

Appendix E: FEIS Comments and Responses

This appendix provides agency comments received on the Pyramid Highway/US 395 Connection Final Environmental Impact Statement (Final EIS) during the 30-day comment period (June 29, 2018 through July 30, 2018). Responses are provided beside each comment. No public comments on the Final EIS were received.

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Comment No.	Comment	Response
1	<p>Comment # 1: Connell Dunning, Environmental Protection Agency</p>  <p>UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX 75 Hawthorne Street San Francisco, CA 94105</p> <p>July 26, 2018</p> <p>Abdelmoez A. Abdalla Environmental Program Manager Federal Highway Administration 705 N. Plaza, Suite 220 Carson City, NV 89701</p> <p>Subject: Final Environmental Impact Statement for the Pyramid Highway/US 395 Connection, Washoe County, Nevada (CEQ #20180145)</p> <p>Dear Mr. Abdalla: <i>Del</i></p> <p>The U.S. Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.</p> <p>Since 2008, the Federal Highway Administration (FHWA), Nevada Department of Transportation (NDOT), and the Washoe County Regional Transportation Commission (RTC) have engaged EPA in the project development and analysis process. We appreciate the efforts made by the agencies to provide information early and seek our feedback, which we believe is helpful in identifying and minimizing project impacts.</p> <p>EPA reviewed the administrative and public draft environmental impact statements (DEISs) for the project in 2013. We rated the DEIS as <i>Environmental Concerns, Adequate Information</i> (EC-1) and had recommendations for the remainder of the environmental review process and subsequent design and construction.</p> <p>We again find the document to be reader-friendly and well organized, which is supportive of the public participation goals of the NEPA process. We understand that after the DEIS was distributed, updated traffic data became available that indicated reductions in forecasted traffic and therefore a reduced traffic demand. As a result, the study team was able to redesign the four build alternatives from freeway facilities to arterial standards, reducing impacts and project costs due to a reduction of the project footprint.</p> <p>EPA commends FHWA, NDOT, and RTC for considering a robust range of alternatives throughout the project development process, including multimodal options, and for incorporating multimodal improvements in the Preferred Alternative. EPA supports the inclusion of bicycle and pedestrian facilities, including sidewalks, bike lanes, and a shared use path, along all improved roadways. EPA also supports the addition of regional bus service along Pyramid Highway and inclusion of transit/carpool parking lots in the project design to facilitate carpooling and transit use.</p> <p>The Final EIS indicates that while the Preferred Alternative (Alternative 3) will require relocations, it has the fewest business and residential relocations, including the fewest relocations in potential</p>	<p>Responses to discrete comments in this letter are provided on the following pages.</p>

Comment No.	Comment	Response
<p>1a</p> <p>1b</p> <p>1c</p> <p>1d</p> <p>1e</p>	<p>Comment #1 (continued)</p> <p>environmental justice communities. EPA appreciates that the project team sought to avoid and minimize impacts to private and public property, and sought to reduce relocations, as part of the alternatives analysis process. We note that this alternative also has the least estimated fill of jurisdictional Waters of the U.S. and the least amount of floodplain impact. We encourage NDOT and RTC to continue efforts to minimize impacts through project design modifications where possible. Please consider the additional comments below as the project enters final design and construction.</p> <p>Wetlands and Water Quality</p> <p>The FEIS states that the Preferred Alternative would fill 0.04 acre of wetlands and 0.22 acre of Waters of the U.S. As discussed in our previous comments, EPA recommends that FHWA, NDOT, and RTC coordinate with the U.S. Army Corps of Engineers (USACE) to verify the jurisdictional delineation of wetlands and impacts in the study area, and to determine appropriate mitigation for wetland impacts. If the impacts are found to be significantly larger than the amounts disclosed in the FEIS, please include EPA in discussions regarding impacts and mitigation.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • Coordinate on the extent of impacts and mitigation with the USACE. Include EPA in these discussions if impacts are found to be significantly larger than the amounts disclosed in the FEIS. • EPA recommends the integration of “green infrastructure” into project design where feasible for stormwater management and treatment; the use of natural washes, in their present location and natural form, to the maximum extent practicable, for protection of water quality and flood control; and the use of natural bottom (instead of metal- or concrete-lined) culverts under bridges, where feasible, to promote naturally functioning hydrology. <p>Environmental Justice</p> <p>The FEIS disclosed that adverse social impacts, including community isolation, would occur in several Sun Valley neighborhoods. We support, as discussed in the document, that as part of a comprehensive package to mitigate impacts to minority and low-income neighborhoods, RTC and/or NDOT will install barriers to mitigate traffic noise impacts, and provide screening walls to mitigate visual impacts if desired by these communities. RTC and/or NDOT will also provide landscaping and aesthetic treatments; a gateway design feature on the bridge over Sun Valley Boulevard to signify entrance into Sun Valley; bicycle/pedestrian improvements around environmental justice areas; bus turnouts and bus stop amenities; and other transportation services as described in the FEIS.</p> <p>As discussed in our previous comments, EPA appreciates FHWA’s recognition that localized increases in mobile source air toxics (MSAT) emissions may occur near congested intersections and where roadways are built closer to residents and businesses. We support the recommendation of concrete barriers and screening walls in some areas where localized increases in MSAT emissions are anticipated.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> • EPA supports the commitments detailed in the FEIS, to mitigate impacts to environmental justice communities and encourages NDOT and RTC to continue to work with the affected communities through project design and construction to seek measures to mitigate visual, noise, and other impacts. • We encourage commitments in the ROD for mitigation of any significant noise impacts in environmental justice communities, as well as measures that could mitigate MSAT emissions in all areas where sensitive receptors, such as schools, medical facilities, and residences are located and localized increases in emissions are anticipated. <p style="text-align: center;">2</p>	<p>Comment #1a Response: As future project phases move into the final design phase, FHWA, NDOT, and RTC will coordinate with the USACE regarding jurisdictional status of wetlands, wetland impacts, and mitigation measures. A jurisdictional wetland delineation will be conducted prior to construction as part of the Section 404 permit process. NDOT will seek a permit or permit compliance concurrence from the USACE. All terms and conditions of the Section 404 permit will be adhered to.</p> <p>Comment #1b Response: FHWA, NDOT, and RTC will include EPA in USACE coordination if wetland impacts are found to be significantly larger than disclosed in the FEIS. Also see response to Comment #1a.</p> <p>Comment #1c Response: Your comment recommending integration of “green infrastructure” into the project design where feasible has been noted, and green infrastructure will be considered during final design, including specific stormwater design. The project is in compliance with stormwater permits, as discussed in Section 3.10 of the Final EIS.</p> <p>Comment #1d Response: NDOT and RTC will continue to work with affected EJ communities during project design and construction to mitigate visual, noise, and other impacts resulting from project implementation. This commitment is included in the mitigation measures listed in the ROD.</p> <p>Comment #1e Response: Noise barriers will be provided if desired by the affected communities, to mitigate traffic noise impacts near EJ neighborhoods. This commitment is included in the mitigation measures listed in the ROD. The Selected Alternative would improve the efficiency of the existing transportation system by improving traffic congestion, thus reducing air emissions. Chapter 6.0 of the ROD lists mitigation measures that will help reduce MSAT emissions during and after construction.</p>

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1f	<p>Comment #1 (continued)</p> <p>We appreciate the opportunity to review this FEIS. When the ROD is signed, please send one copy to the address above (mail code: ENF-4-2). If you have any questions, please contact Carolyn Mulvihill, the lead reviewer for this project at 415-947-3554 or mulvihill.carolyn@epa.gov.</p> <p style="text-align: center;">Sincerely,  Connell Dunning, Transportation Team Supervisor Environmental Review Section</p> <p>cc: Kristine Hansen, Army Corps of Engineers Steve M. Cooke, NDOT Doug Maloy, RTC</p>	<p>Comment #1f Response: A copy of the signed ROD will be provided to EPA at the address requested.</p>

Comment No.	Comment	Response
2	<p>Comment # 2: Katrina Krause, Wildlife Biologist, BLM Carson City District Office</p> <p>From: Krause, Katrina <kkrause@blm.gov> Date: Tue, Jul 10, 2018 at 1:47 PM Subject: Re: Pyramid Hwy FEIS for review To: Gerrit Buma <gbuma@blm.gov> Cc: Dean Tonenna <dtonenna@blm.gov>, Paul Fuselier <pfuselier@blm.gov>, Victoria Wilkins <vwilkins@blm.gov></p> <p>New comments: Pg 3-222 last sentence: those dates should be March 1- August 31 to cover the whole nesting period of general migratory birds AND raptors. Same on pg 3-229, 2nd bullet. Search document for other places these dates are mentioned and correct.</p> <p>Otherwise, it appears they addressed my original comments very well. (o,o) Katrina Krause (\) Wildlife Biologist - "- - Carson City BLM District Office Sierra Front Field Office 775-885-6155 kkrause@blm.gov</p>	<p>Comment #2 Response: The mitigation measure listed under wildlife and special status species to avoid impacts to nesting birds in accordance with the Migratory Bird Treaty Act (MBTA), has been modified to indicate that a qualified biologist will conduct a nesting bird survey between March 1 and August 31 prior to each construction phase. This change is reflected in Section 9.0 and in the Mitigation Summary table in the ROD.</p>