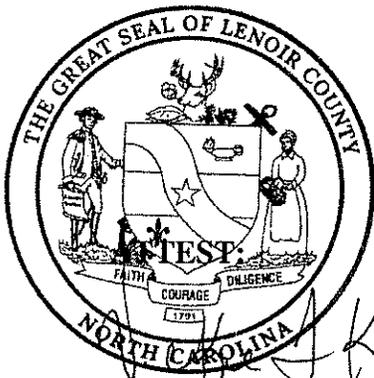
WHEREAS, the proposed project is listed in the State Transportation Improvement Program (STIP) as Project Number R-2553. The purpose of the Kinston Bypass project is to improve regional mobility, connectivity, and capacity for US 70 between La Grange and Dover in a manner that meets the intent of the North Carolina Strategic Transportation Corridors (STC) policy. The project has a design speed of 70 miles per hour (mph), and would serve as a bypass of Kinston from La Grange to Dover.; and

WHEREAS, the proposed Kinston Bypass would be a four-lane, median divided freeway that extends 22 miles from U.S. 70 near La Grange to U.S. 70 near Dover (on the Jones-Craven county line); and

WHEREAS, the N.C. Department of Transportation is evaluating 12 design options for the Kinston Bypass project and each option is approximately 22 miles long and include options for improving existing U.S. 70. Each design, however, would accommodate speeds of 70 mph and be accessible only at interchanges; and

WHEREAS, the construction of a Kinston Bypass will have an economic impact on the City of Kinston and Lenoir County, dependent on the final determination of location, and in consideration of that potential impact on current economic activity and future economic development, the Board of Commissioners believe that Alternative 1SB, commonly referred to as the "Shallow Kinston Highway Bypass", would represent our preferred design option.

NOW THEREFORE, BE IT RESOLVED that the Lenoir County Board of Commissioners do support the construction of the Kinston Bypass project as described in Alternative 1SB the "Shallow Kinston Highway Bypass" this the 16th day of September, 2019.



[Signature]
Clerk to the Board

[Signature]

Linda Rouse Sutton, Chairman
Lenoir County Board of Commissioners