

PUBLIC INVOLVEMENT AND AGENCY COORDINATION

7.1 BACKGROUND

Policies outlined in NEPA require that any significant activity undertaken by a federal entity which has the potential to impact the environment be studied with oversight by cooperating agencies and members of the general public. As part of this public process, citizens are given the opportunity to participate in the environmental impact review process from the initial stages of identifying the project purpose and potential alternatives that may satisfy the purpose to review and comment on various proposals and study findings before decisions are made. As such, allowing for public involvement and comments on projects is a critical and necessary step to complying with the mandates set forth by the Act.

ConnDOT and FHWA established the corridor AC in the fall of 1997 to facilitate this review process. The AC was made up of representatives from federal agencies including the ACOE, EPA, FWS, and FTA; state agencies DEP, OPM, and SHPO; local town governments; and SCCOG. The AC's role was to aid in the decision-making process. The AC provided a forum for the discussion of project concepts and issues, the exchange of information, and the solicitation of public and agency input.

In order to promote public involvement in this project and meet the intent of NEPA and the CEQ Guidelines, the AC provided input and guidance to ConnDOT and FHWA on developing strategies to address the deficiencies in the Route 82/85/11 corridor. In addition to representation by state and federal regulatory agencies, AC members represent the four municipalities where transportation improvements have been proposed, as well as other regional interests. A major focus of the work of the AC was the development of a statement of project purpose and need and the Basic Project Purpose, as defined by the ACOE, to guide the study. AC meetings also involved extensive discussion about the types and character of the alternatives to be studied in the EIS. Regional and local transportation needs and plans for growth were factors weighed heavily

during this process. Both the project statement of purpose and need and the alternatives selected for this study were developed based on this input from the AC membership.

During the DEIS process nine AC meetings were held. After publication of the DEIS and two public hearings, four meetings were held with the AC at key milestones. In addition to meetings of the full AC, two subcommittees of the AC also met concurrently. The subcommittees were formed to facilitate a decision on the preferred concepts for the interchanges of Route 11 with Route 161 in Montville and I-95/395/U.S. Route 1. The following AC and interchange subcommittee meetings were held after the release of the DEIS on March 9, 1999:

AC MEETINGS

June 30, 1999 - AC Meeting #10:

A summary of public comments received on the DEIS and a review of the *Impact Minimization Study* were presented to the AC.

February 16, 2000 - AC Meeting #11:

The meeting focused on an overview and discussion of the *Community-sensitive Upgrade Study*. Local and regional AC members submitted a resolution opposing an upgrade of Route 85, supporting selection of the E₍₄₎m alternative, and requesting the establishment of a greenway in conjunction with the new roadway.

October 11, 2001 - AC Meeting #12:

The purpose of the meeting was to update the AC on what had occurred since the last meeting and to announce the initiation of the preparation of the FEIS for preferred alternative E₍₄₎m-V3. It was decided that two subcommittees would be formed immediately to decide on the preferred configurations of the interchanges at Route 161 and I-395/95. An initial planning meeting for the I-395/I-95 interchange was held on October 10 with East Lyme, Waterford and SCCOG.

January 29, 2002 - AC Meeting #13:

Presentations were made to the AC on the concept and costs for the preferred alternative E₍₄₎m-V3; the preferred options for the Route 161 and I-395/95 interchanges; the results of the impact analyses; and potential impact mitigation plans.

INTERCHANGE SUBCOMMITTEE MEETINGS

The subcommittees included representatives from the four corridor towns, SCCOG, ConnDOT, FHWA, and ConnDOT's EIS consultant, Maguire Group. Meetings were held to focus on the complex issues involved in the interchange concepts. The interchange options considered were described in Section 3.4.3. The results were presented to the full AC and incorporated into the preferred alternative. The following meetings were held:

October 10, 2001 – I-95/395 Interchange Planning Meeting

ConnDOT held an initial planning meeting with East Lyme, Waterford and SCCOG to discuss possible interchange scenarios. ConnDOT compiled suggestions and preferences for use in formulating concepts.

October 30, 2001 – Route 161 Interchange Subcommittee Meeting

Three feasible options were presented to the subcommittee and discussed. The subcommittee decided to select Option 1 with only minor revisions. This concept was included in the preferred alternative.

January 24, 2002 – I-95/395 Interchange Subcommittee Meeting

Of 15 potential scenarios considered, concept plans for the three most feasible were presented to the subcommittee. The general consensus was for the selection of Option 2, which was then included in the preferred alternative described in Section 3.4.4.

7.2 AGENCY COORDINATION

An integral part of the MIS/EIS process has been consultations with the state and federal agencies responsible for the various aspects of the project. The AC includes representatives from the ACOE, EPA, DEP and the SHPO who have provided guidance during the development of the statement of purpose and need and the selection of alternatives to be studied in the EIS.

7.2.1 AGENCY INFORMATION REQUESTS

Written and verbal requests for specific information, essential to environmental studies performed as part of this document, were made to DEP, SHPO, FWS, NRCS and CTDOA. This correspondence included requests for data on resources such as threatened and endangered species, historical and archaeological sites, fisheries, water quality and agricultural lands. The following lists the agencies that responded to these initial efforts in the EIS process; response letters are included in the Correspondence section. Further coordination with the agencies on this information continued throughout the EIS process as discussed in the following sections.

Federal Agency Information Requests:

U.S. Fish and Wildlife Service (FWS) - (3/30/98) The FWS was contacted via letter regarding potential impacts of the project to federally listed and proposed threatened

and endangered species. The FWS identified two transient species, the bald eagle (*Haliaeetus leucocephalus*) and peregrine falcon (*Falco peregrinus*). The FWS also noted that the occurrence of American chaffseed (*Schwalbea americana*) should be evaluated. FWS also suggested that the DEP Natural Diversity Data Base be contacted for further information.

State Agency Information Requests:

Connecticut Historical Commission (CHC) - (2/25/98) The CHC, including the SHPO, are now part of the Connecticut Commission on Culture and Tourism (CCCT). The SHPO was contacted with reference to potential impacts to historical and archaeological resources within the corridor. The SHPO responded by stating that the information provided in the previous environmental documents for the corridor was “outdated and does not represent an appropriate baseline for decision-making regarding the area’s cultural heritage.” The SHPO further noted that the previous project-related archaeological investigation was limited to local areas rather than the entire study area. The SHPO strongly recommended that a reconnaissance survey be undertaken for the corridor.

Connecticut Historical Commission (CHC) - (5/7/98) The CHC (CCCT) reaffirms its previous recommendation that a reconnaissance survey be undertaken for the corridor. The CHC (CCCT) states that the technical proposal for this survey meets the *Environmental Review Primer for Connecticut’s Archaeological Resources*.

Connecticut Department of Environmental Protection, Natural Diversity Data Base - (2/10/98) The DEP identified three areas in the corridor that relate to state listed species.

Connecticut Department of Environmental Protection, Natural Diversity Data Base - (8/3/98) The DEP further identified three areas in the corridor that relate to state listed species.

Connecticut Department of Environmental Protection, Natural Diversity Data Base - (2/7/02) The DEP provided updated information on four state listed species in the corridor.

Connecticut Department of Environmental Protection, Fisheries Division - (6/15/98) The DEP enclosed fisheries data from Latimer Brook as well as Creel Survey information.

Connecticut Department of Agriculture - (7/27/98) CTDOA replied by telephone and indicated that no state-protected farmlands were present in the corridor study area.

7.2.2 INTEGRATION OF NEPA AND THE ACOE'S HIGHWAY METHODOLOGY

Coordination of the FHWA's NEPA process with the ACOE's Section 404(b)(1) process for evaluating alternatives and impacts has proceeded under the process known as the "Highway Methodology." This method includes formal state and federal agency meetings and corridor field inspections. Two corridor field inspection meetings were held with representatives from the ACOE, EPA, FWS, FHWA, DEP, OPM and ConnDOT. The field meetings were held to familiarize the regulatory agencies with the resources in the corridor and locate the potential alternatives relative to these resources. Additional meetings were held with these agencies on April 21, 1998 and May 13, 1998 to discuss the range of alternatives that was to be studied in the DEIS. The coordination of agencies at this stage of a transportation improvement study process allows a Preferred Alternative to be selected under NEPA that also complies with the ACOE Section 404(b)(1) requirements for a LEDPA. The process, to date, has resulted in the ACOE's defining of the Basic Project Purpose, as detailed in the discussion on the project purpose and need in Section 2, and agreement on the alternatives to be studied in the DEIS. These actions completed Phase I of the Highway Methodology. Additional agency meetings were held after publication of the DEIS focusing on the selection of a preferred alternative.

7.2.3 INTERAGENCY STREAMLINING COMMITTEE

Following public release of the DEIS on March 9, 1999, state and federal agencies and other interested parties were allowed a period of 75 days, including a 2 week extension, to submit formal comments on the document. During that time, the two public hearings were held (April 7 and April 8, summarized below). Subsequent to the close of the comment period on May 21, 1999, ConnDOT and FHWA reviewed all public hearing transcripts and written comments. Copies of the comments and the responses to these comments are included in Volume II.

The public hearing transcripts and written comments revealed that though the public strongly supported alternatives for a four-lane roadway on new location, and in particular the E₍₄₎ alignment, state and federal natural resource agencies had serious concerns about the potential environmental impacts of this alternative. Of primary concern to the agencies were potential adverse effects on aquatic resources and fragmentation of forest habitat blocks.

Coordination as part of the Highway Methodology continued between the transportation agencies – FHWA and ConnDOT, and the resource agencies – EPA, ACOE, FWS, and DEP in the months that followed. Also contributing to this coordination process was the continued advocacy by the four corridor towns, the SCCOG, and state and federal government officials for the selection of a reduced

impact version of alternative E₍₄₎ with the incorporation of a greenway as the preferred alternative, and the rejection of all alternatives for widening Routes 82 and 85. Interagency discussions and correspondence on this matter led to the preparation of two additional studies, the *Impact Minimization Study*, and *Community-sensitive Upgrade Study*. The studies are discussed in detail in Section 3 and related correspondence is included in the Correspondence section. The result of these studies was the emergence of a new alternative, E₍₄₎m, a modification of E₍₄₎ that incorporated arterial design standards and other impact minimization measures (see Section 3). Development of the greenway is being undertaken as a separate effort by the Route 11 GAC.

The ACOE ultimately concluded that neither the upgrade/widening alternatives nor the E₍₄₎m alternative would completely satisfy the LEDPA requirements. Therefore, in May 2001, the ACOE convened an *interagency streamlining committee* for the purpose of evaluating variations of alternative E₍₄₎m that would reduce impacts to the aquatic environment and forest Habitat Block No. 2.

The streamlining committee held a series of meetings, including a meeting with the corridor towns and SCCOG on September 4, 2001. As a result of this process, the ACOE notified ConnDOT and FHWA, in a letter of September 17, 2001, that either alternative variation E₍₄₎m-V1 or E₍₄₎m-V3 could qualify as the LEDPA. Officials of the corridor towns and the SCCOG selected E₍₄₎m-V3 as their preferred alternative.

Following are other meetings of the interagency streamlining committee held to date:

February 28, 2002:

Meeting of ACOE, EPA, FWS, DEP, Congressman Simmons' office, FHWA, ConnDOT and Maguire Group was held to discuss mitigation planning.

March 11, 2002:

Meeting of ACOE, EPA, FWS, FHWA, ConnDOT and Maguire Group was held to discuss proposed interchange concepts for Route 161 and I-95.

April 17, 2002:

Meeting of ACOE, ConnDOT, and Maguire Group was held to discuss the proposed interchange concepts for Route 161 and I-95.

October 2, 2002

Meeting of FHWA, ConnDOT, ACOE, EPA, FWS, DEP, Congressman Simmons' office, and Maguire Group was held to discuss ConnDOT's *Draft Statement of Wetlands and Wildlife Habitat Impacts and Compensation Plan*.

7.2.4 ROUTE 11 WORKING GROUP

Upon initiation of the preparation of the FEIS in late September 2001, coordination with the natural resources agencies on planning for impact minimization and mitigation commenced and will be ongoing throughout the environmental permitting process.

Focus meetings were also held on the proposed interchanges at Route 161 and I-95 in early 2002. The conclusions of the specially convened interchange subcommittees were discussed.

In 2002, at the request of the FWS, an additional field study was performed to inventory and assess seasonal pools located within 500 ft. of the area of disturbance of the preferred alternative E₍₄₎m-V3. A report documenting this study, *Seasonal Pool Inventory and Evaluation* was prepared.

Development of a conceptual compensatory mitigation plan for wetlands and wildlife impacts also began in 2002. This involved a coordinated effort by ConnDOT, FHWA, ACOE, EPA, FWS, and DEP. A draft plan entitled *Statement of Wetlands and Wildlife Habitat Block Impacts and Compensation Plan* was distributed to the agencies for review and comment in October 2002. This report was an in-depth assessment of direct and indirect impacts of preferred alternative E₍₄₎m-V3 on wetlands and wildlife habitat and proposed mitigation and compensation for unavoidable impacts.

In comments provided on the Draft Compensation Plan, EPA, FWS and DEP indicated that they did not agree with the estimates of acreage of indirect impacts and suggested that an additional evaluation be performed using alternative methods. A preferred method was not specified. These agencies also requested that additional field inventories of flora and fauna be conducted throughout the Route 11 corridor so that the resource agencies could understand all potential project impacts before agreeing on a compensatory mitigation plan.

In March 2003, the senior executives of the above agencies appointed a *working group* that was charged with reaching an agreement on project impacts and plans for mitigation and compensation. The senior executives facilitated and monitored progress on this task.

After agency discussions during several meetings of the Route 11 Working Group, and at the request of the ACOE, ConnDOT retained the University of Massachusetts to utilize their Conservation Assessment and Prioritization System (CAPS) computer modeling program to analyze indirect impacts and potential compensation areas. CAPS is a complex quantitative system for assessing changes in biodiversity value and associated indirect impacts on habitat communities over a landscape by factoring in the effects of disturbance (e.g. development, roads, barriers to movement).

The results, which were generally consistent with the analysis performed by ConnDOT for the Draft Compensation Plan, showed that 485 biodiversity units would be directly and indirectly impacted by construction of the roadway. These units include 64 biodiversity units that would be indirectly impacted within wetland and aquatic communities. The results are represented in a series of maps generated by GIS. UMASS calculated that compensation for 485 biodiversity units would require preservation of 686 acres of high-value habitat. The report *CAPS Analysis for the Proposed Route 11 Extension* was distributed in May 2004.

Although ConnDOT and FHWA believed that sufficient information on flora and fauna was provided in the DEIS, it was agreed that additional field surveys would be performed to address resource agency requests. The extent of the surveys to be performed was discussed during a series of meetings of the working group and the survey protocols were finalized in March 2004. Work began on the surveys in June 2004 and was completed in December 2005. The *Biological Survey Report* was distributed in February 2006.

It was recognized by the working group that additional surveys of federally listed and state listed species would be required during the design and permitting phase of the project before DEP could issue a Clean Water Act §401 Water Quality Certification or ACOE could grant a §404 permit (refer to Section 4.4).

The complexity of the mitigation and compensation planning process, coupled with difficulties in reaching an agreement among the agencies on the details of the plan, led the working group to focus only on developing a mitigation framework to be included in the FEIS. The ACOE initiated the framework with input from the working group. It lays out a process and provides a concept for the development of a compensatory mitigation plan that will be undertaken during the design and permitting phase of the project. The *Mitigation and Compensation Framework* was completed in April 2006 and is provided in Appendix B.

The following meetings of the Route 11 Working Group have been held to date:

March 31, 2003

Meeting of the Route 11 Working Group, convened by regulatory agency heads in March 2003, including: ACOE, FHWA, ConnDOT, EPA, FWS, and DEP. The

meeting was held to work toward a joint agency recommendation on project impacts, mitigation, and compensation.

April 11, 2003

Meeting of Route 11 Working Group: ACOE, FHWA, ConnDOT, EPA, FWS, DEP, and Congressman Simmons' office was held to discuss the results of tasks assigned at the previous meeting, and to make progress towards agreement on project impacts, mitigation, and compensation.

April 30, 2003

Meeting of Route 11 Working Group: ACOE, FHWA, ConnDOT, EPA, FWS, DEP, and Congressman Simmons' office was held to follow up on discussions from meeting of April 11.

May 27, 2003

Meeting of Route 11 Working Group: ACOE, FHWA, ConnDOT, EPA, FWS, DEP, and Congressman Simmons' office and Maguire Group was held. The meeting purpose was to continue discussions of the *Draft Statement of Wetlands and Wildlife Habitat Impacts and Compensation Plan*, and to hear a presentation by the University of Massachusetts Amherst on their CAPS computer model for assessing biodiversity.

July 22, 2003

Meeting of Route 11 Working Group: ACOE, FHWA, ConnDOT, FWS, DEP, and Congressman Simmons' office and Maguire Group was held. EPA could not attend, but was consulted at a later time. The meeting purpose was to work toward the recommendation of a course of action on additional field studies that were requested by EPA, FWS, and DEP, and to continue the review of the CAPS method.

August 6, 2003

Meeting of DEP, ConnDOT, and Maguire Group to review habitat mapping that was prepared to serve as base information in the development of field sampling protocol, in response to the requests of EPA, FWS and DEP for additional wildlife studies.

August 21, 2003

Meeting of the Route 11 Working Group: ACOE, FHWA, ConnDOT, EPA, FWS, DEP, and Congressman Simmons' office and Maguire Group. The meeting purpose was to discuss the development of field sampling protocol for additional wildlife and habitat studies requested by EPA, FWS, and DEP.

November 20, 2003

Meeting of the Route 11 Working Group to discuss development of field sampling protocol for the supplemental wildlife study. ConnDOT distributed handouts of the

following items: Target Species Lists for Vegetation, Vertebrates and Invertebrates; Representative Vegetation Community Types in the Route 11 Corridor; and Vegetation Community Maps. This information comprises the baseline data from which the field sampling protocol was developed. This baseline data was prepared by Maguire in consultation with DEP.

February 19, 2004

Meeting of the Route 11 Working Group on the development of field sampling protocols and Scope of Work for the Wildlife Study and a discussion of the CAPS analysis.

February 26, 2004

Technical working group session on development of field sampling protocols.

January 10, 2005

Meeting of the Route 11 Working Group to discuss Executive Order Environmental Streamlining, biological survey field reports, archaeological issues, mitigation using CAPS analysis, progress of the Route 11 Greenway Commission and the FEIS schedule.

February 17, 2005

Meeting of the Route 11 Working Group to discuss and refine the proposed framework for mitigation planning.

May 11, 2005

Meeting of the Route 11 Working Group to review agency comments on the Mitigation and Compensation Framework.

January 25, 2006

Meeting of the Route 11 Working Group to finalize the Mitigation and Compensation Framework.

June 21, 2006

Meeting of the Route 11 Working Group to discuss mitigation banking and to recap information about the biological survey results, mitigation planning, recent AC and public meetings, and status of the Greenway Commission.

7.2.5 AGENCY COORDINATION ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

Coordination with the SHPO on historic and archaeological resources also resumed upon initiation of the FEIS. Archaeological studies described in Sections 4.11 and 5.11 were performed in consultation with the SHPO. Site review was coordinated for a potentially impacted historic architectural property (21 Gurley Road) near the I-95 interchange and options for avoidance of this resource were discussed (see Correspondence March 12, 2002).

The following coordination meeting was held:

May 1, 2003

A meeting was held at the CCCT (formerly CHC) offices to present the findings of archaeological studies to the SHPO and to receive concurrence on Section 106/Section 4(f) applicability, impacts, and mitigation. Correspondence dated October 8, 2003 documenting this coordination is included in the Correspondence section.

Following the determination of findings, coordination with the SHPO on the MOA commenced. The Advisory Council on Historic Preservation was contacted and chose not to be a consulting party. These coordination efforts resulted in the execution of an MOA (Appendix G), and are documented in the Correspondence section.

Consultations with the Mashantucket Pequot and Mohegan Tribes also took place during the Section 106 review process. The tribes were provided the opportunity to review and comment on the MOA prior to it being fully executed.

7.3 PUBLIC OUTREACH

An important part of the Route 82/85/11 MIS/EIS process has been a broad-based public outreach program intended to fully inform the public on the objectives, status and potential effects of the project and to obtain input from the study area communities.

Media: During the course of the study, the public has been informed through various media notifications, such as local newspapers, about the times and locations of all AC meetings. The AC meetings have all had public comment portions, after AC business was completed, and many members of the public have attended the meetings and voiced their concerns to AC members. Detailed minutes of all AC meetings have been made available to the public upon request throughout the duration of the project.

Public Meetings: Public information meetings were held on January 13, 1998 in Salem and September 10, 1998 in East Lyme. These meetings were conducted via an open house format, where members of the public had the opportunity to meet on an individual basis with ConnDOT staff and the consultant team to discuss the DEIS, conceptual plans, research and field studies. These sessions provided an opportunity for the public to talk directly with the planners, engineers and resource specialists involved in the studies and become informed about the results of the study, ask questions and offer their comments and observations. Existing conditions within the corridor, the proposed alternative alignments, potential impacts, and public outreach opportunities were discussed with dozens of individuals from the corridor area towns.



Public Hearings: Following publication and distribution of the DEIS, there was a 75 day time period during which interested parties, including government agencies and the public, submitted official comments on the DEIS. To facilitate this comment period, formal public hearings were held to receive oral or written comments. The public hearing was transcribed by a stenographer, and comments became part of the official record of the document. Public hearings were held at two separate locations and times within two of the towns within the corridor to ensure the greatest opportunity for members of the public to attend and/or present comments in person. Comments received during the public comment period were used to aid in the determination of a recommended action for the FEIS. All public and agency comments received during the comment period are included in the FEIS with a response.

Summary of Public Hearings – April 7 and April 8, 1999

Oral testimony was given at the public hearings by one Federal regulatory agency (EPA), 11 state/local officials, and 64 individuals from the community. The testimony was recorded on transcripts and is included in Volume II of this document.

Each hearing began with an explanation of the hearing process and a summary of the DEIS, presented by ConnDOT and ACOE. The hearing was then opened to anyone wishing to give oral public testimony or private testimony to a stenographer. State and local officials, included a representative from former Governor John Rowland's office, a representative from former Congressman Sam Gejdenson's office, Executive Director of the Southeastern Connecticut Council of Governments (SCCOG), and officials from the towns of Salem, Montville, East Lyme and Waterford.

Hearing testimony was dominated by the nearly unanimous opinion that Route 85 is deficient in safety and operation. EPA testified that aquatic resources within the corridor are exceptional

and that the new location alternatives could not qualify for a Section 404 permit. EPA expressed preference for a widening alternative that is sensitive to the community. Of 11 state and local officials present, 10 expressed opposition to any widening of Routes 82 and 85 and supported the completion of Route 11.

Of the 64 individual speakers, 81% expressed support for completion of Route 11, and opposed any widening of Routes 82 and 85. Half of those preferred alternative E₍₄₎ and recommended the use of arterial roadway standards and the incorporation of a greenway, ideas that have been promoted locally. Some type of upgrade to Routes 82 and 85 was preferred by 6%, and 11% opposed a new roadway, but either did not name a preferred alternative or recommended no action.

Comment Forms: Public comment forms have been, and will continue to be, provided at every public meeting held for the project. Many of these forms are postage-paid, making it easier for and encouraging the public to submit their comments. Once the comment forms are received, they are distributed to the appropriate preparers for their reference. All comment forms are then archived for the record. To date, nearly 200 comments have been received via comment forms, e-mails, phone conversations, and petitions.

Newsletters: A newsletter was distributed in July 1998 to persons who had signed up on the mailing lists posted at the previous AC meetings and public information meeting. More than 1,400 informative newsletters were distributed. Additionally, local town halls, newspapers, state and federal legislators, and all property owners in the vicinity of an alternative directly received copies of the newsletter. The newsletter contained information regarding the MIS/EIS process, public involvement, important corridor issues, alternatives discussion, study area map, and AC member list. A second newsletter was distributed in March 1999 following publication of the DEIS. It provided information on the locations where the DEIS could be viewed, the alternatives studied and their impacts, and the dates and locations of the public hearings.

E-mail and Toll-free Project Information Line: The public was provided with alternate means for communicating their comments without the need for attending any of the meetings in person. A toll-free project information line (1-800-261-9141) was maintained for the public to utilize as well as a project-specific e-mail address (mis-ed@MaguireGroup.com). Staff was available to answer questions on project status, public meeting dates and other issues, and to forward questions to the appropriate technical staff and decision makers.

All communications listed above have been recorded and have contributed to the development of various mailing lists. Persons who either signed up on a mailing list at one of the meetings, sent a comment form asking to be included on the mailing list, or requested mailings through the two telecommunication lines were added to a list of approximately 200 persons and received a copy of the Executive Summary of the DEIS. The official distribution list for the full DEIS document consisted of federal and state regulatory agencies; local, state, and federal legislators; members of the AC; municipal and tribal officials; and other interested parties. As previously discussed, newsletter mailings were sent to approximately 1,400 persons, not all of whom had signed the official mailing list.

The official distribution list for the FEIS is provided in Section 12. Copies of the FEIS may be accessed via project links at www.ct.gov/dot or be obtained by contacting: Mr. Edgar T. Hurle, Director of Intermodal and Environmental Planning, Connecticut Department of Transportation, 2800 Berlin Turnpike, Newington, CT 06131-7546.

Public Outreach during Preparation of the FEIS

Although the DEIS public outreach measures more than satisfied the requirements for public involvement under NEPA for an EIS, ConnDOT and FHWA determined that it would be appropriate to hold additional public information meetings for the FEIS since a modification of the alignment previously viewed by the public had been made. In the following years, it was important to update the public on reevaluations of the DEIS and biological field surveys that were undertaken.

March 12, 2002 Public Information Meeting

The purpose of the meeting was to inform corridor residents and other interested persons about developments in the process since the public hearings, and to present the concept for the preferred alternative. The public was informed about additional studies prepared since the DEIS hearings and was given an opportunity to review the reports. Information about the reduction in impacts accomplished with minimization efforts and an analysis of the unavoidable impacts of the preferred alternative were also presented at the meeting. The meeting was held in East Lyme, the community most affected by the shift made in the alignment to avoid fragmentation of forest Habitat Block No.2.

There were close to 200 attendees at the public information meeting. People were encouraged to submit written opinions on comment response forms that were distributed at the meeting. Of the 35 persons who submitted comments, a majority supported construction of the preferred alternative. Of those favoring the preferred alternative, some felt that some modifications should be made; including: shifting the alignment out of East Lyme and back to the original location; adding noise barriers; redesigning the interchanges; and using a wide median rather than a concrete barrier to separate northbound and southbound traffic.

June 19, 2006 Public Information Update Meeting

The purpose of holding another public meeting was to update the public on project activities since the last public information meeting. There was a review of preferred alternative E₍₄₎m-V3, which had not changed since the 2002 meeting, and environmental impacts. Other developments and work occurring since 2002 were presented; including: Executive Order 13274, interagency coordination, mitigation planning, the Mitigation and Compensation Framework (Appendix B), biological surveys, two reevaluations of the DEIS (Appendix G) and the estimated project schedule.

While there were concerns expressed by affected property owners, the overwhelming majority of commentary from the public and local and state officials involved frustration that the extension of Route 11 was not yet nearing construction. Many of the affected property owners who commented were in support of the roadway project but were troubled by the uncertainties and delays in progress.

7.4 AREAS OF CONTROVERSY AND UNRESOLVED ISSUES

Correspondence and petitions have been received from several parties stating strong opposition to one or more of the alternatives under consideration, primarily citing community character, fiscal/financial and environmental reasons for the opposition. While concern has been noted regarding several aspects of the potential improvements, the primary area of controversy focuses on the alternatives that focus on widening of existing Routes 82 and 85. Petitions have been received, statements have been made by state legislators and local officials, and local/regional resolutions have been passed stating strong opinions about this issue.

The five petitions received, and Resolution 98-10 relating to Routes 11 and 85, passed by SCCOG on August 19, 1998, are included in the Correspondence section.

EPA and FWS have stated that they do not agree with the ACOE's determination that the preferred alternative is the LEDPA. Further, EPA and FWS disagree that it is necessary to defer certain detailed analyses until the project design stage (e.g. stormwater design, analysis of hydrologic effects of cuts and fills, runoff impacts, development of a compensatory mitigation plan, and additional listed species surveys). FWS has also advised FHWA that they think the purpose and need statement and the range of alternatives studied should be revised.

A general compensatory mitigation plan for project impacts is outlined in the *Compensation and Mitigation Framework*, provided in Appendix C. The development of a specific plan was deferred until the design and permitting phase of the project to allow sufficient time for the location and design of mitigation and compensation sites and for additional state and federal agency coordination.

EPA and FWS have also taken the position that a supplement to the DEIS should have been undertaken before the FEIS was completed to address the aforementioned issues and new information developed since the DEIS was published. The need for a supplement was addressed in the Reevaluations (Appendix A). Written correspondence relative to these issues is included in the Correspondence section.

Another unresolved issue is related to improvement options for I-95 in the vicinity of the proposed Route 11/I-95/I-395 interchange. Upon selection of the preferred alternative, the

interchange configuration was modified to accommodate and conform to proposed improvements on I-95 and the general vicinity of exits 74 and 75 (Section 3.4). Redesign of the interchange reduced impacts noted for the full build alternatives. While the interchange subcommittee concurred on the preferred interchange concept (Section 7.1), the towns of East Lyme and Waterford continued to express concern about the closing of the I-95 Exit 75 northbound off-ramp to U.S. Route 1. Their concerns are with emergency vehicle access and the implications of diverting traffic to Exits 74 and 81.

In addition, a definitive source of funding for implementation of any of the build alternatives has yet to be identified. While the completion of Route 11 has been noted in recent years' Regional Transportation Improvement Plans, it has not yet been programmed or slated for funding in the Statewide Transportation Improvement Plan.