

I concur with the FAA-FEIS and FAA-ROD discussion of the project's physical/chemical characteristics and anticipated changes. The following information supplements the information found in the FAA-FEIS and FAA-ROD.

(X) Substrate: The fill material to be placed within the project stream channels would replace pre-project bottom elevations to the proposed finished grade of the airport expansion facilities. In addition, fill material placed within the wetland sites would raise final elevations to project grades after the removal of unsuitable materials (organics). Turbidity rates in and adjacent to the project stream channels would be temporarily increased during construction; however, these impacts should be of only short duration and minor with the implementation of the required, appropriate erosion control measures. In addition, erosion from the wetland fill into adjacent wetlands or waters should be minor with implementation of mandatory erosion control measures.

(X) Currents, circulation or drainage patterns: Flows downstream and upstream of the proposed fill activities, as well as circulation patterns, should be only minimally affected, as bridge and appropriately-sized culverts are to be constructed to ensure that normal surface flows are maintained and that flood flows are maintained based upon state standards, particularly for road construction crossings.

(X) Suspended particulates; turbidity: Turbidity would increase temporarily while filling within and adjacent to open water areas on the project. However, these increases should be minimal with implementation of the required sedimentation and erosion controls. Accordingly, minimal turbidity would occur downstream. The Section 401 Water Quality Certification, Certification Number 3428, issued by the North Carolina Department of Environment and Natural Resources (NCDENR), NCDWQ on September 2, 2003, requires that the permittee use appropriate sediment and erosion control practice to assure compliance with the appropriate turbidity water quality standard (50 NTU's in all streams and rivers, and 25 NTU's in all lakes). This certification was later modified on November 10, 2003, to address improved modifications to the mitigation plan.

(X) Water quality (temperature, salinity patterns and other parameters): Water quality should only be temporarily and minimally impacted by the proposed work during project construction. Section 401 Water Quality Certification, Certification Number 3428, was issued by the NCDWQ on September 2, 2003, and later modified on November 10, 2003, due to improvements in the mitigation plan. See Attachment C for project specific conditions.

(X) Flood control functions: As discussed in Chapter 4.3.4 on Pages 4-56 through 4-59 in the FAA-FEIS, and Pages 5-216 through 5-225 in Chapter 5.12, and Page 6-47 in Chapter 6.3.7, and the FAA-ROD, see Page 93, development of all of the build alternatives would result in unavoidable impacts to 100-year floodplains. These floodplains are regulated by Executive Order 11988, Floodplain Management, by the Federal Emergency Management Agency (FEMA), which recognizes the importance of such areas in minimizing the impact of floods on human safety, health, and welfare. Due to safety, operational, and/or engineering demands, FAA has determined that no practicable build alternative exists that would avoid affecting the floodplain's natural and beneficial values. Measures to mitigate these impacts have been identified and would be implemented as indicated on Page 6-47 in Chapter 6.0, Mitigation, of the FAA-FEIS.

(X) Storm, wave and erosion buffers: The Section 401 Water Quality Certification, Certification Number 3428, issued by the NCDWQ on September 2, 2003, and modified on November 10, 2003, requires that the permittee implement an approved stormwater plan to

assure compliance with state regulatory standard for appropriate stormwater treatment and management. If stormwater management structures are correctly designed and constructed, stormwater generated from the proposed impermeable surfaces of the project should have minimal impact upon stream channel banks.

(X) Aquifer recharge: As discussed in Pages 4-51 through 4-52 in Chapter 4.3.3.2, Page 5-140 in Chapter 5.6.1, and Pages 5-141 through 5-165 in Chapter 5.6.3 and as is shown in Table 5.6.3-7 of the FAA-FEIS, development of all of the build alternatives would result in unavoidable impacts to groundwater recharge resources. Recharge occurs when near-surface groundwater slowly flows down gradient and enters the saturated lower groundwater system. Recharge areas generally include all of the interstream land surfaces at elevations above streams and their adjoining floodplains. The FAA-FEIS has estimated that an average of approximately 51 million gallons per year within the Brush Creek watershed and 4 million gallons per year within the Horsepen Creek watershed would not infiltrate the soil due to new impervious areas associated with the proposed airport expansion project. This water would become stormwater runoff flowing off the new impervious surfaces into drainage swales and stormwater detention ponds. The stormwater runoff collected in the drainage swales and stormwater detention ponds would have opportunity to infiltrate the soil and recharge the groundwater aquifer. Good hydraulic conductivity within the underlying soil matrix and deep groundwater tables would minimize groundwater recharge loss. This is possible to achieve for this project because the proposed facilities would be constructed on clean fill at elevations well above normal groundwater table elevations. Efforts will be made to use fill with a high sand content and low clay content to improve infiltration within drainage swales and stormwater detention ponds. Therefore, there should be no appreciable effect.

(X) Baseflow: The Section 401 Water Quality Certification, Certification Number 3428, issued by the NCDWQ on September 2, 2003, and later modified on November 10, 2003, requires that the permittee implement an approved storm water plan to assure compliance with state regulatory standard for appropriate stormwater treatment and management. Therefore, there should be no appreciable effect.

Additionally, for projects involving the discharge of dredged material into open water;

(X) Mixing zone, in light of the depth of water at the disposal site; current velocity, direction and variability at the disposal site; degree of turbulence, water column stratification; discharge vessel speed and direction, rate of discharge, dredged material characteristics; number of discharges per unit of time; and any other relevant factors affecting rates and patterns of mixing: All fill material would be readily retained at the permitted worksites with implementation of the required erosion control measures required by the NCDENR, Division of Land Quality (DLQ). Any turbidity that may occur in adjacent waters during construction activities would be short in duration and minor once the fill material becomes stabilized.

D. Biological characteristics and anticipated changes

I concur with the FAA-FEIS and FAA-ROD discussion of the project's biological characteristics and anticipated changes. The following information supplements the information found in the FAA-FEIS and FAA-ROD.

X) Special aquatic sites (wetlands, mudflats, coral reefs, pool and riffle areas, vegetated shallows, sanctuaries and refuges, as defined in 40 CFR 230.40-45): The proposed project, as revised, would result in the permanent loss of 24.18 acres of jurisdictional waters of the U. S.,

including wetlands, through the discharge of 1,450,399 cubic yards of clean fill material. The proposed project would impact 22.93 acres of jurisdictional wetlands and 12,823 linear feet (1.25 acres) of stream channel of Brush Creek and several of its unnamed tributaries. The installation of box culverts within the stream channels would be designed and constructed in a manner to insure that flow and circulation patterns are not significantly altered and that normal stream pattern, dimension and profiles are maintained. Although functions provided by the filled stream channels and wetlands will be lost, PTAA proposes to provide compensatory mitigation for the unavoidable impacts to jurisdictional waters of the U.S., including wetlands, associated with the proposed airport expansion project through the restoration, creation, and preservation of approximately 101 acres of wetlands and the restoration, enhancement, and preservation of approximately 27,396 linear feet of stream channels, with 96% of wetland and 78% of stream channel mitigation occurring on-site [see III.B.(4)c].:

(X) Habitat for fish and other aquatic organisms: Some permanent loss of aquatic habitat will occur within the streams and wetlands that would be culverted and filled, particularly for sessile benthic organisms. Since fish and other aquatic organisms are mobile, they have the ability to move to more suitable, adjacent habitat during construction and may return following construction depending upon the extent of damage to their particular habitats. The mitigation plan also incorporates design features that would insure hydrological and biological connectivity at the unavoidable culverted crossings of jurisdictional waters and wetlands.

(X) Wildlife habitat (breeding, cover, food, travel, general): As discussed on page 4-71 in Chapter 4.4, Pages 5-196 through 5-202 in Chapter 5.9, and Pages 5-203 through 5-210 in Chapter 5.10 of the FAA-FEIS, the development of any of the build alternatives would result in unavoidable impacts to wildlife habitat. The proposed construction would result in the loss of 22.93 acres of presently wooded, scrub-shrub or emergent wetlands, and a much larger acreage of upland habitat, woods and pastures. The wetlands are utilized by a variety of reptiles and amphibians for food, cover, and moisture. Forested areas have abundant migratory bird life from spring to fall, and host numerous other avian species that utilize the forest year-round for foraging. Avian species documented in this habitat type include northern mockingbird, northern cardinal, mourning dove, American crow, and American kestrel. Mammals commonly utilizing the forested wetlands as home range include white-tailed deer, eastern cottontail, raccoon, gray squirrel, and eastern chipmunk. In addition to food and cover, vegetated wetlands provide travel corridors within the drainage features for many different mammals. The proposed onsite bottomland hardwood mitigation, including upland buffers, would provide wildlife habitat functions and would assure minimal disruption of wildlife corridors. Also, the mitigation plan incorporates design features that would insure hydrological and biological connectivity at the unavoidable culverted crossings of jurisdictional waters and wetlands.

(X) Endangered or threatened species: The USFWS lists the American bald eagle (*Haliaeetus leucocephalus*) as the only Federally protected species for Guilford County. I concur with Chapters 4.4.3 and 5.10 of the FAA-FEIS and Page 62 of the FAA-ROD along with the USFWS letter dated June 2, 2000, in Appendix A, that the proposed project is not likely to adversely affect any federally-listed species, their formally designated critical habitat, or species currently proposed for Federal listing under the ESA.

(X) Biological availability of possible contaminants in dredge or fill material, considering hydrography in relation to known or anticipated sources of contaminants; results of previous testing of material from the vicinity of the project; known significant sources of persistent pesticides designated (Section 311 of the CWA) hazardous substances; other public records of significant introduction of contaminants from industries, municipalities or other sources: All fill

material will be excavated from upland borrow sources within the vicinity of the project. PTAA contract specifications for fill material associated with the proposed project preclude the use of fill material that may contain toxic substances, and toxic materials. Therefore, toxic contaminants or hazardous substances are not anticipated to be present within the proposed fill material.

E. Human use characteristics and impacts: I concur with the FAA-FEIS and FAA-ROD discussion of the project's human use characteristics and impacts. The following information supplements the information found in the FAA-EIS and FAA-ROD.

(X) Existing and potential water supplies: Water supply within the study area for the proposed airport expansion project is provided by surface water resources managed and operated by the City of Greensboro and the City of High Point. The City of Greensboro supplies water from Lake Higgins, Lake Brandt, and Lake Townsend to the City of Greensboro and unincorporated areas of Guilford County. The City of High Point supplies water from Oak Hollow Lake and High Point Lake to the City of High Point. Lake Higgins is fed by Brush Creek located downstream from the airport expansion proposed by PTAA. The 280-acre lake was built in 1957 and holds approximately 0.8 billion gallons of water. It is utilized as an emergency water supply for drought conditions. Lake Brandt is downstream from Lake Higgins and receives water from Horsepen Creek. Horsepen Creek flows through PTAA property which is proposed as onsite compensatory mitigation for the project. Lake Brandt supplies an average daily withdrawal of approximately 15.3 million gallons per day (MGD) of raw water to the City of Greensboro. Issues associated with the proposed airport expansion project and potential impacts to area water supply resources were considered and reviewed by the Water Quality Committee of the North Carolina Environmental Management Commission (WQC). On October 9, 2002, the WQC issued a Major Variance to the State Water Supply Watershed Protection Rules for PTAA's proposed airport expansion project.

(X) Recreational or commercial fisheries: Brush Creek and its unnamed tributaries are narrow piedmont streams, with the impacts to stream channels typically averaging a couple of feet, yet not exceeding 15 feet in width. Based upon the limited size of the streams to be impacted and shallow water depths associated with these streams, there is little to no habitat within any of the streams proposed to be impacted that supports recreational or commercial fisheries. Therefore, no substantial effects to either recreational or commercial fishery resources are anticipated.

(X) Other water related recreation: No substantial effect.

(X) Aesthetics of the aquatic ecosystem: The proposed airport expansion project is located adjacent to existing airport and road access facilities. While the proposed project would result in the loss of bottomland hardwood jurisdictional wetlands and jurisdictional stream channels, the proposed onsite bottomland hardwood and stream channel mitigation would provide buffers to offset impacts the new facilities may present to the aesthetics of the area. Therefore, no substantial individual or cumulative effect on aquatic aesthetics is expected.

(X) Parks, national and historic monuments, national seashores, wild and scenic rivers, wilderness areas, research sites, etc.: None are present in the project area; therefore, there should be no effect.

(X) Traffic/transportation patterns: The proposed airport expansion project would impact the existing Bryan Boulevard and Old Oak Ridge Road and the interchange between the two

existing roads. The associated impacts would require the relocation of both roads on a new alignment. Old Oak Ridge Road would be relocated to the east and Bryan Boulevard would be relocated to the north. The two new alignments would require a new interchange that would be located to the northeast of the existing interchange. The proposed road relocations are designed to alleviate traffic problems associated with the proposed airport expansion facilities and provide safer, more efficient use of the area roadways.

(X) Energy consumption or generation: I concur with discussion in Pages 5-232 through 5-237 in Chapter 5.16 of the FAA-FEIS and FAA-ROD discussion of energy consumption associated with the proposed airport expansion project and the FAA's finding that all of the build alternatives associated with the proposed airport expansion project, including the development of the proposed air cargo hub, would result in an increase in fuel consumption including jet fuels, diesel, gasoline and electricity. However, local suppliers have indicated that this demand for fuel and electrical power can be met without resulting in adverse impacts to the region's resources as discussed on Page 5-232 in Chapter 5.16.1 of the FAA-FEIS.

() Navigation: Not applicable.

(X) Safety: As discussed in the FAA-FEIS, the proposed project will be undertaken in a manner which will ensure safe, efficient operations of the needed airport facilities, including the proposed air cargo hub.

(X) Air quality: I concur with the discussion on Pages 4-61 through 4-4-64 in Chapter 4.3.6 and Pages 5-123 through 5-139 in Chapter 5.5 of the FAA-FEIS that development of all the build alternatives, including the no-action alternative, would result in unavoidable impacts to National Ambient Air Quality Standards (NAAQS). Although not required, mitigation measures to reduce emissions are contained on Page 6-17 in Chapter 6.0, Mitigation, of the FAA-FEIS. Accordingly, there should be no substantial effect.

(X) Noise: As discussed on Pages 5-1 through 5-58 in Chapter 5.1 of the FAA-FEIS, development of all of the build alternatives would result in exceedances of the FAA's "Threshold of Significance," which is an increase of DNL 1.5 dBA to noise-sensitive land use within the DNL 65 dBA noise contour. Measures to mitigate adverse noise impacts from aircraft noise and non-aircraft noise are identified on Pages 6-2 through 6-9 in Chapter 6.2.1 of the FAA-FEIS. PTAA has committed to implement the identified mitigation for adverse noise impacts.

(X) Historic properties (Section 301(5) National Historic Preservation Act): As discussed on Pages 4-23 through 4-30 in Chapter 4.2.4, Pages 5-190 through 5-196 in Chapter 5.8, Page 6-41 in Chapter 6.3.5 in the FAA-FEIS "Summary of Findings", and Page 60 of the FAA-ROD, and the North Carolina SHPO letter dated September 9, 1999, in Appendix A and Appendix G, the FAA has conducted surveys for architectural resources, and has coordinated with the SHPO regarding architectural and archaeological resources. As a result, appropriate mitigation for adverse effects on National-Register-listed or -eligible historic architectural resources has been developed by the FAA in consultation with the SHPO and interested parties. A copy of the MOA to mitigate adverse impacts associated with the preferred alternative for the proposed project pursuant to 36 CFR 800.6 (c) is included in Appendix G of the FAA-FEIS. Otherwise, the District Engineer is unaware of the presence of such resources.

(X) Land use classification: I concur with the FAA-FEIS discussion of the land use classifications for PTIA and the areas adjacent to the existing airport facilities as referenced in Pages 4-1 through 4-6 in Chapter 4.2.1, Figures 4.2.1 and Pages 5-63 through 5-79

in Chapter 5.2 of the FAA-FEIS that all of the build alternatives would expand the noise contours and local land use planning documents would have to be revised to address new land use compatibility requirements. The PTAA, as owner and operator of PTIA, has provided assurance that it is, and will continue to be within the extent of its authority, in compliance with 49 U.S.C. 47107(a)(10) (Airports and Airway Safety, Capacity, Noise Improvement, and International Transportation Act of 1992), as located in the Final General Conformity Determination documents located after Appendix F of the FAA-FEIS.

(X) Economics: I concur with the FAA-FEIS and FAA-ROD discussion of the positive and negative economic impacts associated with the proposed airport expansion project, as discussed on Pages 4-6 through 4-9 in Chapter 4.2.2, Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. The information located in this portion of the document concludes that all of the build alternatives associated with the proposed airport expansion project, including the development of the proposed air cargo hub, would induce economic growth for the area. This induced growth would be driven by the employment associated with the proposed air cargo hub operations, as well as, employment associated with new industries attracted to the region by the operations performed by the proposed air cargo hub.

(X) Property values: I concur with the FAA-FEIS and FAA-ROD discussion of property values associated with the proposed airport expansion project as discussed in Section 7 of Appendix E of the FAA-FEIS. In summary, proposed improvements at PTIA have the potential to negatively influence residential land values in the vicinity of the airport, primarily as a result of increased exposure to noise. On a regional scale, the expansion is anticipated to have a positive impact upon commercial and residential property values as a whole. It is difficult to accurately predict the actual impacts, but it is likely that the decrease in property values in the immediate vicinity of the airport may be largely offset by the increase in values of the surrounding region.

(X) Regional growth: I concur with the FAA-FEIS and FAA-ROD discussion of regional growth included in discussion of positive and negative economic impacts associated with the proposed airport expansion project as discussed on Pages 4-7 through 4-9 in Chapter 4.2.2, on Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. According to the FAA-FEIS, all of the build alternatives would induce some measure of regional growth for the area. This induced growth would be driven by the employment associated with the proposed air cargo hub operations, as well as employment associated with new industries attracted to the region by the air cargo hub operations.

(X) Tax revenues: I concur with the FAA-FEIS and FAA-ROD discussion of regional growth included in discussion of positive and negative economic impacts associated with the proposed airport expansion project as discussed on Pages 4-7 through 4-9 in Chapter 4.2.2, on Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. According to the FAA-FEIS, all of the build alternatives would induce some measure of regional growth for the area. This induced growth would be driven by the employment associated with the proposed air cargo hub operations, as well as, employment associated with new industries attracted to the region by the air cargo hub operations.

(X) Employment: I concur with the FAA-FEIS and FAA-ROD discussion of regional growth included in the discussion of positive and negative economic impacts associated with the proposed airport expansion project on Pages 4-7 through 4-9 in Chapter 4.2.2, on Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. According to the FAA-FEIS, all of the build alternatives would induce some measure of regional growth for the area. This

induced growth would be driven by the employment associated with the proposed air cargo hub operations, as well as, employment associated with new industries attracted to the region by the air cargo hub operations. Construction of the facility would provide employment during construction for contractors, laborers, and service industries.

(X) Public facilities and services: I concur with the FAA-FEIS and FAA-ROD discussion of the project's potential impacts to existing public facilities and services. The following information supplements the information found in the FAA-FEIS and FAA-ROD. As previously discussed, the proposed airport expansion project, including the development of the proposed air cargo hub, would induce regional growth for the area. Not only would this induced growth be driven by the operations of the expanded airport operations but also by the employment associated with the proposed air cargo hub operations and any employment associated with new industries attracted to the region by the air cargo hub operations. While the anticipated regional growth would put increasing demands on existing public facilities and services, the necessary support to accommodate these increasing demands would be partially provided by the induced tax revenues resulting from and associated with the economic growth realized from the expanded airport operations.

(X) Business activity: I concur with the FAA-FEIS and FAA-ROD discussion of regional growth included in discussion of positive and negative economic impacts associated with the proposed airport expansion project as discussed on Pages 4-7 through 4-9 in Chapter 4.2.2, on Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. According to the FAA-FEIS, all of the build alternatives would induce some measure of regional growth for the area. This induced growth would be driven by the employment associated with the proposed air cargo hub operations, as well as, employment associated with new industries attracted to the region by the air cargo hub operations. Construction of the facility would provide employment during construction for contractors, laborers, and service industries.

(X) Prime and unique farmland (7 CFR Part 658): I concur with information contained in Pages 5-227 through 5-232 in Chapter 5.15 of the FAA-FEIS pertaining to the discussion of farmlands associated with the proposed airport expansion project, the Natural Resources Conservation Service (NRCS) concluded that the project is in compliance with the FPPA since these areas are not actively farmed and are afforded a low protection priority. Therefore, the proposed build alternatives would not result in adverse impacts to prime or unique farmland.

(X) Food and fiber production: I concur with the FAA-FEIS discussion of food and fiber production associated with the proposed airport expansion project contained in Pages 5-227 through 5-232 in Chapter 5.15. The NRCS' review for compliance the Farmland Protection Policy Act (FPPA) showed the land areas adjacent to the proposed airport expansion project are not actively farmed and are in fact primarily areas undergoing urbanization from the City of Greensboro. Therefore, any fiber harvesting (i.e. pulpwood or timber resources) would be consequential to land clearing associated with residential or commercial development.

(X) Water quantity: The City of Greensboro would supply PTAA's water supply needs from their existing water supplies. Also, the project itself would neither divert nor consume existing quantities of water that are presently passing through the airport's property. Therefore, there should be no effect.

() Mineral needs: Not applicable.

(X) Consideration of private property: Construction of the project will require the acquisition of private properties by PTAA for the proposed facilities including property for airport security and safety operations. While most of these properties should be acquired by normal purchase procedures, some properties will probably be obtained by condemnation proceedings.

(X) Community cohesion: I concur with the FAA-FEIS and FAA-ROD discussion of community cohesion, with respect to the degree of positive and negative controversy associated with the proposed airport expansion project contained in Pages 5-276 through 5-280 in Chapter 5.22.3.2 and Appendix O of the FAA-FEIS. The FAA-FEIS documents the high degree of community controversy associated with the construction and implementation of the proposed airport expansion project, especially concerns for the planned air cargo facilities and operations. Local citizens of the communities adjacent to the existing airport have organized to state their concerns for potential impacts that the proposed project may present to their quality of life. These concerns have centered on potential project operation impacts with regard to noise, air quality, water quality, and other quality of life issues including impact on property values, endangered species, and cultural resources. A summarization of comments received on the Draft Environmental Impact Statement (DEIS), a copy of all comment letters and meeting transcripts received during the Environmental Impact Statement process and FAA's responses to comments are contained in Appendix O of the FAA-FEIS. Some of the same concerns were expressed in comments received during the public notice for PTAA's request for DA permit authorization for the proposed airport expansion project. Review and response to these comments received during the public notices are documented in the DA Statement of Findings for this proposed project's public notice review in IV.B below.

(X) Community growth and development: I concur with the FAA-FEIS and FAA-ROD discussion of community growth and development which discusses the positive and negative economic impacts associated with the proposed airport expansion project on Pages 4-7 through 4-9 in Chapter 4.2.2, Pages 5-103 through 5-123 in Chapter 5.4 and Appendix E of the FAA-FEIS. These sections determined that all of the build alternatives involving construction of the proposed airport expansion project, including the development of the proposed air cargo hub, would induce community growth and development for the area. This induced growth would be driven by the employment associated with the proposed air cargo hub operations and any employment associated with new industries attracted to the region by the air cargo hub operations.

(X) Relocation (business, home, etc.): I concur with the FAA-FEIS and FAA-ROD discussion of Social Impacts with regard to relocations associated with the proposed airport expansion project discussed on Pages 5-82 through 5-103 in Chapter 5.3 of the FAA-FEIS and Pages 43, 45 and 48 of the FAA-ROD. In summary, it was determined that all of the build alternatives involving the construction of the proposed airport expansion project, including the development of the proposed air cargo hub, would result in relocations. Construction of the project preferred alternative would require the acquisition of approximately 141.29 acres of land. A total of 18 homes, impacting 43 individuals, and 21 commercial/industrial buildings would need to be acquired. All off-airport property construction acquisitions and relocations would occur during Phase 1 of the proposed project. However, PTAA proposes to relocate additional homes that will be located within the DNL +70 dBA noise contour as mitigation for noise adverse impacts associated with the proposed project's operations. These additional relocations would impact a total of 53 residences and 126 individuals, which includes the construction relocations. Participation in the acquisition program to mitigate for noise adverse impacts would be voluntary. If an individual does not want to be acquired with regard to mitigation for noise,

they would be able to participate in the proposed Sound Insulation and Aviation Easement Programs.

() Other

F. Summary of secondary and cumulative effects: I concur with the FAA-FEIS and FAA-ROD discussion of secondary and cumulative effects associated with the proposed airport expansion project as discussed on Pages 5-281 through 5-294 in Chapter 5.23 of the FAA-FEIS. I have also reviewed and concur with the findings of the watershed analysis review commissioned by PTIA in response to a request by the NCDWQ. Additionally, the Wilmington District has compiled an additional cumulative effects document to supplement the findings in the FAA-FEIS and the study done for NCDWQ. Please see that document, included here as Attachment A, for a discussion of the Corps' study and findings. Please also see the maps included in Attachment B.

IV. Findings:

A. Other authorizations:

(1) 401 Certification (North Carolina Department of Water Quality):

Date November 10, 2003 issued denied
waived not required

Special Conditions Yes No
(See Attachment C)

(2) Coastal Zone Management Consistency Determination:

Date _____ issued denied
waived not required

(3) State and/or local authorizations (if issued): Not applicable.

B. A complete application was received on August 11, 2000. A public notice describing the project was issued on September 5, 2000, sent to all interested parties on the mailing list, including appropriate State and Federal agencies. On January 11, 2002, the Raleigh Regulatory Field Office received a final revision of the "Wetland and Stream Mitigation Plan" for the proposed airport expansion project. This revised edition was in response to our concerns associated with the draft of the plan dated September 5, 2001. Specifically, our review of the September 5, 2001 draft plan revealed a number of issues and concerns regarding the project's monitoring success criteria and that the type and location of the proposed mitigation still had not been resolved from the previous draft mitigation plan that we reviewed and provided comments on May 18, 2001. The revised plan dated January 11, 2002, involves the proposal by PTAA to provide compensatory mitigation for unavoidable impacts to jurisdictional waters of the U.S., including wetlands associated with the proposed airport expansion project, through the restoration, creation, and preservation of 101.2 acres of wetlands and the restoration, enhancement, and preservation of approximately 27,396 linear feet of stream channels, which comprises 96% and 78% of the total onsite mitigation. The modifications in the plan were made in response to concerns for the plan outlined in our letter to PTAA dated October 19, 2001, and meetings with the PTAA on October 30, 2001, November 1, 2001, and November 5, 2001.

Based upon concerns expressed by the general public, state and federal resource agencies regarding the proposed project, the Wilmington District Regulatory Division determined that it was appropriate to solicit and accept comments of the submitted "Wetland and Stream Mitigation Plan" associated with the proposed airport expansion project. The proposed mitigation plan was advertised by public notice on February 6, 2002, despite the public notice was dated February 5, 2002. Actions on the Section 401 State Water Quality Certification were suspended on April 18, 2002, pending issuance of the Major Variance to the existing Water Supply Watershed Rules and further suspended pending a requested submittal of an "Indirect and Cumulative Impact" study for the proposed PTIA project. Once action on the Section 401 State Water Quality Certification was suspended, Wilmington District Regulatory Division received a request by letter from NCDWQ that actions on the DA Section 404 Permit be put on administrative hold pending the resolution of state water quality issues. Section 401 Water Quality Certification, Certification Number 3428, was issued by the NCDWQ on September 2, 2003, and later modified on November 10, 2003, due to the removal of the mitigation sites at the City of Burlington, with remaining restoration being accomplished at the Causey Farm.

Comments follow for the public notice dated September 5, 2000, that described the proposed project. The permit application of August 11, 2000, was complete as outlined by regulation. However, it did not include a detailed compensatory mitigation plan for proposed unavoidable impacts.

(1) Federal agencies:

(a) The National Marine Fisheries Service, by letter dated September 21, 2000, stated that the resources affected are not ones for which it is responsible. Therefore, it has no comment on issuance of the permit.

(b) The EPA commented by letter dated October 2, 2000. Although no site inspection was performed by EPA, it identified the main branch of Brush Creek and its adjacent wetlands as possible "aquatic resources of national importance" and consider this wetland a rare high functioning forested riverine swamp located in an urban setting. Also, EPA pointed out that Lake Higgins, an important water supply reservoir for Greensboro, is located approximately 3 miles downstream of the proposed project area. It was EPA's conclusion that the Brush Creek wetland system should be protected from degradation to the maximum extent possible. The EPA requested to review any alternative analysis that has been done for the project, and pointed out that to the Wilmington District's knowledge, the final plan for the project is not complete as the plans that were provided identified a "development corridor" where impacts to jurisdictional waters and wetlands may occur. The EPA questioned if avoidance and minimization had been conducted to the maximum extent practicable considering the incomplete acreages and locations of jurisdictional impacts to waters and wetlands. EPA also noted that the provided mitigation plan is "rather conceptual in nature." It pointed out that once avoidance and minimization have been addressed, then compensatory mitigation should be conducted in appropriate ratios. EPA recommended that the project should not be authorized until a detailed mitigation plan is submitted and approved.

The Corps' analysis of EPA's comments and the applicant's response leads us to the conclusion that PTAA has devoted significant effort and resources for the specific purpose of identifying the highest functioning aquatic resources on the project site and then incorporating maximum avoidance and minimization of impacts in project planning. PTAA's study identified the highest rated wetlands on-site as the bottomland hardwood and headwater forest associated with Brush Creek. The small stream segments draining the uplands southeast of