

APPENDIX E:

Public & Agency Comments and Responses

Appendix E contains any comments on the draft conformity report and responses to these comments. Each commenter is assigned a code and each comment a number. Responses follow each comment. In certain instances, the respondent may insert italicized, bracketed wording to clarify the comment, using the format *[clarifying comment]*. Except as noted by any italicized, bracketed comments, or in the case of minor spelling or grammatical corrections, no changes are made to the comments as received. Comments submitted in digital formats may have altered formats from the original due to the mechanics of importing and combining these files within this appendix.

The following organizations and individuals provided written responses to the request for comments on the draft conformity determination report; no comments on the Conformity Determination Report were received from the general public:

1. NC Department of Transportation (NCDOT)

Letter from Secretary Jim Trogdon to John Sullivan, FHWA, September 27, 2019

2. U.S. Environmental Protection Agency (U.S. EPA)

Email from Dianna Myers to Loretta Barren, FHWA, August 14, 2019

NC Department of Transportation (NCDOT)

[The NCDOT included comments within its letter finding that the 2020-2029 STIP complies with the provisions of the Clean Air Act, which is included with other resolutions and findings in Appendix F. For clarity, these are extracted and numbered below]

NCDOT1:

Even though the following project is not regionally significant, please note the change between the 2018-2027 STIP and the 2020-2029 STIP. The construction schedule for project R-5718 changed from FY2021 in the 2018-2027 STIP to FY2024 in the 2020-2029 STIP.

Response:

The schedule change for R-5718 is noted. Since the conformity determination is on the 2020-2029 STIP, which also serves as the transportation plan in the donut area of the Triangle maintenance area, the updated schedule is the applicable one.

NCDOT2:

The NCDOT is requesting approval on or before March 20, 2020.

Response:

The requested approval date is noted and is consistent with the conformity process schedule agreed to through the interagency consultation shown in Appendix B.

U.S. Environmental Protection Agency (U.S. EPA)

[The U.S. EPA submitted its comments embedded in the draft conformity report pdf. For clarity, these are extracted and individually numbered below, with added reference to appropriate page numbers and paragraphs]

U.S. EPA1:

[Some comments recommended changes to capitalization, punctuation and abbreviations, and noted some missing text]

Response:

All of the recommended capitalization, punctuation and abbreviation changes were incorporated in this final report.

U.S. EPA2:

Since there is not a requirement to do a regional emissions analysis, project changes do not have to be documented in the conformity determination report unless U.S. DOT has a planning requirement for the documentation. If the MTP and/or TIP documents themselves reflect the changes that should be sufficient. It will not hurt the MPO to include the document with the changes outlined. It's an extra bit of work.

Response:

For ease of comparison, highway and transit project lists are retained in Appendix A for those projects that are the subject of the DCHC MPO MTP amendment. As noted in the comment, the revised 2045 MTP document reflects these changes and readers are referred to the DCHC MPO web page for the lists and descriptions of all the MTP projects (including those not part of this MTP amendment).

U.S. EPA3:

[page 7 - The commenter recommended striking text related to the amendment of the MTP that is not necessary in the CDR since no emissions analysis is required]

Response:

Page 7 has been updated to make clear that no emissions analysis is necessary and therefore an explanation of the planning assumptions and analysis years are not required, but retained the original text as well so that readers are aware that the 2045 Plan nevertheless included these planning assumptions.

U.S. EPA4

[page 7, page 8 and page 9 - The commenter asked questions about which MPOs were amending an MTP and whether the 2020-29 TIP was new or amended.]

Response:

Language on page 7, page 8, page 9 and elsewhere in the document has been changed to clarify that only DCHC MPO is amending an MTP, and all TIP actions relate to the new 2020-2029 TIP; no TIP amendments are being made. For context, the text does reference and recent CAMPO MTP and 2018-2027 TIP amendment that overlapped with the schedule for this document.

U.S. EPA5

[page 10, Section 5.3] Add a statement here that says the public comment period ran from ___ to ___. No comments were received (if you receive comments, delete sentence because the next sentence captures all the comments).

Response:

The public comment periods were somewhat different for each participant; generally held open through the final public hearing. The date of the public hearing for each participant has been added, along with a sentence that no comments on the CDR were received from the public.