



US 70 Corridor Commission

DIRECTOR'S REPORT FOR MONTHS OF AUGUST & SEPTEMBER, 2015 M. DURWOOD STEPHENSON, DIRECTOR

SINE DIE from the Latin “without day”! Summer has ended! Vacations and photos and memories as the realities of a return to the normalcy of daily living are forced upon us – admittedly with some relief with a hope for a cooler fall.

A hot, humid August continued the trend that began with the months of June, July confirmed as the hottest on record. Unless you have a birthday or an anniversary, there is little cause for excitement in August, the only month on the calendar without a nationally requested holiday.

The North Carolina General Assembly has at long last ended the second longest session in recent memory spilling into the final hours of September and beyond. The eclipse of September converges into the early days of October, leaving Governor McCrory with 30 enacted bills for signature, veto or allow to become law with inactivity. Most political pundits believe all will be signed or allowed to become law via inaction. No vetoes are anticipated and most are hopeful there will be no vetoes because that would require a return to Raleigh by our legislators to add more days to the lengthy session. None of the pending legislation impacts our agenda.

From our perspective, that is, a transportation lens, the final results must be considered as favorable to transportation. Obviously we are disappointed the Governor's CONNECT NC Bond Proposal did not include transportation, but the decision by budget writers to stop the transfer from the Highway Trust Fund to the General Fund of approximately \$ 216 million on a continuing basis is a positive impact on transportation interests. As I reported at our September 17 meeting and as recorded in the minutes of that meeting, there are several other noteworthy positives for transportation advocates:

- Increase of DMV fees provides an estimated \$ 700 million of new funds for roads and bridges;
- Approx. \$ 337 million for new construction projects in the biennium
- Critically needed bridge replacements will get an additional \$ 147 million
- Resurfacing will receive approx. \$ 147 million
- State ports will receive \$ 70 million
- A special fund for Port dredging was created by allocating 1% of gas tax revenues estimated to provide \$ 11 million from this revenue source.

M. Durwood Stephenson
Director

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Prior to commencement of this session of General Assembly, several legislators predicted this year the primary focus would be transportation. It appears those predictions were accurate and we as transportation advocates should be pleased.

A calendar review of August and September provides insights on events impacting transportation and specifically transportation impacting Eastern North Carolina region.

- August 3: James City Project Consultant, Three Oaks Engineering, has engaged Neighborhood Solutions, a Winston Salem community Public Relations Specialist, to begin meetings with James City area residents and businesses.
- August 4: Governor McCrory issues statement promoting Connect NC Bond Proposal as drafted by House including Transportation dollars. The Senate version excludes Transportation. The Governor, in an effort to continue the momentum for the transportation inclusive legislation, invited elected leaders from across the State to the Mansion to promote the entire package.
NOTE: Ultimately the Senate version prevailed as Transportation was deleted.
- August 5: Rob Hanson, Debbie Barbour, Brian Yahamoto and I met with Clarence Coleman and Ron Lucas, Havelock Bypass Project Representatives for FHWA. As frustration mounts FHWA has raised another issue delaying approval of final EIS. According to Mr. Lucas and Mr. Coleman, projected growth rate and traffic forecast stipulated in EIS are too aggressive and should be reduced. NCDOT has agreed to reduce projections. The influence of SELC continues to be a factor.

Following meeting with FHWA, I spoke with Dennis Sills, Senior Legislative Assistant for Representative G.K. Butterfield and Allison Cooke, Legislative Director for Representative David Rouzer. Both made inquiries to FHWA regarding status and plans for project. FHWA in Washington said many complex issues and cannot provide timetable for final approval. This message conflicts with assurances from FHWA officials in N.C. Despite assurances on August 5, final signatures are within days, we are now in to October and still do not have required approvals.

- August 6: Governor McCrory announced the appointment of Nick Tennyson as the new Secretary of the North Carolina Department of Transportation. Secretary Tennyson who previously served as Chief Deputy Secretary has been involved in planning and administering the new key transportation strategies.
- August 8: Physicist, John Droz, Morehead City resident, released a report titled **US MILITARY vs a Political Fad (Renewable Energy)**. The premise of the report questions the scientific authenticity of the economic viability of renewable Wind Energy. Admittedly, I do not have the knowledge, expertise or inclination to comment on the scientific basis and economic feasibility of wind energy, but it is well established that wind energy turbines do negatively impact military radar.

It has been the policy of the U.S. 70 Corridor Commission and my personal policy to abstain from any comment on the politics of renewable energy. However, we have spoken out strongly against any and all wind energy projects that impacts military operations negatively.

In order to qualify for tax credits, the wind farm must be generating power prior to expiration of tax credits in 2016 – delayed by a failure to secure an agreement to place the power in service. The project appeared to be in jeopardy. The approximately \$ 500 million project planned for 22,000 acres in Pasquotank and Perquionans Counties was stalled until Amazon, a Seattle-based tech company, agreed to buy the power generated. It plans to use the power to provide electricity to data centers in Virginia and Ohio.

In recent weeks, another challenge to the project has emerged. Local residents that reside nearby have filed a lawsuit with the financial assistance of Civitas Institute. The suit was actually filed against N.C. Department of Environmental Quality requesting the project be subject to regulatory review under 2013 Wind Siting Act. The Department had ruled in April of this year, the project is not subject to this legislation. Local officials support the project which will make Iberdrola, the Spanish developer, the largest tax payer in the two counties. We will continue to monitor and report on the negotiations.

- August 10: Division 4 Engineer Tim Little and I met with Smithfield-Selma Chamber to review Corridor and other area projects.

- August 11: BOT member, Gus Tulloss and I hosted a lunch for the team from Division 4 that won the 2015 Equipment Rodeo. The winning team was Johnny Strickland, Paul Johnston, Ray Chrobot, Troy Evans, Daniel Tucker, and Lance Bass.

- July 30 - August 19: On July 30, the U.S. Senate passed H.R. 22 (THE ROAD ACT). Pages 158 and 159 of the legislation contains The Military Corridor Transportation Improvement Act. I began dialogue with Dennis Sills, Senior Legislative Assistant to Representative G.K. Butterfield and Allison Cooke, Legislative Director, Representative David Rouzer regarding The Road Act and its significance and timing on Interstate Designation for U.S. 117/795 & U.S. 70. A copy of Pages 158 & 159 of the legislation is attached to this report.

- August 21: Lynnise M. Hawes, Feasibility Studies Engineer released Feasibility Study I-795/US 117 from I-40 to Goldsboro.

- August 24: Inquiry from Robert Moberly, resident of James City area regarding James City plans on potential impact on Old Cherry Point Road – Project is currently in public comment phase and no plans have been developed. Mr. Moberly was advised of status and his opportunities to provide comments.

- August 25: Discussions with Melvin Cooper, President of James City Citizens Transportation Committee, advised of public comment meetings and U.S. 70 Corridor Commission meeting in New Bern on September 17. Mr. Cooper acknowledges need for safety improvements at this location and expressed appreciation for current plan of action.

- August 27: Met with Allison Cooke, Legislative Director for Representative David Rouzer. She has contacted FHWA encouraging final signature of EIS for Havelock Bypass. Our discussion also included HR 2497 and H.R. 22, both supported by Representative Rouzer.

HR 2497 was sponsored by Representative Rouzer which will revise regulations resulting in speed up of NEPA process.

- September 3: U.S. 70 Work Group meeting at BOT meeting at Highway Building. A copy of the report provided by Rob Hanson and his staff is available upon request. You may email request to me and I will forward report.

- September 8: Mike Wagoner, President of Carteret County Chamber of Commerce submitted letter of support for Havelock Bypass. (Copy Attached)

- September 9: Wayne County Commissioner, Joe Daughtery followed-up conversations at RPO meeting concerning safety concerns on U.S. 70 at Little Baltimore. I discussed with Division Engineer, John Rouse. This has been a safety concern since my service on BOT. I also discussed with Patrick Flanagan. He will add to SPOT 4 project list. We agreed to add to list with a general description and schedule a meeting of area interests to suggest options including several considered several years ago. John Rouse says several options possible:
 1. Square Loop
 2. Loop/Flyover Combination
 3. Flyover as planned for Kinston Shallow Bypass. We will schedule a discussion soon.

- September 17: The U.S. 70 Corridor Commission of N.C., Inc. met on Thursday, September 17, 2015 at New Bern Riverfront Convention Center. Marcia, as usual, has provided detailed minutes of the meeting. They provide an excellent report of discussions and presentations. I encourage you to review those minutes.

- September 23: Ryan Malham, a business owner located on U.S. 70 between Princeton and Wayne County line, contacted me requesting plans for U.S. 70 between U.S. 70 Bypass in Johnston County and Wayne County line. There are several options being considered but no definite plan yet developed. Mr. Malham was invited to participate during public comment period.

The last week of July, 2015, Congress passed a three-month extension of federal funding for transportation through the Highway Trust Fund. The extension will expire unless new funding legislation is passed or an additional extension is approved by October 29. The current extension has only \$ 8 billion to fund projects now under construction throughout the United States. Federal funding provides more than 25 percent of NCDOT's total budget and approximately 50 percent of construction program.

As stated and encouraged earlier in this report we must and will encourage a 6-year fully funded transportation bill which includes our much and long sought Interstate designations.

The North Carolina Ports were the subject of diverse published opinions in September. On September 18, Jeff Jeffrey, writer for Triangle Business Journal wrote an article entitled **NC Ports: Too small, too shallow, too idle**. The title clearly expresses the opinions of Mr. Jeffrey. In that same September 18 edition of The Triangle Business Journal, Editor, Sougata Mukherjee

concluded with many of Jeffrey's opinions, but admitted our ports currently support more than 76,000 jobs in North Carolina and suggested there is a role and justification for expanding our ports – not as competitors of Norfolk, Savannah and Charleston – but with a smarter logistics strategy. Tom Adams, Chairman of the North Carolina State Ports Authority responded to the two articles citing the recent progress with expanding and infrastructure improvements at the ports.

It has always been our contention that North Carolina Ports can provide great benefits to the State and our economy as a “niche” port with good, efficient road access for trucks delivering goods to and from the port. This is one of the arguments made by Mr. Jeffrey against port utilization in North Carolina. It is an agreement we have been making citing the need for U.S. 70 as an Interstate.

The recently concluded session of the North Carolina General Assembly did provide funds for our ports with a promise of annual funds for dredging of approximately \$ 35 million – a step in the right direction. Now if we can get the other piece from Federal Congressional delegation: U.S. 70 Interstate.

Patrick Woodie, President, N.C. Rural Center is working to build an Advocacy Agenda for rural North Carolina. The N.C. Rural Assembly met in Cary at end of September to discuss major obstacles challenging economic advancement in rural North Carolina.

Many of the issues identified by President Woodie and rural North Carolina are the same issues we at the U.S. 70 Corridor Commission have been promoting: i.e., Infrastructure, rural health, access to capital jobs, education and other pertinent quality of life enhancements.

We are obvious partners in need and in search of answers with the Rural Center. President Woodie and I are now planning joint discussions to formulate plans for a working and advocacy relationship.

In my personal opinion, transportation fared well in the latest session of General Assembly. The major battle/hurdle before us now is in Congress and a major transportation funding bill. In addition to the dollars that are so sorely needed, Interstate designation bills are at-risk. We should and must begin a concentrated effort to encourage the passage of this legislation. I suggest we engage all local Chambers, the North Carolina Chamber, the U.S. Chamber and Chambers and transportation interests across the United States.

I will be calling on you to assist with this contact and promotion campaign.

1 *designation may continue to operate on that segment*
2 *during daylight hours.”.*

3 **SEC. 11204. HIGH PRIORITY CORRIDORS ON THE NATIONAL**
4 **HIGHWAY SYSTEM.**

5 *Section 1105 of the Intermodal Surface Transpor-*
6 *tation Efficiency Act of 1991 (105 Stat. 2031) is amend-*
7 *ed—*

8 *(1) in subsection (c) (105 Stat. 2032; 112 Stat.*
9 *190; 119 Stat. 1213)—*

10 *(A) by striking paragraph (13) and insert-*
11 *ing the following:*

12 *“(13) Raleigh-Norfolk Corridor from Raleigh,*
13 *North Carolina, through Rocky Mount, Williamston*
14 *and Elizabeth City, North Carolina, to Norfolk, Vir-*
15 *ginia.”;*

16 *(B) in paragraph (18)(D)—*

17 *(i) in clause (ii), by striking “and” at*
18 *the end;*

19 *(ii) in clause (iii), by striking the pe-*
20 *riod at the end and inserting “; and”; and*

21 *(iii) by adding at the end the fol-*
22 *lowing:*

23 *“(iv) include Texas State Highway 44*
24 *from United States Route 59 at Freer,*
25 *Texas, to Texas State Highway 358.”; and*

1 (C) by striking paragraph (68) and insert-
2 ing the following:

3 “(68) *The Washoe County Corridor and the*
4 *Intermountain West Corridor shall generally follow:*

5 “(A) *in the case of the Washoe County Cor-*
6 *ridor, along Interstate Route 580/United States*
7 *Route 95/United States Route 95A, from Reno,*
8 *Nevada, to Las Vegas, Nevada; and*

9 “(B) *in the case of the Intermountain West*
10 *Corridor, from the vicinity of Las Vegas extend-*
11 *ing north along United States Route 95, termi-*
12 *nating at Interstate Route 80.”; and*

13 (D) by adding at the end the following:

14 “(81) *United States Route 117/Interstate Route*
15 *795 from United States Route 70 in Goldsboro,*
16 *Wayne County, North Carolina, to Interstate Route*
17 *40 west of Faison, Sampson County, North Carolina.*

18 “(82) *United States Route 70 from its intersec-*
19 *tion with Interstate Route 40 in Garner, Wake Coun-*
20 *ty, North Carolina, to the Port at Morehead City,*
21 *Carteret County, North Carolina.*

22 “(83) *The Central Texas Corridor commencing*
23 *at the logical terminus of Interstate 10, and generally*
24 *following portions of United States Route 190 east-*
25 *ward passing in the vicinity Fort Hood, Killeen,*

1 *Belton, Temple, Bryan, College Station, Huntsville,*
2 *Livingston, Woodville, and to the logical terminus of*
3 *Texas Highway 63 at the Sabine River Bridge at*
4 *Burrs Crossing.”;*

5 (2) *in subsection (c)(5)—*

6 (A) *in subparagraph (A) (109 Stat. 597;*
7 *118 Stat. 293; 119 Stat. 1213), in the first sen-*
8 *tence—*

9 (i) *by inserting “subsection (c)(13),”*
10 *after “subsection (c)(9),”;*

11 (ii) *by striking “subsections (c)(18)”*
12 *and all that follows through “(c)(36)” and*
13 *inserting “subsection (c)(18), subsection*
14 *(c)(20), subparagraphs (A) and (B)(i) of*
15 *subsection (c)(26), subsection (c)(36)” ; and*

16 (iii) *by striking “and subsection*
17 *(c)(57)” and inserting “subsection (c)(57),*
18 *subsection (c)(68)(B), subsection (c)(81),*
19 *and subsection (c)(82)”;* and

20 (B) *in subparagraph (C)(i) (109 Stat. 598;*
21 *126 Stat. 427), by striking the last sentence and*
22 *inserting “The routes referred to in subpara-*
23 *graphs (A) and (B)(i) of subsection (c)(26) and*
24 *in subsection (c)(68)(B) are designated as Inter-*
25 *state Route I-11.”.*



September 8, 2015

Ms. Diane Wilson
North Carolina Department of Transportation
PDEA – Human Environment Section
1598 Mail Service Center
Raleigh, North Carolina 27699-1958

Dear Ms. Wilson:

The Board of Directors of the Carteret County Chamber of Commerce herein submits formal written comments in support of the design for the construction of the **US 70 Havelock Bypass** (Tip Project No. R-1015).

More specifically, the Chamber Board agrees with the North Carolina Department of Transportation (NCDOT) in its determination that Alternative 3 is the “Preferred Alternative.”

The Chamber Board maintains that “transportation is the backbone of a region’s economic vitality” and without an adequate transportation system, people cannot easily reach their intended destination, goods cannot be delivered in a cost effective manner and investors may look to invest in better served areas.

As cited in the “Governor’s 25-Year Vision for North Carolina: Mapping Our Future,” the economic importance of coastal tourism requires the investment in “solutions” for the Coastal Region, including improved highway connections and the transformation of the North Carolina ports.

The US 70 Corridor is central to Carteret County’s transportation system, and the Carteret County Chamber advocates improvements to the US 70 corridor between Raleigh and Carteret County to eventually result in a limited or restricted access thoroughfare that is designed to move traffic more efficiently and with greater safety.

Construction of the Havelock Bypass will be one more step forward in the coordinated effort toward elevating US 70 to the status as a “Future Interstate,” as is specified in “The Military Corridor Transportation Improvement Act,” now under consideration in the U.S. Congress to ensure superior transportation facilities from Marine Corps Air Station Cherry Point to the Port of Morehead City.

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www.nccoastchamber.com • cart.coc@nccoastchamber.com

The importance of constructing the US 70 Havelock Bypass is now even more critical than in 2012, when the Carteret County Chamber affirmed its support for the preferred route of the Havelock Bypass, as traffic congestion through Havelock on existing US 70 continues to mount;

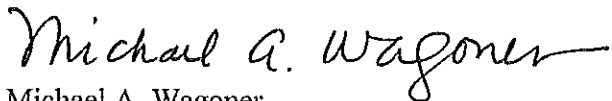
The Chamber Board fully endorses and supports the design and construction of the Havelock Bypass on NCDOT's "Preferred Alternative" route, because it:

Provides the best balance on minimizing impacts to natural and human environmental resources, the Croatan National Forest and the City of Havelock.

Is the least costly alternative.

Has a small number of relocations of existing structures.

Sincerely,

A handwritten signature in cursive script that reads "Michael A. Wagoner". The signature is written in black ink and includes a horizontal line at the end.

Michael A. Wagoner
President