



**DEPARTMENT OF THE ARMY  
WILMINGTON DISTRICT, CORPS OF ENGINEERS**

**B. EVERETT JORDAN DAM AND LAKE**  
P.O. Box 144  
MONCURE, NORTH CAROLINA 27559

September 23, 2015

U. S. Department of Transportation, Federal Transit Administration  
Stanley A. Mitchell, Environmental Protection Specialist  
D-O LRT Project – DEIS  
c/o Triangle Transit  
Post Office Box 530  
Morrisville, North Carolina 27560

Dear Mr. Mitchell:

We have reviewed August 2015 Draft Environmental Impact Statement (DEIS) for the Durham-Orange Light Rail Transit Project (D-O LRT ) proposed by The Research Triangle Regional Public Transportation Authority d/b/a Triangle Transit d/b/a GoTriangle (Triangle Transit).

The identified National Environmental Policy Act of 1969 as amended (NEPA), Preferred Alternative would impact 0.558 acre of wetlands and 3,413 linear feet (0.438 acre) of streams under the jurisdiction of the US Army Corps of Engineers (USACE). Department of the Army (DA) permit authorization, pursuant to Section 404 of the Clean Water Act of 1977, as amended, will be required for these discharges of excavated or fill material into waters of the United States or any adjacent wetlands in conjunction with this project, including disposal of construction debris. Specific permit requirements will depend on design of the project, extent of fill work within the waters of the United States, construction methods, and other factors including temporary construction, support facilities (i.e. rail stations, maintenance shop facilities), facility maintenance access, mechanized land clearing and dewatering activities. The Wilmington District Regulatory Division does not object with the Federal Transit Administration's (FTA) DEIS determinations and selection of the NEPA Preferred Alternative. However please be aware the referenced DA permitting process includes a "Public Interest Review" in the determination of a "Least Environmentally Damaging Practicable Alternative" (LEPDA) for the D-O LRT to authorize referenced discharges of fill material into waters of the United States including adjacent wetlands. Triangle Transit should continue to coordinate with Mr. John Thomas of our Raleigh Regulatory Field Office regarding DA permitting including development of compensatory mitigation measures as indicated in the DEIS. Mr. Thomas may be reached at 919-554-4884 extension 25.

A portion of the NEPA Preferred Alternative crossing Little Creek (Alternative C2A) would impact government property under the stewardship of the USACE at B. Everett Jordan Lake (Jordan Lake). The proposed 3.6 acres of Triangle Transit easement on government property includes 1.7 acres within the right-of-way easement for NC Highway 54, 1.7 acres within the deeded right of way for George King Road, and 0.2 acres outside of these rights of

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way. We concur with the determination that Alternative C2A will have a *de minimis* impact on the government property provided the avoidance, minimization, mitigation, and enhancement measures are carried out as specified in the DEIS. Triangle Transit should continue to coordinate with Mr. Francis Ferrell, of the Jordan Lake staff, regarding completion of the USACE land use request process and issuance of the required easement. Mr. Ferrell may be reached at 919-542-4501 extension 28.

We appreciate Triangle Transit's efforts to avoid and minimize adverse impacts to public lands at Jordan Lake and jurisdictional wetlands. If you have questions regarding this matter, please refer to points of contact listed above.

Sincerely,

A handwritten signature in black ink that reads "Carol M. Banaitis". The signature is written in a cursive style with a large initial 'C' and a stylized 'B'.

Carol M. Banaitis, R. F.  
Piedmont Operations Project Manager