REGULATORY COMPLIANCE AND PERMIT REQUIREMENTS

6.1 STATE AND FEDERAL REGULATORY COMPLIANCE

Regardless of which alternative is selected as least environmentally damaging and most practicable (i.e. the LEDPA), implementation of this project will require several permits, certifications, and technical reviews at various federal and state levels of jurisdiction. Because this is a state-sponsored project, all local jurisdictions are superseded by the relevant federal and state authorities. Furthermore, since project funding is derived from a combination of shared state and federal highway-related monies, the lead federal agency is the FHWA which reviews, consents to, and thus guides ConnDOT in the sponsorship of this project. As permit applicant, ConnDOT must fulfill all steps in the multilevel permit process summarized below.

6.1.1 FEDERAL PERMITS AND COMPLIANCE REQUIREMENTS

6.1.1.1 *National Environmental Policy Act (NEPA)*: The National Environmental Policy Act of 1969 (42 USC §4322 *et seq*.) is the basic national charter for protection of the environment. NEPA requires that all proposals for major Federal projects with the potential for a significant impact on the environment be accompanied by an EIS. The EIS establishes the purpose and need for the project, identifies all reasonable alternatives which can satisfy the purpose and need and reports environmental, social and cultural impacts, to the extent possible, which are attributable to each of the proposed alternatives. The EIS also identifies appropriate measures to mitigate identified impacts.

Applicability: Since a large portion of the proposed project is federally-funded, NEPA regulations must be satisfied. The project is considered a major federal action and thus requires an EIS.

6.1.1.2 *Federal Water Pollution Control Act (Clean Water Act) and Section 404 Wetlands Permit*: The ACOE has jurisdiction, under the Clean Water Act of 1972 (33 USC§ 1251 *et seq.*), to regulate the discharge of dredged or fill material into all waters of the United States including open water, inland wetlands and tidal wetlands.

In order to ensure consistency with state wetland and water quality requirements, the issuance of this federal §404 wetland permit by the ACOE will be conditional upon issuance of a State Water Quality Certification in accordance with §401of the Clean Water Act (see Section 6.1.2.3).

The ACOE also has jurisdiction under *Section 10 of the Rivers and Harbors Act of 1899* (33 USC §403) over work performed in navigable waters of the US; if any waters within the project area are considered to be navigable by the ACOE under the definitions of the Rivers and Harbors Act, ACOE §10 jurisdiction would apply to this project. If so, since a §404 wetlands permit is required far this project, any §10 permit requirements would be combined with the §404 permit procedures.

Applicability: All of the build alternatives under consideration for this project would require some degree of wetland encroachment. A §404 permit would be required for Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and the preferred alternative. A §404 permit would not be required for both the no build alternative and the TDM/transit alternative.

6.1.1.3 *Coast Guard Bridge Permit*: The US Coast Guard, delegated by the US Secretary of Transportation, has the authority to issue permits for projects which involve the construction or modification of bridges over navigable waters of the United States under Section 9 of the Rivers and Harbors Act of 1899, the Bridge Act of 1906 and the General Bridge Act of 1946, as amended. Navigability is defined as waters which are subject to tidal influence (waters below mean high water) or waters which are not subject to tidal influence but are, have been or could be used as highways for substantial interstate or foreign commerce, notwithstanding obstructions that require portage.

Applicability: Since none of the streams in the study area appear to meet the conditions of navigability, a US Coast Guard Bridge permit is not likely to be required for any alternatives.

6.1.1.4 *Clean Air Act Conformity Determination*: The Clean Air Act of 1970 provided for the development of standards (NAAQS) to protect human health and public welfare. The Clean Air Act Amendments (CAAA) of 1990 furthered the process of attaining these standards by requiring that transportation projects, plans and programs conform to the goals and requirements of the SIP. The SIP is prepared by the state, and approved by the EPA, and describes how each state will either maintain or attain pollutant levels below the NAAQS.

Projects funded by FHWA must follow the Transportation Conformity Guidelines of the CAAA 1990. Such projects must conform to the SIP in that they must:

- neither create nor exacerbate exceedences of the NAAQS; and
- be included in the state's TIP, which lists all of the projects on a state's horizon.

The entire regional TIP must also conform to the SIP, thus ensuring that the overall transportation scheme will comply with the goals of the Clean Air Act. TIP conformance with the SIP is both determined and renewed regularly by FHWA.

Applicability: Because the preferred alternative is a new highway on new alignment, ConnDOT must prepare an "Air Quality Analysis Report" for the project, showing how the project conforms to the provisions set forth in the CAA and its amendments. This spans its inclusion on the Connecticut State TIP and the results of the microscale analysis. A “project-level conformity determination" in accordance with 40 CFR 93 is included in Section 5.3.5. The preferred alternative has been determined to be in conformity with the Clean Air Act, as amended, pursuant to all applicable EPA regulations currently in effect as of the date of approval of this FEIS. Conformity re-determinations may be required in the future pursuant to 40 CR 93.104.

6.1.1.5 *Endangered Species Coordination*: In order to comply with Section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 USC §§1531 et seq.), a Biological Assessment (BA) would be required if the proposed project is considered a "major construction activity," and if a federally-listed endangered species or critical habitat, is found within the project "Action Area" (50 CFR§402.12).

Applicability: Coordination has been initiated with the appropriate state and federal agencies regarding endangered species and/or critical habitats that

exist within the project vicinity. Agency comment regarding specific species and habitats has been received; however, to date, no formal §7 consultation or preparation of a BA has been requested by the agencies. The preferred alternative does not affect species protected under the ESA; however, it does impact one candidate species. The status of the candidate species (New England cottontail) that was detected within the project limits, and future changes to the FWS ESA list (as well as the DEP list) will be monitored during the design, permitting, and construction phases of the project. Any action(s), including possible Section 7 consultation under the ESA, that are determined to be necessary as a result of changes to these lists and/or the identification of listed species within the project limits, will be pursued as required by federal and/or state law or regulation.

6.1.1.6 *Hazardous Materials Regulations*: Risk sites, regulated by federal and/or state rules and regulations, may be located within the corridors of the "build" alternative alignments. Implementation of compliance procedures will begin with additional surficial site investigations (ConnDOT Task 210) to be performed during the design phase of the project for areas on or adjacent to the moderate and high risk sites identified for the preferred alternative. Compliance will be achieved as part of the final permit process which will be substantively completed before project construction begins. This sequence is promulgated and controlled by the rules and regulations noted above. Compliance will be based on site investigations and environmental audits of candidate hazardous waste sites in order to satisfy due diligence requirements resulting in the declassification of the sites, their avoidance, or their restoration, prior to construction at those sites.

6.1.1.7 *Historic Preservation Act*: Sensitivity to the historic, cultural, and archeological resources within the study area requires that procedures be followed which assure compliance with complementary federal and state jurisdictions. Coordination of the process of environmental review carried out pursuant to NEPA includes implementation of Section 106 of the National Historic Preservation Act of 1966, as amended (16 USC 470f). This requires that state-centered activity for historic resource conservation be coordinated through the State Historic Preservation Officer (SHPO) and the Federal Advisory Council on Historic Preservation in a Memorandum of Agreement (MOA) by which anticipated impacts on historic resources resulting from implementation of the alternative would be acceptably removed or minimized.

Applicability: Execution of a Section 106 MOA would be required for any of the build alternatives under consideration for this project, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and preferred alternative $E_{(4)}$m-V3. The no build alternative and TDM/transit alternatives would not require an MOA.

6.1.1.8 *Section 4(f) Evaluation*: All alternative alignments studied in this document require consideration of the impacts each may have on publicly-owned parks, recreation areas, or wildlife and waterfowl refuges, or any significant historic sites. FHWA must certify these impacts through findings of fact pursuant to §4(f) of the 1966 Federal Aid-Highway Act which states that "special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites." The Act, recodified in 1983, further states that the Secretary of Transportation may only approve a taking of such lands when:

- There is no prudent and feasible alternative to using that land; and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife refuge, or historic site resulting form the use.

Applicability: This document has identified §4(f) properties which occur within the right-of-way for one or more of the proposed alternatives. A Draft Section 4(f) Evaluation was prepared for the DEIS. The preferred alternative named in this FEIS does not impact §4(f) resources; therefore, a Final Section 4(f) Evaluation is not required.

6.1.1.9 *Section 6(f) Evaluation*: Section 6(f) of the Land and Water Conservation Fund Act (LAWCFA) 16 USC §460L4 through §460L11, as amended, requires that property acquired or developed with LAWCFA assistance be retained and used for public outdoor recreational use. Any property so acquired or developed shall not be wholly or partly converted to uses other than for public outdoor recreation without the approval of the Secretary of the US Department of the Interior.

Applicability: There are no impacts to §6(f) lands within this project area, and therefore a §6(f) Evaluation will not be required.

6.1.1.10 *Public Health Service Act (Safe Drinking Water Act)*: The 1986 Safe Water Drinking Act, 42 USC §300f through §300j-26, as amended, establishes standards for public water supplies and performance criteria for public water systems. The Act also requires each state to create a Wellhead Protection Program, which in turn, establishes specific Wellhead Protection Areas (WHPA). The states are granted primary authority for adopting and enforcing regulations for protection of water systems and supplies. In Connecticut, DEP is responsible for issues relating to water quality compliance; DPH oversees adequacy and protection of water supply sources.

Applicability: The widening alternatives, $W_{(4)}$, $W_{(4)}$m and $W_{(2)}$ and the new location partial build alternatives, $H_{(4)}$ and $H_{(2)}$, would involve construction activity on public water supply watershed lands and therefore would come under review by both the DEP and DPH with respect to public drinking water supply issues. The no build, TSM, TDM/transit and new location full build alternatives, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, and the preferred alternative would not affect public drinking water supplies and therefore would not require DEP and DPH review with respect to water supply issues.

6.1.1.11 *Executive Orders*: The federal Executive Orders listed below must be taken into consideration as part of the evaluation of each alternative.

- Executive Order 11990 (Wetland Protection)

  Executive Order 11990 mandates that federal agencies ensure preservation and enhancement of wetland resources and take appropriate action to minimize destruction, loss or degradation of wetlands in performance of their duties and administration of their programs.

  Applicability: Executive Order 11990 is applicable to all of the build alternatives under consideration, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and the preferred alternative. Executive Order 11990 would not be applicable to the no build alternative and the TDM/ transit alternative.

- Executive Order 11988 (Flood Hazard Reduction)

  Under Executive Order 11988, federal agencies are directed to take appropriate action to minimize flood hazards and impacts resulting from modifications to floodplains. Both long-term and short-term effects are to be evaluated and appropriate mitigative measures will need to be specified, as required.

  Applicability: Executive Order 11988 is applicable to all of the build alternatives under consideration, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, and $H_{(2)}$, and the preferred alternative. Executive Order 11988 would not be applicable to the no build alternative and the TDM/transit alternative.

- Executive Order 12898 (Environmental Justice)

  Pursuant to Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority and Low-Income Populations) federal

agencies are required to ensure that their programs, policies, and activities do not have the effect of excluding persons (including populations) from participation, denying persons (including populations) benefits, or subjecting persons (including populations) to discrimination under such programs, policies, and activities. The agency must evaluate whether any proposed alternatives or actions have the potential to result in disproportionately high or adverse human health or environmental effects on minority or low-income populations.

Applicability: There were no population segments identified as being disproportionately affected by any of the alternatives.

- Executive Order 13045 (Protection of Children From Environmental Health Risks and Safety Risks)

Executive Order 13045 of 1997, as amended, requires that federal agencies consider and address potential environmental health and safety risks that could result from a proposed action that may disproportionately affect children.

Applicability: There were no adverse environmental impacts identified that would disproportionately affect children.

- Executive Order 13112 (Invasive Species)

Executive Order 13112 seeks to prevent the introduction of invasive species and provide for their control, and to minimize the economic, ecological and human health impacts that invasive species cause. The order requires that all applicable federal agencies prevent the introduction of invasive species; detect and respond to new populations; undertake necessary monitoring; restore native species and habitats in affected ecosystems; conduct research and develop prevention strategies; and, promote public education.

Applicability: Executive Order 13112 is applicable to all of the build alternatives under consideration, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, and $H_{(2)}$, and the preferred alternative. Executive Order 13112 would not be applicable to the no build alternative and the TDM/transit alternative.

6.1.2 STATE PERMITS AND COMPLIANCE REQUIREMENTS

6.1.2.1 *Connecticut Environmental Policy Act (CEPA)*: CEPA provides the primary means by which the state assures that there will be a thorough

environmental review of any project which may affect the state and its environment. These requirements, defined in CGS §22a-1 through 13 and §22a-la through 12 of the state regulations, complement those defined in NEPA. CEPA does not require a permit to be issued, but it does provide state jurisdiction over projects that can substantially affect the human environment; such projects are evaluated and given careful consideration in light of state resources and their conservation. The implementation of the Act is overseen by OPM which will approve the content, adequacy and distribution of the assessment.

Applicability: The CEPA process, satisfied for this project by documentation generated in response to NEPA, will ensure that pertinent environmental factors are evaluated and that the information is made available to state and municipal officials and citizens before decisions are made and actions are taken.

6.1.2.2 *Inland Wetlands and Watercourses Act (IWWA)*: The IWWA (CGS §22a-36 through §22a-45), as amended, establishes DEP's jurisdiction in protection of the state's wetlands and watercourses. Based on that charge, and once the project is in the design and permitting phase, DEP will require a full review of all findings of fact relative to the identification, function and value of those wetland and surface water resources which may be directly or indirectly impacted by the final alignment selected as the proposed project. Although a coordinating state agency throughout the federal permit process, DEP does not initiate its permit process until a preferred alternative is selected and a state inland wetland permit application is submitted in support of a proposed, single project alignment (i.e. the LEDPA).

Applicability: All of the build alternatives under consideration for this project would involve impacts to wetlands and watercourses under state jurisdiction. An individual inland wetlands and watercourses permit would be required for Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and preferred alternative $E_{(4)}$m-V3. A permit would not be required for the no build alternative or the TDM/transit alternative.

6.1.2.3 *Water Quality Certification (CWA §401)*: Under the authority of the Clean Water Act, as amended (§401 33 U.S.C.), responsibility is granted to the DEP to issue certification that a project will not compromise established state water quality standards. This process requires coordination at a level of project design which considers site-specific pollution prevention measures and stormwater renovation with respect to a final right-of-way definition. The process is initiated as part of the state Inland Wetlands and Watercourses permit process. Once a permit

application is submitted in conjunction with the LEDPA, defined as a consequence of the federal review and permit processes defined above, DEP has no longer than one year to process the §401 Certification. Issuance of a §401 Water Quality Certification is part of the DEP unified permit process and it recognizes that issuance by the ACOE of a §404 permit is contingent on the issuance of a §401 Water Quality Certification by DEP.

Applicability: A §401 Water Quality Certification would be required for any of the build alternatives under consideration for this project, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and preferred alternative $E_{(4)}$m-V3. The no build alternative or the TDM/transit alternative would not require a water quality certificate.

6.1.2.4 *Change of Use Permit for Public Water Company Watershed Lands*: In 1980, DPH promulgated regulations relating to the establishment of criteria and performance standards for the classification of water company lands, and DPH review and approval of disposition and use of such lands. The legislative purpose of the regulations was to limit disposal of water company lands for development purposes. Section 25-37d-1 of the regulations states that no water company shall sell, lease, assign or otherwise dispose of or change the use of any public water supply watershed lands or any off-watershed Class I or Class II lands without a written permit from the DPH commissioner. Section 25-32b stipulates that a permit shall not be granted for sale, lease or assignment of Class I land, and the commissioner shall not grant a permit for a change in use of Class I land unless the applicant demonstrates that such change will not have a significant adverse impact upon the present and future purity and adequacy of the public drinking water supply. Such a permit will be required for any alternative that proposes to temporarily or permanently affect Class I or Class II watershed lands.

Applicability: The widening alternatives, $W_{(4)}$, $W_{(4)}$ m and $W_{(2)}$ and the new location partial build alternatives, $H_{(4)}$ and $H_{(2)}$,would involve permanent and/or temporary changes of use on public water supply watershed lands; a change of use would have to be granted by DPH for any of these alternatives. A change of use permit would not be required for the no build, TSM, TDM/transit and new location full build alternatives, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, and the preferred alternative $E_{(4)}$m-V3.

6.1.2.5 *Tidal Wetlands Act/Permit*: DEP's Tidal Wetland Act and regulations are promulgated under the authority of §22a-28 through §22a-35, as amended by Public Acts 79-170 and 80-356, and §22a-6 of the General Statues. Under the provisions of these regulations, the DEP is given the authority

to regulate activities affecting tidal wetlands, through a permit process, as a way to limit and control adverse impacts to this natural resource. This DEP permit would only be applicable if the proposed project has the potential to affect tidal wetlands, either directly or indirectly.

Applicability: All of the new location full build alternatives, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, and the preferred alternative $E_{(4)}$m-V3, could indirectly impact tidal wetlands and may require a permit. A tidal wetlands permit would not be required for the no build alternative, widening alternatives ($W_{(4)}$, $W_{(4)}$ m and $W_{(2)}$), TSM alternative, TDM/transit alternative and partial build alternatives, $H_{(4)}$ and $H_{(2)}$.

6.1.2.6 *Coastal Consistency Review*: The Connecticut CAM Program was established in 1974 under the auspices of the Federal Coastal Zone Management Act of 1972. This management program was established to promote wise and balanced planning of the coastal zone, and to require consideration of coastal resources. A consistency review for all proposals potentially affecting coastal resources is meant to ensure consistency with coastal zone policies as specified in Connecticut's Coastal Area Management Act (§22a-90 through §22a-112) and *Coastal Policies and Guidelines.* Coastal resources are considered to be both natural (such as tidal wetlands, beaches and dunes) and man-made (such as developed shoreline). To the extent that parts of this project will occur within the area mapped as Coastal Boundary and will affect coastal resources as defined by this regulation, a Coastal Consistency Review will be needed for applicable alternatives.

Applicability: All of the new location full build alternatives, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, and the preferred alternative $E_{(4)}$m-V3, could indirectly impact coastal resources and may require a consistency review. Coastal Consistency Review would not apply for the no build alternative, widening alternatives ($W_{(4)}$, $W_{(4)}$ m and $W_{(2)}$), TSM alternative, TDM/transit alternative and partial build alternatives, $H_{(4)}$ and $H_{(2)}$.

6.1.2.7 *National Pollutant Discharge Elimination System (NPDES) Permit*: Under §402 of the Clean Water Act (as amended (33 USC § 1251 *et seq*.), DEP is granted responsibility through the Water Discharge Permit Regulations (CGS §22a-430-3, as amended), to establish permit criteria and regulate both direct discharges and nonpoint source (CWA §319) discharges. Under authority of CGS §22a-430b, a statewide General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities was authorized on October 1, 1992 and reissued on October 1, 1997. Registration for the General Permit and submission of supporting documentation as evidence of

compliance with the General Permit conditions will be required prior to initiating any construction activities.

Applicability: NPDES/General Stormwater Discharge Permit requirements would have to be addressed for any of the widening or new location alternatives, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and preferred alternative $E_{(4)}$m-V3. Discharge registration may be required for the TSM alternative, depending upon the area of impact. The no build alternative and the TDM/transit alternative would not require a discharge permit.

6.1.2.8 *Stormwater and Floodplain Management Certification*: Administered by DEP, the pertinent standards are specified in CGS §25-68d and §25-68h of the Regulations of Connecticut State Agencies. Once the preferred alternative has been selected, coordination with the DEP will be undertaken with respect to this certification. Since the completion of' that process will require a project design sufficient to allow the required certification, the process will be completed during the final design phases of the project.

Applicability: Portions of each of the alternative alignments lie within the FEMA/FIRM 100-year flood zone established for the subject towns. Because this project involves state funds, and because it is a state action, the final proposed alternative alignment must be certified by ConnDOT as being in full compliance with flood and stormwater management standards. Stormwater and floodplain management certification would be required for any of the build alternatives under consideration, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and the preferred alternative $E_{(4)}$m-V3. The no build alternative and the TDM/transit alternative would not require certification.

6.1.2.9 *Indirect Sources of Air Pollution Regulations*: According to the state regulations for the Abatement of Air Pollution (CGS §22a-174-100), projects which produce an indirect source of air pollution are required to obtain a DEP permit. Under these regulations, an "indirect source" of "air pollution" means:

- Any new highway on a new location in the state highway system, except projects for bridge replacement or elimination of railroad crossing hazards;
- Any new expressway interchange service added to the state highway system; or
- Any new lane, longer than a mile in length and connecting either

signalized intersections or expressway interchanges, added to the state highway system.

The State of Connecticut requires most new roadways and substantial modifications to existing roadway to have an Indirect Source Permit. It is anticipated that an Indirect Source Permit would be required for the construction of the build alternatives. Final design details must be in place prior to applying to DEP for an Indirect Source Permit. Therefore, this determination will be made after a LEDPA has been selected and the final designs have been completed. Coordination with the DEP has begun through its participation in the preparation and review of this document.

Applicability: An Indirect Source Permit would be required for any of the build alternatives under consideration, Alternatives $W_{(4)}$, $W_{(4)}$m, $W_{(2)}$, TSM, 92PD, $E_{(4)}$, $E_{(2)}$, $F_{(4)}$, $F_{(2)}$, $G_{(4)}$, $G_{(2)}$, $H_{(4)}$, $H_{(2)}$, and preferred alternative $E_{(4)}$m-V3. The no build alternative and the TDM/transit alternative would not require a permit.