APPENDIX C

CORRESPONDENCE SINCE PUBLICATION OF THE 2015 DEIS

APPENDIX C1

CORRESPONDENCE FROM FEDERAL AGENCIES

Date	From	To	General Subject
11/02/2015	National Oceanic and Atmospheric Administration, Marine Fisheries Service	USACE	Comments on USACE public notice.
11/24/2015	State Historic Preservation Office	USACE	Comments on USACE public notice.
11/30/2015	Southern Environmental Law Center	USACE	Comments on USACE public notice.
12/07/2015	US Department of Interior	FHWA	Comments on DEIS
12/07/2015	US Environmental Protection Agency	NCDOT	Comments on DEIS
12/17/2015	USACE	NCDOT	USACE public notice
01/04/2017	United States Coast Guard; Fifth Coast Guard District	FHWA	Notification that Coast Guard bridge permit not required for project due to Surface Transportation Assistance Act (STAA) exemption.
02/21/2018	USFWS	NCDOT	Gray bat monitoring
06/18/2018	USACE	NCDOT	Comments on CP 4A merger meeting packet
03/01/2019	Office of Federal Agency Programs – Advisory Council on Historic Preservation	FHWA	Notification that consultation not needed to resolve adverse effects.
05/17/2019	USCG	NCDOT	I-26 French Broad River Monitoring
08/16/2019	FHWA	City of Asheville	Approval to designate the City of Asheville Transportation and Planning & Urban Design Department as a Consulting Party under Section 106 of the National Historic Preservation Act of 1966.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701-5505
http://sero.nmfs.noaa.gov

November 2, 2015

(Sent via Electronic Mail)

Colonel Kevin P. Landers Sr., Commander
U.S. Army Corps of Engineers Wilmington District
69 Darlington Avenue
Wilmington, North Carolina 28403-1398

Dear Colonel Landers:

NOAA's National Marine Fisheries Service (NMFS) reviewed the projects described in the public notice(s) listed below.

Based on the information in the public notice(s), the proposed project(s) would ***NOT*** occur in the vicinity of essential fish habitat (EFH) designated by the South Atlantic Fishery Management Council or NMFS. Present staffing levels preclude further analysis of the proposed activities and no further action is planned. This position is neither supportive of nor in opposition to authorization of the proposed work.

NOTICE NO.	APPLICANT	NOTICE DATE	DUE DATE
2004-9986803	NCDOT	October 28, 2015	November 30, 2015

Please note these comments do not satisfy your consultation responsibilities under section 7 of the Endangered Species Act of 1973, as amended. If the activity "may effect" listed species or critical habitat that are under the purview of NMFS, consultation should be initiated with our Protected Resources Division at the letterhead address.

Sincerely,

Pace Wilber (for)

Virginia M. Fay
Assistant Regional Administrator
Habitat Conservation Division

North Carolina Department of Natural and Cultural Resources

State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

November 24, 2015

Lori Beckwith
US Army Corps of Engineers
Asheville Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

Re: Discharge Fill Materials into US Waters for the I-26 Connector, Asheville, I-2513, Buncombe County, CH 96-0472

Dear Ms. Beckwith:

We have received a public notice concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

Renee Gledhill-Earley

for Ramona M. Bartos

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 828-258-2023 | 22 SOUTH PACK SQUARE, SUITE 700 ASHEVILLE, NC 28801-3494 | Facsimile 828-258-2024

November 30, 2015

Sent Via Electronic-Mail and First Class U.S. Mail

Ms. Lori Beckwith
U.S. Army Corps of Engineers
Asheville Regulatory Field Office
151 Patton Avenue
Room 208
Asheville, NC 28801-5006
loretta.a.beckwith@usace.army.mil

Re: Comments on the I-26 Connector, Corps Action ID #: SAW-2004-9986803

Dear Ms. Beckwith:

These comments are submitted on behalf of MountainTrue in response to U.S. Army Corps of Engineers' ("Corps") request for public comment on the I-26 Connector Draft Environmental Impact Statement ("DEIS").

MountainTrue is a § 501(c)(3) non-profit public interest organization dedicated to protecting the natural heritage and environment of Western North Carolina. MountainTrue's members live and work in the project area, regularly drive the project corridor, use and enjoy the French Broad River and its tributaries, and own homes and businesses impacted by the proposed project. MountainTrue administers the French Broad Riverkeeper program, which monitors and advocates for protection of the French Broad watershed from a variety of threats, including pollution from runoff, road projects and development.

We urge the Corps to acknowledge that it cannot, consistent with the mandate of the Section 404(b)(1) guidelines and statutory authority, issue a Department of the Army permit for any of the alternatives currently proposed by the N.C. Department of Transportation ("NCDOT") for the I-26 Connector. In particular, the Corps cannot issue a permit for any of the proposed alternatives for two reasons: (1) the project is improperly segmented in violation of National Environmental Policy Act ("NEPA"), depriving the Corps of the information it needs to make a permit decision; and (2) less harmful practicable alternatives exist for Section A of the project—six lanes or six lanes with auxiliary lanes would be more than adequate to meet future needs and would cause less harm to aquatic resources throughout the Connector.

Section 404(b)(1) Guidelines

In deciding whether to issue a Section 404 permit, the Corps must apply the EPA Section 404(b)(1) Guidelines. As required by the Clean Water Act (CWA), the Guidelines specify where and under what conditions dredged or fill material can be discharged lawfully. The Corps cannot issue a permit if any of the following are true: (i) there is a less harmful "practicable alternative" to the project, (ii) the project would cause a "significant degradation of the aquatic ecosystem," (iii) the applicant has not taken appropriate steps to "minimize potential harm to the aquatic ecosystem," or (iv) the Corps does not have "sufficient information" to make a reasonable permit decision. 40 C.F.R. § 230.12(a)(3). The alternatives currently proposed by NCDOT for the I-26 Connector fail because improper segmentation deprives the Corps of "sufficient information" to make a reasonable permit decision and less harmful practicable alternatives exist for Section A of the project that NCDOT failed to analyze.

I. The Corps Lacks Sufficient Information to Make a Reasonable Permit Decision Because the Project Is Improperly Segmented in Violation of NEPA

NCDOT's plans are plain: it is determined to build a continuous six-to-eight lane interstate from south of Hendersonville to north of Weaverville. The overbuilt highway expansion proposal though the entire Asheville metropolitan area will spoil scenery, alter development patterns, and impact aquatic resources throughout the corridor. Yet rather than fully and fairly disclosing the consequences of its desired corridor, NCDOT is proceeding piecemeal, analyzing only small segments of the project. Such segmentation hides the corridor's full environmental impacts and evades what NCDOT's own traffic data shows: that these segments are so interrelated that expanding one segment forces expansions in adjacent segments, and it is unreasonable to consider these segments under the fiction that they will occur in isolation. NCDOT's approach also violates NEPA—flouting a federal ruling on segmentation in this very corridor—and deprives the Corps of the information it needs to make a permit decision.

It is well established that "[a]gencies may not engage in segmentation, which involves an attempt to circumvent NEPA by breaking up one project into smaller projects and not studying the overall impacts of the single overall project." *Defenders of Wildlife v. N.C. Dep't of Transp.*, 762 F.3d 374, 394 (4th Cir. 2014) (internal quotation marks omitted). The Council on Environmental Quality ("CEQ") and the Federal Highway Administration ("FHWA") have regulations that guide whether a project is improperly segmented. The CEQ regulations provide that "[p]roposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement." 40 C.F.R. § 1502.4(a). Actions are closely related, and thus must be considered in the same impact statement, if they are connected actions. 40 C.F.R. § 1508.25(a).

> Actions are connected if they:
> (i) Automatically trigger other actions which require environmental impact statements.
> (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.

(iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

Id. The FHWA's regulations related to segmentation contemplate similar factors:

> In order to ensure meaningful evaluation of alternatives and to avoid commitments to transportation improvements before they are fully evaluated, the action evaluated in each EIS . . . shall:
> (1) Connect logical termini and be of sufficient length to address environmental matters on a broad scope;
> (2) Have independent utility or independent significance, *i.e.*, be usable and be a reasonable expenditure even if no additional transportation improvements in the area are made; and
> (3) Not restrict consideration of alternatives for other reasonably foreseeable transportation improvements.

23 C.F.R. § 771.111(f). The Corps' regulations contain a similar mandate to consider linked projects together: "All activities which the applicant plans to undertake which are reasonably related to the same project and for which a DA permit would be required should be included in the same permit application. District engineers should reject, as incomplete, any permit application which fails to comply with this requirement." 33 C.F.R. § 325.1(d)(2).

Although NCDOT plans one contiguous highway expansion, it is dividing the expansion into three distinct environmental review processes. The current DEIS analyzes TIP No. I-2513, encompassing widening and other modifications from just south of the I-26/I-40/I-240 interchange to north of where I-240 crosses the French Broad River, near the US 19/23/70 and SR 1781 (Broadway) interchange. To the north, NCDOT is developing TIP No. A-0010A, which spans from the northern end of this project to Exit 13 on US 19/23, near Mars Hill. To the south, NCDOT plans to widen 22.2 miles of I-26, from the southern end of this project to south of Hendersonville near US 25. This southern widening project is identified as TIP No. I-4400/I-4700. Originally, these were two distinct widening projects, but, as will be discussed below, a federal judge ruled that proceeding with an environmental analysis and decision limited to I-4400 alone constituted unlawful segmentation in violation of NEPA. In reality, TIP Nos. I-4400/I-4700, I-2513, and A-0010A are an integrated single project: the completion and expansion of I-26 through North Carolina.

Beyond their physical and thematic connection, a closer look reveals that these projects are inseparable and interdependent. First, as the DEIS acknowledges, a widened Connector is needed, in part, to accommodate traffic from the planned expansion north of the Connector, as that project will increase "traffic demands along I-240 west of Asheville." I-26 Connector Draft Environmental Impact Statement [hereinafter "DEIS"], at 1-3. Thus, planned widening in a "separate" project is constraining alternatives in this project. Similarly, expanding the Connector will force implementation of the proposed northern and southern expansions, or require those expansions to occur first, raising red flags under both CEQ's and FHWA's segmentation regulations.

For proof of the interdependent nature of these "separate" projects, the Corps need only refer to the maps and traffic capacity tables provided with the DEIS. If the Connector is built as planned, then the I-26 westbound lanes at the northern end of the project, which carry the traffic leaving Asheville for points north, will rapidly drop from five lanes to the existing two-lane footprint.[1] Creating such a bottleneck in the very lanes that will be carrying northbound traffic out of Asheville during afternoon rush-hour is untenable and will force additional widening projects. A comparable bottleneck is designed into the southern end of the project in the I-26 eastbound lanes: commuters traveling to destinations south of Asheville will have to navigate rush hour traffic as the roadway suddenly drops from five to two lanes. These bottlenecks are designed into all alternatives under consideration. Because much of the afternoon commuter traffic out of Asheville heads to points north and south, these bottlenecks inherent to the project will cause intolerable dysfunction in the corridor if the Connector project proceeds alone.

NCDOT's traffic capacity analyses bear this out. The following tables show the level of service ("LOS") predicted by NCDOT for these highway sections in 2033. These sections were analyzed under two scenarios: the long-range plan ("LRP"), which assumes these sections will be expanded to six lanes, and the additional improvements scenario ("AIS"), which analyzes these sections as an eight-lane highway. Under the LRP, assuming the Connector is built, there will be LOS failures during afternoon rush hour north and south of the Connector in all proposed alternatives. Drivers heading south will experience LOS F; drivers heading north will experience LOS E. This is true under all alternatives being considered for the Connector. To reach levels of service deemed acceptable by NCDOT, I-26 will need to be expanded to eight lanes (the AIS) to the north and south if the Connector is built as proposed. NCDOT has not provided a capacity analysis that assumes the existing four-lane footprint to the north and south of the Connector, but given the failures with six lanes, it is safe to assume those sections would perform even worse without any expansion. Indeed, the back-ups from the bottlenecks may be so severe that areas within the Connector may start to fail.

Table 1: Year 2033 Section C Level of Service Analysis[2]

Freeway Segments	2033 PM Peak Hour LOS
I-26 WB – South of I-40	D (LRP) C (AIS
I-26 EB – South of I-40	F (LRP) D (AIS)

Traffic Capacity Analysis Memorandum, Vol. 1, at 54, table 13 (URS 2010)[3]; *see also* DEIS at 2-93, Fig. 2-23.

Table 2: Year 2033 Section B Level of Service Analysis[4]

Freeway Segments	2033 PM Peak Hour LOS

[1] The DEIS describes this as a decrease from a four-lane section to a two-lane section, but an auxiliary lane creates a five-lane footprint.

[2] This table contains data from the capacity analysis for Alternative C-2 in Section C. Data from only one alternative is shown because the LOS results are the same for all Section C alternatives in these segments.

[3] This document is the source for NCDOT's capacity analysis for the Connector. *See, e.g.*, DEIS at 2-9 (citing the Traffic Capacity Analysis Memorandum in Tables 2-2 and 2-3).

[4] This table contains data from the capacity analysis for Alternative 3 in Section B. Data from only one alternative is shown because the LOS results are the same for all Section B alternatives in these segments.

I-26 WB – North of Broadway	E (LRP) D (AIS)
I-26 EB – North of Broadway	D (LRP) C (AIS)

Traffic Capacity Analysis Memorandum, Vol. 1, at 63, table 17; *see also* DEIS at 2-98, Fig. 2-27.

More proof that NCDOT knows and expects that the Connector will force expansions to the north and south can be found in the capacity analysis table that assumes the Connector is not built. Under the six-lane LRP footprint, the segments to the north and south perform at acceptable levels of service, even during afternoon rush hour. Thus the same sections that fail if the Connector is built perform fine if it is not built.

Table 3: Year 2033 No-Build Level of Service Analysis

Freeway Segments	2033 PM Peak Hour LOS
I-26 WB – South of I-40	D (LRP) C (AIS
I-26 EB – South of I-40	D (LRP) C (AIS)
US 19-23-70 NB – North of Broadway	D (LRP) C (AIS)
US 19-23-70 SB – North of Broadway	C (LRP) B (AIS)

Traffic Capacity Analysis Memorandum, Vol. 1, at 48, table 11; *see also* DEIS at 2-89 – 2-90, Figs. 2-20, 2-21.

By increasing capacity for the Connector project without taking into account the resulting traffic flow failures in related sections, NCDOT is artificially restricting the range of alternatives available for those sections, as well. The DEIS states that A-0010A and I-4400/I-4700 are also being designed to meet LOS D. DEIS at 2-8. Based on the above tables, NCDOT's plans for the Connector preclude anything less than an eight-lane footprint to the north and south. Thus, not only does the Connector foreclose a no-build alternative for those sections, which NEPA requires agencies to consider throughout EIS process, *it also forecloses six-lane alternatives*. In CEQ's regulatory terms, these facts show wrongful segmentation because the Connector "[a]utomatically trigger[s]" under NCDOT's own standards for traffic operation the northern and southern highway expansions and because the Connector "[c]annot or will not proceed unless" those expansions "are taken previously or simultaneously." 40 C.F.R. § 1508.25(a). At the very least, the Connector will "restrict consideration of alternatives for other reasonably foreseeable transportation improvements." 23 C.F.R. § 771.111(f). It also shows that the Connector is only a "reasonable expenditure" if the other expansions are made. *Id.* More broadly, the bottlenecks and interrelated traffic flow failures indicate that the Connector lacks logical termini, *id.*, and that these projects are in fact "interdependent parts of a larger action and depend on the larger action for their justification." 40 C.F.R. § 1508.25(a).

As noted above, a federal judge reached similar conclusions about NCDOT's attempt to evaluate I-4400 alone. *See W.N.C. Alliance v. N.C. Dep't of Transp.*, 312 F. Supp. 2d 765

(W.D.N.C. 2003). Just as with this project, completing I-4400 alone would have created a bottleneck precisely where congestion was already a problem, confirming that the project lacked logical termini and independent utility. *Id.* at 774. Moreover, the bottleneck would have wrongfully restricted consideration of alternatives for I-4700 because it would have eliminated the no-build option. *Id.* at 775. Although NCDOT has elected to interpret the segmentation portion of the opinion to mean only that I-4400 and I-4700 must be considered together, the opinion does not limit itself. *See* URS, *US 19/23 (Future I-26) Improvements Logical Termini and Independent Utility Memorandum* [hereinafter "Logical Termini Memo"], at 3 (Nov. 13, 2014). The court expressly found "that I-4400 does not have a logical terminus in the north and *is not a reasonable expenditure if I-4700 or the other proposed expansions are not undertaken.*" *W.N.C. Alliance*, 312 F. Supp. At 775 (emphasis added). The same is true for the Connector. Indeed, proceeding with the Connector alone is even worse under the segmentation factors, as it will create not one, but two, bottlenecks, and it forecloses not just no-build alternatives, but six-lane alternatives as well.

The record indicates that the Corps has raised similar segmentation concerns in discussions with NCDOT and FHWA on A-0010A. *See* Logical Termini Memo at 1-3. In the memorandum on this topic, FHWA and NCDOT provided only superficial and unpersuasive rebuttals for these concerns. For example, on the question of whether A-0010A would restrict consideration of alternatives, the memorandum provides only *ipse dixit*: "[T]he eastern terminus of the A-0010A Project was chosen in order to not restrict consideration of alternatives for the . . . I-2513 Project." *Id.* at 3. Such "say-so" is unpersuasive and inadequate under NEPA.[5] And as the Corps well knows, wrongful segmentation is no small matter: what the DEIS presents as approximately seven miles of highway expansion may in fact force over forty miles of highway expansion—more than doubling the existing footprint in many sections, including areas less developed and more sensitive than those impacted by I-2513.[6] Without a single EIS considering the direct, indirect, and cumulative impacts of expanding the entire corridor, the Corps lacks sufficient information to make a permit decision, as the full aquatic impacts of this project remain unknown. The Logical Termini Memo on segmentation in A-0010A suggests that the Corps took this position as to that project, and we urge the Corps to take the same position as to I-2513's DEIS.

II. The Corps Cannot Issue a Permit Because Less Damaging Practicable Alternatives Exist for Section A

The 2015 DEIS offers only one alternative for Section A: four travel lanes in each direction with auxiliary lanes for most of the section. This eight-to-ten lane footprint will more than double the existing roadway, disrupting West Asheville's renaissance with a freeway fit for Los Angeles. Yet, less damaging practicable alternatives exist: six travel lanes or six travel lanes with auxiliary lanes are feasible alternatives that will cause less damage throughout the

[5] The DEIS includes similar language, declaring that these projects do not restrict consideration of alternatives in the adjacent projects without any explanation or justification. *See* DEIS at 2-5 – 2-6.

[6] The memo also notes that a regional cumulative effects study found that the all projects under consideration for the corridor are not expected to result in significant cumulative effects. Logical Termini Memo at 3. Even assuming that statement is correct, it does not assuage concerns about the direct impacts construction of these sections will have on aquatic resources.

project and will adequately meet future demand. NCDOT's refusal to consider such alternatives, despite two decades of community pressure, is based on skewed studies, failed predictions, and flawed conclusions, and violates its core obligations under NEPA.

Although NCDOT failed to study practicable alternatives with lesser environmental impacts, the Corps is nonetheless required to independently evaluate the availability of less damaging alternatives in light of the project's legitimate objectives. *Friends of the Earth v. Hintz*, 800 F.2d 822, 833-34 (9th Cir. 1986) (Corps is required "to ensure that the applicant's stated purpose is legitimate"); *Alameda Water & Sanitation Dist. v. Reilly*, 930 F. Supp. 486, 492 (D. Colo. 1996) (the Corps "required independently to review and define the project's overall purpose"); *Sierra Club v. United States Army Corps of Eng'rs*, 2005 U.S. Dist. LEXIS 36385, *26 (D.N.J. 2005) ("The Army Corps is not restricted to the definition of project purpose contained in a permit application."). As explained in more detail below, six travel lanes or six travel lanes with auxiliary lanes represent viable and less damaging practicable alternatives; accordingly, the Corps cannot issue a permit for any of NCDOT's current proposals.

A. Six-Lane Alternatives Are Practicable Because They Will Adequately Meet Future Capacity Needs

The Corps is prohibited from issuing a 404(b) permit "if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences." 40 C.F.R. § 230.10(a). "An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." *Id.* § 230.10(a)(2). Moreover, as noted above, the Corps may also reject a permit application if it "lacks sufficient information to make a reasonable judgment as to whether the proposed discharge will comply" with the Corps' guidelines. *Id.* § 230.12(a)(3)(iv).

As is relevant to Section A, the DEIS identifies the following purpose for the project: "Improve the capacity of existing I-240 west of Asheville to accommodate the existing and forecasted (2033 design year) traffic in this growing area." DEIS at 1-3. Thus the only question from a practicability standpoint is whether the six-lane alternatives can meet the forecasted traffic demand for this section in 2033. In the DEIS, NCDOT concludes that six-lane alternatives are inadequate to meet this demand and steadfastly refuses to give full consideration to any alternative configuration. But NCDOT forces that result by imposing an arbitrary requirement, overinflating demand forecasts, and underestimating lane capacity. After stripping away NCDOT's flawed methodologies, it becomes clear that six lane alternatives are in fact practicable.

1. There Is No Requirement That the Connector Achieve LOS D at the Peak Hour

NCDOT's only justification for an eight-to-ten lane highway through West Asheville is that it is required by regulation to design the highway to achieve LOS D during the peak hour in the design year. No such legal requirement exists, however. NCDOT cites 23 C.F.R. § 625.4(a), which provides that FHWA adopted several documents as design standards for highways. But as the DEIS acknowledges, these documents do not impose a firm LOS D requirement. *See* DEIS

at 1-23. Rather, the pertinent document provides, as one would expect, flexibility in selecting the appropriate LOS, and that generally "agencies should strive to provide the highest level of service practical." *See id.* A policy to strive for the highest level of service practical is not a legal requirement to refuse to consider anything less than LOS D, and NCDOT's statements to the contrary are inaccurate and misleading. *E.g.*, *id.* at iv (asserting that "FHWA has adopted through regulation" an LOS D requirement for urban interstates).

Indeed, the claimed requirement to meet LOS D is belied by the NCDOT's own actions in pushing for the approval of eight travel lanes in 2002. At the time, NCDOT projected a traffic demand of 143,000 cars per day. Based on that number, the very table that NCDOT provided to the public indicated that an eight-lane freeway would exceed LOS E, yet NCDOT aggressively urged the MPO to approve eight lanes. Achieving LOS D cannot be a firm requirement, or else NCDOT itself violated that requirement in 2002 (the applicable laws have not changed in the intervening years, and the document providing recommended levels of services was published in 2001). Since NCDOT itself was not just willing to consider a Connector that would have exceeded LOS E, but also forcefully sought approval for such a Connector, at a minimum NCDOT must consider alternatives that would build fewer lanes but would achieve the same LOS that was acceptable when NCDOT wanted it to be acceptable.

Lacking a clear legal requirement to meet LOS D, the 2015 DEIS relies on a July 2004 letter from FHWA. *See* DEIS at 1-23. The letter states that the Connector project should be designed to meet LOS D. The credibility of this letter is completely undermined by an NCDOT official's notes, which were drafted in May 2004, shortly before FHWA's letter appeared. The notes, which were obtained in a public records request,[7] provide as follows:

→ Look for letter from FHWA on LOS E
→ Only let us design for LOS D or better. We will draft for them.

"**We will draft for them.**" (emphasis added). Ordinarily, a letter from one official to another would be weak evidence of a legal requirement. But here, where it appears that NCDOT drafted the letter to itself to justify its own action, citing such a letter is unpersuasive and an ad hoc justification of a decision already made, which violates NEPA.

NCDOT's claim that it must design for LOS D is thus based on a regulatory requirement that does not exist—and that NCDOT was in any event willing to violate when the forecasted traffic did not provide the result it wanted—and on a letter that NCDOT apparently drafted to itself. Reliance on such an illusory and fabricated requirement to reject reasonable alternatives is arbitrary and capricious, and in no way demonstrates that six-lane alternatives are impracticable.

[7] Copies of these notes are available upon request.

2. NCDOT's Traffic Demand Model and Traffic Capacity Analysis Are Flawed and Wrongly Skewed to Reject Six-Lane Alternatives

Even assuming that designing for LOS D is proper, NCDOT's rejection of six-lane alternatives is nonetheless flawed as it is based on studies skewed to ensure an eight-to-ten lane result. By overestimating future demand and underestimating capacity, NCDOT put six-lane alternatives through a test they could not possibly pass. Moreover, given that NCDOT's past models for this project have repeatedly failed to predict the future by greatly overestimating demand, and no basis exists to conclude that the latest model is not similarly flawed, the Corps should not rely on NCDOT's forecasts in its search for less damaging alternatives.

a) The Model's Assumption That the Connector Will Be Eight Lanes Creates Circular and Self-Fulfilling Decision Process

In generating its projected traffic demand for the Connector, the model itself has been programmed with the assumption that the Connector will have eight travel lanes. *See* Martin/Alexiou/Bryson, *French Broad River Metropolitan Planning Organization Travel Demand Model Final Report* [hereinafter "FBRMPO Travel Demand Report"], at 9-8, Ex. 5A (Nov. 2007) (noting that demand model assumed I-240 would be widened to eight lanes through West Asheville). In turn, this critical assumption underlies the projected traffic demand and induces more traffic than a smaller future footprint. *See* Martin/Alexiou/Bryson, *Traffic Forecasts for NCDOT State TIP Project No. I-2513, I-26 Connector*, at 26 (2010) ("The introduction of the connector, flyover, and (8-lane) widening in the Build Alternatives cause more trips than the No-Build Alternative along I-240 and I-26 because of reduced delay and increased capacity associated with building a new facility."). NCDOT then conducts a capacity analysis, asking how many lanes are needed to meet eight lanes of demand. Unsurprisingly, the analysis concludes that only eight lanes can meet eight lanes of demand; six lanes or six lanes with auxiliary lanes cannot. Community members have objected to this circular and self-fulfilling prophecy for years, but NCDOT repeats it in the 2015 DEIS to reject six-lane alternatives. *See* DEIS § 2.5.2.2 (applying eight-lane demand volumes to six lanes of capacity). Such flawed analysis is arbitrary and capricious, and in no way demonstrates that eight-to-ten lanes is the only practicable alternative.

It is noteworthy that, in 2002, the old model also generated projected traffic volumes for a four-lane and a six-lane Connector, and that these projections were substantially lower than the 143,000 cars per day projected for the eight-lane Connector at that time. Comparable traffic projections from the new model for a four-lane and six-lane Connector have not been provided to the public this time around, but it is likely that these projections also would be substantially less than the current forecast, and that these lower projections would be even more consistent with fewer lanes providing an appropriate LOS. NCDOT is required to provide these four-lane and six-lane projections to the public and use the Connector EIS fully to consider them and the lane alternatives they represent.

b) Demand Is Further Inflated By Including Expansions of I-26 to Six Lanes North and South of the Connector

As discussed in the segmentation analysis above, NCDOT's 2033 traffic capacity analysis assumed that I-26 will be expanded to six lanes north and south of the Connector. This assumption is also programmed into NCDOT's traffic demand forecasts. *See* FBRMPO Travel Demand Report, at 9-7, Ex. 5A. As a result, the traffic forecasted for the Connector includes the demand induced by having at least six travel lanes all the way from south of Hendersonville to north of Weaverville. The DEIS acknowledges that such expansions increase demand for the Connector. *See* DEIS at 1-3 ("The completion of portions of NCDOT STIP Project A-10 will further increased [*sic*] traffic demands along I-240 west of Asheville."). Therefore, NCDOT is rejecting six-lane alternatives based on future demand that is inflated by expansions adjacent to the project and eight lanes of demand within the project. This represents more circular and self-fulfilling logic, with NCDOT dreaming-up a superhighway and then asking if anything less can meet the demand that would be created along a superhighway. While effective at justifying superhighways, this approach does not answer the operative question: whether less damaging practicable alternatives exist. To answer this question, NCDOT must do what it has steadfastly refused, which is to forecast the demand for a smaller Connector *and* smaller overall corridor, and only then determine how many lanes are needed to meet that demand.

c) NCDOT's Lane Capacity Analysis Is Flawed, Underestimating Lane Capacity by Over 20%

In addition to overestimating demand, NCDOT underestimated lane capacity in the 2015 DEIS. Table 2-2 in the DEIS shows the estimated capacity for various numbers of lanes for different levels of service. NCDOT estimated these capacities using procedures from the Highway Capacity Manual (HCM). However, some of the assumptions used in the analysis, listed at the bottom of Table 2-2, are flawed.

First, NCDOT assumed a default truck percentage of 8%, and a truck equivalence factor of 2.5. This yields an adjustment factor of 0.893 that was applied to the theoretical lane capacity. However, the actual truck percentage is 5.2% (NCDOT SPOT worksheet). The HCM (Table 23-9) specifies a truck equivalence factor of 1.5 for the conditions in Section A, and FHWA's Appendix N (Procedures for Estimating Highway Capacity) also cites 1.5 as the appropriate factor. Using these figures would result in an adjustment factor of 0.975, which in turn would increase the calculated capacity by 9.2%.

Second, NCDOT used a driver population adjustment of 0.95. The HCM (23.12), Appendix N, and NCHRP Report 599 all recommend using a factor of 1.0. This would yield an additional capacity increase of 5.3%.

Third, NCDOT used a peak hour factor ("PHF") of 0.90. This factor is intended to accommodate higher traffic flows during the peak 15 minutes. The NCHRP Report 599 recommends a default value of 0.94.

If the three factors are revised as discussed above, then the combined adjustment factor would be 0.916 with PHF of 0.94. This would increase the assumed lane capacity by over 20%.

Starting with a theoretical lane capacity for LOS D of 2,040 (HCM Fig. 23-3), the directional peak-hour capacity for a six-lane freeway would increase from 4,570 in Table 2-2 to 5,610. Comparing this to the forecast volumes in Table 2-3, DEIS at 2-9, six lanes would be sufficient at all but two locations (Brevard Road to Amboy Road and Haywood Road to Patton Avenue); auxiliary lanes could be built for these segments. If the travel demand forecasts are adjusted downward to account for the base year over-estimates discussed below, then six lanes would suffice everywhere in Section A *even if* LOS D is an inflexible minimum at all times.

When capacity is calculated correctly, six lanes or six lanes with auxiliary lanes provide sufficient capacity to meet future demand. Notably, this assumes the validity of NCDOT's overinflated traffic forecasts. If a proper traffic forecast were done to correct the errors described above, then six lanes would likely provide more than enough capacity to maintain LOS D.

d) NCDOT's Traffic Forecast Model Is Improperly Calibrated Skewing Demand Upward

The 2010 traffic model that is used in the 2015 DEIS was calibrated for a base year of 2007. The calibration process is intended to ensure that the model correctly replicates actual current traffic behavior. The DEIS includes the model estimates for 2007 traffic along the I-26 corridor. These estimates exceed the actual traffic counts, indicating that the model was not properly calibrated. NCDOT's traffic counts are performed in even-numbered years, so the counts for 2006 and 2008 can be averaged to produce a fair estimated count for 2007. For the Bowen Bridges, the model estimate is 103,500, which is 7.8% higher than the count of 96,000. For I-240 south of Haywood Road, the model estimate of 54,900 exceeds the count by 7.6%. For US 19/23 north of I-240, the model estimate of 58,000 is 5.5% higher than the count. While it is impossible for a model to match every location exactly, over-estimating all of the locations along the most important corridor in the region by comparable factors indicates a systematic flaw in the model.

These calibration errors mean that future forecasts will very likely overestimate I-26 traffic by a comparable percentage. This is significant, because in some cases the projected volume is only slightly more than the estimated capacity at LOS D. For example, I-26/I-240 at Brevard Road is identified as a location where six lanes would not provide enough capacity, but the difference is only 5%, less than the calibration error. Thus, here again, NCDOT has skewed the numbers to ensure an eight-to-ten lane highway through West Asheville.

e) NCDOT Fails to Account for Large Margin of Error in Traffic Forecasting

In general, traffic forecasts are highly inaccurate and tend to overestimate demand. Substantial literature supports this point. *See generally* David T. Hargen, *Hubris or humility? Accuracy Issues for the Next 50 Years of Travel Demand Modeling*, Transportation (2013). One global study of transportation projects found that for road projects, on average, the difference between actual and forecasted traffic was more than ±20%, and for 25% of projects the difference was more than ±40%. Bent Flyvbjerg, et al., *Inaccuracy in Traffic Forecasts*, Transport Reviews, Vol. 26, No. 1, at 1-24 (2006). Surveys of traffic forecasters confirm these dismal results. One survey found that forecasters expected 20-year forecasts to only be within

±32.5% of actual traffic on an existing road, and ±42.5% on a new road. *See* Robert Bain, *The Reasonableness of Traffic Forecasts: Findings from a Small Survey* (April 2011). Another found slightly more optimism, with forecasters estimating that 20-year traffic forecasts would be within 24% of actual traffic for a new road, and 23% of actual traffic for a road widening project. *See* David T. Hartgen, *Travel Forecasting: Science, Craft, or Astrology*, Presentation at the Transportation Research Board Annual Meeting, January 2015, *available at* http://www.trb.org.

The poor predictive power of traffic forecasts can be seen in this case. Because NCDOT has been pushing for eight lanes since 1995, its then-25 year forecast to 2020 is rapidly approaching. The following table shows just how far NCDOT's 1995 forecasts for 2020 diverge from reality. The first column identifies segments of Section A. The second column provides the estimated ADT volume for those segments as reported in NCDOT's 1995 traffic forecast. The third column presents NCDOT's actual 2014 AADT volumes for those segments. The final column shows the 2020 volumes NCDOT predicted for those segments in 1995.

Table 4: Overestimation in NCDOT's 1995 Forecasts

Segments of I-240 in Section A	1995 ADT Volumes	2014 AADT Volumes	2020 Build Scenario Estimates (from 1995 forecast)
Between I-40 and NC 191	49,700	60,000 21% increase from 1995 1.1% per year	88,200 47% increase from 2014 7.8% per year
Between NC 191 and Amboy Rd.	55,400	69,000 25% increase from 1995 1.3% per year	99,100 44% increase from 2014 7.3% per year
Between Amboy Rd. and Haywood Rd.	48,600	59,000 21% increase from 1995 1.1% per year	84,200 43% increase from 2014 7.2% per year
Between Haywood Rd. and Patton Ave.	53,200	63,000 18% increase from 1995 0.9% per year	89,100 41% increase from 2014 6.8% per year

If NCDOT's 2020 predictions hold true, Asheville must prepare for a tidal wave of traffic in the next five years. Gradual one-percent increases in traffic will soon rise sevenfold in these segments, with each segment carrying an extra twenty to thirty thousand cars per day. While it is true that the 2020 numbers assumed a built Connector, which, as noted, will induce more traffic, these numbers still seem extremely high.

NCDOT has provided no basis to conclude that its current forecasts are any more accurate than its 1995 forecasts or traffic forecasts generally. Indeed, as discussed above, several bases exist to conclude that NCDOT's traffic forecasts are especially overinflated in this case. And despite the vast literature showing traffic forecasting to be a rough and moldable science, NCDOT presents its results as absolutes; the DEIS fails to describe or even acknowledge the inadequacies and margins of error in traffic forecasting. Combining the poor predictive power of traffic forecasts generally with the specific forecasting and capacity issues here, it becomes apparent that NCDOT has no rational basis to seek the massive highway footprint it seeks here.

It most certainly cannot dismiss the practicable 6-lane or 6-lane with auxiliary lane alternatives without violating NEPA.

3. NCDOT's Refusal to Consider Alternatives of Less Than Eight Lanes Is Arbitrary and Violates NEPA.

The Fourth Circuit has stressed that NEPA compliance must be measured by the totality of the circumstances in each specific case. *Nat'l Audubon Soc'y v. Dep't of the Navy*, 422 F. 3d 174, 186 (4th Cir. 2005). Each of the circumstances outlined above demonstrates that, to this point, NCDOT has arbitrarily predetermined to consider only eight travel lanes. The totality of these circumstances indicates that this approach, if continued into the final EIS, would violate NEPA's requirement that the agency consider all reasonable alternatives. The Corps should not repeat or incorporate NCDOT's illegal approach in its search for less damaging practicable alternatives. Rather, in light of the remarks above, the Corps should conclude that six lanes or six lanes with auxiliary lanes present practicable alternatives.

B. Six-Lane Alternatives Will Cause Less Damage to the Aquatic Ecosystem

Because six lanes or six lanes plus auxiliary lanes present practicable alternatives, the only remaining question is whether they "would have less adverse impact on the aquatic ecosystem" without causing "other significant adverse environmental consequences." 40 C.F.R. § 230.10(a). If so, the Corps must refuse to issue a permit to any eight-lane alternative. Limited data is available to answer this inquiry because for two decades NCDOT has refused to consider or analyze less than eight lanes in Section A. That said, certain general points may be made which show that six lane alternatives will cause less damage to the aquatic ecosystem.

First, as is obvious, a smaller highway footprint will allow Section A to cause less short-term and long-term effects on aquatic resources. Although NCDOT contends that constructing six lanes with auxiliary lanes in Section A will require almost as much land as its desired eight-to-ten lane footprint, it is still less land. This means that, short-term, less soil will be disturbed and, long-term, there will be a smaller amount of impervious surface—and thus less polluted runoff—in Section A. The land use and impervious surface benefits would likely be even greater in a pure six-lane footprint, which it appears NCDOT has not evaluated in detail. *See* AECOM, *Memorandum Re: Section A Project Footprint Scenarios*, at 1-2 (Sept. 24, 2015) (discussing only six lanes with auxiliary lanes).

More important than Section A's footprint, however, is the impact a smaller Section A will have on Sections B and C. These sections impose greater threats to aquatic resources, in part because Section B involves the addition of multiple river crossings, and Section C is near sensitive water resources, including Hominy Creek. Shrinking Section A will cause less damage to aquatic resources in those sections because a smaller Section A will allow for smaller Sections B and C. Part of the reason that Sections B and C have such large footprints is because they must feed into and out of an eight-to-ten lane Section A. If Section A has fewer lanes, then Sections B and C will need fewer lanes to feed into and out of Section A. Thus a smaller Section A permits a physical reduction in size that will reduce aquatic impacts throughout the Connector. Similarly, given the well-established relationship between highway size and traffic demand, a

smaller Section A will induce less traffic throughout the Connector, meaning that Sections B and C would likely require fewer lanes, further reducing aquatic impacts.

It is also possible that a right-sized Section A, by shrinking the Connector to 6 lanes, will reduce traffic demands throughout the I-26 corridor, preventing or limiting impactful expansions north and south of the Connector. Without proper analysis, it is impossible to quantify the reduction in induced demand, but NCDOT's figures show that the Connector as planned will increase demand throughout the corridor, even at the edges of the study area. A smaller Connector will reduce the need for expansions and associated aquatic impacts within and beyond the Connector.

Based on the foregoing, six-lane alternatives will cause less damage to aquatic resources, and thus the Corps must reject any permit application that includes eight lanes or more in Section A. To the extent NCDOT's failure to analyze six-lane alternatives has deprived the Corps of sufficient information to identify the least damaging alternative, the regulations authorize the Corps to deny a permit request on that basis alone. *See* 40 C.F.R. § 230.12(a)(3)(iv). Additionally, the Corps' regulations contemplate supplementing the NEPA documents when the Corps lacks sufficient information to make its determination. *See id.* § 230.10(a)(4). Accordingly, as the Corps is unable to identify the least damaging alternative with the information before it, the Corps has at least two mechanisms available to obtain that information.

Public Interest Review

Public interest review gauges the public and private need of the project. *See* 33 C.F.R. 320.4(a)(1) (describing public interest review and stating that the Corps must deny the permit if the application does not comply with the § 404(b)(1) Guidelines); Environmental Law Institute, *The Federal Wetlands Permitting Program: Avoidance and Minimization Requirements* 2 (Mar. 2008). Public interest review requires the Corps to consider any "probable impact which the proposed activity may have on the public interest." 33 C.F.R. § 320.4(a)(1). Benefits must be balanced against detriments. *Id.*

As currently proposed, the Connector project is not in the public interest. NCDOT has hidden the full impacts of this project by wrongfully segmenting it, and it has failed to consider less damaging practicable alternatives in Section A, despite decades of community pressure. As of the last traffic simulation analysis, the travel benefits of an eight-lane footprint over a six-lane footprint through West Asheville are slight—a matter of seconds for commuters—but the detriments to the community are enormous. A thriving urban community will be replaced with a superhighway, forcing numerous relocations in a city that already faces an affordable housing shortage, and the character of Asheville will be forever changed for the worse. But the damage does not stop at Asheville because, as noted, the demand induced by the Connector will force expansions to the north and south. While improving the current highway infrastructure is a legitimate need, more than doubling miles of the existing four-lane highway is not the answer. It will not serve the public interest, as is clear based on the myriad of flaws outlined above. Accordingly, we urge the Corps to conclude that the project, as presented in the I-2513 DEIS, does not survive public interest review.

Conclusion

For the foregoing reasons, the Corps could not grant a DA permit for any of NCDOT's proposed alternatives. The improper segmentation of the project deprives the Corps of sufficient information to make a permit decision, and there are less environmentally damaging practicable alternatives—six lanes or six lanes with auxiliary lanes in Section A. If the Corps continues to consider the application, a public hearing is necessary to fully ventilate the serious deficiencies in the proposed plan.

Sincerely,

Austin DJ Gerken

cc

Julie Mayfield, MountainTrue

United States Department of the Interior

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ER 15/0584
9041.3

December 7, 2015

John F. Sullivan, III, P.E.
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

Re: Comments and Recommendations on the Draft Environmental Impact Statement and Section 4(f) Evaluation I-26 Connector, I-40 to US 19/23/70 North of Asheville in Buncombe County, North Carolina

Dear Mr. Sullivan:

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement and Section 4(f) Evaluation I-26 Connector, I-40 to US 19/23/70 North of Asheville in Buncombe County, North Carolina. The following comments are provided in accordance with the National Environmental Policy Act (42 U.S.C.§4321 et seq.) and Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

The North Carolina Department of Transportation (NCDOT) proposes to improve the existing I-240 and US 19-23 corridors from the I-26/I-40/I-240 interchange to the US 19-23-70 interchange with SR 1781 (Broadway Street). The project is approximately 7 miles long and is described in three sections; A, B and C.

We have been involved as a Merger team member for this project since 2002 and has been involved for the last 13 years. The US Fish and Wildlife Service (USFWS) provided comments and concurrence on the Purpose and Need (CP 1), the Alternatives to be Studied in Detail (CP 2) and the Bridging and Alignment Review (CP 2A).

Impacts to Federally Listed Species

We recommend the NCDOT and Federal Highway Administration (FHWA) continue coordination with the Department regarding required surveys as this project progresses through

the Merger Process. Given the urban nature of this project, the alternatives currently displayed in the DEIS are very similar in potential impacts to federally listed species.

Impacts to the Natural Environment

Reducing the footprint of this project has been a goal, particularly in developing later alternatives. We agree that a smaller, more compact project reduces direct impacts, especially to the human environment. However, those benefits may be negated if increases in stormwater cannot be properly treated to reduce thermal, chemical and velocity inputs to the French Broad River and its tributaries in the project area. Given the project's proximity to the French Broad River and the addition of impervious surface to this area, special and early attention should be paid to making sure that adequate area for stormwater detention and treatment is available. All of the alternatives should provide consideration of stormwater management.

We recommend that the NCDOT and FHWA continue coordination with the USFWS in the Merger Process. If you have questions about the above comments, please contact Marella Buncick on (828) 258-3939 ext. 237.

Section 4F

There is an extensive record of coordination with land owners and managers of 4F properties as well as the State Historic Preservation Office (SHPO) for this project. The potential uses of these resources were discussed, avoidance alternatives and other measures to minimize harm to the resources are identified and coordination with the public official having jurisdiction over each resource is documented. Section 4F resources that have the potential to be impacted are listed below:

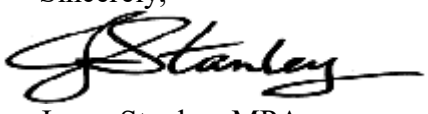
Biltmore Estate
Asheville School
French Broad River Greenway
Carrier Park
West Asheville/Aycock School Historic District and Expansion
William Worley House (formerly C.G. Worley House)
Montford Hills Historic District
Montford Hills/Hibriten Drive Boundary Expansion
Archaeological Site 31BN623

Since a preferred alternative has not been identified at this time and a Memorandum of Agreement has not been developed, we cannot concur that the section 4F document includes all planning to avoid, minimize and mitigate all harm to 4F resources; and that there is no other prudent or feasible alternative at this time.

The Department has no objection to the demimimis determination provided that a MOA is developed outlining who is responsible for each avoidance, minimization and mitigation effort and the MOA is signed with the SHPO and land owners/managers.

Thank you for the opportunity to review and provide comments. If you have questions, please contact Anita Barnett on (404) 507-5706. I can be reached on (404) 331-4524 or via email at joyce_stanley@ios.doi.gov.

Sincerely,



Joyce Stanley, MPA
Regional Environmental Protection Specialist

cc: Anita Barnett – NPS
Gary Lecain – USGS
Christine Willis – FWS
Chester McGhee – BIA
Robin Ferguson – OSRME
OEPC - WASH

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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DEC 07 2015

Mr. Richard W. Hancock, P.E., Manager
Project Development and Environmental Analysis
North Carolina Department of Transportation
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Re: Federal Draft Environmental Impact Statement (DEIS) and Draft §4(f) Evaluation for the I-26 [Asheville] Connector Project, Buncombe County, North Carolina; ERP No.: FHW-E40851-NC; CEQ No.: 20150294; F.A. Project No.: MA-NHF-26-1(53); State Project No.: 34165.1.1; TIP Project No.: I-2513

Dear Mr. Hancock:

The U.S. Environmental Protection Agency Region 4 Office has received and reviewed the subject document and is commenting in accordance with §309 of the Clean Air Act (CAA) and §102(2)(C) of the National Environmental Policy Act (NEPA). The Federal Draft Environmental Impact Statement (DEIS) proposes a 7-mile interstate project that would connect I-26 in southwestern Asheville to U.S. 19-23-70 in northwest Asheville. The I-26 Connector would upgrade and widen I-240 from I-40 to Patton Avenue, and then cross the French Broad River as a new freeway to U.S. 19-23-70 slightly south of the Broadway interchange.

The EPA staff has been an active participant in the NEPA/§404 Merger process for the proposed project, including purpose and need, detailed study alternatives to be carried forward and alignment review. The EPA signed Concurrence Point 2A on April 2, 2015. Specific technical review comments on the DEIS are enclosed to this letter (See Enclosure).

Climate change could have potential effects on transportation infrastructure. We recommend that the North Carolina Department of Transportation (NCDOT) in concert with the Federal Highway Administration (FHWA) incorporate scenarios from the National Climate Assessment (NCA), released by the U.S. Global Change Resource Program[1] as a prediction of how climate change may impact this particular transportation facility. Based on future scenarios, it may be appropriate to incorporate resiliency features to withstand more frequent and/or more intense storm events as well as the impact of temperature extremes on pavement and infrastructure.

[1] http://nca2014.globalchange.gov/

The EPA rated the DEIS as 'Environmental Concerns' (EC-2), indicating that several concerns requiring additional information regarding impacts to the natural and human environment, including environmental justice (EJ) were identified. Our review identified the opportunity for potential avoidance and minimization of impacts as well as mitigation measures related to stream and wetland impacts, water quality, and EJ and community impact issues. The '2' rating indicates that the DEIS information and environmental analysis will require some additional information and clarification as the project moves forward, including: floodway and floodplain impacts, water resources impacts, impacts to threatened and endangered species, archaeological resources impacts, and the ability to secure affordable housing for potential residential relocations.

In general, the EPA supports the proposed project's purpose and need and detailed study alternatives. With appropriate disclosure and proper mitigation, this project should result in reduced adverse impacts. The EPA recommends that all of the technical comments in the enclosure be addressed in the Final EIS (FEIS). Additionally, we recommend that all relevant environmental impacts that have not been disclosed in this document or covered in the FEIS be addressed in additional NEPA documentation prior to the issuance of a Record of Decision (ROD).

Dr. Cynthia F. Van Der Wiele, of my staff, will continue to work with you as part of the NEPA/§404 Merger Team process in the identification of reasonable and feasible alternatives. Should you have any questions concerning these comments, please feel free to contact her at vanderwiele.cynthia@epa.gov or (919) 450-6811. We appreciate the opportunity to comment on the proposed I-26 Connector project.

Sincerely,

G. Alan Farmer
Director
Resource Conservation and Restoration Division

Enclosure

cc: John F. Sullivan, III, P.E, FHWA- NC
Lori Beckwith, USACE Asheville Field Office
Marella Buncick, USFWS Asheville Field Office
Karen Compton, USFS
Ashley Farless, TVA
Kevin Barnett, NCDEQ, DWR Asheville Regional Office
Marla Chambers, NCWRC

ENCLOSURE

Draft Environmental Impact Statement
I-26 [Asheville] Connector Project
Buncombe County
ERP No.: FHW- E40851-NC; CEQ No.: 20150294

Project Purpose and Need

The primary purposes of the project are outlined in Section 1.3 of the DEIS and are aimed to: upgrade the interstate corridor from I-26 south of Asheville through the U.S. 19-23-70 interchange to meet interstate design standards; provide a link in the transportation system connecting a multi-lane freeway facility meeting interstate standards from the Port of Charleston, SC, to I-81 near Kingsport, TN; improve the capacity of existing I-240 west of Asheville to accommodate existing and forecasted [2033 design year] traffic volumes; reduce traffic delays and congestion along the I-240 crossing of the French Broad River; and increase the remaining useful service of the Captain Jeff Bowen bridges by substantially reducing the volume of traffic on this crossing of the French Broad River.

The needs for the proposed project are detailed in Section 1.2; these include: 1) *system linkage*—by completing an interstate connection from Charleston, SC to Kingsport, TN; 2) *capacity*—by providing additional capacity to reduce traffic congestion and delay; and 3) *address roadway deficiencies*—by developing a facility that meets current interstate design standards and aims to reduce vehicle crash rates.

The EPA recognizes the purpose and need of this project as a critical segment in the completion of the I-26 interstate system.

Detailed Study Alternatives

The DEIS Selection of a Build Alternative was based on several key decisions: logical termini/independent utility, roadway design criteria/typical sections, and study alternatives for each section. Table 2-13 (page 2-134) lists the detailed study alternatives and compares each to the project's purposes. On January 22, 2015, the EPA also concurred with NCDOT's Detailed Study Alternatives (Concurrence Point 2). The DEIS did not indicate a preferred alternative for each section.

EPA Recommendations: At potential wildlife "hotspot" areas along the corridor, the EPA encourages collaboration with the N.C. Wildlife Resources Commission (NC WRC) and the U.S. Fish & Wildlife Service (USFWS) to design appropriate under-and overpasses to reduce large mammal mortality and increase safety and reliability.

Existing Environments

Population Characteristics

Census data used for the DEIS noted that Limited English Proficiency (LEP) populations do not meet the Department of Justice (DOJ) LEP Safe Harbor threshold, but do indicate a Spanish-speaking population that exceeds 50 persons within the Detailed Study Area (DSA). According to Table 3-4 Limited English Proficiency (LEP) by Block Group (2007-2011), two of the block groups in the study area have LEP. These correspond to the Westgate and Emma Road/Bingham Road neighborhoods.

EPA Recommendations: Outreach should include availability of the DEIS in Spanish (as well as any other printed material related to the I-26 Connector project), and Spanish-speaking staff at public meetings and workshops.

Environmental Justice

EJ Demographics: Table 3-8 provides a summary of EJ populations within the detailed study area and includes the community, ethnic percentage and percentage of low income population.

EPA Recommendations: The EPA recommends that the FEIS continue to include public comments related to EJ as part of an ongoing responsiveness summary and indicate issues that remain unresolved. Secondly, there is strong concern regarding the difficulty in finding housing within financial means due to the substantial increase in housing values within Asheville. The EPA recommends that every effort should be made to continue to work with residents to ensure that appropriate replacement housing is available or to provide residents with last-resort housing (see NC General Statute 133-10.1). The EPA notes from the DEIS summary of impacts that the alternatives under consideration include a range of residential relocations of 194 to 227 residences. We further recommend that the FEIS summarize or reference efforts made to avoid and minimize acquisitions and displacement impacts to EJ communities.

Environmental Consequences

Parks and Recreational Facilities / Section 6(f)

Carrier Park and the French Broad River Greenway would be directly affected by the I-26 Connector Project.

EPA Recommendations: The EPA encourages collaboration with the City of Asheville during final design to develop further avoidance and minimization of impacts and to locate suitable mitigation for these impacts.

Compatibility with Local Plans

Section 4.1.2.1 discusses compatibility with local land use and transportation plans. Future land use plans are anticipated to be in harmony with the I-26 Connector and will likely result in greater infill within the urban core of Asheville.

EPA Recommendations: The EPA encourages continued coordination with the City of Asheville to avoid and minimize impacts to parks and recreational facilities. In addition, the EPA also encourages NCDOT to coordinate with the City of Asheville in order to integrate the City of Asheville's Bicycle Plan (2008) into the I-26 Connector design so that bicycle access is provided along the Smoky Park Bridges, the Amboy Road extension, as well as particular locations where bicycle facility design features would not meet the improvements included in the local plans. The EPA encourages the NCDOT to follow the Asheville Pedestrian Plan which indicates several existing pedestrian bridges crossing I-240 within the project study area. According to the Asheville Pedestrian Plan and the DEIS, Patton Avenue across the French Broad River is a corridor which particularly needs pedestrian linkage.

Noise Impacts

Tables 4-7 (page 4-51) and 4-28 (page 4-64) lists the preliminary noise barrier evaluation results and sites recommended for barrier construction based upon the NCDOT's Traffic Noise Abatement Policy (2011). The EPA understands that a more detailed review of specific locations will be performed during the final design process.

EPA Recommendations: The EPA encourages the design and implementation of evergreen roadside vegetation in locations that do not meet the threshold for noise barriers. The use of vegetative roadside screening ameliorates noise impact issues, visual quality impacts, as well as provides potential mitigative effects for downwind vehicle emissions from near-roadway air pollutants.

Floodplains and Floodways

Table 4-11 (page 4-72) lists the FEMA floodplain and floodway impacts. Impacts to the 500-year floodplain was not included in the DEIS.

EPA Recommendations: Floodplains and floodways are vital to reducing the likelihood of localized flooding during storm events, particularly as the Asheville area continues to urbanize. The EPA supports Alternative F-1 (Section C) and Alternative 4-B (Section B) as the alternatives having the least impacts to floodplains and floodways. The EPA prefers bridges to culverts at hydraulic crossings. The EPA encourages engineering design that incorporates resiliency strategies into the I-26 Connector project to mitigate the likelihood of flooding in low-lying, flood-prone areas in addition to the identified FEMA 100-year floodplain and floodways. Such design will ensure that the project purpose and need is met with regard to a robust, reliable transportation system as well as mitigate for extreme weather events that are anticipated to increase as a result of climate change.

Historic and Archaeological Resources

Section 4.1.4 addresses Historic and Archaeological Resources. Table 4-21 lists the determination of effects on Section 106 historic resources.

EPA Recommendations: The FEIS should address what measures will be proposed to alleviate the No Adverse Effect on the historic properties. If no measures are proposed, documentation should include why mitigation is not possible since the majority of these buildings and historic neighborhood districts are in active, daily use by the citizens (including children) of Asheville, and represent vital community resources. The EPA encourages ongoing coordination with the State Historic Preservation Office and the Eastern Band of Cherokee Indians in identifying and mitigating any impacts to archaeological resources as the most recent survey was submitted in 2007.

Water Resources

The I-26 Connector project will substantially increase the amount of impervious surface area (see Table 4-24); thus, treatment of stormwater runoff is critical to protecting water quality.

EPA Recommendations: The EPA supports Alternative F-1 (Section C) and Alternative 4 (Section B) as the alternatives having the least impacts to streams and wetlands based upon the DEIS summary impact tables. Further avoidance and minimization during final design will be necessary to reduce impacts to aquatic resources, particularly those streams and wetlands that have a higher quality rating using the NC Stream Assessment Methodology (SAM) and the NC Wetland Assessment Methodology (WAM), respectively.

Protected Species

Table 4-31 lists the federally-protected species found within Buncombe County and the biological conclusions regarding the I-26 Connector project's effects. Seven threatened/endangered species have habitat present within the DSA; two species are as of yet unresolved with regard to their biological conclusions and one species is indicated as "may effect-not likely to adversely effect."

EPA Recommendations: The EPA encourages further collaboration with the U.S. Fish and Wildlife Service and the NC Wildlife Resources Commission during final design to avoid and minimize impacts to threatened and endangered species. Two species of bats have the potential for adverse effects as a result of the project. Several recent studies have examined the use of bridges and culverts as [day and night] bat roosting habitat[1]. Structural design with regard to particular species should be considered during final design.

Climate Change Adaption

We recommend considering climate adaption measures based on how future climate scenarios may impact the proposed project in the FEIS. The NCA contains scenarios for regions and sectors, including transportation. Using NCA or other peer review-reviewed climate scenarios to inform alternatives analysis and possible changes to the proposal can improve resilience and preparedness for climate change. Changing climate conditions can affect a proposed project as well as the project's ability to meet the designated purpose and need.

[1] See: http://www.icoet.net/downloads/99paper21.pdf

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December 17, 2015

Regulatory Division/1200A

Action ID: SAW-2004-9986803

North Carolina Department of Transportation
Project Development and Environmental Analysis
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Raleigh, NC 27699-1548

Dear Mr. Hancock:

I refer to the application submitted by the North Carolina Department of Transportation (NCDOT), pursuant to the NEPA/404 Merger Process, concerning alternatives under consideration for the proposed I-26 Connector in Asheville, Buncombe County, North Carolina, TIP No. I-2513. As you are aware, implementation of any of the alternatives examined in your application and in the Federal Highway Administration's (FHWA) Draft Environmental Impact Statement (DEIS), would require Department of the Army (DA) authorization to discharge dredged or fill material into waters of the United States.

In response to the Merger public notice issued by this office on October 28, 2015, we received written comments from the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS), the North Carolina Historic Preservation Office (NCHPO), the City of Asheville, and the Southern Environmental Law Center (SELC). All written comments received by this office are attached to this letter.

We request that you respond in detail to the two main points of the SELC letter, specifically the concerns expressed in paragraph 3 on page 1 (i.e., segmentation and other alternatives for Section A), and as detailed in the following pages of the letter. Upon reviewing your response, we will issue a letter with (1) our comments on the merger application and DEIS for this project or, (2) a request for additional information, if we determine that the information provided in your response does not address the concerns adequately.

Printed on Recycled Paper

We request that you respond at the earliest opportunity, as we cannot proceed to Concurrence Point (CP) 3 until we have the opportunity to review your response and send you our comments on the Merger application and the DEIS.

Please contact Ms. Lori Beckwith, Regulatory Project Manager in the Asheville Field Office, at (828) 271-7980, extension 223, if you have any questions.

Sincerely,

Monte Matthews
Lead Regulatory Project Manager
Wilmington District

Enclosures

Copies furnished w/encl by email:

USFWS, Attn: Ms. Marella Buncick
USEPA, Attn: Dr. Cynthia Van Der Wiele
NCDWR, Attn: Mr. Kevin Barnett
NCWRC, Attn: Ms. Marla Chambers
NCDOT, Attn: Mr. Derrick Weaver
NCDOT, Attn: Mr. Michael Wray

Printed on Recycled Paper

Commander
United States Coast Guard
Fifth Coast Guard District

431 Crawford Street
Portsmouth, VA 23704-5004
Staff Symbol: dpb
Phone: (757) 398-6587
Fax: (757) 398-6334
Email:
Mickey.D.Sanders2@uscg.mil

U.S. Department of Homeland Security

United States Coast Guard

16593
04 JAN 2017

Mr. Donnie Brew, P.E.
Federal Highway Administration
310 New Bern Ave, Suite 410
Raliegh, NC 27601

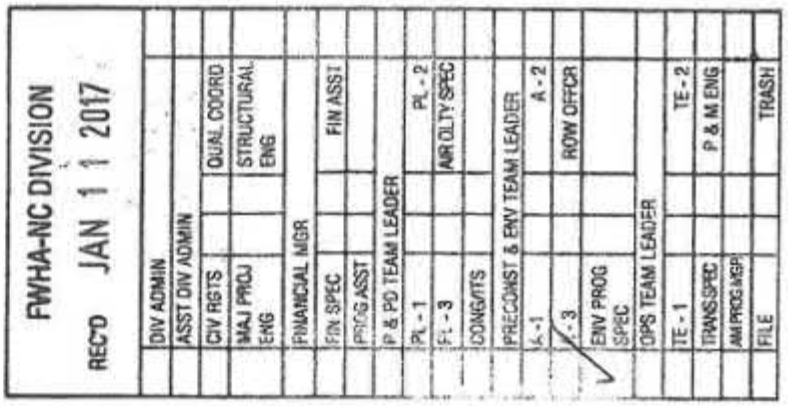
Dear Mr. Brew:

Coast Guard review of your Coast Guard bridge permit exemption determination as provided in your email dated October 05, 2016, as authorized in 23 CFR 650.805, is complete.

Based on the documentation provided and our research, the Coast Guard concurs with the Federal Highway Administration determination that a Coast Guard bridge permit will not be required for the I-240 (Captain Jeff Bowen) bridge across French Broad River at Asheville, NC.

The project will be placed in our Federal Highway Administration **Surface Transportation Assistance Act (STAA)** exemption category for the location and structure described above. The Coast Guard concurrence of the Federal Highway Administration determination **is valid for five years from the date of this letter**. If the construction project does not commence within this time period, the Coast Guard requests that the Federal Highways Administration contact this office for reaffirmation of this concurrence. The Surface Transportation Assistance Act (STAA) exempts bridge projects from Coast Guard bridge permits when the bridge project crosses non-tidal waters which are not used, susceptible to use in their natural condition, or susceptible to use by reasonable improvement as a means to transport interstate or foreign commerce, and tidal waters used only by recreational boating, fishing, and other small vessels less than 21 feet in length.

In addition, the requirement to display navigational lighting at the aforementioned bridge is hereby waived as per Title 33 Code of Federal Regulations, Part 118.40(b). This waiver may be rescinded at anytime in the future should nighttime navigation through the proposed bridge be increased to a level determined by the District Commander to warrant lighting.



The fact that a Coast Guard bridge permit is not required does not relieve the bridge owner of the responsibility for compliance with the requirements of any other Federal, State, or local agency who may have jurisdiction over any aspect of the project. If you have any further questions, please contact Mr. Mickey Sanders at the above listed address or telephone number.

Sincerely,

HAL R. PITTS
Bridge Program Manager
By direction of the Commander
Fifth Coast Guard District

Copy: Mr. Michael Wray, North Carolina Department of Transportation
U. S. Army Corps of Engineers, Wilmington, NC District
CG Sector North Carolina, Waterways Management

Rocco, Joanna

From: Buncick, Marella <marella_buncick@fws.gov>
Sent: Wednesday, February 21, 2018 10:53 AM
To: Cox, Marissa R; Weaver, Derrick G; Rocco, Joanna; Susan Cameron
Subject: I-2513 bat monitoring

Good Morning,

I wanted to follow-up from our meeting yesterday regarding I-2513 and the bat monitoring questions and the comments I made.

First, thanks much for the roll map. It really helps to be able to see the whole project. Second, I was able to coordinate with Sue Cameron regarding the overall monitoring scheme and detector placement. We were not able to coordinate with Katherine Caldwell because she is doing field work this week and is not available. Both Katherine and Sue are out next week at meetings so the soonest we will be able to review the information will be the first week of March--assuming Katherine is available.

In my conversation with Sue, she agrees that more coverage in the area of the new bridges over the FB in the B section would be helpful information. She also agreed with trying to locate another detector in the area where the A and C sections overlap.

Hopefully this is enough for you all to move forward until we can meet on our end to review and provide any further comments.

If you have questions, please let me know.

marella

--
Marella Buncick
USFWS
160 Zillicoa St
Asheville, NC 28801
(828) 258-3939 ext 237
fax (828) 258-5330

NOTE: This email correspondence and any attachments to and from this sender is subject to the Freedom of Information Act (FOIA) and may be disclosed to third parties.

Rocco, Joanna

From: Beckwith, Loretta A CIV USARMY CESAW (US) <Loretta.A.Beckwith@usace.army.mil>
Sent: Monday, June 18, 2018 1:02 PM
To: Rocco, Joanna
Cc: Matthews, Monte K CIV USARMY CESAW (US); Buncick, Marella; Weaver, Derrick G; Moore, Kevin E
Subject: USACE comments on revised CP 4A packet for I-2513

Hi Joanna,

I reviewed the additional information and revised CP4 packet. I apologize but I think there has been a misunderstanding. I've discussed information about the river users in the CP4A information for this project with NCDOT a number of times. This has also been a big issue with the revised CP 4A for another project - I-4400/I-4700. Through conversations, I thought that NCDOT was going to include this information in the CP4A packet for the I-2513 project, but based on the revised packet, it doesn't seem like that information has been conveyed to you. I thought it had just been left out of the CP4A packet which is why I briefly mentioned it in my previous comments, but based on the revised language, it seems like it hasn't really been considered in detail for this project (I-2513). Because of this, this email is long. What I've done below is taken a lot of my comments for the I-4400/I-4700 project and pasted them below. Please revise the CP4A packet as noted below.

We'll need at least a summary of the information described below for the CP 4A meeting, then we'll need a detailed plan for the final review (earlier is fine, too). The summary points should be listed on the revised CP4A form. The type of information we'll need is outlined below:

While a detailed river user safety and access plan (plan) is not required to issue a public notice for this project, we will need a detailed plan for our review of the final application. If we don't receive it with the final application, we will ask for it in our post public notice letter. Also, if NCDOT submits a detailed plan with the final application for this project (vs. at a later time during our review process), we'll be able to reference it in the public notice and a lot of concerns from the public may be answered. If NCDOT chooses to not submit this detailed plan in the final application for this project, it's possible that more comments from the public will be received re these issues.

Either way, we will transmit comments that we receive after the close of the public notice comment period and ask NCDOT to respond to all substantive comments; we will also note if we have any outstanding informational needs. These issues (river user safety and access) factor into our public interest review (PIR) (e.g., safety, economics, recreation, navigation, etc.), which is part of our overall process to determine whether or not we can issue a permit for a proposed project.

For the I-4400/I-4700 project I know that NCDOT talked to businesses (that use the river) and groups of people who float the river (clubs, organizations, etc.). If you haven't already, you can probably get this information from them and see if it would be useful fort this project as well. If applicable to this project, the information would be extremely helpful in drafting your proposed plan, as I expect those people/groups to comment on this part of the public notice. If NCDOT talked to them and listens to their concerns and unique perspectives, I wouldn't expect there to be a lot of surprises in the public comments about this issue.

If the information already gathered won't help with this project (due to location mainly), you may want to have a meeting where you discuss these issues with river users. If you need to do this, I would make sure to advertise it sufficiently - i.e., send an invitation to all businesses that use the river, to the environmental groups and river user groups in Buncombe Co., newspapers, and even radio and TV. Again, that way you'll capture many, if not most, of the concerns/issues and factor these into your plan. This is an extremely important issue up here, as there are a lot of

people that use the French Broad River; this is why I mentioned it in the post public notice letter and discussed it with Jennifer when I emailed that letter. River use has gone up considerably in the last few years.

Also, something to consider - is NCODT going to propose putting in a take-out and put-in for river users so that they don't have to float through an active construction zone? If not, why was that decision made? Keep in mind that a lot of river users are families with small children, and many of these children are in their own tubes, kayaks, etc. River use has increased in the last few years and it would be beneficial to any decision that NCDOT makes to have data concerning that use. Again, recreation, safety, etc. are some of our PIR factors and these issues need to be addressed in our decision document.

In additional to the plan for the river user safety and access, the below information goes to what will be needed re bridge/causeway discussion. Again, a summary will work for CP4A, but a detailed plan needs to be included in the final application or I will ask for it post public notice. Submitting it with the application may prevent a lot of public comment on this issue..

1. The summary and/or plan for the bridge work in and over the French Broad River should include documentation concerning how NCDOT proposes to manage high water flows, whether expected or unexpected. This should include, among other things, any proposed measures to avoid or minimize adverse effects from the causeways to upstream and downstream areas. Adverse effects include things such as bank erosion, scour, flooding, etc. This documentation should include details concerning monitoring of conditions preconstruction, during construction, and post construction. Details should include number of cross sections, locations, explanation of the issues examined and monitored, to include bank erosion.

2. This documentation should also include a plan to address remediation measures for any streambank instability as soon as possible after a high water event, or in the case of a destabilizing issue that arises for some other reason related to the causeways - e.g., debris caught on the causeways, etc. Plans to ensure that equipment and supplies are not placed in locations that will flood in the event of high water should also be detailed.

3. The summary and/or plan should include information that details how the causeways and any other temporary structure(s) will not cause or exacerbate any upstream flooding under both normal and high flow conditions. A text description should be included.

4. As noted in #1 above, please include details of preconstruction, during construction, and post construction cross sections and monitoring both above and below the causeways. These details should include number of cross sections, locations, explanation of the issues examined and monitored, to include bank erosion.

5. The summary and/or plan should also detail the efforts NCDOT will undertake for ensuring that river users (while on the water) are sufficiently notified of their options - e.g., float through the area, take out (if an option), etc. Warning signs with this information should be posted upstream and immediately downstream of the work area. Lights for those that use the river at night (red lights are being used on the I-4400/I-4700 project due to bat presence).

6. Creation of a Public Involvement Plan for river users during construction - this includes details about how NCDOT will inform river users about issues, such as closures, safety, etc. Again, I would think that you could use the information that has already been developed for the I-4400/I-4700 project.

While some of the above mentioned information will be in the BA for this project (you are doing formal consultation, correct?), it would be beneficial if NCDOT would draft a plan that includes all of these issues (as noted), as opposed to these issues being scattered in numerous documents. As noted above, if NCODT submits the detailed plan with the final application for this project (or earlier), we can then reference this plan in the public notice, as these issues (river use and effects to the river and adjacent properties from the causeways) will most likely generate many comments from the public.

Other comments on the revised CP 4A packet for the I-2513 project -

Thank you for addressing my previous comments. I just have a few comments, other than those noted above.

Page 13, second paragraph from the bottom of the page - please define "longitudinal impacts" to Upper Hominy Creek and Ragsdale. Are these direct impacts, such as pipe or a retaining wall?

Page 16, 2nd paragraph from top - this information isn't sufficient re river user safety and access for the CP 4A packet. Please see comments above.

Page 18, minimization method column for Ragsdale Creek - it looks like the end of the sentence was cut off.

Page 20 - why is the retaining wall necessary? That's a question I had for all of the increases where retaining walls were the cause of the increase.

Page 21 - I may have missed it, but why are the 2018 FEIS designs currently being reconfigured?

Table 9, page 23 - I apologize if I missed this the first time, but all of the TBDs in Table 9 - is this normal to have these at this point (CP 4A)?

Table 9, page 24 - Derrick mentioned the adverse effect to the cemetery being avoided by putting in a wall, so please remind me what the adverse effect to historic properties is in Section B.

Please let me know if you have any questions about what I've written above.

Thank you,

Lori

under

Preserving America's Heritage

March 1, 2019

Mr. Felix Davila
Federal Highway Administration
North Carolina Division
310 New Bern Avenue, Suite 410
Raleigh, NC 27601

Ref: *Proposed I-26 Connector Highway Project*
Asheville, Buncombe County, North Carolina
NCDOT STIP# I-2513, FA# MANHF-26-1(53)
ACHPConnect Log Number:13625

Dear Mr. Davila:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the North Carolina State Historic Preservation Officer (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Mandy Ranslow at (202) 517-0218 or by email at mranslow@achp.gov.

Sincerely,

LaShavio Johnson

LaShavio Johnson
Historic Preservation Technician
Office of Federal Agency Programs

Rocco, Joanna

From: Stillwell, Charles <cstillwell@usgs.gov>
Sent: Friday, May 17, 2019 4:00 PM
To: Kat Bukowy
Cc: Lauffer, Matthew S; ljbodkin@usgs.gov; trowley@usgs.gov; jriley@usgs.gov; jmfine@usgs.gov; giorgino@usgs.gov; jessicamoore@usgs.gov; dwagner@usgs.gov; wfhazell@usgs.gov; awhaling@usgs.gov; jmazurek@usgs.gov; Ward, Mark G; Cox, Marissa R; Dagnino, Carla S; Weaver, Derrick G; Bryan, Roger D; Austin, Wanda H; Adams, Theodore B; Bishop, Joseph M; Moneyham, Nathaniel S; Mckinney, Randall J; McHenry, David G; Rocco, Joanna; Lee, Claudia; Ellerby, Theresa T; Hulsey, Steven L; Mullins, Ryan M; Honeycutt, Keith E; Morgan, Stephen R; McDaniel, Andrew H.; Kincannon, William C.
Subject: Re: [EXTERNAL] RE: USGS I-26 Monitoring Kickoff Meeting

Hi everyone,

Thanks Kat for those contacts, and thanks to everyone who was at today's meeting.

Below is the list of action items that arose during today's meeting - If I am forgetting something please let me know. I have also added the meeting minutes to the sharepoint website, which you should have access to sometime next week.

- Matt Lauffer and Charlie Stillwell – Complete the communication plan
- Matt Lauffer – Invite all project personnel to sharepoint website
- Kat Bukowy (and others as needed) – Add reference documents to sharepoint (BA, EIS, etc.)
- Bill Hazell and Roger Bryan – Add raingage at or near existing I-26 bridge?
- Mark Ward and Dan Wagner (and others) – Follow up meeting to coordinate surveys
- Everyone – Verify contact information in Project Personnel spreadsheet (Documents folder in sharepoint)

Thanks again, USGS is very excited for this project to begin!

Charlie

Charles C. Stillwell, E.I.T
Student Hydrologist
USGS South Atlantic Water Science Center
(919) 571-4018

On Fri, May 17, 2019 at 1:17 PM Kat Bukowy <kbukowy@hntb.com> wrote:

> Good afternoon,
>
> As requested during the meeting, the following are the agency representatives for I-4400/I-4700 and for I-2513:

Lori Beckwith (Loretta.A.Beckwith@usace.army.mil) – US Army Corps of Engineers

Claire Ellwanger (claire_ellwanger@fws.gov) – US Fish and Wildlife Service (USFWS)

Jay Mays (jason_mays@fws.gov) – USFWS

Kevin Barnett (kevin.barnett@ncdenr.gov) – NC Division of Water Resources (NCDWR)

Amy Chapman (amy.chapman@ncdenr.gov) – NCDWR

Robert Patterson (robert.patterson@ncdenr.gov) - NCDWR

The first four people are located in/near Asheville, the latter two are in Raleigh. Please let me know if you need any additional information regarding the I-4400/I-4700, I-26 Widening project.

Thanks,

Kat

-----Original Appointment-----
From: Lauffer, Matthew S <mslauffer@ncdot.gov>
Sent: Wednesday, May 8, 2019 11:04 AM
To: Lauffer, Matthew S; Stillwell, Charles C; ljbodkin@usgs.gov; trowley@usgs.gov; jriley@usgs.gov; jmfine@usgs.gov; giorgino@usgs.gov; jessicamoore@usgs.gov; dwagner@usgs.gov; wfhazell@usgs.gov; awhaling@usgs.gov; jmazurek@usgs.gov; Ward, Mark G; Cox, Marissa R; Dagnino, Carla S; Weaver, Derrick G; Bryan, Roger D; Austin, Wanda H; Kat Bukowy; Adams, Theodore B; Bishop, Joseph M; Moneyham, Nathaniel S; Mckinney, Randall J; McHenry, David G; Joanna.rocco@aecom.com; 'Lee, Claudia'; Ellerby, Theresa T; Hulsey, Steven L; Mullins, Ryan M; Honeycutt, Keith E; Morgan, Stephen R; McDaniel, Andrew H.; Kincannon, William C.
Subject: USGS I-26 Monitoring Kickoff Meeting
When: Friday, May 17, 2019 10:00 AM-12:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 4809 Beryl Road, Raleigh, NC 27606 /Skype - Conference Call - 888-204-5984 ACCESS CODE: 2324725 (Don't Use Skype Audio)
Importance: High

The USGS will be performing “Monitoring and Assessment of Surface Water-quality and Geomorphologic Conditions Before, During, and After Construction of the I-26 Projects in Western North Carolina” to meet Endangered Species, 401/404 and NPDES requirements for the I-2513, I-4700/I-4400 projects. This currently scoped monitoring is scheduled to start 2nd Quarter 2019 and continue through 2023.

This meeting will help kick-off the project and provide an opportunity to communicate and coordinate with project professionals. A second meeting will be held in the field later this summer in Asheville as well.

Directions to the meeting facility are below. For those not attending in person, a Skype meeting (Don't Use Skype Audio) will be available and the following conference call number: 888-204-5984 ACCESS CODE: 2324725

Agenda:

Welcome and Introductions

Overview of I-2513 and I-4700/I-4400 (Scope and Schedules of Projects)

Overview of USGS Study

Coordination between USGS and NCDOT

General Discussion

Next Steps

Adjourn

If you have any questions please do not hesitate to call

Charlie Stillwell, USGS – 513-378-8302

Matt Lauffer, NCDOT – 919-621-0443

……

Join Skype Meeting

Trouble Joining? Try Skype Web App

U.S. Department of Transportation
Federal Highway Administration

North Carolina Division

310 New Bern Avenue, Suite 410
Raleigh, NC 27601
(919) 856-4346
(919) 747-7030
http://www.fhwa.dot.gov/ncdiv/

August 16, 2019

In Reply Refer To:
HDA-NC

Mr. Ken Putnam, PE
City of Asheville
Transportation Department Director
P.O. Box 7148
Asheville, NC 28802

Dear Mr. Putnam:

This is in response to your attached letter to Mr. John F. Sullivan III and Mr. Jim Trogdon III, dated August 14, 2019, as representative for the City of Asheville Transportation and Planning & Urban Design Departments, concerning the I-26 Connector project I-2513 in Asheville, NC.

As requested, the City of Asheville Transportation and Planning & Urban Design Departments is formally designated as a Consulting Party under Section 106 of the National Historic Preservation Act of 1966.

Sincerely,

For John F. Sullivan, III, P.E.
Division Administrator

ec:

Ms. Debra Campbell, City Manager
Ms. Cathy Ball, Assistant City Manager
Mr. Todd Okolichany, Planning & Urban Design Director
Ms. Stacy Merten, Long Range Planning Manager
Dr. Kevin Cherry, NC DNCR
Mr. Jim Trogdon III, NCDOT, Secretary of Transportation
Mr. Derrick Weaver, NCDOT

City of Asheville
Transportation Department

P.O. Box 7148
Asheville, NC 28802
828-259-5943
Fax 828-232-4525
www.ashevillenc.gov

August 14, 2019

Mr. John Sullivan, III, PE
Division Administrator
Federal Highway Administration
310 New Bern Avenue, Suite 410
Raleigh, NC 27601-1418

Mr. Jim Trogdon, III
Secretary of Transportation
North Carolina Department of Transportation
1501 Mail Service Center
Raleigh, NC 27699-1501

Dear Mr. Sullivan and Mr. Trogdon:

The City of Asheville Transportation and Planning & Urban Design Departments respectfully request to be a consulting party to the Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act for the I-26 Connector project (Project # I-2513).

Please let me know if additional information is needed.

Respectfully,

Ken Putnam, PE
Transportation Department Director

KJP/

cc. Ms. Debra Campbell, City Manager
Ms. Cathy Ball, Assistant City Manager
Mr. Todd Okolichany, Planning & Urban Design Department Director
Ms. Stacy Merten, Long Range Planning Manager
Dr. Kevin Cherry, SHPO

APPENDIX C2

COORESPONDENCE FROM STATE AGENCIES

Date	From	To	General Subject
11/23/2015	N.C. Department of Public Safety, Emergency Management	NCDOT	Comments on DEIS
11/24/2015	N.C. Department of Natural and Cultural Resources, State Historic Preservation Office	USACE	Public Notice
12/01/2015	N.C. Department of Transportation, Planning Branch	NCDOT	Comments on DEIS
12/02/2015	N.C. Department of Natural and Cultural Resources, N.C. Natural Heritage Program	NCDOT	Comments on DEIS
12/10/2015	N.C. Division of Waste Management, Hazardous Sites Branch	NCDOT	Comments on DEIS
12/11/2015	N.C. Division of Waste Management, Solid Waste Section	NCDOT	Comments on DEIS
12/16/2015	N.C. Wildlife Resources Commission	NCDOT	Comments on DEIS
12/17/2015	N.C. Department of Environmental Quality	NCDOT	Comments on DEIS
12/18/2015	NC State Environmental Review Clearinghouse	NCDOT	Comments on DEIS
05/02/2016	N.C. Department of Natural and Cultural Resources, Division of Land and Water Stewardship	NCDOT	Carrier Park Speedway Easement
07/17/2018	NCWRC	NCDOT	Gray bat telemetry study results
08/14/2018	N.C. State Parks	NCDOT	Concurrence letter for Section 4(f) de minimis impact on French Broad River
11/27/2018	N.C. Department of Natural and Cultural Resources, State Historic Preservation Office	NCDOT	Supplemental Concurrence Form for Assessment of Effects

North Carolina Department of Public Safety
Emergency Management

Pat McCrory, Governor
Frank L. Perry, Secretary

Michael A. Sprayberry, Director

November 23, 2015

State Clearinghouse
N.C. Department of Administration
1301 Mail Service Center
Raleigh, North Carolina 27699-1301

Subject: Intergovernmental Review State Number: 16-E-4220-0133
I-26 Connector, Buncombe County

As requested by the North Carolina State Clearinghouse, the North Carolina Department of Public Safety Division of Emergency Management Risk Management reviewed the proposed project for the Coastal Carolina Regional Airport Development Project and offers the following comments:

1) All project alternatives include crossings of the Special Flood Hazard Area (SFHA). North Carolina Executive Order 123 directs NCDOT to coordinate with and follow the FHWA floodplain management requirements which are found in the Federal Executive Order 11988. To ensure NCDOT compliance with EO 11988 and 44 CFR the NCDOT Hydraulics Section and the NC Floodplain Mapping Program have a Memorandum Of Agreement (MOA). Please coordinate with Mr. David Chang, NCDOT Hydraulics, to determine if the proposed crossings within this project are eligible to fall within the MOA.

2) Crossings that are not eligible to fall within the MOA will require a Conditional Letter of Map Revision (CLOMR) issued by the Federal Emergency Management Agency (FEMA) prior to construction. This should be noted in Section 4.4: Required Permits and Actions of the Environmental Impact Statement.

Thank you for your cooperation and consideration. If you have any questions concerning the above comments, please contact me at (919) 825-2300, by email at dan.brubaker@ncdps.gov or at the address shown on the footer of this document.

Sincerely,

John D Brubaker

John D. Brubaker, P.E., CFM
NFIP Engineer
Risk Management

MAILING ADDRESS:
4218 Mail Service Center
Raleigh NC 27699-4218
www.ncdps.gov
www.ncfloodmaps.com

GTM OFFICE LOCATION:
4105 Reedy Creek Road
Raleigh, NC 27607
Telephone: (919) 825-2341
Fax: (919) 825-0408

An Equal Opportunity Employer

cc: John Dorman, Program Director
John Gerber, NFIP State Coordinator

File

North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office
Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

November 24, 2015

Lori Beckwith
US Army Corps of Engineers
Asheville Regulatory Field Office
151 Patton Avenue, Room 208
Asheville, NC 28801-5006

Re: Discharge Fill Materials into US Waters for the I-26 Connector, Asheville, I-2513, Buncombe County, CH 96-0472

Dear Ms. Beckwith:

We have received a public notice concerning the above project.

We have conducted a review of the project and are aware of no historic resources which would be affected by the project. Therefore, we have no comment on the project as proposed.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

Renee Gledhill-Earley

for Ramona M. Bartos

Transportation

PAT McCRORY
Governor

NICHOLAS J. TENNYSON
Secretary

December 1, 2015

North Carolina State Clearinghouse
Department of Administration
Intergovernmental Review

Thank you for allowing the NCDOT Transportation Planning Branch the opportunity to review the Draft Environmental Impact Statement (DEIS) for TIP project number I-2513 (I-26 Connector project in Asheville), State Number 16-E-4220-0133.

Our review of the I-2513 DEIS indicates that the studied project is reflected in the current (2015) FBRMPO Metropolitan Transportation Plan (MTP), FBRMPO 2008 Comprehensive Transportation Plan (CTP), FBRMPO's 2016-2025 Metropolitan Transportation Improvement Plan (MTIP) and the North Carolina 2016-2025 State Transportation Improvement Plan (STIP).

If you have any questions, please contact Brendan Merithew at 919-707-0943 or bwmerithew@ncdot.gov .

Sincerely,

Brendan Merithew
NDOT Tansportation Planning Branch
FBRMPO & LOSRPO Coordinator

Natural and
Cultural Resources

PAT McCRORY
Governor

SUSAN KLUTTZ
Secretary

MEMORANDUM

To: Lyn Hardison

From: Suzanne Mason, Conservation Information Manager

Date: December 2, 2015

Re: Draft Environmental Impact Statement - Proposed project is for the I 26 Connector, from I 26 to US 19 23 70 that includes the I 26/I 40/I 240 interchange. TIP I 2513.

Project: 16-0133

The North Carolina Natural Heritage Program (NCNHP) appreciates the opportunity to review the Draft Environmental Impact Statement for TIP I 2513.

A search of NCNHP managed area records (2015-10 dataset) indicates that Section A of the project intersects a property feature that has a Clean Water Management Trust Fund (CWMTF) easement associated with it. The property is Carrier Park, owned by City of Asheville, which is located between Amboy Road (SR 3556) and French Broad River. Please contact Will Summer, CWMTF Stewardship Manager, at will.summer@ncdenr.gov or 919-707-9127 for more information on the specific extent of the CWMTF easement.

Also, in the last sentence on page 3-79 the name of NCNHP is incorrectly stated to be "the North Carolina National Heritage Program." We request this be corrected to read: "the North Carolina Natural Heritage Program."

Waste Management
ENVIRONMENTAL QUALITY

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

Date: December 10, 2015

To: Linda Culpepper, Director
Division of Waste Management

Through: Jim Bateson, Superfund Section Chief

From: Amy Axon, Inactive Hazardous Sites Branch

Subject: SEPA Project #16-0133, I-26 Connector: I-40 to US-19-23-70 North of Asheville, Asheville, Buncombe County, North Carolina

A review of the I-26 Connector project study area in proximity of sites under the jurisdiction of the Superfund Section has been completed. Under the proposed project, a study will be conducted to determine the best route to connect I-26 in southwestern Asheville to US 19-23-70 in northwest Asheville.

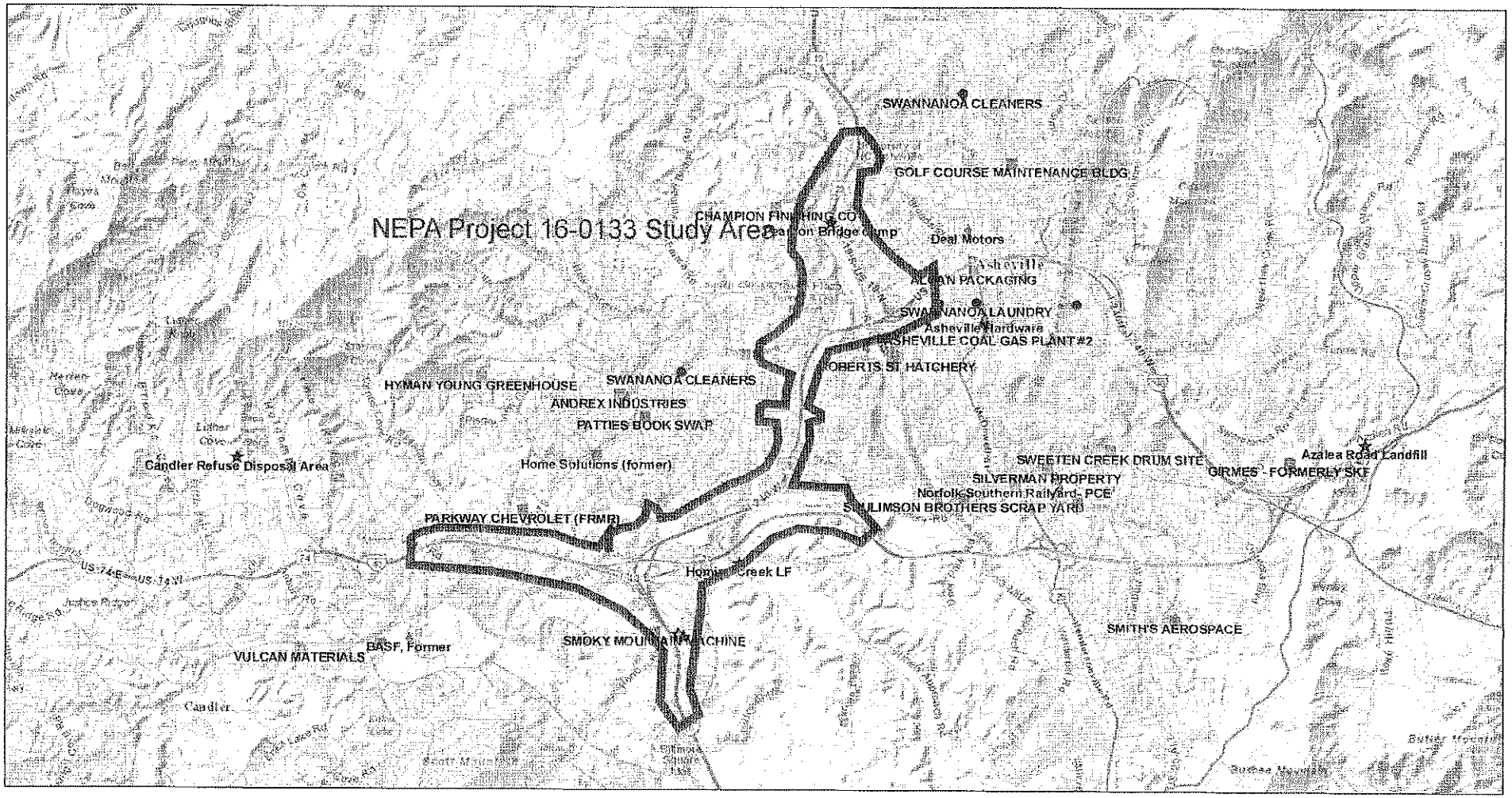
Thirty-four (34) sites were identified either within the study area or within a 1-mile radius of the proposed project study area. The identified sites are listed on the attached spreadsheet and shown on the attached map.

Files for the attached sites can be accessed by following the "Access Online Files" link on the Superfund Section website: http://portal.ncdenr.org/web/wm/sf-file-records. Please contact me at 919.707.8371 if you have any questions.

Ec: Jim Bateson
Qu Qi
Peter Dorn

Site Name	Site ID	Oversite Program	Address	City	County
CAROLINA TIRE #2936	NONCD0001451	IHSB	990 PATTON AVE.	ASHEVILLE	Buncombe
Pond Road LF #2	NCD980558027	PRLF	80 Pond Rd.	Asheville	Buncombe
Pond Rd ldfl #1	NONCD0000164	PRLF	79 & 80 Pond Rd	ASHEVILLE	Buncombe
Pearson Bridge dump	NONCD0000811	PRLF	690 riverside Dr	asheville	BUNCOMBE
SMOKY MOUNTAIN MACHINE	NONCD0002483	IHSB	80 MCINTOSH RD.	ASHEVILLE	Buncombe
Hominy Creek LF	NCD980558035	PRLF	190 Hominy Creek Rd.	Asheville	Buncombe
Historic Cotton Mill	07015-03-11	BFA		Asheville	Buncombe
Pond Road Landfill	09032-05-11	BFA		Asheville	Buncombe
NU-WAY CLEANERS	DC110005	DSCA	171 Patton Ave	Asheville	Buncombe
Belgium Brewing	16021-12-11	BFA		Asheville	Buncombe
The Old Wood	14026-10-11	BFA		Asheville	Buncombe
METPRO PROP.(FOR. DRY CLEANER)	NONCD0002066	IHSB	1030 PATTON AVE.	ASHEVILLE	Buncombe
Asheville Ice Plant	09033-05-11	BFA		Asheville	Buncombe
ROBERTS ST ORGANICS	NONCD0002626	IHSB	109 ROBERTS ST	ASHEVILLE	BUNCOMBE
SQUARE D COMPANY	NCD003951878	IHSB	128 BINGHAM RD	ASHEVILLE	BUNCOMBE
CHAMPION FINISHING CO	NONCD0001162	IHSB	200 BINGHAM RD	ASHEVILLE	BUNCOMBE
PARKWAY CHEVROLET (FRMR)	NONCD0002742	IHSB	205 SMOKEY PARK HWY	ASHEVILLE	BUNCOMBE
ROBERTS ST HATCHERY	NONCD0002878	IHSB	144 ROBERTS ST	ASHEVILLE	BUNCOMBE
ASHEVILLE COAL GAS PLANT #1	NCD986188787	IHSB	RIVERSIDE DR AT LYMAN ST	ASHEVILLE	BUNCOMBE
Wilma Dykeman Riverway	13018-09-11	BFA		Asheville	Buncombe
ALCAN PACKAGING	NONCD0000045	IHSB	3005 SWEETEN CREEK RD	ASHEVILLE	BUNCOMBE
SWANNANOA LAUNDRY	DC110001	DSCA	22 Church St	Asheville	Buncombe
CRISP ONE HOUR CLEANERS	DC110008	DSCA	121 Biltmore Ave	Asheville	Buncombe
Asheville Hardware	16054-12-11	BFA		Asheville	Buncombe
Deal Motors	14021-10-11	BFA		Asheville	Buncombe
ASHEVILLE COAL GAS PLANT #2	NONCD0000032	IHSB	VALLEY & MARTIN LUTHER	ASHEVILLE	BUNCOMBE
Home Solutions (former)	NONCD0001863	IHSB	1625 Patton Avenue	Asheville	Buncombe
BASF, Former	12012-08-11	BFA		Asheville	Buncombe
SWANANOA CLEANERS	DC110007	DSCA	1336 Patton Ave	Asheville	Buncombe
PATTIES BOOK SWAP	NONCD0002274	IHSB	1478 PATTON AVE.	ASHEVILLE	Buncombe
BASF-ENKA (OTM BUILDING)	NONCD0001323	IHSB	SANDHILL ROAD	ASHEVILLE	Buncombe
TICAR CHEMICAL CO	NONCD0002599	IHSB	PO BOX 4205	ASHEVILLE	Buncombe
SHULIMSON BROTHERS SCRAP YARD	NCN000407206	IHSB	MEADOW ROAD	ASHEVILLE	BUNCOMBE

Superfund Section SEPA Review



December 9, 2015

- Brownfields Sites
- Pre-Regulatory Landfill Sites
- Dry-Cleaning Solvent Cleanup Act Sites
- Inactive Hazardous Sites
- All Sites

1:72,224

0 0.75 1.5 3 mi

0 1.25 2.5 5 km

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Web AppBuilder for ArcGIS

State of North Carolina
Department of Environment and Natural Resources
INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Reviewing Office: Asheville

Project Number 16-0133 Due Date: 12/10/2015
County Buncombe

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
☐	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
☐	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
☐	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
☐	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
☐	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
☐	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
☐	Permit to construct & operate Transportation Facility as per 15A NCAC (2D.0800, 2Q.0601	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
☐	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
☐	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.		
☐	Complex Source Permit required under 15 A NCAC 2D.0800		
☒	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of **$65** for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
☒	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
☐	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any arc mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
☐	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
☐	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
☐	Oil Refining Facilities	N/A	90-120 days (N/A)
☐	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction. certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of $200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)

County Buncombe		Project Number: 16-0133 Due Date: 12/10/2015	Normal Process Time (statutory time limit)
PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	
☐	Permit to drill exploratory oil or gas well	File surety bond of $5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A
☐	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
☐	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days N/A
☒	401 Water Quality Certification	N/A	60 days (130 days)
☐	CAMA Permit for MAJOR development	$250.00 fee must accompany application	55 days (150 days)
☐	CAMA Permit for MINOR development	$50.00 fee must accompany application	22 days (25 days)
☐	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
☐	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
☒	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
☐	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
☐	Catawba, Jordan Lake, Randalman, Tar Pamlico or Neuse Riparian Buffer Rules required.		
☒	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
☒	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days

Other comments (attach additional pages as necessary, being certain to cite comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	MAP	☒	This project is in Buncombe County, so the local air program is the agency that needs to review this A-95.	11/23/15
DWR-WQROS (Aquifer & Surface)	EMW EMW	☐ ☐	Project may need 401 Water Quality Certification	12/8/15 12/8/15
DWR-PWS	KPM	☒	Plan approval required if existing water infrastructure moved.	12/2/15
DEMLR (LQ & SW)	FLW	☐	Checked SPCA box above. Project is located within a local stormwater program.	12/8/15
DWM - UST	JCA	☐	Checked Orphan UST box above	11/30/15

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

☒ **Asheville Regional Office**
2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500

☐ **Fayetteville Regional Office**
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300

☐ **Mooresville Regional Office**
610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699

☐ **Raleigh Regional Office**
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200

☐ **Washington Regional Office**
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481

☐ **Wilmington Regional Office**
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

☐ **Winston-Salem Regional Office**
450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105
(336) 771-9800

Waste Management
ENVIRONMENTAL QUALITY

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

LINDA CULPEPPER
Director

DATE: December 11, 2015

TO: Linda Culpepper, Division Director through Sharon Brinkley

FROM: Deb Aja, Western District Supervisor - Solid Waste Section

Digitally signed by Deborah Aja
DN: cn=Deborah Aja, o=Solid Waste Section, ou, email=deborah.aja@ncdenr.gov, c=US
Date: 2015.12.11 12:34:52 -05'00'

RE: NEPA Review Project #16-0133, Buncombe County, N.C.
USDOT/FHA and NCDOT I-26 Connector

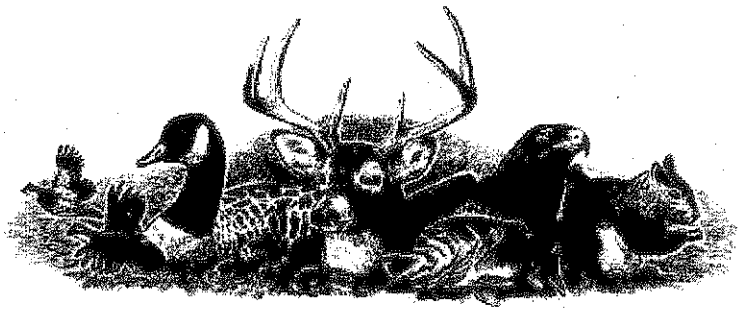
The Solid Waste Section has reviewed the Draft Environmental Impact Statement for the proposed I-26 Connector from I-40 to US-19-23 North of Asheville, Buncombe County, North Carolina. The review has been completed and has seen no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a solid waste perspective.

There are three closed unpermitted solid waste disposal sites that may be located within the project area. Notices for these sites are recorded in the Buncombe County Register of Deeds at Book 1846 on Page 101, Book 1700 on Page 260, and Book 1775 on Page 408.

During construction, every feasible effort should be made to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. Any waste generated by this project that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project. The nearest permitted facilities to the project are the Buncombe County MSW Lined Landfill and C&D Landfill, the Waste Management of Asheville Transfer Facility, and the Buncombe County Transfer Facility. Additional permitted facilities are listed on the Solid Waste Section portal site at: http://portal.ncdenr.org/web/wm/sw/facilitylist.

Please contact Mr. Bill Wagner, Environmental Senior Specialist, for with any questions regarding solid waste. Mr. Wagner may be reached at (828) 296-4705 or by email at bill.wagner@ncdenr.gov.

Cc: Jason Watkins, Field Operations Branch Head
Bill Wagner, Environmental Senior Specialist
Sarah Rice, Compliance Officer
Dennis Shackelford, Eastern District Supervisor



North Carolina Wildlife Resources Commission

Gordon Myers, Executive Director

TO: Lyn Hardison, Environmental Assistance and SEPA Coordinator
Division of Environmental Assistance & Customer Services, NCDENR

FROM: Marla Chambers, Western NCDOT Coordinator Marla Chambers
Habitat Conservation Program, NCWRC

DATE: December 16, 2015

SUBJECT: Review of the Draft Environmental Impact Statement document for NCDOT's proposed I-26 Connector, I-40 to US 19-23-70 North of Asheville, Buncombe County, North Carolina. TIP No. I-2513. NCDENR Project No. 16-0133, due 12/10/2015, extended.

North Carolina Department of Transportation (NCDOT) has submitted for review a Draft Environmental Impact Statement (DEIS) document for NCDOT's proposed I-26 Connector, I-40 to US-19-23-70 North of Asheville. Staff biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the information provided and are participating in the Merger process for this project. These comments are provided in accordance with the provisions of the state and federal Environmental Policy Acts (G.S. 113A-1through 113-10; 1 NCAC 25 and 42 U.S.C. 4332(2)(c), respectively), the Clean Water Act of 1977 (33 U.S.C. 466 et seq.) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d), as applicable.

The proposed I-26 Connector would extend I-26 from I-40 in southwestern Asheville to US 19-23-70 in northwest Asheville, a length of approximately 7 miles. The project would also upgrade and widen I-240 from I-40 to Patton Avenue and then cross the French Broad River as a new freeway to US 19-23-70, slightly south of the Broadway interchange. The project is divided into three sections. The DEIS evaluated four alternatives for Section C, one for Section A, and four for Section B.

Project area waterways include the French Broad River and several of its unnamed tributaries (UTs), Hominy Creek and UTs, Moore Branch, Ragsdale Creek and UTs, Reed Creek, Smith Mill Creek and UTs, and Trent Branch and UTs. Estimated project stream impacts range from 4,621 linear feet (lf) to 7,636 lf for the various alternative combinations. The DEIS reviewed

Mailing Address: Division of Inland Fisheries • 1721 Mail Service Center • Raleigh NC 27699-1721
Telephone: (919) 707-0020 · **Fax:** (919) 707-0028

federally listed species in the project area, including historic records for fish and mussel species. State listed aquatic species that are expected to occur include the Slippershell mussel (*Alasmidonta viridis*), State Endangered, and the Blotched Chub (*Erimystax insignis*), a Federal Species of Concern and State Significantly Rare fish.

Although much of the project area is urban, terrestrial wildlife are a concern. Recent research studied black bear in the Asheville area, including a number of bear denning within the city limits. The I-26 Connector project should provide crossing structures that allow safe passage by large and small wildlife in appropriate areas, such as stream crossings and other potential wildlife travel corridors. NCDOT should also investigate accidents involving wildlife in the project area to determine areas of potential safety concerns for motorists and wildlife.

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact me at marla.chambers@ncwildlife.org or (704) 982-9181.

cc: Marella Buncick, USFWS
Cynthia Van Der Wiele, USEPA
Amy Chapman, NCDWR

Environmental Quality

PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
Department of Administration

FROM: Lyn Hardison
Division of Environmental Assistance and Customer Service
Permit Assistance & Project Review Coordinator

RE: 16-0133
Draft Environmental Impact Statement
Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange
TIP Project – I-2513
Buncombe County

Date: December 17, 2015

The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required and offered some guidance to minimize impacts to the natural resources within the project area. The comments are attached for the applicant's consideration.

The Department encourages the applicant to continue to work with our agencies during the NEPA Merger Process and as this project moves forward.

Thank you for the opportunity to respond.

Attachment

North Carolina
Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

December 18, 2015

Mr. Michael Wray
North Carolina Department of Transportation
Project Development & Environmental Analysis
1548 Mail Service Center
Raleigh, North Carolina 27699-1548

Re: SCH File # 16-E-4220-0133; DEIS; Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP # I-2513.

Dear Mr. Wray:

The above referenced environmental impact information has been submitted to the State Clearinghouse under the provisions of the National Environmental Policy Act. According to G.S. 113A-10, when a state agency is required to prepare an environmental document under the provisions of federal law, the environmental document meets the provisions of the State Environmental Policy Act. Attached to this letter for your consideration are the comments made by agencies in the course of this review.

If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.

Should you have any questions, please do not hesitate to call.

Sincerely,

Crystal Best

Crystal Best
State Environmental Review Clearinghouse

Attachments

cc: Region B

Mailing Address:
1301 Mail Service Center
Raleigh, NC 27699-1301

Telephone: (919)807-2425
Fax (919)733-9571
State Courier #51-01-00
e-mail state.clearinghouse@doa.nc.gov

Location Address:
116 West Jones Street
Raleigh, North Carolina

An Equal Opportunity/Affirmative Action Employer

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: BUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 16-E-4220-0133
DATE RECEIVED: 11/16/2015
AGENCY RESPONSE: 12/10/2015
REVIEW CLOSED: 12/15/2015

CLEARINGHOUSE COORD REGION B
LAND OF SKY REGIONAL COUNCIL
339 NEW LEICESTER HWY, STE. 140
ASHEVILLE NC

REVIEW DISTRIBUTION

DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
DPS - DIV OF EMERGENCY MANAGEMENT
LAND OF SKY REGIONAL COUNCIL

PROJECT INFORMATION

APPLICANT: NCDOT
TYPE: National Environmental Policy Act
Draft Environmental Impact Statement

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513.

CROSS-REFERENCE NUMBER: 08-E-4220-0293

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☑ COMMENTS ATTACHED

SIGNED BY: Donna Stansbury DATE: 12/10/15

Received
DEC 3 2015
City Manager

RECEIVED
DEC 04 2015
BY:

339 New Leicester Hwy., Suite 140
Asheville, NC 28806
p: 828.251.6622 | 800.727.0557
828.251.6353 | w: landofsky.org

Regional Clearinghouse

LAND of SKY REGIONAL COUNCIL

N.C. Intergovernmental Review Process
Review and Comment Form

Land of Sky Regional Council has received the attached information about a proposal which could affect your jurisdiction.

If you wish to comment on this proposed action, complete this form and return it with your comments to this office by 12/9/2015. Comments received after this date cannot be included in our response to the State Clearinghouse.

If you need additional time in order to obtain more information about the application, to formulate your comments, please call Christina Giles at (828)251-6622 as soon as possible. An extension of the review period may be possible.

A note to reviewers: Projects with a "C" in the State Application Identifier (below) is a funding proposal review. Comments should focus on the acceptability or unacceptability of the project. Projects with an "E" in the identifier are environmental or site reviews. Comments for these projects should focus on the adequacy of the environmental document or site selection process.

If no comment is received by the above date, it will be assumed you have no comments regarding this proposal.

State Application Identifier # 16-E-4220-0133 Regional # 04-2015

Commenter's Name KEN PUTNAM Title TRANSPORTATION

Representing CITY OF ASHEVILLE (Local Government)

Address PO BOX 7148, ASHEVILLE, NC 28802

Phone (828) 259-5405 Date 12-7-15

Comment (or attach):

THE CITY OF ASHEVILLE WILL BE SUBMITTING COMMENTS DIRECTLY TO NCDOT.

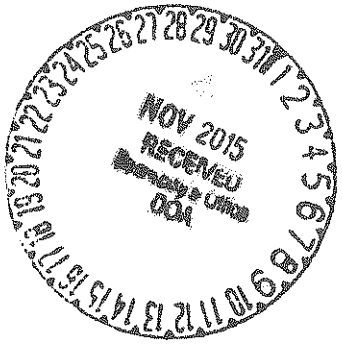
NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: BUNCOMBE

F02: HIGHWAYS AND ROADS

STATE NUMBER: 16-E-4220-0133
DATE RECEIVED: 11/16/2015
AGENCY RESPONSE: 12/10/2015
REVIEW CLOSED: 12/15/2015

MS ELIZABETH HEATH
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE
1001 MSC - AGRICULTURE BLDG
RALEIGH NC



REVIEW DISTRIBUTION

DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
DPS - DIV OF EMERGENCY MANAGEMENT
LAND OF SKY REGIONAL COUNCIL

PROJECT INFORMATION

APPLICANT: NCDOT
TYPE: National Environmental Policy Act
Draft Environmental Impact Statement

DESC: Proposed project is for the I-26 Connector, from I-26 to US 19-23-70 that includes the I-26/I-40/I-240 interchange. TIP I-2513.

CROSS-REFERENCE NUMBER: 08-E-4220-0293

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☑ NO COMMENT ☐ COMMENTS ATTACHED

SIGNED BY: _____ DATE: 11/24/2015

Rocco, Joanna

From: Summer, Will <will.summer@ncdcr.gov>
Sent: Monday, May 02, 2016 6:11 PM
To: Rocco, Joanna
Cc: Werner, Christopher (Morrisville); Foushee, Celia
Subject: RE: I-2513 I-26 Connector: Carrier Park conservation easement

Sorry to be so delayed in getting back to you. The line you drew on the attached image appears more or less correct and indicates that your project should be well outside of the 100 foot riparian corridor on the French Broad River that is the subject of the conservation easement in question (Buncombe BK2060 PG53). If you have any other questions or concerns, please contact me.
Thanks,
Will

*****NOTE: Our email addresses have changed to "@ncdcr.gov" effective 4/11/2016. Mail sent to the old "@ncdenr.gov" address will only be deliverable for a short time. Please update your contacts.*****

Will Summer
Stewardship Director
Clean Water Management Trust Fund
Division of Land and Water Stewardship
North Carolina Department of Natural and Cultural Resources
1651 Mail Service Center
Raleigh, North Carolina 27699-1651

919.707.9127 office/fax
will.summer@ncdcr.gov

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Facebook Twitter Instagram YouTube

From: Rocco, Joanna [mailto:joanna.rocco@aecom.com]
Sent: Wednesday, April 27, 2016 12:36 PM
To: Summer, Will <will.summer@ncdcr.gov>
Cc: Werner, Christopher (Morrisville) <christopher.m.werner@aecom.com>; Foushee, Celia <celia.foushee@aecom.com>
Subject: I-2513 I-26 Connector: Carrier Park conservation easement

Hi Will,

Thanks again for the information regarding the Carrier Park easement. To follow up, I wanted to confirm with you that the I-2513 project will not impact the easement. Attached you will find a graphic of the I-2513 public hearing map with the conservation easement limits drawn in red within Section A, approximately 100 feet from the edge of the French

Broad River. The design limits at Old Amboy Road are approximately 300 feet from the edge of the river; therefore, we conclude the project impacts are outside of the 100 foot conservation easement.

Please let me know if you have any questions or concerns regarding our assessment.

Thanks again for your assistance!
Joanna

From: Summer, Will [mailto:will.summer@ncdenr.gov]
Sent: Thursday, March 03, 2016 10:22 AM
To: Rocco, Joanna
Subject: I-26 Expansion and Carrier Park

Ms. Rocco,
Per your request, I have attached the conservation easement that covers a portion of Carrier Park. The area of the tract specifically subject to the easement is a greenway buffer that extends 100 feet from the French Broad River. There is a map exhibit in the document, but it is difficult to read. You might get a better copy directly from the Buncombe County Register of Deeds, the City if Asheville, or perhaps even Riverlink as the original CWMTF grantee for this project.

From our conversation, it sounds like your project will not impact our area of interest. However, if it does, please be aware that the State has set a high bar for amending permanent conservation easements, so it is prudent to avoid any impacts wherever possible. If an impact is unavoidable and has a clear benefit to the greater public interest, there is a process. An amendment to the easement must be approved by the Clean Water Management Trust Fund Board and subsequently the Governor and Council of State. The latter only after a conservation benefit analysis has demonstrated that the amendment will result in a net positive for the conservation values, per recent legislation that has strengthened the permanence of State-held conservation agreements.

If you find that there will be an intersection between your project and the easement area, please contact me with any further questions.
Thanks,
Will

Will Summer
Stewardship Director
Clean Water Management Trust Fund
Division of Land and Water Stewardship
North Carolina Department of Natural and Cultural Resources
1651 Mail Service Center
Raleigh, North Carolina 27699-1651

919.707.9127 office/fax
will.summer@ncdenr.gov

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Rocco, Joanna

From: Caldwell, Katherine <katherine.caldwell@ncwildlife.org>
Sent: Tuesday, July 17, 2018 3:10 PM
To: Marella Buncick; Cox, Marissa R; Manley, Chris; Heather Wallace; Miller, Melissa R; Rocco, Joanna; Joy O'Keefe; joey.weber@indstate.edu
Subject: Follow-up from MYGR Update Call
Attachments: 2016-2017 NCWRC Gray Bat Telemetry Summary.pdf

Hi Everyone,

I've attached the telemetry summary from our 2016 and 2017 tracking efforts that was mentioned on the call today. I also wanted to clarify the emergence count totals at the Parkway bridge that Marella asked about:

- 5/9/2016: 240 bats. Only counted on east side of bridge because we didn't realize bats were roosting in joints on the west side
- 7/18/2016: estimated over 1000 bats -- not prepared to count so many bats, needed night vision.
- 7/11/2017: 1078 bats. Used night vision for the first time during this count.

Let me know if you have any questions. Thanks!

Katherine

Katherine Caldwell
Wildlife Diversity Biologist
Associate Wildlife Biologist®

NC Wildlife Resources Commission
Asheville, North Carolina
828-545-8328

ncwildlife.org

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

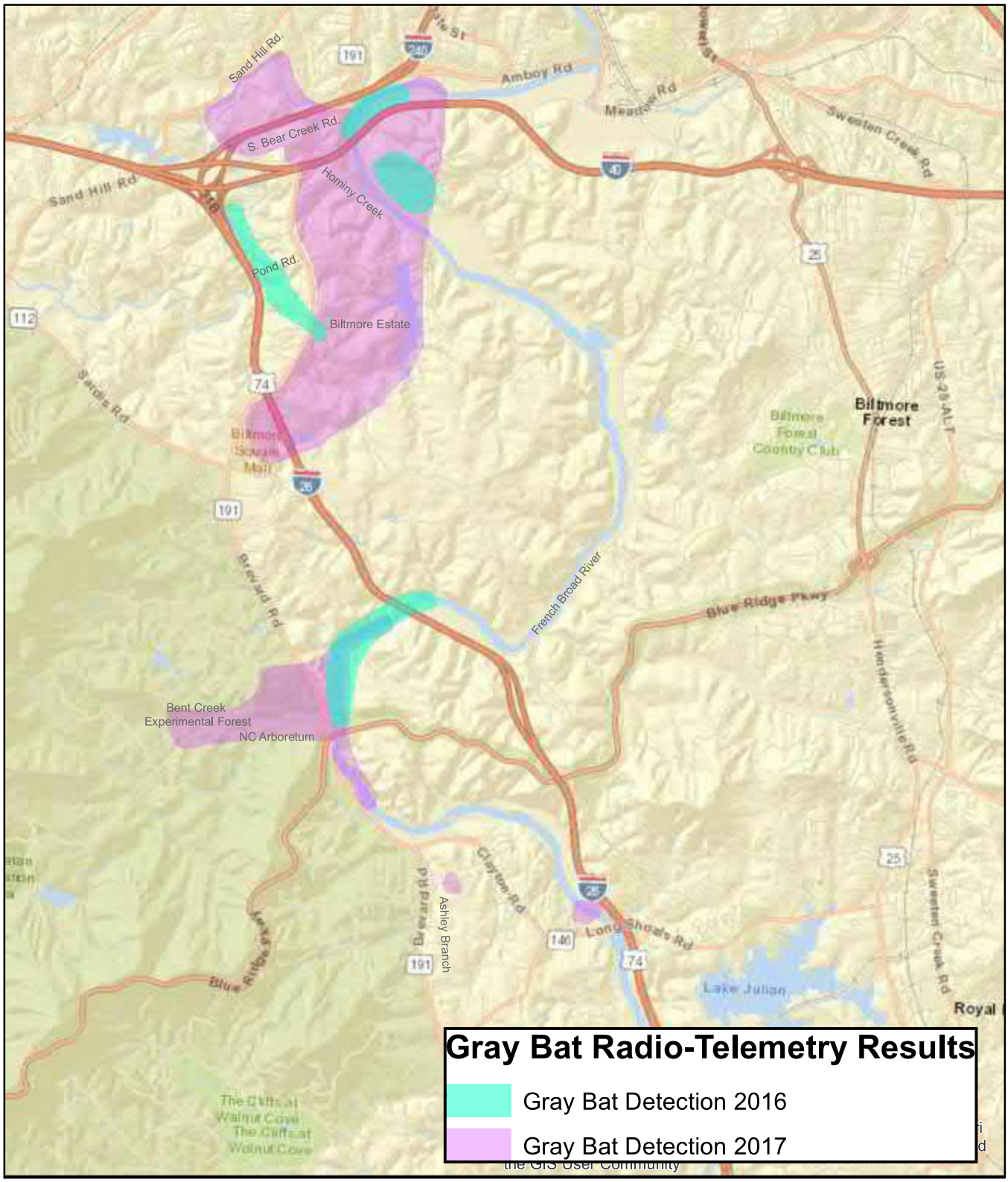
2016-2017 NCWRC Gray Bat Telemetry Summary

2016 Gray Bat Telemetry Summary

Two gray bats were captured and outfitted with radio-transmitters by NCWRC personnel in Buncombe County, NC on August 30, 2016. The bats were tracked for 12 days until the transmitters became inactive (Aug 30 - Sept 12). The bats returned to the primary roost every day and routinely foraged in their respective areas during the seven nights of radio-tracking. Bat A foraged on Hominy Creek in the area where Pond Rd. crosses Hominy Creek and Bat B foraged on the French Broad River just North of the I-40 crossing of the river (Fig 1). During two nights of tracking, Bat B left its typical area and was not detected again that night.

2017 Gray Bat Telemetry Summary

Three gray bats were captured and outfitted with radio-transmitters by NCWRC personnel in Buncombe County, NC on August 9, 2017. The bats were tracked until their signals were no longer detected or until the transmitter fell off (Aug 9 – Aug 21). Bat A returned to the primary roost every day and Bat B returned to the primary roost 8 of the 12 days of tracking (Fig 3). Bat C returned to the primary roost 3 of the 12 days of tracking and was found roosting in Madison County approximately 21 miles straight-line distance (~32 river miles) from the primary roost on 3 of the 12 days (Figs 3-4). On 7 days, roosts for at least one of the bats were not located despite tracking efforts along the entire length of the French Broad River, Swannanoa River, and Hominy Creek and at known roosts in Madison County. In contrast to 2016 tracking results, bats did not routinely forage in the same areas each night or spend a considerable amount of time in one particular area, though many areas where bats were detected were similar to 2016 results. Bats were again detected traveling North on the French Broad River by Hwy 191 in the Bent Creek area, on Hominy Creek in the vicinity of Pond Rd., and on the French Broad River near the I-40 crossing. Additionally, bats were detected using a greater extent of Hominy Creek than in 2016 including the area near the I-240 crossing of Hominy Creek, north of I-240 along Sand Hill Rd., and along Hominy Creek Rd (Figs 1-2). Bats B and C were frequently detected on the Biltmore Estate property adjacent to Hwy 191 on the stretch that extends from I-26 to the area east of the Hominy Creek-French Broad River confluence. Bats B and C were also detected in the vicinity of the Asheville Outlet Mall and seemed to cross I-26 in this area, though without triangulation it is difficult to pinpoint exactly where this crossing occurred. Bat A was detected traveling South on the French Broad River during one night of telemetry. The bat's signal was detected between Clayton Rd. and Hwy 191 near Ashley Branch. This bat was also detected Northwest of the Long Shoals Rd. bridge during the same night. On two other nights, Bat A was detected foraging at the North Carolina Arboretum and Bent Creek Experimental Forest. Finally, Bat C was tracked from the Marshall roost on one night, but was lost approximately 10 minutes after emergence when personnel were delayed from tracking the bat by a train. The bat was last detected heading north, but was not detected after searching the French Broad River to the Tennessee border.



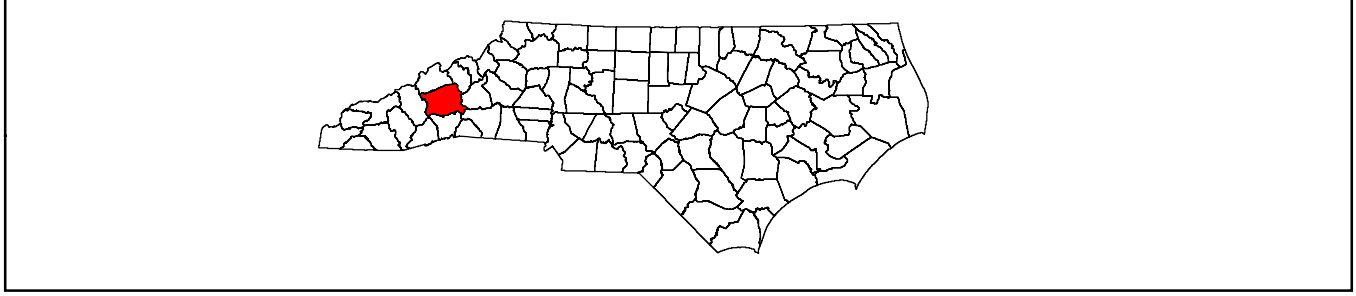


Figure 1. All areas in Buncombe County that radio-tagged gray bats were detected during 2016-2017 tracking efforts.

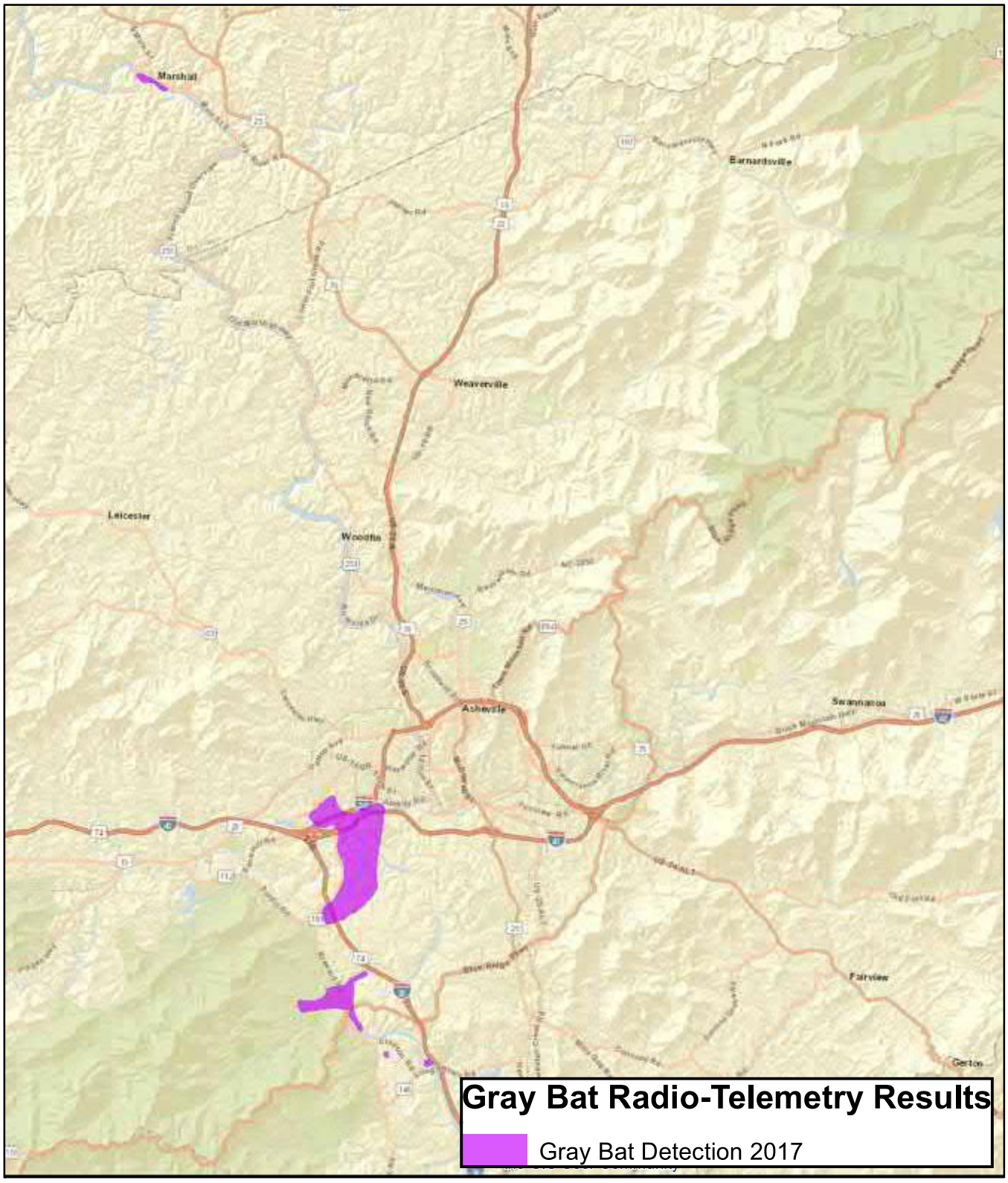


Figure 2. All areas that radio-tagged gray bats were detected during 2017 tracking efforts.

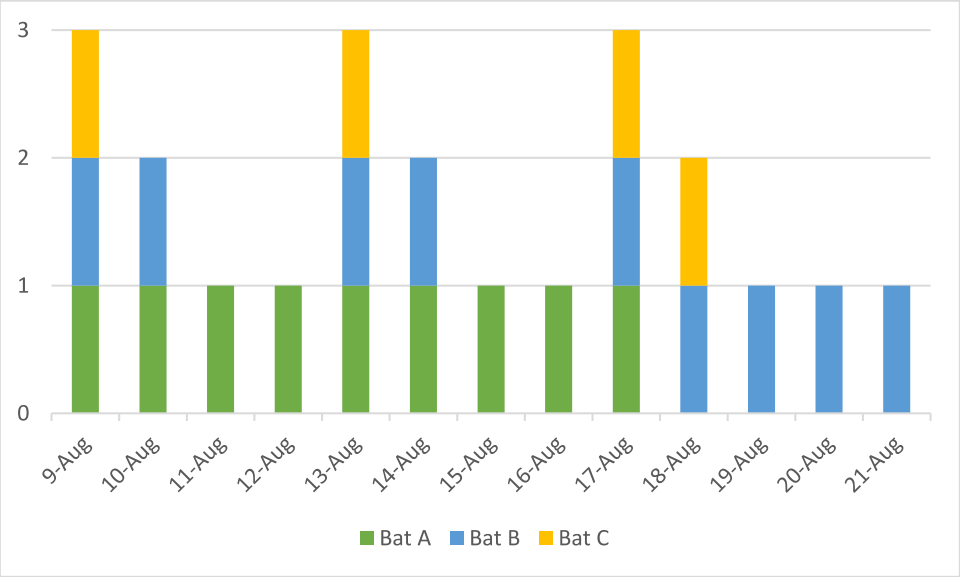


Figure 3. Occupancy of the primary roost by radio-tagged bats during 2017 tracking efforts.

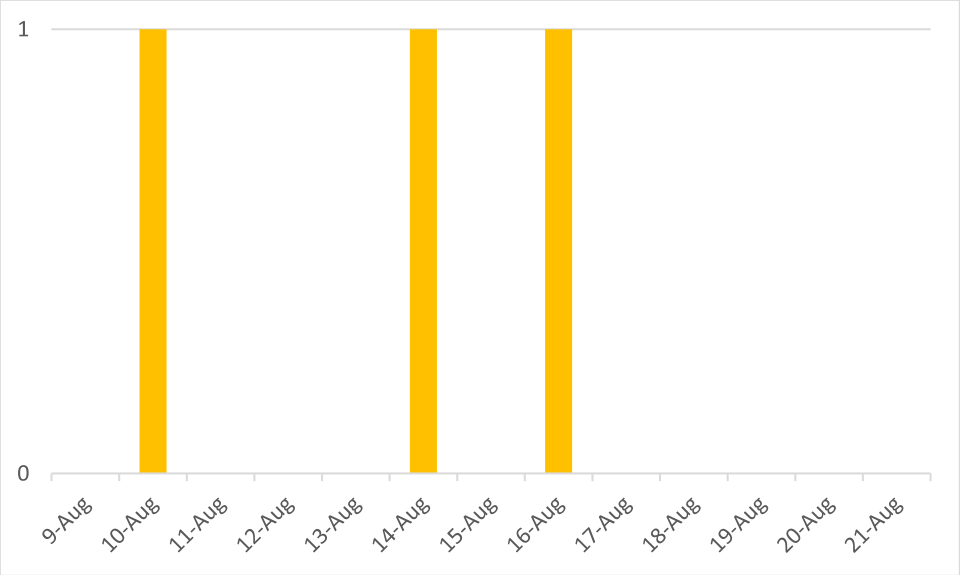


Figure 4. Occupancy of the Madison County roost by Bat C during 2017 tracking efforts.

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE: August 14, 2018

TO: Mr. Justin Williamson-Environmental Review Coordinator
NC State Parks
1615 Mail Service Center
Raleigh, NC 27699-1615

FROM: Derrick Weaver, Unit Head
Environmental Policy Unit

RE: STIP Project Number I-2513; I-26 Connector in Asheville, Buncombe County, North Carolina, WBS No. 34165.1.2

Dear Mr. Williamson:

The Federal Highway Administration (FHWA) and North Carolina Department of Transportation (NCDOT) are seeking your acknowledgement of the *de minimis* use of the French Broad River Paddle Trail for the proposed I-26 Connector project in Buncombe County, NC (State Transportation Improvement Program [STIP] No. I-2513). A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation, and enhancement measures, results in no adverse effect to the resource under Section 4(f) protection.

In accordance with 23 CFR Part 774 (Sections 774.3(b) and 774.17), the FHWA and NCDOT intend to make a *de minimis* finding based on your concurrence with a No Adverse Effect to the French Broad River Paddle Trail.

The proposed I-26 Connector project in Buncombe County, NC (STIP project No. I-2513) would require placement of bridge bents in the French Broad River for construction of new location bridges for I-240 and I-26. Paddle accesses, campgrounds, and businesses along the French Broad River will be signed and/or notified by NCDOT prior to and during construction activity. NCDOT will be preparing a River User Safety Plan and River User Communication Plan in order to ensure effective public notification of the hazards, project progress, and temporary closures.

As the official with jurisdiction over the French Broad River Paddle Trail, I concur in a determination that the proposed transportation project as described in this letter would not adversely affect the activities, features, or attributes that qualify the French Broad River Paddle Trail for Section 4(f) protection. I have also been informed, based on my concurrence, the FHWA intends to make a *de minimis* finding regarding the impacts to the French Broad River Paddle Trail, thus satisfying the requirements of Section 4(f).

Date: 8-14-2018 Signature: (NCDPR)

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1548 MAIL SERVICE CENTER
RALEIGH, NC 27699-1548

Telephone: (919) 707-6000
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610

Federal Aid #: **MANHF-26-1(53)** *TIP#:* **I-2513** **WBS#: 34165.1.2** *County*: **Buncombe**

CONCURRENCE FORM FOR ASSESSMENT OF EFFECTS

Updated for several of historic properties in the APE after the DEIS published and the preferred alternative identified. Does not address all historic properties, only those with changes, therefore this is a supplemental form to the original form dated May 21, 2016

Project Description: Proposed I-26 Connector from I-40/I-26 in southwestern Asheville to US 19-23-70 in northwest Asheville for total length of approximately 7 miles

On *September 17, 2018 and November 27, 2018* representatives of the

- ☒ North Carolina Department of Transportation (NCDOT)
- ☒ Federal Highway Administration (FHWA)
- ☒ North Carolina State Historic Preservation Office (HPO)
- ☐ Other

Reviewed the subject project and agreed on the effects findings listed within the table on the reverse of this signature page.

Signed:

Representative, NCDOT — Date: 11/27/2018

FHWA, for the Division Administrator, or other Federal Agency — Date: 11-29-18

Representative, HPO — Date: 11.27.18

Resource Name	Preferred Alternative and Effect	Reasons/ Conditions
Asheville School	Section C: Alt. F-1 No adverse effect with environmental commitments *De minimis* under 4(f)	The DEIS reported 2.79 acres of right-of-way impacts and 0.58 acre of construction easement impacts. Revised designs reduced the amount of right-of-way impacts to 0.51 acre. The amount of construction easement required for this property increased from 0.58 acre to 1.48 acres for the reconstruction of small section of soil path/driveway near corner of I-40 and Sand Hill Road.
West Asheville/Aycock School Historic District	Section A No adverse effect with environmental commitments *De minimis* under 4(f)	The DEIS reported 0.35 acre of right-of-way impacts and 0.25 acre of construction easement impacts to the school. Revised designs reduced the amount of impacts to 0.15 acre and 0.10 acre, respectively. However, after speaking with school administration, redesign of the school's traffic pattern and purchase of a vacant lot on Argyle Lane could recoup the parking spaces impacted and alleviate the access issues. Construction easements would increase with this scenario but NCDOT investigating the constructability and design details for the new parking lot in consultation with the school and HPO. Commitments: • Recoup the school's loss of 25 parking spaces with a new parking lot • Screening trees preserved along west side of classrooms. • Fencing (a minimum of 6 feet in height and of the school's chosen materials) installed between the Greenway and school yard. • Along Haywood Road, the trees and Arrowhead monument on school grounds protected during construction.
Freeman House	Section B, Alt 4B No adverse effect with environmental commitments	After publication of the DEIS, NCDOT contacted the property owner to explain proposed audible and visual impacts resulting from the project and potential abatement measures. The property owner indicated that they would like NCDOT to provide funding for appropriate abatement measures. Commitments: • NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT

		by the property owner. If the property owner chooses, NCDOT will make payment directly to a third party contractor(s) upon satisfactory completion of the work. • Install landscaping along the edges of their property facing the new facility.
William Worley House	Section B, Alt 4B No adverse effect with environmental commitments *De minimis* under 4(f)	Revised designs reduced the amount of right-of-way impacts to 0.05 acre and increased the amount of permanent underground easement slightly to 0.26 acre to construct the retaining wall. After publication of the DEIS, NCDOT contacted the property owner to explain proposed audible impacts resulting from the project and potential abatement measures. The property owner indicated that they would like NCDOT to provide funding for appropriate abatement measures. Commitments: • NCDOT will reimburse the property owner for the costs to install central heat/AC, storm windows, and insulation based on the lowest of 3 bids provided to NCDOT by the property owner. If the property owner chooses, NCDOT will make payment directly to a third party contractor(s) upon satisfactory completion of the work. • Install central heat/AC, storm windows, and insulation.
Montford Area Historic District	Section B, Alt 4B **Adverse Effect**	NCDOT is working with the newly-formed Asheville Aesthetics Advisory Committee to design appropriate landscaping measures to minimize the visual effects of the elevated roadway adjacent to Riverside Cemetery.
Montford Hills	Section B, Alt 4B No adverse effect	Revised designs do not require the underground easement to accommodate the retaining wall; therefore, there are no temporary or permanent easements within the district's boundaries.
Haywood Street United Methodist Church	Section B, Alt 4B No adverse effect *De minimis* under 4(f)	Originally, no construction work or temporary construction easements would impact the church or its parking. However, the construction of a sidewalk in front of the church is currently proposed and supported by the congregation.

Initialed: NCDOT MPT FHWA DB HPO BSE

FHWA Intends to use the HPO's concurrence as a basis for a "de minimis" finding for the following properties, pursuant to Section 4(f):

- Asheville School
- West Asheville/Aycock School Historic District
- William Worley House
- Haywood Street United Methodist Church

APPENDIX C3

COORESPONDENCE FROM LOCAL AGENCIES

Date	From	To	General Subject
12/01/2015	City of Asheville	NCDOT	Comments on DEIS
12/08/2015	City of Asheville	Mayor and City Council (Asheville)	Comments on DEIS
12/15/2015	Town of Woodfin	NCDOT	Resolution for I-26 Connector
12/16/2015	Asheville Area Chamber of Commerce	NCDOT	Comments on DEIS
12/12/2016	City of Asheville	NCDOT	Bicycle and pedestrian accommodations
01/25/2017	FBRMPO	NCDOT	Amboy Road complete streets resolution
11/29/2017	City of Asheville	NCDOT	Traffic capacity analysis
01/18/2018	City of Asheville	NCDOT	Transit impacts
11/29/2018	City of Asheville	NCDOT	Traffic Noise Studies
01/08/2019	City of Asheville	NCDOT	Carrier Park Improvements
04/25/2019	City of Asheville	NCDOT	Patton Avenue design
06/24/2019	City of Asheville	NCDOT	Carrier Park de minimis concurrence

Foushee, Celia

From: Werner, Christopher (Morrisville)
Sent: Wednesday, December 02, 2015 10:18 AM
To: Rocco, Joanna; Foushee, Celia
Subject: FW: I-26 Connector Project Memo
Attachments: I-26 DEIS Comments Memo 12-08-15.doc; ATT00001.htm; Attach 1 - Project Overview Map.pdf; ATT00002.htm; Section B Comments 11-30-15.docx; ATT00003.htm; Section C Comments 11-30-15.docx; ATT00004.htm; General Comments 11-30-15.docx; ATT00005.htm; Section A Comments 11-30-15.docx; ATT00006.htm

FYI

Thanks,
Chris

NEW CONTACT INFORMATION AFTER 11/5/2015

Christopher M. Werner, PE
Transportation Engineer, Planning Department, North Carolina D +1-919-239-7168 christopher.m.werner@aecom.com

AECOM
701 Corporate Center Drive, Suite 475
Raleigh, NC 27607, United States
T +1-919-271-4622
aecom.com

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-----Original Message-----
From: Solberg, Kristina L [mailto:klsolberg@ncdot.gov]
Sent: Tuesday, December 01, 2015 2:23 PM
To: Weaver, Derrick G; Wray, Michael G; Werner, Christopher (Morrisville)
Cc: Tipton, Ricky A
Subject: FW: I-26 Connector Project Memo

FYI

Begin forwarded message:

From: Ken Putnam <KPutnam@ashevillenc.gov<mailto:KPutnam@ashevillenc.gov>>
Date: December 1, 2015 at 1:48:16 PM EST
To: "Bruce & Day Ann Emory (emory22@charter.net<mailto:emory22@charter.net>)"
<emory22@charter.net<mailto:emory22@charter.net>>, "Don Kostelec
(don.kostelec@gmail.com<mailto:don.kostelec@gmail.com>)"

<don.kostelec@gmail.com<mailto:don.kostelec@gmail.com>>, Gwen Wisler
<gwenwisler@avlcouncil.com<mailto:gwenwisler@avlcouncil.com>>, Jim Grode
<jimgrode@gmail.com<mailto:jimgrode@gmail.com>>, "John Ridout (jridout@unca.edu<mailto:jridout@unca.edu>)"
<jridout@unca.edu<mailto:jridout@unca.edu>>, "Joshua OConner
(Joshua.OConner@buncombecounty.org<mailto:Joshua.OConner@buncombecounty.org>)"
<Joshua.OConner@buncombecounty.org<mailto:Joshua.OConner@buncombecounty.org>>, "Julie Mayfield
(julievmayfield@gmail.com<mailto:julievmayfield@gmail.com>)"
<julievmayfield@gmail.com<mailto:julievmayfield@gmail.com>>, "Kristy Carter
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<kristy.carter@jmteagueengineering.com<mailto:kristy.carter@jmteagueengineering.com>>, Martha McGlohon
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<mary@maryweberdesign.com<mailto:mary@maryweberdesign.com>>, "Philip Lenowitz"
<paladin@ncchangeagent.com<mailto:paladin@ncchangeagent.com>>, Richard Lee
<ric.hardlee@live.com<mailto:ric.hardlee@live.com>>, Terri March
<terri.march@mahec.net<mailto:terri.march@mahec.net>>, Till Dohse
<till.dohse@gmail.com<mailto:till.dohse@gmail.com>>
Cc: Gary Jackson <GJackson@ashevillenc.gov<mailto:GJackson@ashevillenc.gov>>, Cathy Ball
<cball@ashevillenc.gov<mailto:cball@ashevillenc.gov>>, councilgroup
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(williamkyoung@hotmail.com<mailto:williamkyoung@hotmail.com>)"
<williamkyoung@hotmail.com<mailto:williamkyoung@hotmail.com>>, "Brian Haynes
(brianhaynes57@yahoo.com<mailto:brianhaynes57@yahoo.com>)"
<brianhaynes57@yahoo.com<mailto:brianhaynes57@yahoo.com>>, "Maggie Burleson"
<MBurleson@ashevillenc.gov<mailto:MBurleson@ashevillenc.gov>>, Janet GeorgeMurr
<JGeorgeMurr@ashevillenc.gov<mailto:JGeorgeMurr@ashevillenc.gov>>
Subject: FW: I-26 Connector Project Memo

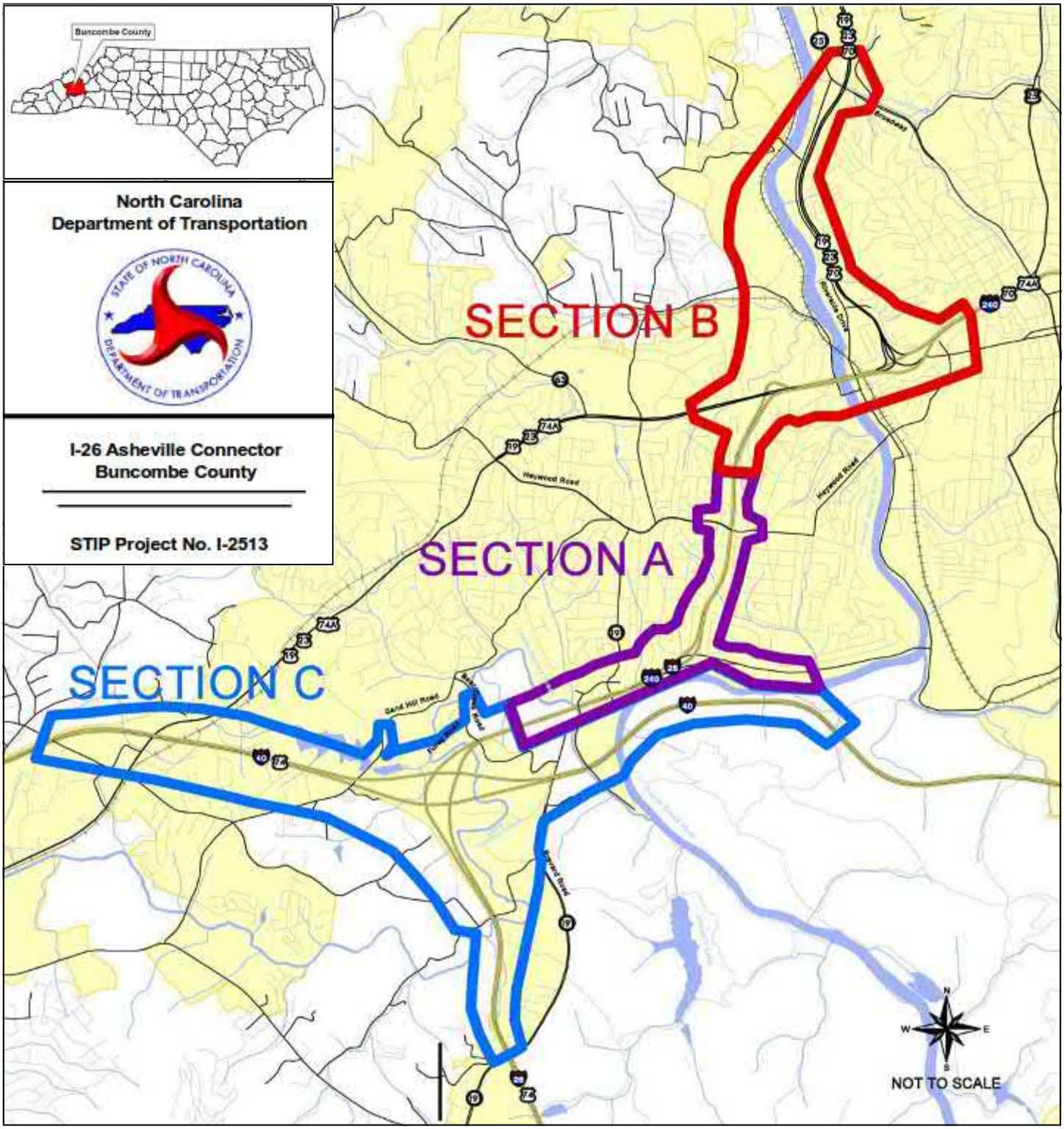
Greetings all! Attached, please find staff's comments regarding the I-26 Connector Project that will be shared at the MMTC meeting tomorrow afternoon. This is the same information that will be shared with City Council on December 8th and then it will be sent to the NCDOT via a cover letter signed by me as the Transportation Department Director.

Please let me know if additional information is needed.

From: Ken Putnam
Sent: Monday, November 30, 2015 5:23 PM
To: Maggie Burleson
Cc: Gary Jackson; Cathy Ball
Subject: I-26 Connector Project Memo

Attached, is the memo, staff comments, and project overview map which will now be made as a presentation. Please let me know if additional information is needed.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.


Buncombe County
North Carolina
Department of Transportation
I-26 Asheville Connector
Buncombe County
STIP Project No. I-2513
SECTION B
SECTION A
SECTION C
Haywood Road
Sand Hill Road
Broadway
NOT TO SCALE

I-26 CONNECTOR DEIS REVIEW

General Comments

- The City of Asheville's City Council approved a resolution adopting a complete streets policy on June 26, 2012 (Resolution # 12-154). NCDOT adopted a similar policy during July 2009. In order to be consistent with these policies, the City of Asheville strongly encourages the NCDOT to implement complete streets elements consistent with design guidelines published by the National Association of City Transportation Officials (NACTO) along all of the -Y- lines including the bridges that cross the -L- line throughout the entire project length for all sections. As the -Y- lines are streets that are generally local in nature, the City of Asheville strongly encourages collaborative planning throughout the design and construction phases.

- The City of Asheville has committed $2,000,000 of co-funding to the I-26 Connector project in order to ensure that local needs are met.

- The City and County approved a joint resolution regarding the I-26 Connector on March 18, 2014 (Resolution # 14-54 and # 14-03-12). The resolution included the following quote, "…in preparation of the draft Environmental Impact Statement for the project, NCDOT clearly include elements that will address community needs for sound barriers and bicycle, pedestrian and neighborhood connections, including location, design, and the funding methodology of associated infrastructure elements." The City of Asheville strongly encourages NCDOT to fully address these elements in the Final EIS document.

- Now that the City of Asheville (and other cities throughout North Carolina) is limited in the ability to annex, the City's geographical area has now become finite and as a result, land is more valuable to the City's tax base and is necessary for downtown infill redevelopment especially along Patton Avenue east of the Jeff Bowen Bridges. Therefore, the City of Asheville strongly encourages the NCDOT to make all efforts to minimize the overall footprint throughout the entire project length for all sections with the use of additional retaining walls and additional urban design strategies to make sure that all of the on/off ramps are placed as close to the -L- line as possible. Design exceptions should be considered in cases where greater land preservation would result. The City of Asheville would like to be involved in discussing these suggestions during the design phase.

- Summary, Page xi, it states that "NCDOT policies prescribe that certain pedestrian improvements require partial funding by and formal requests from the local governments; therefore, until a preferred alternative is selected, it cannot be definitively determined what elements will be included in the final design of the project." The City of Asheville is very interested in assuring the best possible pedestrian and bicycle improvements and would like to be actively involved in the design phase of the project regarding the pedestrian elements after a preferred alternative has been selected. This involvement is critical in order for the City of Asheville to conduct its own transportation and financial planning.

- The City of Asheville's preferred sidewalk cross-section includes a 5-foot sidewalk and a 5-foot utility strip (buffer area) with a 10-foot overall width. The City of Asheville strongly

encourages this cross-section at all sidewalk locations throughout the entire project length for all sections. If the preferred sidewalk cross-section cannot be provided in specific areas, a reduced-width utility strip should be considered, and if that is not possible, then a 6-foot back of curb sidewalk should be used.

- The City of Asheville strongly encourages the NCDOT to consider wider (6') minimum bicycle lane widths along roads with traffic volumes greater than 10,000 vpd and/or operating speeds greater than 35 mph to be consistent with the City of Asheville Standard Specifications and Details Manual, City of Asheville Comprehensive Bicycle Plan, and NACTO recommendations. In addition, The NC Bicycle Facilities Planning and Design Guidelines (1994), calls for a preferred bicycle lane width of 5' or greater. It recommends additional width "where substantial truck traffic is present, where prevailing winds are a factor, on grades, or where motor vehicle speeds exceed 35 mph. (p 31)" As do other guides, the NC Bicycle Facilities Planning and Design Guidelines shows bicycle lane width measured exclusive of gutter, and shows a minimum 2' gutter area in Figure 5-2 (p 32).

- The City of Asheville strongly encourages the NCDOT to consider multi-use paths to measure 14-16 feet wide with an absolute minimum width of 12 feet.

- The City of Asheville would like to be actively involved in the Aesthetics Advisory Committee (AAC) in order to help integrate aesthetics features into the proposed design after a preferred alternative has been selected and final design begins. Retaining walls should include aesthetics standards consistent with the City of Asheville Standard Specifications and Details Manual.

- The City of Asheville strongly encourages the NCDOT to include bus stops along all of the transit routes within the project limits. These bus stops must be designed and constructed to meet ADA requirements.

- The City of Asheville would like for the NCDOT to consider "bus on shoulder system" to be authorized within the project limits.

- The City of Asheville strongly suggests that NCDOT create a collaborative working group that would meet regularly starting in early 2016 and throughout the design phase to ensure adequate consideration of the concerns listed above. This group could also examine the travel demand model, capacity analysis, and the methodology of calculating Level of Service in an effort to gain consensus.

- The City of Asheville is pleased that NCDOT will be using the new local travels demand model to re-examine travel demand and to conduct a new capacity analysis with a 6-lane alternative in Section A.

- Maps included in the DEIS do not seem to indicate the placement of sound walls as were indicated in earlier versions. The City of Asheville would like more information

about the placement and sufficiency of sound walls, and assurance that sound walls will be fully included in the Final EIS.

Memorandum

Date: December 8, 2015

To: Mayor and City Council

Via: Gary Jackson, City Manager

From: Ken Putnam, PE, Transportation Department Director

Subject: I-26 Connector Project Draft Environmental Impact Statement (DEIS) Comments

The purpose of this memorandum is to update City Council regarding staff's comments about the I-26 Connector Project Draft Environmental Impact Statement (DEIS).

The I-26 Connector Project is an interstate freeway project that is being proposed to connect I-26 in southwest Asheville to US 19-23-70 in northwest Asheville. The North Carolina Department of Transportation (NCDOT) has programmed this project to upgrade and widen I-240 from I-40 to Patton Avenue, and then proceed northward from Patton Avenue on new location across the French Broad River and connect to US 19-23-70 just south of Exit 25 (Broadway). Upon completion, this project will be part of the I-26 interstate that extends from Charleston, South Carolina to Kingsport, Tennessee. It is about 7 miles long and includes three sections: C, A, and B (see attached project overview map).

The North Carolina Department of Transportation (NCDOT) completed and released the I-26 Connector Project Draft Environment Impact Statement (DEIS) for review and comment on October 16, 2015. As a part of the release, copies of the actual document were provided to the following locations; the NCDOT local Division 13 office on Orange Street, the Land-of-the-Sky offices on New Leicester Highway, the City of Asheville Transportation Department in City Hall, the Pack Memorial Library, the West Asheville Library, and the Buncombe County Law Library. In addition, the public hearing maps were provided to the following locations; the NCDOT local Division 13 office on Orange Street, the Land-of-the-Sky offices on New Leicester Highway, and the City of Asheville Transportation Department in City Hall. All of the project materials can also be viewed at the project website at http://www.ncdot.gov/projects/i26connector/.

The Open House and Public Meeting were held on Monday, November 16, 2015 at the Renaissance Hotel located at 31 Woodfin Street. The informal open house was held from 4:00 pm until 6:30 pm and during this time, NCDOT representatives were available to answer questions and receive comments on a one-on-one basis. Earlier in the day (from noon until 1:00 pm, an informational meeting with local officials was held. The formal public hearing began at 7:00 pm with a presentation including an explanation of the proposed corridor location, design, right-of-way, relocation requirements/procedures, and the state-federal relationship. After the presentation, statements, questions, and comments were received by the persons attending the meeting. All of the comments were recorded and a transcript is being prepared. The official comment period ends on December 16, 2015 and the NCDOT has provided many ways for comments to be submitted. In addition, the City's public media staff has worked closely with the NCDOT to ensure that all comments are submitted to the NCDOT.

City staff conducted two "work sessions"; one on November 6, 2015 and the other one on November 17, 2015 to review the materials and prepare comments. Attendees included staff members from the Transportation Department, the Planning Department, the Public Works

Department, the Multi-Modal Transportation Commission, the Asheville Design Center, and the Southern Environmental Law Center. Staff comments (see attachment) focused on multi-modal transportation elements and the City's transportation plans as outlined in the joint resolution approved by the City of Asheville, Buncombe County, and the French Broad River Metropolitan Planning Organization (FBRMPO) on March 25, 2014 (Resolution # 14-54). Staff's comments are more technical in nature and staff does not recommend a specific alternative. The comments will be submitted to the NCDOT via a cover letter on December 16, 2015.

Please let me know if additional information is needed.

Attachments:
(1) Project Overview Map
(2) Comments

I-26 CONNECTOR DEIS REVIEW

Section A Comments

- The City of Asheville strongly encourages that an updated Travel Demand Model for the project be developed as quickly as possible to assess a scenario for six lanes through Section A, that the analysis in the six-lane scenarios carefully avoid assuming induced-demand levels associated with an eight-lane design, that the analysis include the resulting impact of six lanes on Section B, and that final design of the project include the fewest number of lanes and smallest footprint possible through the A and B Sections of the project.

- The Haywood Road bridge (-Y6-) and associated intersections do not seem to include complete streets elements as indicated by the public hearing corridor maps. The City of Asheville strongly encourages the NCDOT to include complete streets elements consistent with NACTO guidelines on the subject bridge and through the intersections and to make all efforts to make the bridge and intersections as pedestrian and bicycle friendly as possible especially since a proposed greenway (multi-use transportation path) will be located in the northeast quadrant. These elements should include a minimum sidewalk width of 6 feet measured back of curb, bicycle lanes, reduced lane width and intersection dimensions, and reduced radii at the on/off ramps.

- Amboy Road (-Y4-) is indicated as a four-lane facility. The City of Asheville strongly prefers that Amboy Road be designed as a two-lane facility, possibly with wider intersections for turn lanes, in order to reduce the footprint of the entire project and the taking of property, to make it more compatible with adjoining neighborhoods, to make Amboy Road more bicycle and pedestrian-friendly, and to reduce project cost, even if it means achieving level-of-service E for that section of Amboy Road.

- Amboy Road (-Y4-) is not pedestrian and bicycle friendly with the proposed 4-lane cross-section which is recommended simply to match the proposed design for project # U-4739. The City of Asheville is currently designing a project identified as RADTIP which is a complete streets project along Lyman Street/Riverside Drive from Amboy Road (near the French Broad River) to Hill Street. Construction will begin during Calendar Year 2017. The proposed cross-section along the southern section of the project includes two travel lanes, sidewalks, a greenway (multi-use transportation path), and a protected two-way bikeway (1 bicycle lane in each direction). In addition, the 2040 Metropolitan Transportation Plan (MTP) no longer recommends major widening for project # U-4739 but instead recommends spot widening, roadway modernization and access management with complete streets elements. The City of Asheville strongly encourages the NCDOT to redesign Amboy Road (-Y4-) to be consistent with the City's ongoing project with a design speed no greater than 40 mph.

- The typical cross-section for Amboy Road (-Y4-) between NC 191 (Brevard Road) and I-26 does not provide enough width for the City's preferred sidewalk cross-section. The City of Asheville strongly encourages the NCDOT to design and construct the preferred sidewalk cross-section.

- The City of Asheville greatly appreciates the inclusion of the West Asheville Greenway from Haywood Road across the Jeff Bowen Bridges, and to Clingman Avenue. The City of Asheville anticipates that this facility will be very heavily used by bicycle commuters, recreationists, pedestrians, and visitors. Given the anticipated high usage levels, the City strongly encourages that this Greenway, as with all greenways reflected in the DEIS, should reflect the AASHTO and National Association of City Transportation Officials (NACTO) design standards, which would result in a greenway that is roughly 14-16 feet wide to safely accommodate bikes, and would also include appropriate shy-distance from any barriers, consistent with AASHTO guidelines and NACTO guidelines Additionally, the path should be marked with 2-way bicycle and pedestrian lanes.

- The proposed closing of Hanover Street at its intersection with Haywood Road adversely impacts transit routes W1 and W2 regarding its service to the Pisgah View Apartments (a public housing complex).

- The City of Asheville strongly encourages the NCDOT to include bicycle/pedestrian infra-structure at the beginning/end of the Hominy Creek Greenway at Hominy Creek Road.

- The City of Asheville is concerned about the impact to the French Broad River Greenway during the construction of the proposed retaining wall.

- The City of Asheville would like the opportunity to collaborate with NCDOT on the design for the new interchanges at Brevard Road and Amboy Road in order to identify opportunities for urban design strategies and the possible use of roundabouts.

I-26 CONNECTOR DEIS REVIEW

Section B Comments

- The City of Asheville greatly appreciates the inclusion of the West Asheville Greenway (identified as # 20 on the City of Asheville Greenway Master Plan that was adopted on November 12, 2013) from Haywood Road to the eastern end (Asheville side) of the Jeff Bowen Bridges. There is a section of the West Asheville Greenway that intersects with Hazel Mill Road which then follows Hazel Mill Road and the Craven Connector before it ties back into the Jeff Bowen Bridges. The City of Asheville strongly encourages the NCDOT to keep the West Asheville Greenway "running" parallel to the C/A fence and the -Y7- EBL in order to avoid the 18%+/- vertical grade along Hazel Mill Road and to be routed underneath, via culvert, any street crossings in its path. This greenway, as with all greenways reflected in the DEIS, should reflect the National Association of City Transportation Officials (NAACTO) design standards, which would result in a greenway that is roughly 14-16 feet wide, plus necessary shy distance from barriers, to safely accommodate bikes and pedestrians. The City of Asheville strongly encourages that this greenway be extended southward to connect to the French Broad River Greenway and that it be extended eastward to connect with Clingman Avenue.

- The City of Asheville strongly encourages the inclusion of the Emma Greenway (identified as # 7 on the City of Asheville Greenway Master Plan that was adopted on November 12, 2013), the Montford Greenway (identified as # 14 on the City of Asheville Greenway Master Plan that was adopted on November 12, 2013), and the Smith-Mill Creek Greenway (identified as # 17 on the City of Asheville Greenway Master Plan that was adopted on November 12, 2013). The City of Asheville notes that there appears to be the opportunity to "daylight" Smith-Mill Creek as it runs through the project area and the City of Asheville strongly encourages NCDOT to pursue that option.

- The City of Asheville is concerned that there is no direct access to Haywood Road from I-26 eastbound under alternatives 3 and 3C which might encourage that traffic to go to the Amboy Road interchange using NC 191 (Brevard Road) and other neighborhood city-maintained streets (Virginia Avenue and Fairfax Avenue) to gain access to Haywood Road. The proposed access requires vehicles to travel through four signalized intersections before reaching Haywood Road.

- The City of Asheville is concerned about the adverse impact that Alternatives 3 and 3C will have on the long-term viability of the Westgate Shopping Center including the impact of a new hotel currently under construction at the same location that -Y7I- will terminate.

- The City of Asheville is concerned about the adverse impact that Alternatives 3 and 3C will have on the Burton Street Community. Regardless of the alternative chosen, the City of Asheville strongly encourages a collaborative planning process to identify opportunities to reduce the overall footprint of the project.

- The City of Asheville strongly encourages the NCDOT to minimize as much traffic on the Jeff Bowen Bridges as possible in order to extend the life of the two existing bridges.

- The City of Asheville is concerned that Alternatives 3 and 3C will not completely eliminate the existing weaving maneuvers and congestion on the Jeff Bowen bridges.

- The City of Asheville is concerned about the adverse impacts to business and industrial sites with Alternatives 3 and 3C.

- The City of Asheville strongly encourages continuous sidewalks along both sides of Patton Avenue from the west side of the French Broad River to Clingman Avenue for Alternatives 4 and 4B.

- The City of Asheville strongly encourages the NCDOT to improve access to the Hillcrest Community.

Pros and Cons

Alternatives 3 and 3C

- Lower overall cost compared to Alternatives 4 and 4B
- Does not separate local and interstate traffic (weaving maneuvers and traffic congestion on the Jeff Bowen bridges not eliminated).
- Adverse impacts to the Burton Street Community.
- Adverse impacts to the Westgate Shopping Center (including a new hotel currently under construction).

Alternatives 4 and 4B

- Separates local and interstate traffic (creates a gateway into downtown Asheville).
- Minimizes traffic volumes on the Jeff Bowen bridges; therefore extending the life of the bridges.
- The existing bridge(s) could accommodate the multi-use transportation path without widening or constructing a new bridge.
- Improved transit service between downtown Asheville and West Asheville (more direct and faster travel times).
- Higher overall cost compared to Alternatives 3 and 3C.

I-26 CONNECTOR DEIS REVIEW

Section C Comments

- The City of Asheville strongly encourages the NCDOT to minimize the overall footprint for the section at and near I-40 Exit # 44 by using retaining walls and keeping the separation between the collector-distributor ramps and the –L- line as narrow as feasibly possible. Alternative F1 minimizes the footprint and cost.

- Will project # I-4759 not provide much needed relief regarding traffic congestion at I-40 Exit # 44, and if so, could the overall footprint be reduced? The City of Asheville questions the additional investment in the collector roads shown along I-40 west of I-26. These roads would take a significant number of homes and would not resolve the congestion at Exit #44 but simply move it to a new location. Making this additional investment in this location makes the previous widening here appear excessive and may call into question the need for the proposed Liberty Road interchange (Project # I-4759), which was proposed to help relieve congestion at Exit #44. The new collector road on the south side of I-40 seems a significant new investment to address something that is not clearly a current problem.

- The City of Asheville suggests than an additional exit ramp from I-40 westbound onto Smoky Park Highway eastbound at Exit # 44 be considered in order to relieve congestion at the existing ramp.

- The City of Asheville is concerned about the need to widen I-40 east of the Brevard Road interchange since there is no data to support the proposed widening and it adds significantly to the cost.

- As a general matter, if there is an additional $100,000,000 to spend on this project, the City of Asheville would prefer those additional investments be made in Section B rather than in Section C.

The Town of Woodfin
90 Elk Mountain Road
Woodfin, NC 28804
828-253-4887 fax: 828-253-4700

Resolution: *Recommending the Quick Adoption and Implementation of the Proposed I-26 Connector project to the North Carolina Department of Transportation*

Passed December 15, 2015:

WHEREAS, the I-26 Connector project is a project in the approved Long Range Transportation Plan and an approved project in the TIP; and

WHEREAS, the Town of Woodfin is a member of the French Broad River Metropolitan Planning Organization (MPO), and supports a transportation planning process in the urbanized area that is comprehensive, cooperative, and continuing, and addresses public safety and local and regional economic needs; and

WHEREAS, the North Carolina Department of Transportation (NCDOT) is responsible for designing and implementing projects in the TIP; and

WHEREAS, the I-26 Connector project has been long delayed by design and planning discussions; and

WHEREAS, the Town of Woodfin finds the travel demand modeling assumptions employed in the development of the various proposals are sound; and

WHEREAS, the NCDOT is soliciting ongoing input from the French Broad River MPO and the local community on the design of the I-26 Connector project;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WOODFIN:

That the Town of Woodfin recommends and requests that the NCDOT choose a design and begin construction of the I-26 connector project as soon as possibile.

Ayes 6

Nays 0

Abstains 0

M. Jerry VeHaun
Mayor

Attest:

Cheryl Mears
Town Clerk

Joyner, Drew

From: Jeff Joyce <jjoyce@ashevillechamber.org>
Sent: Wednesday, December 16, 2015 8:26 AM
To: Joyner, Drew
Subject: I-26 Comments

Drew:

On behalf of the Asheville Area Chamber of Commerce and our 1,800 members from across Western North Carolina, I would like to thank you and the NC DOT for your work on addressing I-26. I-26 serves as the backbone of commerce and transportation for our region. The Asheville Chamber is an active partner with the other chambers in the region (Black Mountain, Henderson County, Haywood County, Brevard/Transylvania, and Madison County) and we have formed the WNC Chambers Coalition. This group primarily works to advocate for regional issues at the North Carolina General Assembly and for the last three years the completion of the I-26 projects has been our top priority. This is a great testament to the importance of this piece of highway for our region. Here in Buncombe county we are a ten county labor shed. Everyday the workforce is dependent on I-26 to come to work. Please, work as quick as possible to make the improvements to this critical piece of highway.

My best,

Jeff

Jeff Joyce, Director of Public Policy
Public Policy Department- Asheville Area Chamber of Commerce
36 Montford Avenue - Asheville, NC 28801 - 828.258.6122 ph - 828.251.0926 fax
jjoyce@ashevillechamber.org - www.ashevillechamber.org

ASHEVILLE
AREA CHAMBER OF COMMERCE

#getmovingoni26

Upcoming Events: | December Business After Hours – Dec. 3 **| December Educational Series** – Dec. 9 **| December Business Before Hours** – Dec. 15

AVL 5x5 Vision 2020 – Uniting our community for higher-wage jobs and a healthy local economy

Visit Spain with the Chamber! – Nov. 2016

Rocco, Joanna

From: Ken Putnam <KPutnam@ashevillenc.gov>
Sent: Monday, December 12, 2016 2:50 PM
To: Dean, Neil
Cc: Werner, Christopher (Morrisville); Rocco, Joanna; Foushee, Celia; Wray, Michael G; Weaver, Derrick G; Johnson, Edward R; Johnson, Edward R
Subject: RE: Cycle track typical section and questions

Good afternoon Neil! I apologize for the delayed response. I think for purposes of the I-26 Connector project, option 2 would be the preferred treatment. Please let me know if additional information is needed.

From: Dean, Neil [mailto:neil.dean@aecom.com]
Sent: Friday, December 02, 2016 1:37 PM
To: Ken Putnam
Cc: Werner, Christopher (Morrisville); Rocco, Joanna; Foushee, Celia; Wray, Michael G; Weaver, Derrick G; Johnson, Edward R; Johnson, Edward R
Subject: FW: Cycle track typical section and questions

Ken,

I wanted to touch base with you and see if you had any ideas on the Asheville's preferred typical section for the cycle tracks.
We're working hard with DOT to come up with suggestions on how to resolve the requests and I need a little input from you.

The Betterments List you provided to us describes these as "Provide a 2-way protected bicycle "track" …." For our internal discussions and estimating efforts, I need some clarification on what the City would like as the protection.

I'm aware of three typical sections for cycle tracks:

1) A raised island that separates the bicycle traffic completely from the motor vehicles, similar to this:

2) The Bicycle facility would be separated from motor vehicles by a painted island and flexible delineators, similar to:

3) The cycle track would be separated from vehicular traffic an edge line and delineators, similar to:

Obviously any of these have plusses and minuses and I'd be happy to discuss these with you further, but for the purposes of this e-mail, I didn't want to drill too far down into those issues

If you need to discuss this further, don't hesitate to call me at the information below.

Neil J. Dean, PE
Senior Highway Engineer, Transportation, Southeast Region
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Rocco, Joanna

From: Foushee, Celia
Sent: Wednesday, January 25, 2017 3:08 PM
To: Werner, Christopher (Morrisville); Rocco, Joanna
Cc: Bell, Andrew; Gore, Heath; Dean, Neil; Spalding, Eric
Subject: FW: I-2513 I-26 Connector: Amboy Road
Attachments: 2013_10_31_CompleteStreetsCrosssectionsResolution_Signed.pdf

FYI in regards to our call with Lyuba today.

Celia Foushee
Environmental Planner, North Carolina
D 919.854.6255
celia.foushee@aecom.com

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Raleigh, NC 27607
T 919.854.6200 F 919.854.6259
www.aecom.com

From: Lyuba Zuyeva [mailto:lyuba@landofsky.org]
Sent: Wednesday, January 25, 2017 3:02 PM
To: Foushee, Celia; andrew.belz@aecom.com
Subject: RE: I-2513 I-26 Connector: Amboy Road

Celia and Andrew-

Good to talk to you both today.
Please find attached a copy of the FBRMPO Board resolution which included a two-lane rural avenue recommendation for Amboy Road form I-240 to Amboy Road bridge (see p. 4, project SPOT 491). The Wilma Dykeman Riverway Plan (this plan dates back to 2004, so slightly outdated at this point and in parts unrealistic, but still presents a nice overall vision for multi-modal transportation network development along the French Broad River) envisioned a two-lane cross-section with a median, on-road bicycle accommodation and a multi-use path for this portion of Amboy-see District 3 http://riverlink.org/wp-content/uploads/2014/10/WilmaDykemanSm.pdf A bike lane along this corridor is recommended in the Asheville in Motion Plan, as well as in the Blue Ridge Bike Plan.

As discussed over the phone, due to the physical and topographic constraints along the corridor, as well as the ROW constraints resulting from new development, I see the Amboy Road section from I-240 to Amboy Road bridge as a two or three-lane future cross-section. Four-lane divided cross-section would likely be unrealistic with the consideration for existing park and new development along the river, and would likely be unpopular with West Asheville neighborhoods. Recent developments include:

- New climbing gym—Smoky Mountain Adventure Center, a 6,000 sq ft building with a bar upstairs, see http://www.citizen-times.com/story/money/business/2015/08/07/climb-smoky-mountain-adventure-center-gets-ready-rock/31276245/
- New development with about 15-20 homes on a new road cut into the hillside between Amboy Road and Joyner Avenue—"Upstream Way", see http://www.ashevillerealestate.com/community/upstream-way
- The Asheville Food Park which offers rotating food trucks as well Edna's Café

Please let me know if you have further questions.
You might also want to reach out to Rick Tipton to pick his brain about this project.

Best,
Lyuba

Lyuba Zuyeva
FBRMPO Director
Land of Sky Regional Council
828.251.7454
This institution is an equal opportunity provider and employer.
All email correspondence to and from this address is subject to public review under the NC Public Records Law.

From: Foushee, Celia [mailto:celia.foushee@aecom.com]
Sent: Monday, January 23, 2017 9:53 AM
To: Lyuba Zuyeva <lyuba@landofsky.org>
Subject: I-2513 I-26 Connector:

Good morning Lyuba,

In review of the dossiers in the 2040 MTP, are there plans available for the Amboy Road Extension between the existing Amboy Road and NC 191 that are not included in the MTP? This would be segment A27, which is shown in the Dossier for A22, but not mentioned in the improvements. We also want to confirm that the dossier for A27 (Existing Amboy Road) on the FBRMPO website is the latest and greatest. We want to make sure we have all the available information needed for the traffic concepts and designs.

Thank you!
Celia

Celia Foushee
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RESOLUTION
French Broad River Metropolitan Planning Organization

RESOLUTION TO ADOPT COMPLETE STREETS CROSS-SECTION RECOMMENDATIONS

WHEREAS, Metropolitan Planning Organizations are required by 23 USC 134.c.2 to develop "transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area"; and

WHEREAS, In response to rising demand for and awareness of multimodal transportation options, many cities, states, and MPOs across the country have recently adopted Complete Streets policies; and

WHEREAS, the North Carolina Board of Transportation has adopted a Complete Streets Policy on July 9, 2009; and a Healthy Transportation Policy in October 2012, which states that: "The North Carolina Department of Transportation will seek to have positive health outcomes by considering public health implications in our decision-making across all modes, programs, policies, projects, and services, and through all stages of the life of a transportation project from planning to project development, construction, operations, and maintenance"; and

WHEREAS, On November 18, 2010 the French Broad River MPO TAC (Board) has created FBRMPO Complete Streets Subcommittee; and

WHEREAS, On February 28, 2013, the French Broad River MPO TAC (Board) has adopted an FBRMPO Complete Streets Policy; and

WHEREAS, the French Broad River MPO Complete Streets Subcommittee has met and discussed a sub-set of projects and made recommendations for the appropriate cross-sections,

NOW THEREFORE BE IT RESOLVED BY THE FRENCH BROAD RIVER METROPOLITAN PLANNING ORGANIZATION to apply the following cross-section recommendations and route name clarifications for the projects listed below:

SPOT ID 1102, 1104 US 19 West of Maggie Valley

- Consolidate SPOT 1102 and 1104 and change description to "US 19, from beginning of 3 lane section (at Billy Drive) to SR 1304 Fie Top Road (near Ghost Town in the Sky)"
- Recommended cross-section: **rural road with a 3-lane cross-section** to allow for climbing lane and bike shoulder; sidewalk on one side where feasible

SPOT 1089, US 19 West of Maggie Valley, widen to 20 feet with 4 feet paved shoulder.

- Change SPOT 1089 termini from Rough Branch Road (EBCI Road) to Huckleberry Drive (previously Blue Ridge Parkway)
- Recommended cross-section: **rural road with a 3-lane cross-section** to allow for climbing lane and bike shoulder

SPOT 274 and SPOT 275 (R-4406B), NC 215 to Multi-lanes near NC 151. Widen to multi-lanes (coordinate with B-3656). 274/SectionA: NC 215 to SR 1836 (Chestnut Mtn Rd) in Canton. 275/Section B: US 19/US 23 from SR 1836 (Chestnut Mtn Rd) to SR 1200 (Wiggins Road). (Note: this project has been taken out of STIP due to low SPOT 2.0 scores. Also see SPOT 276 in Buncombe Co.)

- SPOT 274: **Urban/Suburban Main street cross-section** for urban section in Canton from NC 215 to Church Street
- SPOT 274 and portion of SPOT 275: Change the segment from Church Street to Canton ETJ boundary just west of Happy Hollow Drive to **Urban/Suburban Parkway**
- Second portion of SPOT 275: east of Canton ETJ/Happy Hollow Drive to Wiggins Rd-- **Rural Parkway**
- Median might need to be more narrow than typical rural parkway cross-section due to RR presence and ROW constraint

SPOT 386 NC 215 from SR 1946 (Pigeon St) to US 276

- Recommended cross-section for the Pigeon St to northern intersection with Filter Plant Rd—**Rural Village Main St cross-section**
- Recommended cross-section of **Rural road with multi-use path** starting at the bridge/northern crossing of Filter Plant Rd

SPOT 834 Dellwood Road from US 276 Russ Ave to Miller Rd. ("Frog Level Bypass").

- Update route name to Dellwood Rd/Mill Street; include Chestnut Park Drive and Mill Street to Smathers Street-"Frog Level Bypass"
- Mill St from Chestnut Park Dr to Smathers St: **Local/subdivision residential street** with two lanes and no on-street parking; curb and gutter and sidewalks; shared bike accommodation (sharrows)
- Dellwood Rd from US 276 to Chestnut Park Ave at Mill Street-**Rural Avenue** with sidewalks curb and gutter and bike lanes or sharrows

SPOT 1000 Plott Creek Road from Hyatt St to Will Hyatt Rd

- **Rural Avenue cross-section**

SPOT 999 N Main St (US 23 Business) from Walnut St to E Marshall St

- Move eastern terminus one block east to Walnut St and N Main St to include the current Waynesville North Main St study segment
- **Rural Avenue cross-section** recommended

SPOT 876 Beaverdam Street from NC 215 Champion Dr to Cherry St. Improvements (Note: topography issues)

- **Rural Avenue cross-section**

SPOT 394 U-3403A, NC 191 from NC 280 to NC 146. Widen to Multi-Lanes. (Note: connects to SPOT 395 U-3403B).

- **Rural Parkway cross-section**

SPOT 867 SR 1166 Rutledge Dr from NC 225/SR 1890 (Brookdale Ave) to NC 225. Construct bicycle lanes and construct geometric improvements.

- Segment 1: NC 225 to Erkwood (Southern). **Rural Avenue** cross-section, curb and gutter with multi-use path
- Segment 2: Erkwood to NC 225 (Northern). **Rural Road** cross-section, bike lane and sidewalk.

SPOT 877 New Route - Fanning Bridge Road Extension, from Dogwood Terrace to US 25/SR 1006 (Howard Gap Rd).

- **Suburban main street** cross-section

SPOT 894 SR 1545 Old Airport Road from US 25 to Mills Gap Road. Widening and Improvements.

- **Rural road** cross-section, bike lanes, sidewalks and turn lanes as needed

SPOT 1009 and SPOT 897: Butler Bridge Rd

- No specific cross-section recommendation for the shorter stretch, SPOT 897 SR 1352 Butler Bridge Rd, SR 1345 (Jeffries Road) to Foxhall Road- straightening of road between Glens of Aberdeen and Hollobrooke Farms. Update the name to Foxhall Rd (not Fox Hill Rd).
- **Rural boulevard** cross-section for the longer project (SPOT 1009)

SPOT 899 SR 1353 Hooper Lane from NC 191 (Haywood Rd) to SR 1345 (Jeffries Rd). Paving, bridge approach realignment, Mills River

- **Rural Road cross-section**

SPOT 900 SR 1359 Rutledge Rd from SR 1358 (Fanning Bridge Rd) to Buncombe County Line. Widen to 10', improve geometries and add bicycle lanes, Fletcher.

- **Rural avenue cross-section** with curb and gutter and bike lanes.

SPOT 901, SR 1123 Little River Rd from SR 1127 (Kanuga Rd) to US 25 (Greenville Hwy). Resurface, widen add bike lanes, Flat Rock.

- Segment 1: NC 225 to Carl Sandburg Home, **Rural Avenue cross-section,** curb and gutter.

- Segment 2: Carl Sandburg Home to Kanuga Road, **Rural Avenue cross-section, curb and gutter with multi-use path** (not bike lane or sidewalk desired)

SPOT 1001, SR 1170 White St from SR 1171 Willow Rd to US 176 (Spartanburg Hwy). White Street Realignment & Extension; Construct 3-Lane Connector; Intersection realignment, and Improvements at NC 225/US 176, .5mi

- **Rural Avenue cross-section**. Curb and gutter

SPOT 1002, Blythe St from NC 191 to US 64. Upgrade roadway - Add turn lanes, widen shoulder and improve geometrics as appropriate

- **Rural Avenue** cross-section. Curb and gutter, and at least 1 side of street to contain a sidewalk

SPOT 1003 State St from SR 1172 (Hebron Rd) to SR 1127 (Kanuga Rd). Upgrade roadway - Add turn lanes, widen shoulder and improve geometrics as appropriate

- **Rural Ave cross-section**, curb and gutter and sidewalks

SPOT 1005 SR 1323 Brickyard Rd from US 64 to NC 280. Improve Geometrics (straightening) and Widen with spot safety improvements.

- **Rural Road cross-section,** sidewalk and bike lane in the segment south of the intersection with Turnpike Rd; Multi-use path north of the intersection with Turnpike Rd

SPOT 1106 SR 1127 Kanuga Rd from US 25 Bus to SR 1123 (Little River Rd). Improve Geometrics and Widen as appropriate. LRTP Tier III.

- Segment 1: King Street to Erkwood Drive. **Rural Village Main Street** cross-section; bike lane.
- Segment 2: Erkwood Drive to Little River: **Rural Ave cross-section**, curb and gutter with multi-use path

SPOT 1109 SR 1351 Butler Bridge Rd from US 25 to NC 280. Straightening and Improvement of Geometrics

- **Rural Boulevard** cross-section

SPOT 1084 NC 191 from NC 280 to Buncombe County Line. Construct 24' paved roadway with 4' paved and 4' grass shoulders and construct left turn lanes at intersections. Note: **this overlaps with SPOT 394 U-3403A, NC 191 from NC 280 to NC 146, a smaller project.**

- **Consolidate this project with SPOT 394, Rural Parkway cross-section**

SPOT 1085 US 25 from South Main St to US 176. Widen Bridge #143 to 5 lanes.

- Match the remainder of the project at this bridge crossing, add sidewalks on both sides.

SPOT 1092 SR 1574 Fruitland Rd from US 64 to SR 1565 (Terry's Gap Rd) Construct 24' paved roadway with 6' grass shoulders. Note: make sure description includes Fruitland Rd.

- **Rural road cross-section**, bike lanes to be included

SPOT 1093 SR 1783 Highland Lake Road, NC 225 to US 176. Construct 24' paved roadway with 4' paved shoulders and 6' grass shoulders.

- Rural Avenue cross-section
- Curb and gutter with multi-use path

I-4759 Liberty Road Interchange. Construct new interchange on I-40 between mile marker 37 and 44 and realign Liberty Rd. Convert existing I-40/SR 1228 (Liberty Road) grade separation to an interchange and construct a two-lane road from US 19-23/NC 151 to SR 1224 (Monte Vista Road)

- New two-lane road: **Rural avenue cross-section** with bike lanes and sidewalks (possible multi-use path one side in lieu of sidewalks)

SPOT ID 3.1, NC-63 New Leicester Highway from Patton Avenue to Newfound Road—Median and Access Management. LRTP Tier II.

- Modify description to add "include safe pedestrian crossings" (no locations specified at this time); also include in the description "Add remaining sidewalks where needed to ensure both sides of roadway and gap closure"
- **Urban/suburban boulevard** cross-section up to Ingles/Mt Carmel Road
- **Urban/suburban parkway** north of Mt Carmel Road

SPOT 3.2 US 70 from Azalea Rd to Cragmont Rd Or a Longer Stretch from Tunnel Road to Cragmont Rd as included in the CTP

- **Urban/Suburban Avenue** for more urbanized sections (West Black Mountain, Swannanoa)
- **Urban/Suburban Boulevard** on less developed sections
- **US 70 College St to Azalea Rd—Urban/Suburban Ave cross-section** (either three lane or four lane, consider safer ped crossings and median refuge islands for crossings, add bike accommodation);

Wilma Dykeman Riverway Project Phase 4

- For WDR Phase 4, Riverside Drive from Broadway Ave to Hill St at I-240: **Three Lane Urban Suburban Avenue cross-section (one** travel lane in each direction with turning lane where needed); sidewalk on one side (the side with development) and bike lanes on both sides

SPOT 1315, Swannanoa River Road from US 70 to Biltmore Ave—Wilma Dykeman Riverway Phase 3 and Phase 5

- **Rural Avenue cross-section** with curb, gutter and sidewalk plus multi-use path

SPOT 491 Wilma Dykeman Riverway Project Phase 2—STIP ID U-4739-Meadow Road from Biltmore Ave to Amboy Road at I-240 interchange. Multi-lanes with new bridge over the French Broad River (Notes: 2.6 miles; CST costs previously estimated at $42.5 million; NCDOT score of 15.92 in SPOT 2 process –did not include multi-modal points)

- Amboy Rd and Meadow Rd from Amboy Rd to Victoria Rd: **Rural Avenue** cross-section with curb, gutter and sidewalk, bike lanes; multi-use path on one side;
- Consider lowering the speed limit to 35 throughout the corridor; add ped signals and crossings
- Meadow Rd from Victoria Rd to Biltmore Ave: **Urban/Suburban Ave cross-section**

SPOT ID 194, Long Shoals Road-new location from NC 191 to Clayton Road (Note: this road would come out by the entrance to the Cliffs; zoned EMP-light industrial manufacturing; likely either light industrial or affordable residential development to come here in the future)

- **Urban/suburban boulevard cross-section** with safe bicycle accommodation and safe accommodation including pedestrian crossings needed

SPOT ID 276, R-4406C, US 19/23 from SR 1200 (Wiggins Road) to NC 151, Mount Pisgah Hwy

- **Rural boulevard cross-section with a bikeable shoulder**

SPOT 395, NC 191 from NC 280 to NC 112 Sardis Road

- Change the termini to be at Bent Creek Road just north of Blue Ridge Parkway and not Sardis Road
- **Urban/suburban boulevard** cross-section.

SPOT 423, U-3601, NC 191 from east of I-26 to I-40. Widen to multi-lanes

- Remove from list, already built (U-3601)

SPOT 870, Beaverdam Rd from US 25 Merrimon Ave to Wolfe Cove Rd

- **Rural Avenue** with Curb and gutter, sidewalks, bike lanes up to Elk Mountain Scenic Hwy/YMCA Youth Services;
- Rural Road north of Elk Mountain Scenic Hwy

SPOT ID 835 Black Mountain Southeast Connector—New Route to Connect NC 9 to US 70 (currently property along this corridor zoned commercial-many vacant parcels)

- **Urban/suburban avenue** cross-section with **two lanes** and alternating left turn lane; bike ped accommodation to be determined

SPOT 920 Weaverville Highway from Asheville/Woodfin town limit to SR 1740 New Stock Road

- Elkwood Ave/Woodfin Town limit to Hillcrest Road—**Urban Suburban Main Street Cross-section**, no parking (35 mph speed limit), bike lanes if feasible, multi-use path on one side

- Hillcrest Rd to New Stock Rd-**Three Lane Urban/Suburban Avenue cross-section** without the parking
- Roundabout planned at Weaverville Rd and North Merrimon Avenue
- Ensure sure safe pedestrian crossings are added around New Stock Rd Interchange area-future redevelopment expected

SPOT 954 Broadway Street from Riverside Drive to I-240

- **Urban/ Suburban Boulevard** from Riverside Dr. to Chestnut St.; sidewalk gap closure and ped crossing improvements; add bike lanes through lane narrowing
- **Urban Suburban Ave**- possibly two-lane (road diet subject to traffic volume analysis) from Chestnut St to downtown/I-240; sidewalk gap closure and ped crossing improvements; bike lanes if road diet allows sufficient ROW

SPOT 955 Victoria Road from Meadow Road to McDowell Road (note: local road, does not qualify for SPOT funds, could be STP-DA or local funds)

- **Two-lane urban suburban avenue cross-section** with sidewalks on both sides; add climbing bike lane from Meadow Road to Oakland Rd

ADOPTED: This the 31st day of October, 2013.

Jan Davis, Chair
Transportation Advisory Committee
French Broad River Metropolitan Planning Organization

Attest: Vicki Eastland, Notary Public

My commission expires on Nov. 24, 2013

VICKI L. EASTLAND
Notary Public, North Carolina
Haywood County
My Commission Expires
November 24, 2013

Rocco, Joanna

From: Bell, Andrew (Raleigh)
Sent: Wednesday, November 29, 2017 2:01 PM
To: Julie@mountaintrue.org
Cc: Foushee, Celia; Rocco, Joanna; mgwray@ncdot.gov; Weaver, Derrick G (dweaver@ncdot.gov)
Subject: I-2513 - Draft Traffic Operations Tech Memo
Attachments: I-2513 Draft Traffic Operations Tech Memo 171114.pdf

Hi Julie,

As requested, please find attached the draft Traffic Operations Technical Memorandum, which was submitted to NCDOT on November 14th. I have excluded all of the analysis output sheets to cut down on file size. Please let me know if you have any questions.

Thanks,

Andrew Bell, PE, PTOE
Transportation Engineer, Capacity Analysis and Safety Leader, Project Manager
+1-919-239-7189
andrew.bell@aecom.com

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Please consider the environment before printing this e-mail.

Rocco, Joanna

From: Rocco, Joanna
Sent: Thursday, November 29, 2018 6:13 PM
To: Julie Mayfield
Subject: RE: couple of questions

Hi Julie!

Sorry it took me a little while to respond. Regarding the noise studies, we are in the process of updating the noise analysis based on the most recent design, however it has not been completed so we have decided not to show anything on the Public Hearing Maps at this time. The NCDOT Noise Policy has changed since the last Public Hearing where we showed Noise Study Areas – which are the areas that were studied for the feasibility of noise walls based on the policy. Under the new policy we normally show Noise Abatement Areas, which indicate where a noise wall could be built if most residents vote to have one, but we're not prepared to show those areas yet.

We will have our Traffic Noise Analysis staff at the hearing to answer questions. I know people will want to know if they are going to get a wall or at least if they were considered and our staff will be able to answer the latter question (because every area is considered-the noise model assesses changes in traffic noise for the entire project). Staff can also explain the policy and let them know where we placed noise detectors for the analysis, including several additional detectors that were added within the project study area since the last hearing.

Our Final Environmental Impact Statement will include the updated noise analysis. Additionally, once the design build team starts to prepare final designs, noise abatement measures will be re-analyzed based on updated designs, and there will be public involvement with the neighborhoods/residences/businesses that are candidates for receiving a noise wall.

As for the 360 visualizations, they have been updated to reflect the most current designs – you are correct that the ramps in View #13 at the Crowne Plaza are not complete and we will make sure that's corrected before the meeting.

I'm happy to answer any other questions you may have, please let me know if you'd like more info – we look forward to seeing you on Tuesday!

Thanks and have a great night,
Joanna

Joanna H. Rocco, AICP
AECOM
Office: 919-239-7179
Mobile: 919-607-7975
joanna.rocco@aecom.com

From: Julie Mayfield [mailto:julie@mountaintrue.org]
Sent: Wednesday, November 28, 2018 12:41 PM
To: Rocco, Joanna
Subject: couple of questions

Hi Joanna – I hope you are well. Looking forward to seeing you next week. I've had a couple of questions from residents about the project that I'm hoping you can help with.

1. I believe I heard that new sound studies are starting again now that the design is largely complete. Is there a map of the areas being studied that you can share with me? If there are disagreements about whether those areas are inclusive enough, I'd rather they happen now than when the studies are complete. Some Montford residents on the western part of Westover drive are concerned that they were not included in the previous study, and they would like to be included in the new study. If that's easy enough to do, maybe that can just happen. If not, maybe we can have a discussion about that at the hearing next week. Will DOT's sound study people be there?

2. Are the 360 degree visualizations being updated to reflect any changes to the maps? The view from the Crowne Plaza seems to have something resembling the new ramps but it doesn't seem quite complete.

Thanks

Julie

Julie Mayfield, Co-Director

MountainTrue

29 N. Market Street, Suite 610

Asheville, NC 28801

828-258-8737, X202

<<…>>

MountainTrue is committed to keeping our mountain region a beautiful place to live, work and play. Our members protect our forests, clean up our rivers, plan vibrant and livable communities, and advocate for a sound and sustainable future for all residents of WNC.

BUILD A BETTER TOMORROW FOR WESTERN NORTH CAROLINA.
BE MOUNTAINTRUE.

mountaintrue.org/join

Rocco, Joanna

From: Ken Putnam <kputnam@ashevillenc.gov>
Sent: Thursday, January 18, 2018 9:15 AM
To: Dean, Neil
Cc: Rocco, Joanna; Foushee, Celia; Weaver, Derrick G
Subject: Re: I-2513 Betterment Requests - Transit
Attachments: PVA Route.pdf

W1 & W2 Transit Routing 01-18-18.pdf

Good morning Neil! I hope you are enjoying the cold weather and the snow that came your way yesterday. We are due for a good warm-up beginning late today and lasting for the next several days. I apologize that it has taken so long for me to respond regarding the transit requests but I believe I now have good news regarding the major issue.

The major issue is the closing of Hanover Street which would affect two existing routes; specifically, W1 and W2 (see attached map section). At this time, the transit master plan (TMP) is being updated and as a part of that update, a new route is being explored which would provide relief to routes W1 and W2 (see attached summary). Based on the anticipated construction schedule for the I-26 Connector project, staff is confident that we would want to implement this new route much quicker. So, based on this information there is no need to explore other solutions that might require improvements along other city streets as a part of the I-26 Connector project.

Please let me know if additional information is needed.

On Mon, Aug 21, 2017 at 3:46 PM, Dean, Neil <neil.dean@aecom.com> wrote:

> Ken,
>
> At the last working group you mentioned that you guys were still working out the transit requests. Please let me know when you have more information on this part of the betterments requests.
>
> If you have any questions or need to discuss how these may be incorporated in the project, I'd be happy to coordinate that discussion with the project team.
>
> Thanks for your help.
>
> Neil

West Asheville / Pisgah View Apartments Route

Background

A circulator route that would connect both Pisgah View Apartments (PVA) and Hillcrest Apartments (Hillcrest) to Downtown was included as a recommendation in the original Transit Master Plan (TMP) as an enhancement that would be implemented in 2013. The City is now considering including this recommendation in the current update to the TMP.

Benefits

There are multiple benefits of creating a new route for PVA. 1.) It would allow W1 and W2 to be removed from PVA which would add more time to those routes and alleviate on-time performance issues. Both of those routes currently experience significant timing issues due to traffic and growing ridership, and those issues will only increase as development continues in those areas of West Asheville. 2.) Depending on the final routing, this would either add frequency to the Haywood Rd Corridor, or bring new service to the River Arts District which currently does not have proper transit access. 3.) A new route that serves PVA directly would provide this area with an enhanced level of service.

Route Option 1

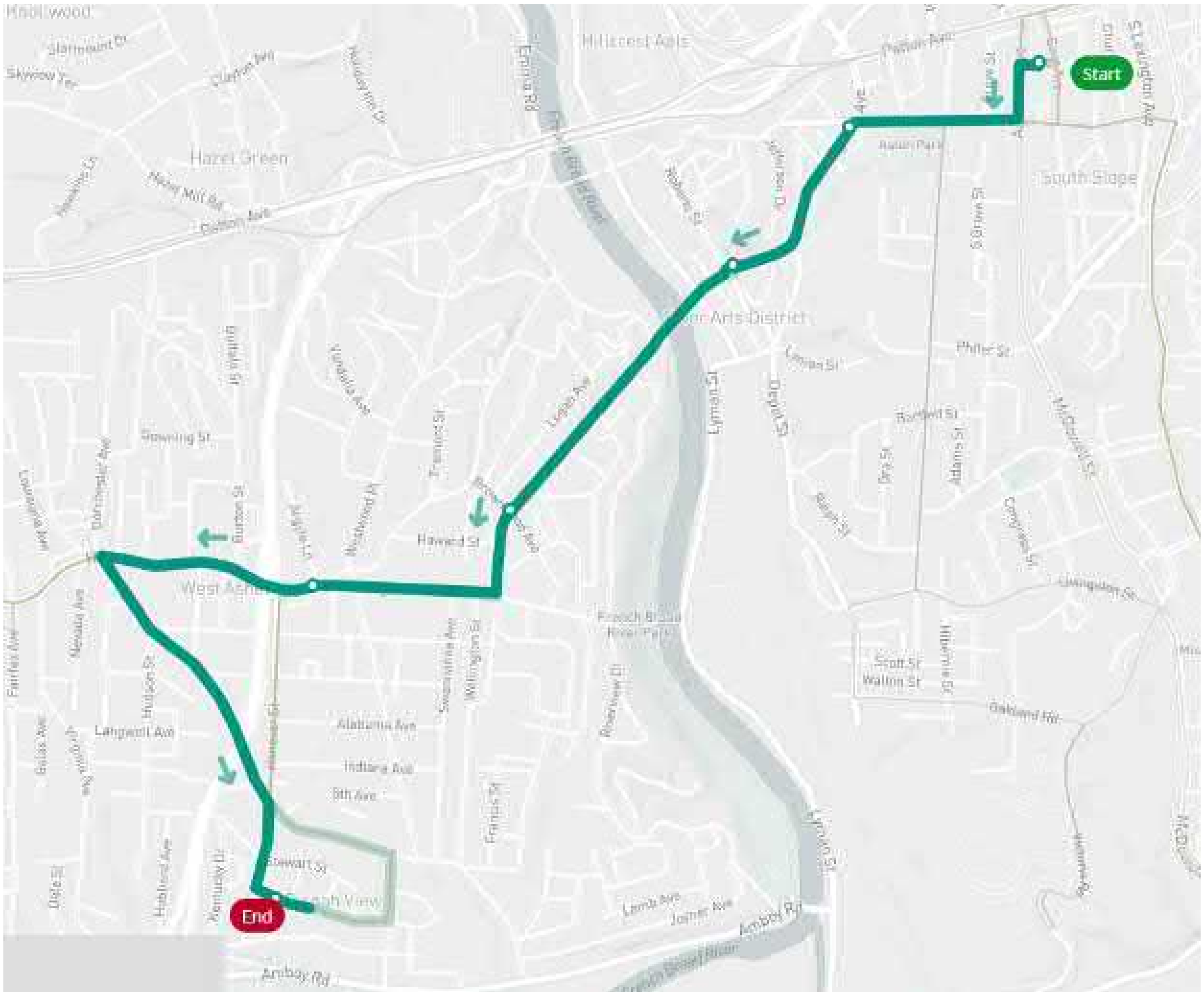
Option 1 would create a new route along the Haywood Rd Corridor, similar to the current W1 and W2 routes. Coupled with the W1 and W2 routes, this would create a high frequency corridor along Haywood Rd, with 15-min frequency all the way to State Street. This would also fill in a large service gap on Haywood Rd which currently exists between Hanover St and State St, due to the fact that W1 and W2 are currently deviating down Hanover St.

This route option would be the primary recommendation of staff given that it is the most efficient option and would improve service frequency along Haywood Rd.

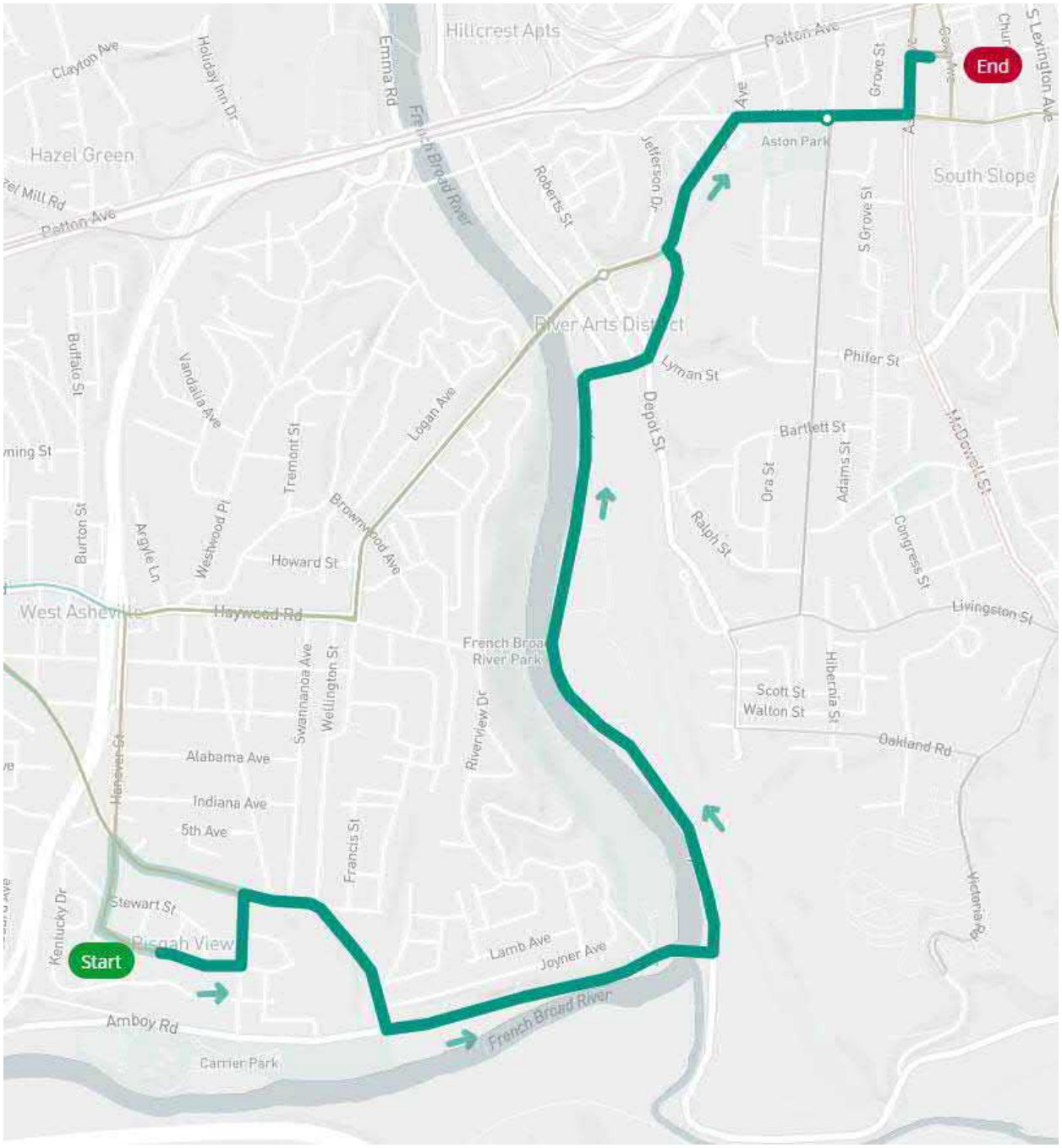
Route Option 2

Option 2 would create a new route through the River Arts District along Lyman St and Amboy Rd. The benefit of this option would be to provide service to areas that currently have no transit access, however these areas are not heavily developed at present. The downside of this option as compared to Option 1 is that it would not create a high frequency corridor, and it would not connect to Haywood Rd via State St. Because of this lack of a western connection, residents of PVA would have to travel further into town and then transfer to W1 or W2 on Clingman Ave. There are also potential issues with on-time performance with this route because it crosses the railroad tracks in the River Arts District, which could cause major delays in service.

OPTION 1


Start
End
Patton Ave
Hazel Green
Hillcrest Apts
South Slope
West Asheville
French Broad River Park
Amboy Rd
Haywood St
Lyman St
Depot St
Alabama Ave
Indiana Ave
Stewart St

OPTION 2


End
Start
Hillcrest Apts
Clayton Ave
Holiday Inn Dr
Emma Rd
French Broad River
Patton Ave
Hazel Green
Mill Rd
Roberts St
Jefferson Dr
Aston Park
Grove St
S Grove St
S Lexington Ave
South Slope
River Arts District
Buffalo St
Vandalia Ave
Tremont St
Logan Ave
Lyman St
Phifer St
Depot St
Bartlett St
Ora St
Adams St
McDowell St
Ralph St
Congress St
Livingston St
Burton St
Argyle Ln
Westwood Pl
Howard St
Brownwood Ave
West Asheville
Haywood Rd
French Broad River Park
Riverview Dr
Swannanoa Ave
Wellington St
Scott St
Walton St
Hibernia St
Oakland Rd
Hanover St
Alabama Ave
Indiana Ave
5th Ave
Francis St
Kentucky Dr
Stewart St
Pisgah View
Lamb Ave
Joyner Ave
Amboy Rd
French Broad River
Carrier Park
Victoria Rd

Rocco, Joanna

From: Ken Putnam <kputnam@ashevillenc.gov>
Sent: Tuesday, January 08, 2019 12:31 PM
To: Rocco, Joanna
Cc: Al Kopf; Mark Halstead; Debbie Ivester
Subject: Fwd: Carrier Park - I-26 Amboy Rd. improvement impact
Attachments: Carrier Park Site Plan Amboy Rd Improvment.pdf

Good afternoon Joanna! As a follow-up to our conference call yesterday, here is the information that the City needed to provide. Please let me know if additional information is needed.

---------- Forwarded message ---------
From: **Debbie Ivester** <divester@ashevillenc.gov>
Date: Mon, Jan 7, 2019 at 3:27 PM
Subject: Carrier Park - I-26 Amboy Rd. improvement impact
To: Ken Putnam <kputnam@ashevillenc.gov>
Cc: Mark Halstead <mhalstead@ashevillenc.gov>, Al Kopf <akopf@ashevillenc.gov>

Ken
Thanks for organizing the phone meeting today with DOT and the consultant to better identify impacts to Carrier Park associated with the I-26 and Amboy Rd improvements.

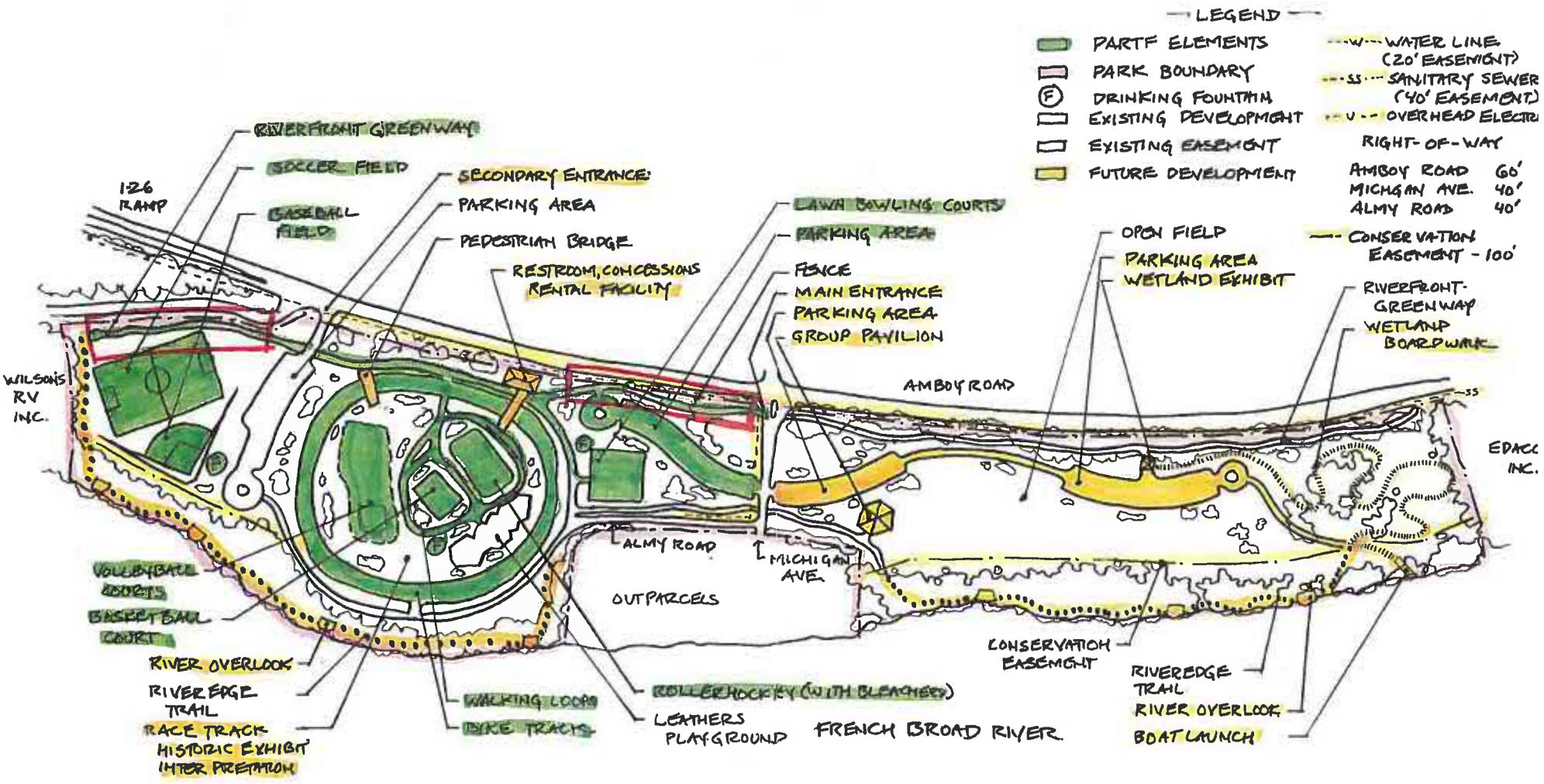
We were able to find our follow up info very quickly.

Carrier Park as built site plan
Please see the attached document that identifies the various park features within Carrier Park that were built with the Parks and Recreation Trust Fund grant (items highlighted in green). This was back in the day when we were still drawing things by hand so it is not 100% to scale. The two locations in which the temporary easement could impact the portion of the trail closest to Amboy Rd are highlighted with a red box.

Unofficial road side parking on Amboy Rd by park users
We estimate this area accommodates about 45 vehicles.

During our conversation after the phone meeting, we suggested the areas of concern and the agreed upon options be identified in the letter dated 7/24/18 on which the city is asked to sign. Whether its an attachment to the existing letter or if the letter is renewed and included in the letter.

Thanks and let me know if need anything else for this round of info.
Debbie
--
Debbie Ivester
City of Asheville
Parks and Recreation Department
PO Box 7148
Asheville, NC 28802
Office: 828-259-5804
Cell: 828-280-6387



AS BUILT DRAWING

SITE PLAN

AUGUST 23, 2002

French Broad River Park

phase four

PARK AREA
33 ACRES

NORTH

150' 50' 25' 0' 50' 150'

Rocco, Joanna

From: Julie Mayfield <juliemayfield@avlcouncil.com>
Sent: Thursday, April 25, 2019 4:34 PM
To: 'Weaver, Derrick G'; 'Bruce & Day Ann Emory'
Cc: Rocco, Joanna; 'Gibbs, Mark T'; 'Cannon, Steven L'; 'Merithew, Brendan W'; 'Ken Putnam'; 'Alan McGuinn'; 'Gwen Wisler'; Miars, Celia; 'Todd Okolichany'; 'DeWayne Barton'; 'Mckinney, Randall J'; Dean, Neil; Spalding, Eric
Subject: RE: [External] Re: I-26 Connector and Diverging Diamond

Thanks Derrick. Disappointing that it doesn't tighten that interchange up very much at all. Probably not worth pursuing, especially given the bike/ped challenges, but I'll pass this on to our bike advocates and see if they have any thoughts.

So I would then ask whether there are design exceptions or anything (seriously, ANYTHING) else that can be done to tighten up that interchange. Same question stands for the Haywood Rd. interchange that anyone who looks at it (most recently the aesthetics committee) thinks is too wide and impactful.

I know we're talking about changes that will come post-EIS but these two interchanges – along with the interchange on the east side of the river and the cross section of the northern bowen bridge – remain critical outstanding design issues that we need to work hard to fix as designs get refined.

Julie

From: Weaver, Derrick G [mailto:dweaver@ncdot.gov]
Sent: Thursday, April 25, 2019 9:55 AM
To: Julie Mayfield <juliemayfield@avlcouncil.com>; Bruce & Day Ann Emory <emory22@charter.net>
Cc: Joanna.rocco@aecom.com; Gibbs, Mark T <mgibbs@ncdot.gov>; Cannon, Steven L <slcannon@ncdot.gov>; Merithew, Brendan W <bwmerithew@ncdot.gov>; Ken Putnam <KPutnam@ashevillenc.gov>; Alan McGuinn <alan.mcguinn@arca-design.com>; Gwen Wisler <gwenwisler@avlcouncil.com>; celia.miars <celia.miars@aecom.com>; Todd Okolichany <tokolichany@ashevillenc.gov>; DeWayne Barton <bloveproductions@bellsouth.net>; Mckinney, Randall J <rmckinney@ncdot.gov>; Dean, Neil <neil.dean@aecom.com>; Spalding, Eric <Eric.Spalding@aecom.com>
Subject: RE: [External] Re: I-26 Connector and Diverging Diamond

Attached is a concept that AECOM developed to show the footprint of a DDI at Patton Ave. There are 3 PDF's attached, the first is the plan sheet of our current design, the second has the new DDI concept with survey information, and the third has the DDI concept with survey information PLUS the current design in red, which is probably most useful. As you see, the design does keep the bike/ped accommodation to the Greenway side of the proposed design, but also the DDI doesn't significantly reduce the footprint. The skew of I-26 as it crosses Patton doesn't facilitate a tighter option due to turning radius needed.

The current design for Patton and I-26 only provides the minimum clearance, so to consider a bike/ped facility under the Patton bridge would require lowering I-26 and/or raising Patton Ave to gain an additional 10-15 feet of clearance. As Bruce mentioned either option would increase the cost and impacts, especially to ramps behind Westgate. The grade along these ramps is already at the maximum due to the required weave to connect to I-240 and I-26. Therefore, any significance changes in vertical proposed at Patton and I-26 would create additional impacts and would likely affect the grade of the new crossing of the French Broad. Additionally, there are concerns with maintaining the connection to Westgate and Hazel Mill if Patton is raised too much. Therefore, I don't think the DDI is the best option.

The idea of a separate elevated Greenway could be feasible, so I will have AECOM investigate where a structure could be located that would work grade wise and be the most cost effective.

Please let me know if you would like any additional information on the DDI option.

Derrick G. Weaver, P.E.
Unit Head
Environmental Policy Unit
North Carolina Department of Transportation

919 707 6253 office
919-673-7526 mobile
dweaver@ncdot.gov

From: Julie Mayfield <juliemayfield@avlcouncil.com>
Sent: Saturday, April 20, 2019 2:43 PM
To: Bruce & Day Ann Emory <emory22@charter.net>
Cc: Weaver, Derrick G <dweaver@ncdot.gov>; Joanna.rocco@aecom.com; Gibbs, Mark T <mgibbs@ncdot.gov>; Cannon, Steven L <slcannon@ncdot.gov>; Merithew, Brendan W <bwmerithew@ncdot.gov>; Ken Putnam <KPutnam@ashevillenc.gov>; Alan McGuinn <alan.mcguinn@arca-design.com>; Gwen Wisler <gwenwisler@avlcouncil.com>; Todd Okolichany <tokolichany@ashevillenc.gov>; DeWayne Barton <bloveproductions@bellsouth.net>
Subject: [External] Re: I-26 Connector and Diverging Diamond

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to report.spam@nc.gov

Thanks Bruce. You ask a good, threshold question, which is how much smaller would the interchange be as a diverging diamond. If it's not much, then we just leave it. But if it's dramatic, then new bike/PED options are worth exploring. Derrick, how can we know how much smaller a diverging diamond would be?

Julie

Sent from my iPhone

On Apr 20, 2019, at 11:31 AM, Bruce & Day Ann Emory <emory22@charter.net> wrote:

> Hi Julie:
>
> I am pessimistic about the idea of running the bike/ped facility under the Patton bridge. I doubt if there is enough vertical clearance to allow this without either lowering I-26 or raising Patton. [The plans don't show elevations, but I'd be surprised if there is more than the minimum vertical clearance, since the new I-26 alignment would require excavation.] Lowering I-26 would be expensive, as would raising Patton; the latter might also cause problems at the adjacent intersections. Also, the on-ramps and off-ramps might have to be lengthened, which would increase impacts. I'm also not enthusiastic about the idea of walking or riding underneath a long and wide bridge. I agree that being in the median of Patton is not desirable, so I would only favor a DDI if it allows a significant reduction in the footprint of the interchange. Have we seen a diagram of what that might be? I would also like to see an option of a separate elevated structure for the Smith Mill Creek Greenway, some distance south of Patton. It would be expensive, but maybe less than an under-Patton option.
>
> Bruce
>
> ---
>
> **From:** Julie Mayfield <juliemayfield@avlcouncil.com>
> **Sent:** Friday, April 19, 2019 3:31 PM

To: Derrick Weaver <dweaver@ncdot.gov>; Joanna.rocco@aecom.com; Mark T Gibbs <mgibbs@ncdot.gov>; Cannon, Steven L <slcannon@ncdot.gov>; Brendan Merithew <bwmerithew@ncdot.gov>
Cc: Ken Putnam <KPutnam@ashevillenc.gov>; Bruce Emory <emory22@charter.net>; Alan McGuinn <alan.mcguinn@arca-design.com>; Gwen Wisler <gwenwisler@avlcouncil.com>; Todd Okolichany <tokolichany@ashevillenc.gov>; DeWayne Barton <bloveproductions@bellsouth.net>
Subject: I-26 Connector and Diverging Diamond

Hi all – I've met with Mike Sule and Clark Mackey of Asheville on Bikes to talk about how to make the bike/ped aspects of a diverging diamond on the west side of the river work in order to make that interchange smaller. After significant discussion, we concluded that putting people through the middle of the interchange, as has been done in other diverging diamonds, is just a terrible idea. Also not safe to keep them on the edges of the interchange due to the conflict points with free flowing traffic.

So, our best solution is to put the bikes/peds under the entire interchange, on a suspended bike/walkway. One way to think about it is to take the bike/ped infrastructure that is used in a diverging diamond to bring people to the center and sink it under the interchange. They would go down before the first entrance/exit ramp and emerge on the other side beyond the other entrance/exit ramp. Underneath the bridge, the two directions would come together on one path. Here's an image Mike found of a suspended path under a bridge that might help you visualize it.

So this depends on there being enough distance between Patton and the interstate to hang something like this AND on being able to drop the bike/ped paths below the entrance/exit ramps so they don't have to cross any portions of the intersection. I know that messing with the height of things on either side of the bridge has implications for the other side, and I have no idea what those are, but I wanted to pass this on and get people thinking about it. I also realize cost would be a factor to consider.

Just fyi, we are about to convene a group of designers and engineers to explore new options on the east side of the river as well, given the parameters we now know. Will share the outcome of that with you when it's ready.

We're doing all of this based on the assurance that these kinds of changes can be incorporated into the design process post-FEIS and ROD, provided they don't significantly change or increase impacts. If that is not correct, someone tell me now.

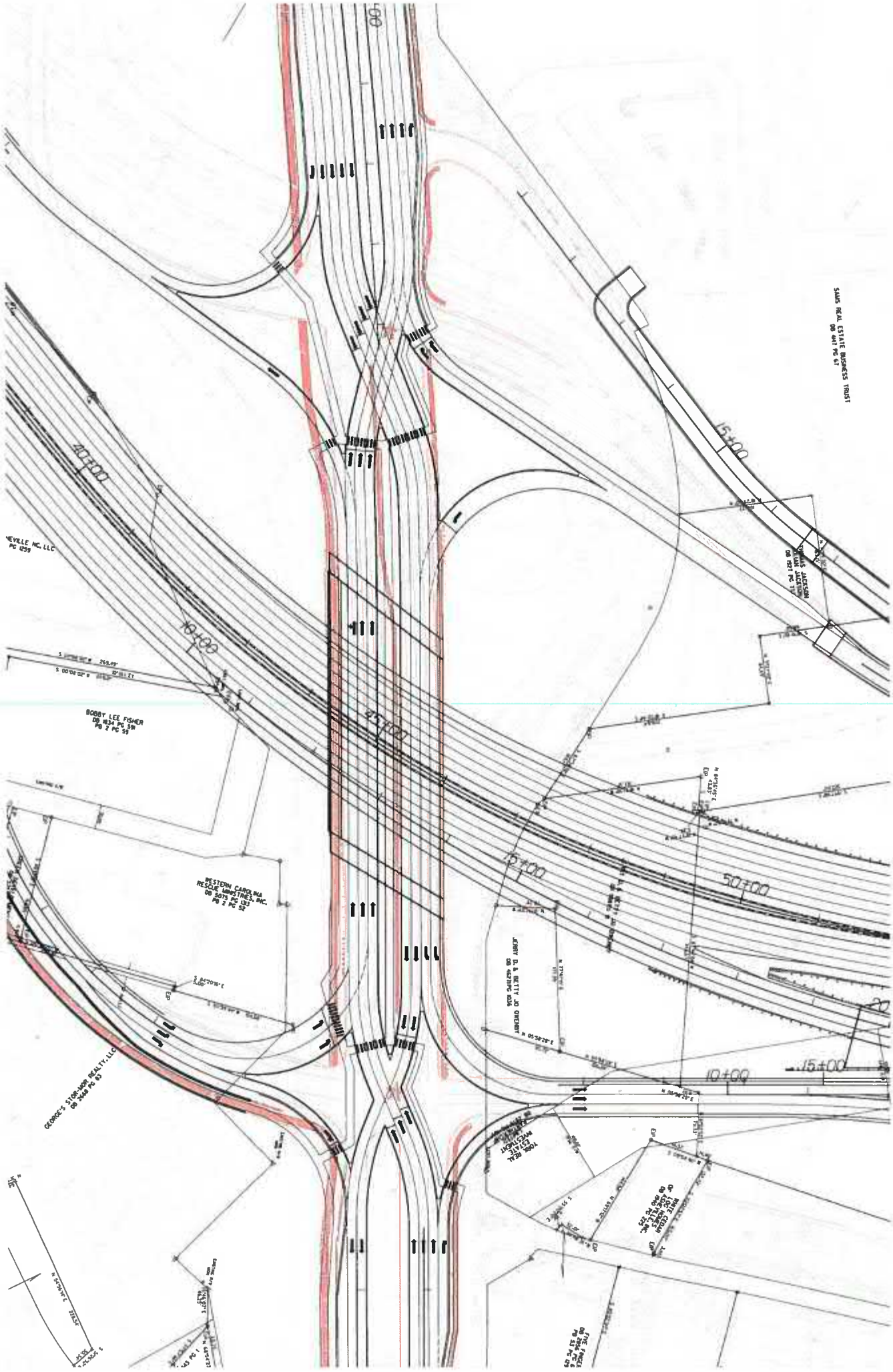
Thanks

Julie

--

Mike Sule
Executive Director

Asheville on Bikes



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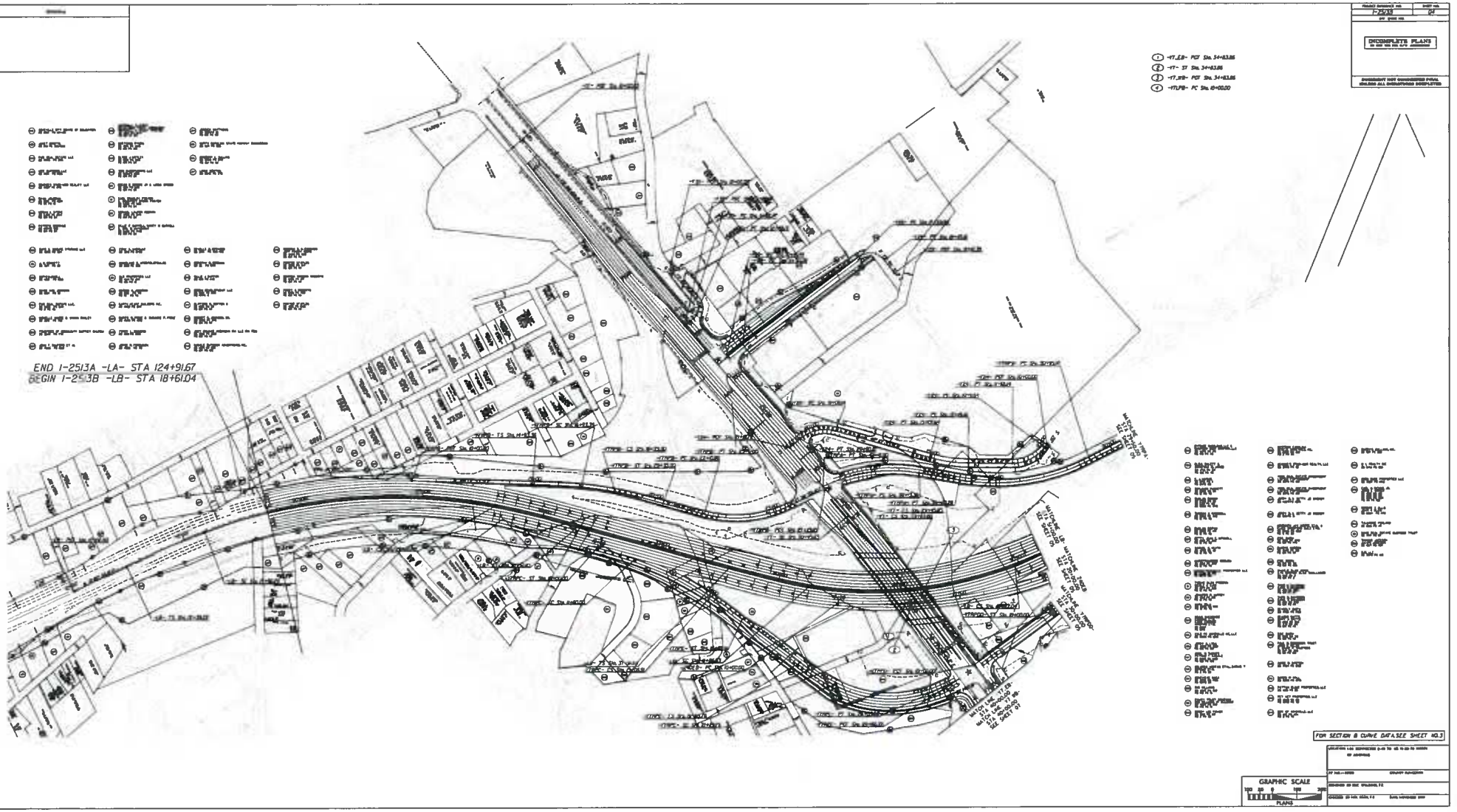
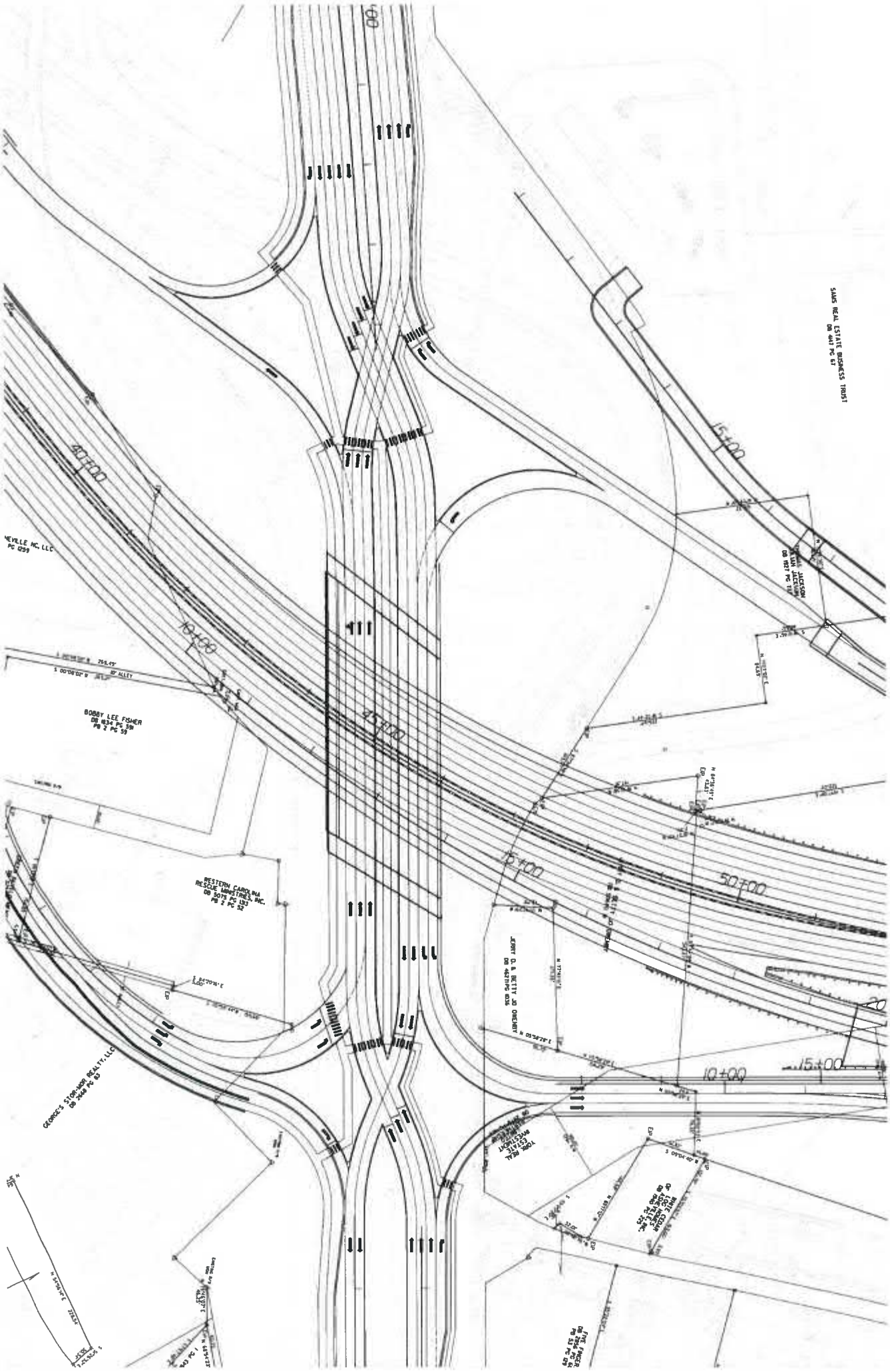

END I-2513A -LA- STA 124+91.67
BEGIN I-2513B -LB- STA 18+61.04
FOR SECTION & CURVE DATA SEE SHEET NO.3
GRAPHIC SCALE
PLANS



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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

DATE: July 24, 2018

TO: Mr. Al Kopf
City of Asheville Parks and Recreation
PO Box 7148
Asheville, NC 28802-7148

FROM: Derrick Weaver, Unit Head
Environmental Policy Unit

RE: STIP Project Number I-2513; I-26 Connector in Asheville, Buncombe County, North Carolina, WBS No. 34165.1.2

Dear Mr. Kopf:

The Federal Highway Administration (FHWA) and North Carolina Department of Transportation (NCDOT) are seeking your acknowledgement of the *de minimis* use of Carrier Park for the proposed I-26 Connector project in Buncombe County, NC (State Transportation Improvement Program [STIP] No. I-2513). A *de minimis* impact is one that, after taking into account avoidance, minimization, mitigation, and enhancement measures, results in no adverse effect to the resource under Section 4(f) protection.

In accordance with 23 CFR Part 774 (Sections 774.3(b) and 774.17), the FHWA and NCDOT intend to make a *de minimis* finding based on your concurrence with a No Adverse Effect to Carrier Park.

The proposed I-26 Connector project in Buncombe County, NC (STIP project No. I-2513) would require the incorporation of less than an acre of the existing Amboy Road frontage of the Carrier Park property. Almost all of the 0.94 acre would be from a wide paved shoulder that has provided parking for the site. According to Asheville city officials, future plans for the park call for the removal of this parking. No park amenities are contained in the required property.

As the official with jurisdiction over Carrier Park, I concur in a determination that the proposed transportation project as described in this letter would not adversely affect the activities, features, or attributes that qualify Carrier Park for Section 4(f) protection. I have also been informed, based on my concurrence, the FHWA intends to make a *de minimis* finding regarding the impacts to Carrier Park, thus satisfying the requirements of Section 4(f).

Date: 6/24/2019 Signature: _____

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ENVIRONMENTAL ANALYSIS UNIT
1548 MAIL SERVICE CENTER
RALEIGH, NC 27699-1548

Telephone: (919) 707-6000
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
1000 BIRCH RIDGE DRIVE
RALEIGH, NC 27610