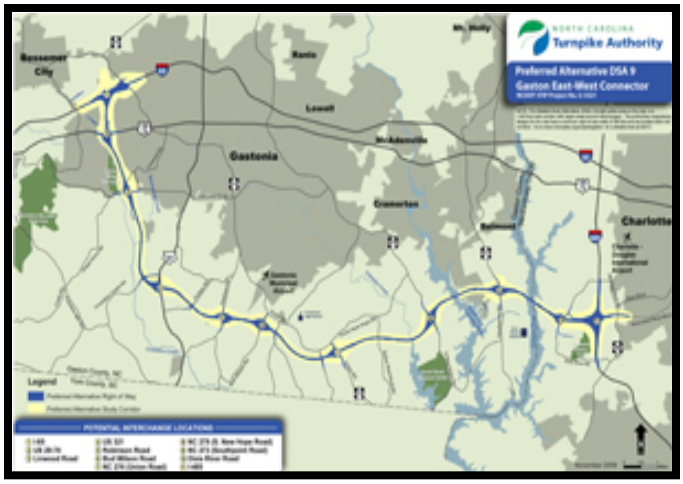
US Army Corps of Engineers
Wilmington District

NCDOT / NCTA Garden Parkway Gaston County Bypass Gaston and Mecklenburg Counties, NC (Regulatory)

- **Proposed Gaston County highway bypass**
- **Section 404/401 permit application withdrawn by NCDOT/NCTA**
- **No action underway by Corps**



CONGRESSIONAL DISTRICT: NC-09, NC-10 **DATE:** 8 April 2013

1. **PURPOSE:**

To provide information concerning the Gaston East-West Connector, also known as the "Garden Parkway", North Carolina Turnpike Authority /North Carolina DOT TIP Project U-3321, located south of Gastonia, in Gaston and Mecklenburg Counties, North Carolina. The Connector is a proposed new location roadway from I-85 west of Gastonia in Gaston County to I-485/NC 160 near the Charlotte-Douglas International Airport in Mecklenburg County. Corps Action ID: SAW-2009-00909.

2. **BACKGROUND:**

a. The Federal Highway Administration (FHWA) Record of Decision (ROD) was issued on March 9, 2012 and on March 20, 2012. The Corps received a section 404 application from the NC Turnpike Authority to impact a maximum of 6.44 acres of wetlands, 28,800 linear feet of stream channels, and 3.76 acres of open water. A public notice advertising the proposed project was issued on April 4, 2012. The Corps received a 25-page comment letter from Southern Environmental Law Center (SELC) requesting that the Corps deny the permit.

Additionally, the Corps received comments from the US Environmental Protection Agency (EPA) regarding the purpose and need, the alternatives analysis, proposed compensatory mitigation and unresolved issues in both the draft and final EIS to

include discussion on Environmental Justice and Mobile Source Air Toxins. The US EPA recommended that the 404 permit should not be issued at this time.

b. An adjacent property owner provided a comment package which included several attachments: local newspaper articles, economic and traffic studies, a petition signed by over 7,000 people against the Garden Parkway, and a request for a public hearing. In response, the Corps worked with NC Division of Water Quality (DWQ) to hold a joint public hearing in July 2012. This effort ended on July 10, 2012, when NCTA and FHWA requested by letter that the 404/401 application be withdrawn due to impending litigation.

c. The SELC filed suit against the NC Turnpike Authority and FHWA on behalf of conservation groups in US District Court on August 28, 2012.

3. **CURRENT STATUS:**

The application for this project was withdrawn on July 10, 2012. Project update meetings for the Garden Parkway are currently at a stand-still.