

**Wake Transit Plan Concurrence Process Meeting for Wake Bus Rapid Transit (BRT) New Bern Avenue Project
Information Packet for Concurrence Points 5-6**

Agenda

- Introductions
- Wake Transit Plan Concurrence Process Overview
- Wake BRT New Bern Avenue Concurrence Timeline
- Project Update
- Concurrence Point 5: Least Environmentally Damaging Preferred Alternative (LEDPA) Recommendation
- Concurrence Point 6: Agreement with Jurisdictions for Additional Concurrence Points
- Next Steps

Concurrence Team Members:

Project Sponsor: City of Raleigh (with Federal Transit Administration (FTA) as funding partner)

Cooperating Agencies to be Invited:

- Capital Area Metropolitan Planning Organization
- North Carolina Department of Transportation
- North Carolina Department of Cultural Resources

Participating Agencies to be Invited:

- Wake County
- GoTriangle
- Town of Garner
- Town of Cary
- Town of Knightdale

Wake Transit Plan Concurrence Process Overview

Concurrence is a process in which Sponsors of major Wake Transit Capital Projects may, with respect to such Projects, verify compliance with: Laws, regulations, and policies enacted and/or enforced by agencies having regulatory authority over a resource or interest that may be substantially impacted by the project. The Concurrence Process arises at key project milestones throughout: (1) Project development and permitting and, if applicable to the project, (2) Final design, right-of-way/land acquisition, construction, or other subsequent phases. These milestones, or points, are known as Concurrence Points.

Concurrence Points are distinct to the nature and magnitude of impacts anticipated for each project. Specific sequential Concurrence Points are identified in a project-specific Concurrence Plan. Concurrence Points cumulatively build over the course of project development and subsequent phases such that Concurrence at prior milestones informs the trajectory of project implementation that leads to future milestones. It is anticipated that Project Sponsor actions, and project trajectories, will be informed and improved by the Concurrence Process.

Concurrence signifies that an agency does not object to a Project Sponsor-proposed action or project implementation approach at a Concurrence Point. More particularly, it signifies that the agency does not object to the proposed action in light of impacts to resources or interests over which the agency has regulatory authority. Concurrence further signifies that the agencies will abide by their Concurrence unless there is a profound changed condition upon which the proposed action was based. Non-Concurrence signifies an objection based upon an agency's finding: (1) That the proposed action or approach to project implementation is in conflict with the laws, regulations, or policies under its jurisdiction; (2) That the proposed action or approach to project implementation has substantial negative impacts on a resource or interest over which the agency has regulatory authority; or (3) That information provided is not adequate for Concurrence.

The Concurrence Process does not establish a project-level steering committee or working group. It does not provide a platform for expression of opinions or positions. It does not authorize a project or an Implementation Element of a project. It does not authorize financing for a project. The Concurrence Process is an inter-agency verification of compliance process, involving only the agencies having regulatory responsibility as previously noted. Further, the Concurrence Process is not legally binding upon the agencies which are involved. For example, an environmental permitting agency may concur on a given matter, but that Concurrence does not bind the agency to ultimately issue a permit.

The Concurrence Process is a mechanism that streamlines and expedites the process of securing verification that proposed actions at key project milestones are consistent with the laws, policies and regulations of other agencies. Without the Concurrence Process, the Project Sponsor would be forced to coordinate with other agencies on an individual basis. It would accordingly be difficult to balance the various agencies' mandates, policies, laws, or regulations.

A major goal of the Concurrence Process is to bring order to what can easily be an unwieldy and excessively time-consuming process. Agencies having regulatory jurisdiction over an impacted resource or interest are much better positioned to provide guidance to a Project Sponsor if they have knowledge of and understand the nature of other agencies' interests in the project. Accordingly, the involved agencies may collaboratively react to proposed actions or approaches to project implementation at key project milestones so that compromise-based choices can be made.

Concurrence Timeline for Wake BRT: New Bern Avenue

Action	Date
<i>LPA Consideration of Adoption by Raleigh City Council</i>	<i>June 4, 2019</i>
<i>Send Concurrence Plan to Concurrence Team</i>	<i>June 7, 2019</i>
<i>Single Concurrence Meeting with Consideration of Concurrence on Points 1,2, 3, and 4</i>	<i>July 15, 2019</i>
<i>30-Day Public Comment Period on LPA and Schedule CAMPO Executive Board Public Hearing</i>	<i>July 22, 2019</i>
<i>LPA Consideration of Recommendation to CAMPO Board by CAMPO TCC</i>	<i>August 1, 2019</i>
<i>LPA Consideration of Adoption by CAMPO Board</i>	<i>August 21, 2019</i>
Concurrence Point 5: Least Environmentally Damaging Preferred Alternative (LEDPA) Recommendation	April 23, 2021
Concurrent Point 6: Agreement with Jurisdictions for Additional Concurrence Points	April 23, 2021

Project Update

Project Limits: Approximately 5.1 miles, to connect Downtown Raleigh with WakeMed Raleigh Campus (WakeMed) and New Hope Road (map attached).

Project Description: The Project alignment begins at GoRaleigh Station (bordered by Blount, Martin, Wilmington, and Morgan streets) and extends east along the one-way pairs of New Bern Avenue and East Edenton Street. At Poole Road, East Edenton Street and New Bern Avenue converge to New Bern Avenue. The alignment continues eastbound on New Bern Avenue and passes WakeMed Hospital Raleigh Campus at Sunnyside Road and continues to the eastern terminus at New Hope Road. The terminus at New Hope Road includes a proposed Park and Ride and transfer facility that is a separately funded City project (East Raleigh Transit Center).

The Project includes 3.3 miles of new dedicated transitway between the GoRaleigh Station in downtown Raleigh and WakeMed Hospital Raleigh Campus at Sunnybrook Road; and approximately 1.8 miles of service in general traffic lanes between Sunnybrook Road and New Hope Road. The Project would also include transit signal priority (TSP) at signalized intersections and nine weather-protected BRT stations. All BRT stations would be designed to include off-board fare payment, level vehicle boarding platforms, real-time bus arrival information, and Americans with Disabilities (ADA) Act- compliant facilities. GoRaleigh intends to purchase 7 compressed natural gas (CNG)-fueled, 60-foot articulated BRT vehicles to operate the proposed BRT service. The City operates an existing maintenance facility for GoRaleigh buses (the City’s transit system). The facility is located approximately three miles south of the Project corridor eastern terminus. The maintenance facility includes 2 maintenance bays designed for articulated vehicles, CNG fueling, and storage for up to 30 articulated BRT vehicles.

Concurrence Point 5: Least Environmentally Damaging Preferred Alternative (LEDPA)

Recommendation

- This is the NEPA preferred alternative. At this point, stations, preferred runningway solutions, termini, mode, alignment, ROW, pavement impacts, etc. should be known.
- At this point, environmental avoidance and minimization should be discussed relative to the refined project details to select a LEDPA.
- This is the point at which we optimize the design and benefits of the project while reducing environmental impacts to both the human and natural environment.

NEPA Overview

The Wake BRT: New Bern Avenue Project satisfied NEPA requirements by completing a Documented Categorical Exclusion. A categorical exclusion is completed when a project is not anticipated to have significant environmental impacts (23 CFR 771.118 (d)). Environmental analysis was conducted for several topics, including:

- Land Use and Zoning
- Traffic
- Aesthetics
- Environmental Justice
- Floodplains
- Hazardous Materials
- Historic and Cultural Resources
- Biological
- Recreational
- Water Quality
- Wetlands
- Construction Impacts
- Cumulative and Indirect Impacts
- Property Acquisition
- Energy

Based on the analysis completed, very limited impacts due to the Wake BRT: New Bern Avenue Project were identified in the Documented Categorical Exclusion. The document recommended continued coordination with project stakeholders and regulatory agencies as the project design advances. The FTA approved the Documented Categorical Exclusion on February 11, 2021.

Section 106 Overview

The FTA initiated the Section 106 consultation process in January 2020. FTA sent a letter to the North Carolina State Historic Preservation Office (SHPO) describing the project and the area of potential effects for potential and indirect effects. FTA defined this area to be parcels that are immediately adjacent to the proposed travel lanes for the length of the project corridor.

In consultation with FTA and the SHPO, a historic architecture survey of the APE was completed and documented 16 architectural resources, 14 of which had been previously surveyed by the SHPO. The historic architecture survey determined that 13 National Register of Historic Places (NRHP)-listed or

eligible resources are located within the area of potential effect. Four of the 13 NRHP-listed or eligible resources are located within the boundary of the Capitol Area Historic District (WA00053) and were assessed as part of the district. One NRHP-listed resource, the North Carolina State Capitol (WA00019) at 127 East Edenton Street, is a designated National Historic Landmark (NHL) and is within the boundary of the Capitol Area Historic District (WA0053). Seven of the NRHP-listed or eligible resources are historic districts. The SHPO concurred with these eligibility findings and recommendations in a letter dated August 21, 2020.

FTA determined that the proposed project would have no adverse effect on the NRHP- listed and eligible properties in the area of potential effect. Four resources were determined to have a potential Section 4(f) use. Since the proposed project would have no adverse effect, FTA has determined that under Section 6009 of the SAFETEA-LU provisions of 2005, the proposed project qualifies as a de minimis use of the four NRHP-listed or eligible resources identified.

On February 24, 2021 SHPO sent a letter concurring with FTA's determination of effects on the historic properties within the area of potential effect with the condition that the City of Raleigh, in consultation with SHPO, develop and implement a landscape plan to restore the pre-existing landscape or vegetative buffer for historic properties where the use of a temporary easement allows and/or requires the removal of existing landscape. This concluded the Section 106 process.

Concurrence Point 6: Agreement with Jurisdictions for Additional Concurrence Points

- Opportunity for the project sponsor and cooperating agencies to reassess whether any remaining proposed project-level decisions will impact their jurisdictions.
- If there are impacts, an agreement will be reached on future points for concurrence.

Attachments

1. Project Map
2. NEPA Approval Letter
3. [Approved DCE](#)
 - a. [DCE Appendices](#)