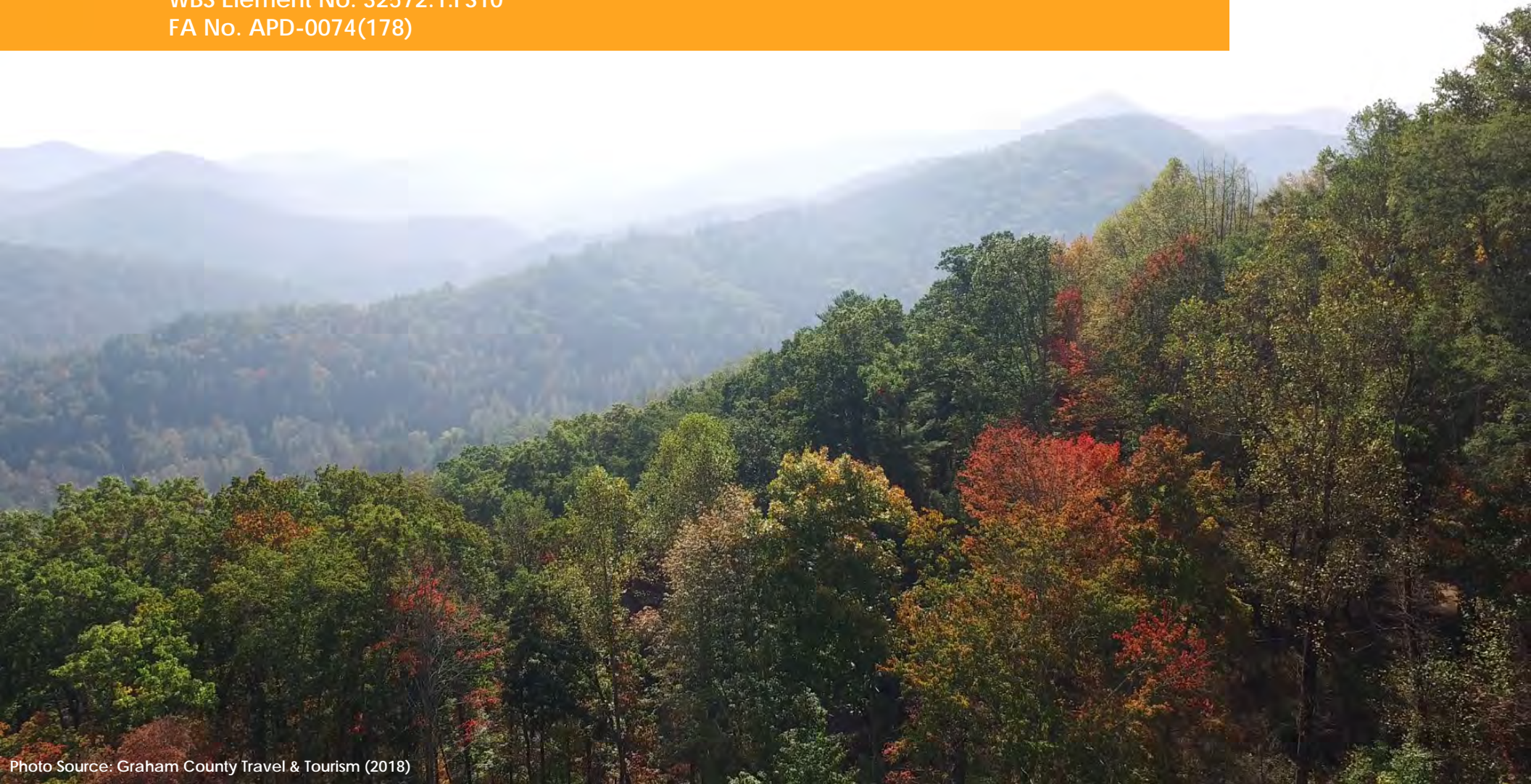




# FINDING OF NO SIGNIFICANT IMPACT

Corridor K, Appalachian Development Highway System  
US 129 at Robbinsville to NC 28 at Stecoah  
Graham County, North Carolina

STIP Project No. A-0009C  
WBS Element No. 32572.1.FS10  
FA No. APD-0074(178)



# FINDING OF NO SIGNIFICANT IMPACT

Submitted Pursuant to the National Environmental Policy Act  
42 USC 4332(2)(c) and 49 USC 303

## Corridor K, Appalachian Development Highway System US 129 at Robbinsville to NC 28 at Stecoah Graham County, North Carolina

STIP Project No. A-0009C  
WBS Element No. 32572.1.FS1  
FA No. APD-0074(178)



FEDERAL HIGHWAY ADMINISTRATION  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION 14

3/19/2021

Date

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*Clarence W. Coleman Jr.*

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For John F. Sullivan, III, PE

Division Administrator

Federal Highway Administration

3/19/2021

Date

DocuSigned by:

*Wanda H. Austin*

B88118F1E31C463...

Wanda H. Austin, PE, CPM

Division Engineer

NCDOT Division of Highways, Division 14

# FINDING OF NO SIGNIFICANT IMPACT

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## Corridor K, Appalachian Development Highway System US 129 at Robbinsville to NC 28 at Stecoah Graham County, North Carolina

STIP Project No. A-0009C  
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FA No. APD-0074(178)



PREPARED FOR  
NCDOT HIGHWAY DIVISION 14

PREPARED BY  
STANTEC CONSULTING SERVICES INC.  
TGS ENGINEERS

3/19/2021

Date

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*Amy C. Sackaroff*

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Project Manager

Stantec Consulting Services, Inc.

3/19/2021

Date

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*Stacy B. Oberhausen*

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Stacy B. Oberhausen, PE, CPM

Project Manager

NCDOT/TGS Engineers



# A NOTE TO THE READER

## What is a *Finding of No Significant Impact*?

This Finding of No Significant Impact (FONSI) follows the approval of the *Corridor K Improvements Environmental Assessment (EA)*, signed on August 26, 2020, for NCDOT STIP Project No. A-0009C. The [EA](#) evaluated a two-lane design option with passing and climbing lanes with the goal of finding a 'right-size' design that best addressed mobility and reliability needs while minimizing impacts. The primary purpose of an EA is to help decision-makers determine whether a FONSI is appropriate for documentation of project impacts or if an Environmental Impact Statement (EIS) is needed.

The Federal Highway Administration (FHWA) and the North Carolina Department of Transportation (NCDOT) have determined that the Improve Existing Alternative (Alternative 1) will have no significant impact on the human or natural environment. The Finding of No Significant Impact (FONSI) is based on the Environmental Assessment (EA) and contains the errata sheets to the EA, and public, environmental resource agencies, and environmental advocacy groups comments on the EA, which have been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. The EA, together with the information contained in this FONSI, provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. The FHWA takes full responsibility for the accuracy, scope and content of the referenced EA and Section 4(f) documentation.

## What's in this document?

The FONSI includes: any changes in the proposed action, impacts, or mitigation measures resulting from comments received during the public hearing and thirty (30) day comment period; agency coordination that has occurred since the approval of the EA, notably the identification of the Least Environmentally Damaging Practicable Alternative; avoidance, minimization, and mitigation measures; and, documentation of pertinent comments received on the EA and responses to the comments.

## What happens next?

This FONSI completes the NEPA environmental review process. The project will now continue into final design, right-of-way acquisition, and construction. Right-of-way acquisition is scheduled to begin in August 2021 with construction beginning in August 2022. Visit the [Corridor K project website](#) for project updates and contact information.

### This FONSI explains:

- Changes in the proposed project, impacts, or mitigation measures resulting from comments received
- Agency coordination that has occurred since the approval of the EA
- Documentation of pertinent comments received on the EA and responses to the comments

This Finding of No Significant Impact is available online at the project website:

<https://www.ncdot.gov/projects/corridor-k>

and can be viewed at the following locations:

NCDOT District 14 Office  
191 Robbinsville Road  
Andrews, NC 28901

NCDOT Graham County Maintenance Yard  
2447 Tallulah Road  
Robbinsville, NC 28771

If you have any comments about the proposed project, please send your comments to:

Corridor K Project Management Team  
c/o TGS Engineers  
706 Hillsborough Street, Suite 200  
Raleigh, NC 27603  
CorridorK@tgsengineers.com

## **PROJECT COMMITMENTS**

**Corridor K, Appalachian Development Highway System  
US 129 at Robbinsville to NC 28 at Stecoah  
Graham County, North Carolina**

**STIP Project No. A-0009C  
WBS Element No. 32572.1.FS10  
FA No. APD-0074(178)**

*The following Project Commitments are either updated or newly-added since distribution of the Environmental Assessment. Any clarifying or status comments are indicated by text in italics.*

### **Division 14 Construction and Geotechnical Unit – Acidic Rock**

Excavation in the ZWE unit is being studied under thin section microscopy and NNP (acid-base accounting) as part of current geotechnical investigations that run through Summer 2021. Mitigation is determined by acid-producing-potential levels. If needed, the North Carolina Department of Transportation (NCDOT) will develop a Project Special Provision to deal with any necessary handling and treatment of acidic rock.

*UPDATE: Based on [testing](#) completed in summer and fall 2020:*

- 1. No specific treatment or material handling will be required for excavation of this project.*
- 2. No specific water chemistry testing or monitoring is recommended with respect to this issue, outside of other erosion control and water quality preservation items required for the project.*
- 3. Durable excavated rock material, if approximating Class I or II rip rap, or Class VII in the NCDOT Standard Specifications may be used to construct 1.5:1 rock embankments parallel to streams, if needed to reduce the project footprint.*

### **Division 14 Construction and Geotechnical Unit – Subsurface Investigations**

*If additional geotechnical investigations are needed, subsurface investigations, including borings, will be conducted in accordance with the current NCDOT Geotechnical Unit Guidelines and Procedures Manual.*

### **Division 14 Construction – Waste Material**

Hazardous waste material is anticipated to result from construction. NCDOT will not place hazardous waste in areas with jurisdictional resources.

*UPDATE: Inert waste (e.g., soil, rock, debris) and any hazardous waste generated or encountered by construction will be handled in accordance with 2018 (or current) Standard Specifications for Roads and Structures including Section 107-25, 802, and other applicable sections to prevent incidental environmental impacts.*

**Division 14 Construction – Trout Streams**

The Wildlife Resources Commission (WRC) will coordinate with NCDOT on moratorium needs during further project development or during project permitting. Trout supporting streams and a 25-foot buffer will be identified on erosion control plans and later delineated in the field so that the contractor avoids disturbance in those streams and their buffers during the prescribed moratorium period. A trout buffer variance, most likely along Sweetwater and Stecoah creeks, may also be required on the project and coordinated with the Division of Environmental Quality (DEQ), Division of Land Resources.

Implement Guidelines for Construction of Highway Improvements Adjacent to or Crossing Trout Waters in North Carolina during design and construction.

**Division 14 Construction – FEMA Coordination**

*This project involves construction activities on or adjacent to FEMA-regulated stream(s). Therefore, the Division shall submit sealed As-built construction plans to the Hydraulics Unit upon completion of structure construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.*

**Division 14 Hydraulics Unit – FEMA Coordination**

*The Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP) to determine status of project with regards to the applicability of NCDOT's Memorandum of Agreement (MOA), or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).*

**Division 14 Project Development – Hazardous Spill Basins**

Investigate on the potential implementation of hazardous spill basins at Hydraulic Sites 2 and 3 during final design.

*UPDATE: Potential implementation of hazardous spill basins to be determined during final design of proposed drainage improvements that fall within a half mile of the critical water supply boundary for the Town of Robbinsville.*

**Division 14 Project Development – Vegetation**

Herbicide treatments will be coordinated with the US Forest Service on the road easement.

**Division 14 Project Development Team; Biological Surveys Group – Indiana bat and Northern long-eared bat**

*UPDATE: NCDOT commits to removing trees required for the project during October 15<sup>th</sup> to April 15<sup>th</sup>, avoiding impacts to potentially roosting bats. Additionally, surveys for bats and evidence of roosting bats during surveys on July 8-9, 2019, returned signs of bat usage at one bridge site, which will not be impacted by the proposed work.*

*NCDOT commits to no additional permanent lighting to the project area; limiting temporary lighting and night work to the single area needed for the wildlife passage/Appalachian Trail bridge, to be completed over a few nights between November and March; and demolition of man-made structures only during the winter or after confirming the absence of roosting bats.*

***Division 14 Construction and Planning and Programming – Section 7 ESA***

*If the golden-winged warbler becomes a listed species, NCDOT and FHWA will fully comply with Section 7 of the Endangered Species Act.*

*Winter tree clearing (October 15 – April 15) on the project for the purposes of rare bat habitat protection will also help avoid direct impacts of the project on nesting birds such as golden-winged warbler.*

*Habitat enhancement in the form of forest clearing or select cutting/thinning will be pursued in two locations to mitigate habitat losses from the project. The primary location is adjacent to the Stecoah Gap early successional habitat/breeding habitat. Additionally, select clearing will be pursued in habitat that once supported a breeding pair of golden-winged warblers near the intersection of NC 143 with NC 28. NCDOT will provide a one-time treatment of non-native invasive vegetation within the habitat enhancement areas. Planting of native vegetation will focus on species composition favored by golden-winged warbler and be undertaken in the enhancement areas, as needed, and on and in vicinity of AT land bridge.*

***Division 14 Project Development – Golden-Winged Warbler Conference Opinion***

*A Section 7 conference opinion for golden-winged warbler (current candidate species) is under development and will be completed before construction authorization.*

***Division 14 Project Development – Archaeology***

*Section 106 effects determinations pending the results of an intensive archaeological survey report for the Selected Alternative. The results of the intensive study and the project's effects on archeological resources will be assessed by NCDOT, in coordination with Section 106 consulting parties, in accordance with the processes and procedures described in the Section 106 Programmatic Agreement (PA) developed for use through final design, right of way and construction. The PA is contained in Appendix B.*

*Archaeological Sites 31GH34, 31GH78, 31GH94, 31GH599, 31GH673, and 31GH691 are eligible for listing on the National Register of Historic Places (NRHP) under Criterion D and currently fall within the Selected Alternative's archaeological Area of Potential Effects (APE) for the proposed project. Although avoidance is recommended, the sites do not warrant preservation in place.*



Archaeological Site 31GH46, which also falls within the Selected Alternative APE, is NRHP-eligible under Criterion D. This site will be avoided during the construction phase of the project including any staging activities. If avoidance is determined not possible, further consultation with NC-HPO and consulting parties is required.

In addition, within the Selected Alternative portion of the APE, archaeological Site 31GH45 could not be assessed for the NRHP due to denial of access by the landowner, while Archaeological Site 31GH723 could not be fully assessed for the NRHP due to adjacent impervious material and other disturbances. Subsurface testing (including additional deep trench testing) at these sites and other properties, such as those owned by USFS, that were inaccessible during the survey will be done once right-of-way and easements are acquired by NCDOT or when right-of-access is granted.

If these sites or any newly identified sites are determined eligible for the NRHP, NCDOT will coordinate with the North Carolina State Historic Preservation Office (NC-HPO) and other consulting parties as identified on appropriate mitigation. All potential mitigation at these sites will be covered in the 106 Form for adverse effect and incorporated in the stipulations of a Memorandum of Agreement (MOA).

Additional eligible sites (31GH92, 31GH664, 31GH703, and 31GH716) under Criterion D and (31GH696 and 31GH705) under Criterion A along with unassessed sites (31GH35, 31GH625, 31GH700, 31GH709, 31GH729, and 31GH731), which were identified during the Corridor K archaeological investigations, are located outside of the Selected Alternative's portion of the undertaking's APE. If determined at a later date that the above-mentioned sites are to be impacted by the project, they will be addressed in accordance with the procedures outlined in the Section 106 project PA.

*UPDATE: NCDOT and FHWA will continue to seek alternatives or modifications to the undertaking that could avoid or minimize effects to these sites. If through ongoing consultation, any of these sites are determined to be adversely affected by the undertaking and data recovery is determined to be the best course of action to mitigate the adverse effects, NCDOT will develop Data Recovery Plans (DRPs) for these nine sites through consultation with the SHPO and the THPOs (or their designee) of the EBCI, CN, UKB, MCN, Catawba Nation, and the A-0009C CR Task Force.*

*Archaeological Site is also NRHP-eligible under Criterion A.*

*Refinements to the design plans and APE may require that other sites be subjected to additional investigation to determine their respective NRHP eligibility. This currently includes but is not limited to sites 31GH35, 31GH45, 31GH625, 31GH703, 31GH723, 31GH729 and/or 31GH731. If Sites 31GH35, 31GH45, 31GH625, 31GH703, 31GH723, 31GH729 and/or 31GH731, and any other sites are determined eligible for the NRHP under Criterion D through further testing within the Undertaking's APE and they are determined through continued consultation to not warrant preservation in place, NCDOT and FHWA will continue to seek alternatives or modifications to the undertaking that could avoid, or minimize effects to*

*these sites. If through ongoing consultation, any of these sites are determined to be adversely affected by the undertaking and data recovery is determined to be the best course of action to mitigate the adverse effects, NCDOT, in consultation with the SHPO and the THPOs (or their designee) of the EBCI, CN, UKB, MCN, the Catawba Nation and the A-0009C cultural resources Task Force will develop, separate DRPs for those sites as determined appropriate, as defined in the project Programmatic Agreement.*

*Sites 31GH696 and 31GH705 have been determined eligible under Criterion A and cannot be subjected to any ground disturbing activities.*

#### **Division 14 Project Development - Design Team; Division 14 Construction – Historic Architecture**

- John and Mattie Colvard House: Tree surveying to avoid trees during construction – replace any balled/burlapped trees that cannot be avoided.
- John and Ruby Cody House: Protective measures for stone wall that lines driveway.
- Cheoah Historic District: Minimize tree cutting and restore landscaping after temporary detour is removed.

#### **UPDATE:**

- *John and Mattie Colvard House: Tree surveying to avoid trees during construction. Trees to avoid during construction will be marked and protected with orange safety fence – replace with any balled/burlapped trees that cannot be avoided.*
- *John and Ruby Cody House: Protective measures. Orange safety fence will be placed in front of for stone wall that lines driveway.*

#### **Division 14 Project Development - Design Team; Division 14 Construction – Historic Architecture, Archaeology**

As a result of the meeting held with the Advisory Council on Historic Preservation (ACHP) on August 10, 2020, NCDOT and Federal Highway Administration (FHWA) entered into a [Section 106 Programmatic Agreement](#) (PA).

A PA is appropriate when it is difficult to fully determine how a particular undertaking may affect historic properties or the location of historic properties and their significance and character. The PA outlines procedures, roles and responsibilities, and continued consultation through final design, right of way and construction.

The PA includes consultation from the consulting parties identified during the Section 106 process. It also includes signatory parties from entities with land ownership, such as the US Forest Service and the Eastern Band of Cherokee Indians (EBCI).

The following topics may be covered in the PA:

- Effects calls from June 1 including conditions
- Periodic design reviews and consultation points
- Principles to follow
- Avoidance and mitigation measures
- Archaeology reviews
- Unanticipated discovery
- Course of action to develop a memorandum of agreement (MOA) if necessary for archaeology
- Specifications or aspects of the roadway alignment

The intent of the PA is to get a No Adverse Effect (NAE) call for the entire project for both historic and archaeology sites. The PA will be executed prior to the Finding of No Significant Impact (FONSI).

*UPDATE: NCDOT, in coordination with Section 106 consulting parties, will implement the [PA](#) developed for this project through final design, right of way and construction.*

#### **Division 14 Construction and Project Development - Design Team – Appalachian Trail Parking Lot**

Ensure adequate turnaround for vehicles exiting the Appalachian Trail parking lot on NC 143.

*UPDATE: Adequate turnaround space will be provided for vehicles exiting the Appalachian Trail parking lot on NC 143. NCDOT is providing right-in/right-out access with bulb-out turnarounds to parking area. Travel flow will be one-way (counter-clockwise) in parking lot. There will be approximately 8 parking spaces.*

*Access to the Appalachian Trail will be maintained during construction.*

*The Appalachian Trail is normally open 24 hours a day, 365 days a year and will require a Workzone Pedestrian Plan prior to initiation of construction in the vicinity of the Appalachian Trail. During construction, the contractor shall maintain a safe pedestrian route and environment for Appalachian Trail hikers, including wayfaring signs warning of construction ahead, a clearly marked route for hikers through or around the construction site, and when appropriate, flaggers to aid hikers in the construction zone. At the discretion of the contractor, and under the supervision of the NCDOT, flaggers will assure hikers do not pass through the construction site when there is potential danger. The construction contractor shall endeavor to minimize stoppage of hikers and regulate construction for hikers while ensuring safe passage.*

*The current trailhead parking on the east side of NC 143 will be retained after construction for parking and access to the eastern side of the land bridge. NCDOT shall coordinate with the USFS, NPS, and ATC on any measures needed to protect these features and associated amenities during construction. The NCDOT will repair and restore any damage to these areas from construction activities. After construction NCDOT will maintain the pavement, striping, and curbs, while the USFS would maintain the grass, vegetation at the trailhead, signs, and other associated amenities.*

*NCDOT will provide funding for the manufacture of new trail signs for the Appalachian Trail. These signs will be manufactured, installed, and maintained by the ATC on the new land bridge and relocated sections of trail.*





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2.0 SECTION 4(F) DOCUMENTATION

3.0 PUBLIC AND AGENCY COORDINATION

APPENDICES





# 1.0 ERRATA

This section identifies any revisions to the [EA](#) (August 2020) or updates to studies contained in the EA.

- Tiered and planted retaining walls were included in the EA (August 2020) adjacent to the proposed land bridge. During subsequent Value Engineering (VE) review, it was determined these planted tiered retaining walls would require irrigation installation underneath to maintain vegetation, which would result in increased maintenance costs and concerns for the safety of maintenance crews. As such, the tiered planted retaining walls were replaced with vertical retaining walls utilizing sculpted/decorative shotcrete as included in the rendering below.



Image credit: NCDOT Visualization



\*shoulder typical may vary in final design

Land Bridge Typical Section



- Section 7 Concurrence for Indiana bat (*Myotis sodalist*) and northern long-eared bat (*Myotis septentrionalis*) was received from USFWS on November 23, 2020 (Appendix B). Commitments within the concurrence agreement include winter tree clearing (October 15 – April 15); no additional permanent lighting to the project area; limiting temporary lighting and night work to the single area needed for the wildlife passage/Appalachian Trail land bridge, to be completed a few nights between November and March; and demolition of man-made structures only during the winter or after confirming the absence of roosting bats.
- A conference opinion is under development for the golden-winged warbler (*Vermivora chrysoptera*) (which is anticipated to be listed as a federally-protected species in the near future). The project is anticipated to impact approximately 0.45 acre of nesting/early successional habitat near Bill Rose Road for new right-of-way and easements. Proposed conservation measures include:
  - Retaining walls near the Appalachian Trail (AT) to minimize downstream fill slope and disturbance within breeding pair habitat.
  - Habitat enhancement in the form of forest clearing, select cutting/thinning and native vegetation installation.
  - Measures already proposed for bat habitat conservation will also be beneficial to the golden-winged warbler including winter tree clearing.
  - Native vegetation will be planted on terraced retaining walls and the land bridge to better meet vegetation coverage objectives.
  - Off road equipment for construction will be pressure washed to help remove propagules (seeds or vegetative parts capable of reproduction) of nonnative invasive plant species prior to being brought onto USFS property.
  - Additional information on the golden-winged warbler can be found in the Conference Opinion assessment.
- The Biological Evaluation was revised following the publication of the signed EA. These revisions include removal of Carey's sedge from the species list and the addition of *Smilax hugeri* and *Maianthemum stellatum*. *Symphyotrichum oblongifolium* was originally in the list of species found within the project study area, but upon further review, the observation was deemed to be *Symphyotrichum phlogifolium* which is not a rare species.



- The US Forest Service (USFS) requested that [EA](#) Section 3.7 (National Forest Lands) incorporate the following statement: "The Nantahala and Pisgah Forest Plan may need to adjust MA 14 boundaries to reflect the realignment of the Appalachian Trail."
- [Geotechnical subsurface investigations](#) for the Selected Alternative were conducted during summer and fall 2020. Fresh testing samples were taken from the Anakeesta/Weyhuddy formation, which is noted for having rock mineralization that generates acidic runoff ("acidic rock"), particularly when excavated and exposed to air and water. Testing results indicate that the Selected Alternative avoids acidic rock producing formations. Recommendations regarding construction in areas of acidic rock are as follows:
  - No specific treatment or material handling will be required for excavation on this project.
  - No specific water chemistry testing or monitoring is recommended with respect to this issue, outside of other erosion control and water quality preservation items required for the project.
  - Durable excavated rock material, if approximating Class I or II rip rap, or Class VII in the NCDOT Standard Specifications may be used to construct 1.5:1 rock embankments parallel to streams, if this is desirable to reduce the project footprint.
- Archaeology surveys were completed in December 2020 for previously inaccessible areas of NFS land within the project study area. One additional archaeological site (31GH742) was identified within the project study area; however, it is not recommended as eligible for listing on the National Register of Historic Places and is not near the Selected Alternative. No impacts to archeological site 31GH742 are associated with the proposed project.
- Project impacts were updated in early March 2021 to reflect design refinements that have occurred since the completion of the EA in August 2020.
  - Impact quantities were updated based on proposed construction limits plus a 25-foot buffer, rather than the 35-foot buffer used to generate the more conservative impact quantities reflected in the EA. Updated impacts are as follows:
    - Water Quality: 137 linear feet of Trout water impacts are anticipated on NFS land.





- Wetlands/Waters of the US: 10,349 linear feet of impacts to streams could be created by the proposed project (approximately 1,054 linear feet of impacts at culvert extensions and 9,295 linear feet due to fill placement). Of the total project stream and wetland impacts, 260 linear feet of stream impacts and 0.01 acres of wetland impacts are anticipated on NFS lands.
- Vegetation and Habitat: Within the Stecoah Gap area on NFS lands and adjacent existing right-of-way, direct impacts will occur across approximately 7 acres of rich cove forest, 3 acres of basic montane oak-hickory forest, and 10 acres of either existing road/shoulders or other disturbed and maintained areas including powerline corridors.
- The following project impacts were updated since completion of the [EA](#) to reflect proposed right-of-way refinements:
  - Forest Service Land (NFS Land): The proposed right-of-way for the Selected Alternative requires 7.09 acres of NFS land outside existing right-of-way.
  - Farmlands Soils and Agriculture: Approximately 20.1 acres of direct impacts to farmland soils are anticipated with the proposed right-of-way, including 5.93 acres of prime farmland, 9.72 acres of farmland of local importance, and 4.46 acres of farmland of statewide importance.
  - Relocations and Right-of-Way: The proposed project would relocate ten residences and three businesses, as indicated in the project relocation report.
  - Trail of Tears: The proposed project would not encroach upon the Trail of Tears and does not extend outside of the existing right-of-way.





## 2.0 SECTION 4(F)

This section summarizes Section 4(f) findings following the publication of the [EA](#) (August 2020) and expands on North Carolina Historic Preservation Office (HPO) [concurrence](#) signed August 19, 2020.

Mitigation for impacts related to the realignment of the AT are being developed in coordination with the NPS, USFS, and ATC and are included in the [Section 106 Programmatic Agreement](#) (PA). The proposed land bridge and AT realignment fall within the USFS Management Area (MA) for the Appalachian Trail. The land bridge and AT realignment will be developed to avoid and minimize impacts to the AT and its attributes to the fullest extent practicable.

On November 17, 2020, FHWA sent letters to USFS and NPS requesting concurrence that the proposed project will not adversely affect the activities, features, or attributes qualifying the Appalachian Trail for protection under Section 4(f). Concurrence was received from both USFS and NPS on March 9, 2021. The Section 4(f) concurrence letters are included in Appendix B.

This project resulted in a de minimis finding in accordance with Section 4(f) regulations. The Section 4(f) determination was finalized through coordination with the USFS, NPS, and other appropriate agencies. Section 106 concurrence from the NC Historic Preservation Office was used as a basis for the de minimis finding.



# 3.0 AGENCY & PUBLIC INVOLVEMENT

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This section describes public outreach and agency coordination that occurred after the EA was approved on August 26, 2020.

### 3.1 Circulation of the EA

The [EA](#) for the project was approved by FHWA and NCDOT on August 26, 2020. NCDOT distributed copies to state and federal environmental resource and regulatory agencies and local governments. The EA and Public Hearing maps were available for public review online and at the NCDOT Graham County Maintenance Yard in Robbinsville, the NCDOT District Engineer's Office in Andrews, and the NCDOT Division Engineer's Office in Sylva. Comments on the EA were accepted by NCDOT through October 30, 2020. The EA was distributed through the State Clearinghouse. The State Clearinghouse comment period ended October 12, 2020.

### 3.2 Public Hearing

NCDOT held a Virtual Public Hearing for the proposed project on October 1, 2020 from 6:00 to 8:00 p.m. Newsletters were mailed two weeks prior to the Public Hearing to 1,698 property owners. A public notice ran in the newspaper the week of the Hearing and a press release was published online one week before the Public Hearing, with an associated social media push on Twitter, Facebook, and NextDoor. The Public Hearing included a formal presentation, followed by review of the Public Hearing maps. Meeting materials are available on the [project website](#), including [public hearing maps](#).

Approximately 33 citizens signed-in during the Virtual Public Hearing. Ten people posted questions or comments in the online meeting chat box. A total of twenty-seven (27) specific comments/questions were contained in the ten (10) comments posted in the chat box during the Virtual Public Hearing. A total of 42 comments were received during and following the public hearing through the Virtual Public Hearing chat box, e-mail, and transcribed voicemails.



These questions and comments were noted or otherwise addressed during the Virtual Public Hearing.

Summary of Comments Received During the Virtual Public Hearing via the Chat Box:

- Comments in support of the project – 3 (11%)
- Comments regarding property impacts – 2 (7%)
- Questions about A-0009A and project schedule – 3 (11%)
- Comments regarding the proposed land bridge – 5 (19%)
- Comments regarding the Appalachian Trail parking lot – 3 (11%)
- Comments regarding the proposed multi-use path – 2 (7%)
- Comments/questions regarding the design – 6 (22%)
- Questions regarding culverts/pipes – 3 (11%)

### 3.3 Agency Comments on the EA

State and federal regulatory and resource agencies provided comments on the EA. These comments and responses are contained in Appendix A.1. Agency comments included a several general permitting requirements applicable to all roadway construction projects and comments related to project commitments and mitigation.

### 3.4 Public Comments on the EA

A total of fifty-nine (59) subject-specific positions were contained in the forty-two (42) comments submitted through the Virtual Public Hearing chat box, e-mail, and transcribed voicemails during the 30-day comment period following the publication of EA and the project's Virtual Public Hearing.

The comment summary, including responses to each comment, is included in Appendix A.2. The comments and questions were primarily focused on the proposed land bridge, multi-use path, and property impacts. A summary of the comments follows.

- Comments in support of the project – 12 (20%)
- Comments regarding property impacts – 7 (12%)
- Questions about A-0009A and project schedule – 1 (2%)
- Comments regarding the proposed land bridge – 7 (12%)
- Comments regarding the Appalachian Trail parking lot – 2 (3%)
- Comments regarding the proposed multi-use path – 16 (27%)
- Comments/questions regarding the design – 4 (7%)
- Questions related to noise effects – 2 (3%)
- Comments in opposition to the project (1) (2%)
- General Questions/Comments – 4 (7%)
- Request to be added to project mailing list – 2 (3%)
- General opposition to the project – 1 (2%).

### 3.5 Merger Coordination: LEDPA & Avoidance and Minimization

A NEPA/404 Merger Team meeting was held on November 12, 2020 to obtain concurrence on the Least Environmentally Damaging Practicable Alternative (LEDPA) (Concurrence Point 3) and Avoidance and Minimization (Concurrence Point 4A). Alternative 1 was selected as the LEDPA. The Merger Team reached concurrence on project avoidance and minimization measures as listed in the Concurrence Point 4A form. Concurrence forms for Points 3 and 4A can be found in Appendix B.





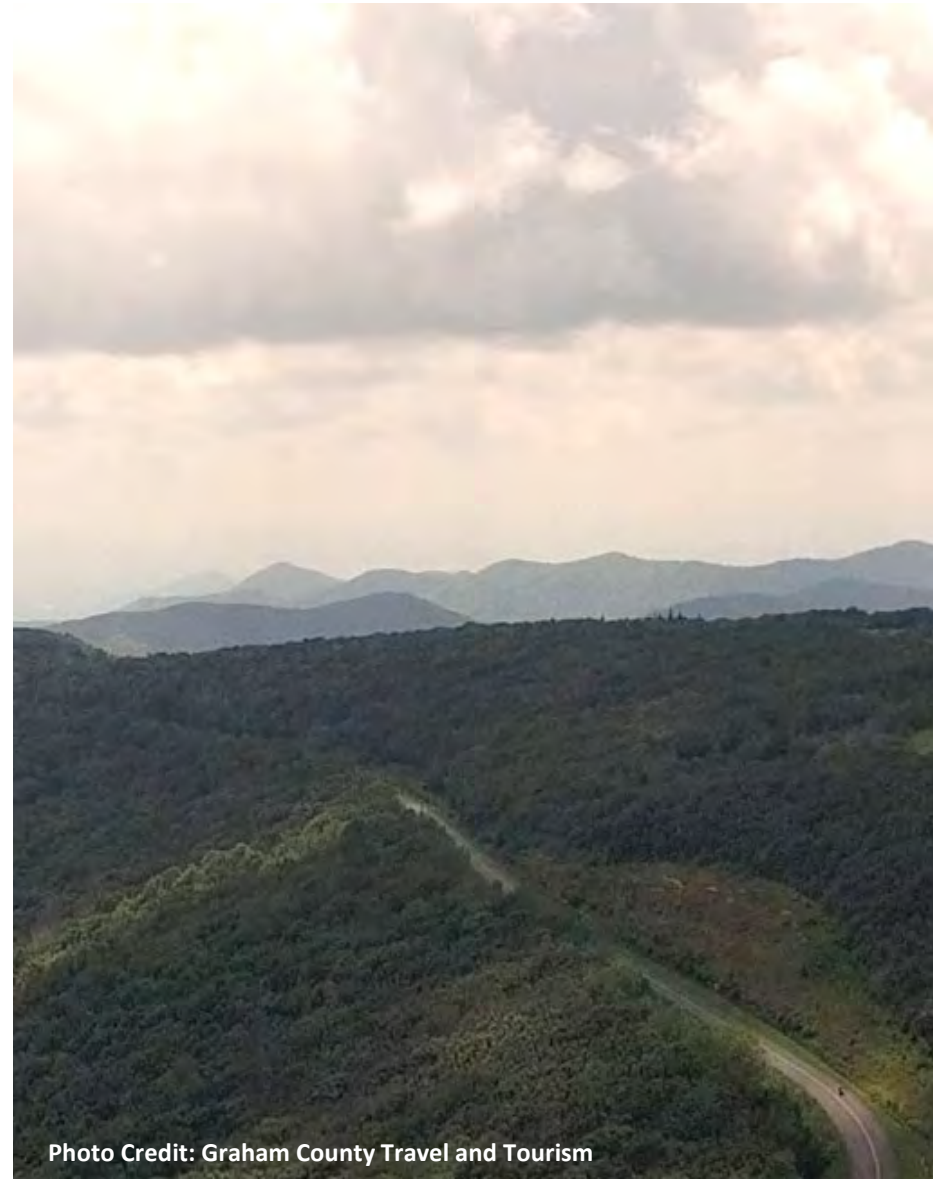
In addition to selecting the Improve Existing Alternative, avoidance and minimization efforts implemented during the development of the LEDPA include the following:

- 2:1 fill slopes.
- 1.5:1 cut slopes where possible.
- Expressway gutter and shoulder berm gutter to reduce cross-section width.
- Alignment shifts to avoid relocations and avoid/minimize stream, wetland, and historic resource impacts.
- Alignment shifts and symmetrical or asymmetrical widening for a best-fit alignment to avoid/minimize impacts and reduce earthwork.
- Retaining walls to avoid/minimize impacts and reduce earthwork.
- Land bridge to avoid habitat fragmentation effects and visual impacts for Appalachian Trail users.

In final design:

- All slopes in jurisdictional areas are anticipated to be the maximum allowable for standard grass lined slopes (2:1).
- Minimum applicable typical sections will be proposed throughout the project.
- Propose retaining and extending existing culverts where practicable.
- Slight adjustments to the horizontal and vertical alignments where practicable to minimize jurisdictional, cultural and environmental impacts. Geotechnical design will evaluate steepening slopes in some areas as practicable.

- Extending existing culvert headwalls vertically, where practicable, in a few locations to avoid stream loss (possible examples are Tulula Creek, downstream end of Sweetwater Creek at Slaybacon Road and upstream end of Stecoah Creek).







## APPENDICES

- A RESPONSES TO COMMENTS ON THE EA
- B AGENCY COORDINATION



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## APPENDIX A.1

### RESPONSES TO AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT





## APPENDIX A.1 RESPONSES TO AGENCY COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
NC Department of Administration, State Environmental Review Clearinghouse	General	General	1.1	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 comments made by the agencies in the review of this document. If any further environmental review documents are prepared for this project, they should be forwarded to this office for intergovernmental review.	Noted.
NC Department of Agriculture	General	General	2.1	No comment.	Noted.
NC Department of Environmental Quality (NCDEQ), Division of Water Resources	Project Specific	Agency Coordination	3.1	This project is being planned as part of the 404/NEPA Merger Process. As a participating team member, NCDWR will continue to work with the Merger Team on this project.	Noted.
NC Department of Environmental Quality (NCDEQ), Division of Water Resources	Project Specific	Stormwater	3.2	To meet the requirements of NCDOT's NPDES permit NCS000250, the road design plans shall provide treatment of the stormwater runoff through BMPs as detailed in the most recent version of the North Carolina Department of Transportation Stormwater Post-Construction Stormwater Program Manual, and the Best Management Practices Toolbox Manual. The BMPs should, to the MEP, be selected and designed to reduce impacts of the target pollutants of concern (POCs) for the receiving waters.	Prior to construction, an erosion and sedimentation plan will be developed for the Least Environmentally Damaging Practicable Alternative (LEDPA) in accordance with applicable rules, regulations and guidance. This plan will follow Guidelines for Construction of Highway Improvements Adjacent to or Crossing Trout Waters in North Carolina in accordance with NCDEQ and NCDOT guidance and best management practices. NCDOT's Post-Construction Stormwater Program manages long-term stormwater runoff from NCDOT projects to protect water quality. A Stormwater Management Plan will be prepared during final design of the project to direct the drainage design and manage long-term stormwater runoff. As part of the plan, NCDOT will implement new structural best management practices and non-structural pollution minimization measures.





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A.1-2

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	Project Specific	Design Standards in Sensitive Watersheds	3.3	Review of the project reveals the presence of surface waters classified as Water Supply Critical Area in the project study area. Given the potential for impacts to these resources during the project implementation, the NCDWR requests that the NCDOT strictly adhere to North Carolina regulations entitled Design Standards in Sensitive Watersheds (15A NCAC 04B .0124) throughout design and construction of the project. This would apply for any area that drains to streams having WS CA (Water Supply Critical Area) classifications.	See response to Comment 3.2.
	Project Specific	Trout Waters	3.4	Sweetwater, Tulula, and Stecoah Creeks are class Trout waters of the State. The NCDWR recommends that the most protective sediment and erosion control BMPs be implemented to reduce the risk of turbidity violations in trout waters. In addition, all disturbances within trout buffers should be conducted in accordance with NC Division of Land Resources and NC Wildlife Resources Commission requirements. Post-construction stormwater BMPs should, to the MEP, be selected and designed to reduce TSS and avoid a sustained increase in the receiving water temperature.	As noted in the Project Commitments, the Wildlife Resources Commission (WRC) will coordinate with NCDOT on moratorium needs during further project development or during project permitting. Trout supporting streams and a 25-foot buffer will be identified on erosion control plans and later delineated in the field so that the contractor avoids disturbance in those streams and their buffers during the prescribed moratorium period. A trout buffer variance, most likely along Sweetwater and Stecoah creeks, may be required on the project and coordinated with the Division of Environmental Quality (DEQ), Division of Land Resources.  Implement <a href="#">Guidelines for Construction of Highway Improvements Adjacent to or Crossing Trout Waters in North Carolina</a> during design and construction.
	Project Specific	Acidic Rock	3.5	Prior to commencing ground disturbing activities, an acceptable monitoring and mitigation plan for the presence of sulfide-bearing rock must be approved by the NCDWR.	2020 rock <a href="#">testing results</a> indicate that the LEDPA/Selected Alternative traverses formations with low acid-producing potential. As such, no specific treatment or material handling will be required for excavation on this project and no specific water chemistry testing or monitoring is recommended with respect to this issue, outside of other erosion control and water quality preservation items required for the project.
	General	Wetland /Stream Impacts	3.6	The environmental document should provide a detailed and itemized presentation of the proposed impacts to wetlands and streams with corresponding mapping. If mitigation is necessary as required by 15A NCAC 2H.0506(h), it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. Appropriate mitigation plans will be required prior to issuance of a 401 Water Quality Certification.	The Natural Resources Technical Report (October 2019) referenced in the <a href="#">EA</a> (August 2020) provides a detailed presentation of potential impacts to jurisdictional resources for the LEDPA/Selected Alternative's preliminary design. Location-specific stream and wetland impact quantities were presented on 11/12/2020 to the Merger Team at Concurrency Point 4A (Appendix B). Potential impacts to jurisdictional resources for the LEDPA were updated in



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A.1-3

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
					FONSI. NCDOT has received agreement from the NCDEQ Division of Mitigation Services to provide compensatory mitigation through the in-lieu fee program.
	General	Wetland /Stream Impacts	3.7	Environmental impact statement alternatives shall consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. To meet the requirements of NCDOT's NPDES permit NCS000250 these alternatives should include road designs that allow for treatment of the storm water runoff through best management practices as detailed in the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual, which includes BMPs such as grassed swales, buffer areas, preformed scour holes, retention basins, etc.	See response to Comment 3.2.
	General	Wetland /Stream Impacts	3.8	After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 0.1 acre to wetlands. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with wetland mitigation.	NCDOT will work with NCDWR and the USACE to identify and provide all required mitigation to satisfy compensatory mitigation requirements for this project.  Avoidance and minimization measures were incorporated into the preliminary engineering designs for the LEDPA/Selected Alternative as discussed at NEPA/404 Merger Team Meetings for Concurrence Point 3 and 4A on November 12, 2020 (Appendix B). The results of this meeting are detailed in this FONSI. As noted in Section 3.6 of the <a href="#">EA</a> (August 2020), a mitigation plan for unavoidable impacts to streams and wetlands will be developed in consultation with the USACE.
	General	Wetland /Stream Impacts	3.9	In accordance with the Environmental Management Commission's Rules (15A NCAC 2H.0506[h]), mitigation will be required for impacts of greater than 300 linear feet to any single stream. In the event that mitigation is required, the mitigation plan shall be designed to replace appropriate lost functions and values. The North Carolina Division of Mitigation Services may be available to assist with stream mitigation.	NCDOT will obtain all applicable permits, including a Section 404 Permit and associated 401 Water Quality Certification. Avoidance and minimization measures incorporated into the LEDPA are discussed in this Finding of No Significant Impact (FONSI) under Section 3.5.



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A.1-4

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	General	Wetland /Stream Impacts	3.10	Future documentation, including the 401 Water Quality Certification Application, shall continue to include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.	<p>All impacts, corresponding mapping, and mitigation information will be included in the 401 Water Quality Certification Application submitted by NCDOT to NCDWR.</p> <p>As noted in Section 3.6 of the <a href="#">EA</a> (August 2020), a mitigation plan for unavoidable impacts to streams and wetlands will be developed in consultation with the USACE.</p>
	General	Wetland /Stream Impacts	3.11	The NCDWR is very concerned with sediment and erosion impacts that could result from this project. The NCDOT shall address these concerns by describing the potential impacts that may occur to the aquatic environments and any mitigating factors that would reduce the impacts.	See response to Comment 3.2.
	General	Wetland /Stream Impacts	3.12	The NCDOT is respectfully reminded that all impacts, including but not limited to, bridging, fill, excavation and clearing, and rip rap to jurisdictional wetlands, streams, and riparian buffers need to be included in the final impact calculations. These impacts, in addition to any construction impacts, temporary or otherwise, also need to be included as part of the 401 Water Quality Certification Application.	All project impacts to jurisdictional resources, including short-term construction impacts, will be included in final impact calculations provided in the permit applications.
	General	Wetland /Stream Impacts	3.13	Where streams must be crossed, the NCDWR prefers bridges be used in lieu of culverts. However, we realize that economic considerations often require the use of culverts. Please be advised that culverts should be countersunk to allow unimpeded passage by fish and other aquatic organisms. Moreover, in areas where high quality wetlands or streams are impacted, a bridge may prove preferable. When applicable, the NCDOT should not install the bridge bents in the creek, to the maximum extent practicable.	As discussed at CP 2A and 4A and included in the <a href="#">Hydraulic Planning Report</a> (December 2019) prepared for the project recommends that culvert inverts be buried one foot below the stream bed. NCDOT will avoid placement of bridge bents in creeks to the maximum extent practicable.
	General	Wetland /Stream Impacts	3.14	Whenever possible, the NCDWR prefers spanning structures. Spanning structures usually do not require work within the stream or grubbing of the streambanks and do not require stream channel realignment. The horizontal and vertical clearances provided by bridges shall allow for human and wildlife passage beneath the structure. Fish passage and navigation by canoeists and boaters shall not be blocked. Bridge supports (bents) should not be placed in the stream when possible.	Noted. Since this is a widening project, most proposed structures are extensions of existing structures.



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A.1-5

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	General	Wetland /Stream Impacts	3.15	Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. To meet the requirements of NCDOT's NPDES permit NCS000250, please refer to the most recent version of the North Carolina Department of Transportation Stormwater Best Management Practices Toolbox manual for approved measures.	See response to Comment 3.2.
	General	Wetland /Stream Impacts	3.16	Sediment and erosion control measures should not be placed in wetlands or streams.	Noted. Also see response to Comment 3.5.
	General	Wetland /Stream Impacts	3.17	Borrow/waste areas should avoid wetlands to the maximum extent practical. Impacts to wetlands in borrow/waste areas will need to be presented in the 401 Water Quality Certification and could precipitate compensatory mitigation.	The construction contractor will be required to acquire applicable permits relative to borrow pits and comply with requirements for borrow pits, dewatering, and any temporary work conducted in jurisdictional areas.
	General	Wetland /Stream Impacts	3.18	The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater shall not be permitted to discharge directly into streams or surface waters.	The 401 Water Quality Certification application will include proposed methods for stormwater management.
	General	Wetland /Stream Impacts	3.19	Based on the information presented in the document, the magnitude of impacts to wetlands and streams may require an Individual Permit (IP) application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from the NCDWR. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.	NCDOT will obtain all required permits, including a Section 404 Permit and associated 401 Water Quality Certification. Avoidance and minimization measures incorporated into the LEDPA will be detailed in the permit application.
	General	Wetland /Stream Impacts	3.20	If concrete is used during construction, a dry work area shall be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete shall not be discharged to surface waters due to the potential for elevated pH and possible aquatic life and fish kills. Concrete shall be handled in accordance with the NPDES Construction General Permit NCG010000.	Noted. NCDOT will follow the procedures as detailed in the special provisions related to concrete-wash water containment.



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A.1-6

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	General	Wetland /Stream Impacts	3.21	If temporary access roads or detours are constructed, the site shall be graded to its preconstruction contours and elevations. Disturbed areas shall be seeded or mulched to stabilize the soil and appropriate native woody species shall be planted. When using temporary structures, the area shall be cleared but not grubbed. Clearing the area with chain saws, mowers, bush-hogs, or other mechanized equipment and leaving the stumps and root mat intact allows the area to re-vegetate naturally and minimizes soil disturbance.	Temporary access and haul roads, other than public roads, constructed or used in connection with the project shall be considered a part of the project and addressed in the erosion and sedimentation control plans developed by the final design team.
	General	Wetland /Stream Impacts	3.22	Unless otherwise authorized, placement of culverts and other structures in waters and streams shall be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life. Design and placement of culverts and other structures including temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or streambeds or banks, adjacent to or upstream and downstream of the above structures. The applicant is required to provide evidence that the equilibrium is being maintained if requested in writing by the NCDWR. If this condition is unable to be met due to bedrock or other limiting features encountered during construction, please contact the NCDWR for guidance on how to proceed and to determine whether or not a permit modification will be required.	See response to Comment 3.13.
	General	Wetland /Stream Impacts	3.23	If multiple pipes or barrels are required, they shall be designed to mimic natural stream cross section as closely as possible including pipes or barrels at flood plain elevation, floodplain benches, and/or sills may be required where appropriate. Widening the stream channel should be avoided. Stream channel widening at the inlet or outlet end of structures typically decreases water velocity causing sediment deposition that requires increased maintenance and disrupts aquatic life passage.	The final design for the LEDPA will be completed in accordance with the NCDOT Guidelines for Drainage Studies and Hydraulic Design.
	General	Wetland /Stream Impacts	3.24	If foundation test borings are necessary; it shall be noted in the document. Geotechnical work is approved under General 401 Certification Number 4132/Nationwide Permit No. 6 for Survey Activities.	If additional geotechnical investigations are needed, subsurface investigations, including borings, will be conducted in accordance with the current NCDOT Geotechnical Unit Guidelines and Procedures Manual.
	General	Wetland /Stream Impacts	3.25	Sediment and erosion control measures sufficient to protect water resources must be implemented and maintained in accordance with the most recent version of North Carolina Sediment and Erosion Control Planning and Design Manual and the most recent version of NCS000250.	Noted. The project's erosion and sediment control/stormwater pollution prevention plan will be implemented and maintained during the construction of the project in accordance with all applicable laws and regulations.





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A.1-7

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	General	Wetland /Stream Impacts	3.26	All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of the NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.	NCDOT will implement approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities Manual.
	General	Wetland /Stream Impacts	3.27	While the use of National Wetland Inventory (NWI) maps, NC Coastal Region Evaluation of Wetland Significance (NC-CREWS) maps and soil survey maps are useful tools, their inherent inaccuracies require that qualified personnel perform onsite wetland delineations prior to permit approval.	On-site wetland delineations within the project corridor were performed by qualified biologists from June 2, 2019 to July 12, 2019 and from October 21, 2019 to October 24, 2019.
	General	Wetland /Stream Impacts	3.28	Heavy equipment should be operated from the bank rather than in stream channels in order to minimize sedimentation and reduce the likelihood of introducing other pollutants into streams. This equipment shall be inspected daily and maintained to prevent contamination of surface waters from leaking fuels, lubricants, hydraulic fluids, or other toxic materials.	NCDOT will implement approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities Manual.
	General	Wetland /Stream Impacts	3.29	Riprap shall not be placed in the active thalweg channel or placed in the streambed in a manner that precludes aquatic life passage. Bioengineering boulders or structures should be properly designed, sized and installed.	All appropriate measures will be taken to protect streams and aquatic life based on NCDOT standard practices.
	General	Wetland /Stream Impacts	3.30	Riparian vegetation (native trees and shrubs) shall be preserved to the maximum extent possible. Riparian vegetation must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.	Appropriate measures will be taken to preserve and reestablish riparian vegetation to the maximum extent possible. NCDOT 's contractor will preserve trees, where possible, along the project. In addition, final designs will be prepared in accordance with BMPs from NCDOT's toolbox, which recommends the reestablishment of riparian vegetation
NC Department of Environmental Quality (NCDEQ), Solid Waste Section	General	Solid Waste and Recycling	4.1	<p>During the project, 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. A list of permitted solid waste management facilities is available on the Solid Waste Section portal site at:</p> <p><a href="http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list">http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list</a></p>	NCDOT will require all contractors to provide proof of proper disposal for all generated waste to permitted facilities.



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A.1-8

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
NC Department of Environmental Quality (NCDEQ), Inactive Hazardous Sites Branch	General	Hazardous Sites	5.1	Four (4) sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <a href="http://deq.nc.gov/waste-management-laserfiche">http://deq.nc.gov/waste-management-laserfiche</a> .	The NCDOT Geoenvironmental Unit <a href="#">investigated</a> the project study area to identify hazardous material sites of concern (November 2019), as summarized in Section 3.22 of the <a href="#">EA</a> . No sites with high risks to cost or schedule were identified. Low monetary and scheduling impacts to hazardous materials sites are anticipated to result from construction of the LEDPA. No direct impacts to hazardous materials are anticipated with LEDPA. Indirect effects will be minimized during the construction.
NC Department of Environmental Quality (NCDEQ), Hazardous Waste Section	General	Hazardous Waste	6.1	<p>Any hazardous waste generated from the demolition, construction, operation, maintenance, and/or remediation (e.g. excavated soil) from the proposed project must be managed in accordance with the North Carolina Hazardous Waste Rules. The demolition, construction, operation, maintenance, and remediation activities conducted will most likely generate a solid waste, and a determination must be made whether it is a hazardous waste. If a project site generates more than 220 pounds of hazardous waste in a calendar month, the HWS must be notified, and the site must comply with the small quantity generator (SQG) requirements. If a project site generates more than 2200 pounds of hazardous waste in a calendar month, the HWS must be notified, and the facility must comply with the large quantity generator (LQG) requirements.</p> <p>Generators are required to determine their generator status and both SQGs &amp; LQGs are required to obtain a site EPA Identification number for the generation of hazardous waste.</p>	NCDOT will comply with the NC Hazardous Waste Rules.
NC Department of Environmental Quality (NCDEQ), Division of Air Quality	General	Open Burning	7.1	Any open burning associated with subject proposal must be in compliance with NC State open burning regulations (15 A NCAC 2D.1900)	NCDOT and the contactor will comply with all applicable regulations and ordinances related to open burning and fugitive dust control in effect at the time of construction.
NC Department of Environmental Quality (NCDEQ), Division of Water Quality, Water Quality Regional Operations Section	General	Permitting	8.1	401 Water Quality Certification - You may need to contact the Army Corp of Engineers and the North Carolina Division of Water Resources Asheville Regional Office concerning 401/404 permits if the project involves dredging, filling, excavations, or placing structures in or near jurisdictional waters (e.g. streams, wetlands, lakes). Contact Amy Annino at 828-296-4500 for further information. Refer to DWR Acid Rock Policy additionally.	NCDOT will coordinate with USACE and NCDWR as needed regarding dredging, filling, excavations, or structures in or near jurisdictional waters.



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A.1-9

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
NC Department of Environmental Quality (NCDEQ), Division of Energy, Mineral, and Land Resources (DEMLR), Land Quality and Stormwater Sections	General	Sedimentation and Stormwater	9.1	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion and sedimentation control plan and/ or a trout stream buffer waiver may be required if one or more acres are to be disturbed. A Plan or trout buffer waiver must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements.	NCDOT acknowledges that an erosion and sedimentation control plan will be required prior to any land disturbing activities.
	General	Sedimentation and Stormwater	9.2	Sedimentation and erosion control must be addressed in accordance with North Carolina Department of Transportation'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.	See response to Comment 3.2.
	General	Stormwater	9.3	For this site compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program may be required. This program regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb $\geq 1$ acre.	See response to Comment 3.2.
	General	Stormwater	9.4	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs which regulate site development and post-construction stormwater runoff control may be required for this site. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.	See response to Comment 3.2.
NC Department of Environmental Quality (NCDEQ), Division of Water Resources, Public Water Supply Section	3.5, 3.6	Water Quality and Stormwater	10.1	The proposed project is located within a water supply watershed. The necessary precautions should be taken during construction and other activities to prevent leakage of fluids from construction equipment, and to prevent herbicide overspray from entering surface waters. We concur with the issuance of the necessary permits for construction of this project provided the site is maintained in accordance with the necessary permits, and the stormwater runoff discharge does not contravene the designated water quality standards.	Noted.
	General	Public Water Supply Systems	10.2	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	Noted.



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A.1-10

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
				more information, contact the Public Water Supply Section, (919) 707-9100.	
	General	Water Line Relocation	10.3	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.	Existing water lines likely will be relocated to construct the project. Plans will be submitted to the NCDWR Public Water Supply Section as required.
NC Department of Environmental Quality (NCDEQ), Asheville Regional Office UST Section	3.22	Underground Storage Tanks (USTs)	11.1	The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum ASTs within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (828) 296-4500.	NCDOT will contact the Asheville Regional Office (ARO) UST Section as needed regarding UST use.
	3.22	Underground Storage Tanks (USTs)	11.2	Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.	Noted.
	3.22	Underground Storage Tanks (USTs)	11.3	Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.	Noted.
	3.22	Underground Storage Tanks (USTs)	11.4	Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.	Noted.
	3.22	Underground Storage Tanks (USTs)	11.5	Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (828) 296-4500. If you have any questions or need additional information, please contact me via email at caroline.lafond@ncdenr.gov or by phone at (828) 296-4644.	Noted.



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A.1-11

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	3.22	Underground Storage Tanks (USTs)	11.6	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTs) are discovered during any excavation operation.	The NCDOT Geotechnical regional office will be notified if orphan USTs are discovered. No orphan UST's were identified in the <a href="#">Geoenvironmental Phase I Report</a> (December 2019).
NC Department of Public Safety, Division of Emergency Management	General	Floodplain Management	12.1	If the proposed project encroaches into 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 NCDOT Hydraulics to determine if the proposed encroachments and crossings within this project are eligible to fall within the MOA.	Noted. NCDOT Division 14 will coordinate with NCDOT Hydraulics as needed regarding eligible SFHA encroachments and crossings.
NC Wildlife Resources Commission (NCWRC)	3.3, 3.20	Section 4(f), Appalachian Trail Relocation	13.1	The NCDOT proposes to improve the roadways from Robbinsville to Stecoah in Graham County, NC, as the Appalachian Development Highway System project, Corridor K. NCWRC concurs with the Preferred Alternative, which would improve the existing US 129, NC 143 and NC 28 between Robbinsville and Stecoah to include passing/climbing lanes and paved shoulders. We also concur with the proposed land bridge across NC 143 at the crossing of the Appalachian Trail. The EA indicated that the land bridge would serve both Appalachian Trail hikers and wildlife and that the Appalachian Trail would be placed in the center of the land bridge. Research has shown that wildlife crossings are less effective when people are present. The center of the bridge may not be the most appropriate place for the trail. We recommend investigations into characteristics that make wildlife overpasses most successful in order to provide the safest facility for both wildlife and the traveling public.	Noted. Final location of the realigned AT is being developed in coordination with the USFS, NPS, and the Appalachian Trail Conservancy. NCWRC input regarding the location of the realigned AT on the land bridge will be relayed to the parties involved in setting the location of the relocated AT and NCWRC will be invited to future meetings with the USFS, NPS, and ATC regarding placement of the AT on the land bridge.
NOAA - National Marine Fisheries Service (NMFS)	General	Essential Fish Habitat (EFH)	14.1	NOAA's National Marine Fisheries Service (NMFS) reviewed the project described in the public notice SAW-2009-01346. Based on the information in the public notice, we confirm the Wilmington District's determination that the proposed work would NOT occur in the vicinity of essential fish habitat (EFH) designated by the South Atlantic Fishery Management Council, Mid-Atlantic Fishery Management Council, or the NMFS. Present staffing levels preclude further analysis of the proposed work and no further action is planned. Consequently, we have no comments or recommendations under the Magnuson-Stevens Act or the Fish and Wildlife Coordination Act. This position is neither supportive of nor in opposition to authorization of the proposed work.	Noted.





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A.1-12

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
United States Army Corps of Engineers (USACE), Asheville Regulatory Field Office	2.3, 3.14	Passing/Climbing Lanes	15.1	The EA indicates in several areas that there will be passing/climbing lanes throughout the project or identifies passing/climbing lanes in specific locations of the preferred alternatives (reference 2.3 Preferred Alternative pdf pgs 23, 25 and also on pg 48 and maybe some other pages that I missed). Considering that we are still in the process of trying to determine where passing/climbing lanes will be, I think the language should be revised to indicate that passing/climbing lanes will be included "where appropriate" (or other such language that indicates these decisions aren't final) and in specific areas that passing/climbing lanes are proposed, rather than indicating that these locations are final and approved by the team.	The Merger Team identified Alternative 1, with passing and climbing lanes, as the LEDPA. The Concurrence Point 3 meeting minutes and form are contained in Appendix B.
United States Environmental Protection Agency (USEPA) Region 4	N/A	General	16.1	At this time based on information provided in the Public Notice and associated plans, EPA Region 4 has no comments or concerns with the project presented.	Noted.
United States Environmental Protection Agency (USEPA) Region 4	3.5, 3.6	Water Quality	17.1	Section 3 of the EA states that the proposed project is located within the Beech Creek, Carver Branch, Cody Branch, Edwards Branch, Harwood Branch, Johnson Gap Branch, Orr Branch, Pigpen Branch, Slay Bacon Branch, Stecoah Creek, Stillhouse Branch, Sweetwater Creek, Tulula Creek, and Wolf Creek watersheds. The NCDOT anticipates impact to 8,066 linear feet of Trout Waters (based on the project footprint plus a 25-foot buffer). The North Carolina Wildlife Resources Commission classifies some of these Trout Waters as trout streams requiring additional protections during construction. The EPA supports NCDOT's construction moratorium for NC Wildlife Resources Commission identified trout streams from January to April of any given year and the implementation of construction guidelines for trout waters.	See response to Comment 3.4.



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A.1-13

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	3.5, 3.6	Wetlands	17.2	<p>Wetlands are located throughout the project limits and are concentrated near Carver Branch, Harwood Branch, Pigpen Branch, Slay Bacon Branch, Sweetwater Creek, and Wolf Creek, and their associated tributaries. A total of 1.12 acres of wetland impacts are within the proposed project area. Measures to avoid and minimize any impacts to jurisdictional wetlands should be considered and documented in the Final EA.</p> <p>Consistent with Section 404 of the Clean Water Act, the project should avoid and minimize, to the maximum extent practicable, placement of fill into jurisdictional waters of the United States, which include wetlands and streams. It should be noted that jurisdictional Waters of the United States can differ from Waters of the State subject to the State of North Carolina laws and regulations, which are the basis for any County issued permits. Any fill material in Waters of the United States will potentially require a permit authorization from the U.S. Army Corps of Engineers (COE). Any wetland or stream losses allowed under a COE Section 404 permit should be mitigated by the applicant. This mitigation can be designed and implemented by the applicant or procured by the purchase of wetland and/or stream mitigation credits from a commercial wetland mitigation bank.</p>	See response to Comment 3.8.
	3.10	Acidic Rock	17.3	<p>The proposed project will include the excavation of approximately 27,564 cubic yards of geological unit ZWE (acidic rock) along NC 28 and Bill Crisp Road. Excavation of acidic rock poses a high risk of generating acid runoff. Acid runoff can destroy aquatic habitats and degrade water quality, making it unfit for consumption. NCDOT is currently conducting a geotechnical investigation that runs until the Summer of 2021. The EPA looks forward to reviewing the minimization and mitigation findings to handle the treatment of acidic rock.</p>	Noted. 2020 <a href="#">rock testing</a> results indicate that the Selected Alternative traverses formations with low acid-producing potential. As such, no specific treatment or material handling will be required for excavation on this project and no specific water chemistry testing or monitoring is recommended with respect to this issue, outside of other erosion control and water quality preservation items required for the project.
	General	Stormwater	17.4	<p>The proposed construction of the Corridor K improvements will increase impervious surface area, thereby increasing stormwater runoff during times of precipitation. The EPA recommends that any contractor working on-site should use best management practices and should address any potential impacts to off-site streams and waterways. The EPA also recommends that site grading, excavation, and construction plans should include implementable measures to prevent erosion and sediment runoff from the project site during and after construction.</p>	See response to Comment 3.2.



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A.1-14

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
United States Forest Service (USFS)	Green Sheet	Appalachian Trail Relocation	19.1	While conversations and design are still underway regarding the relocation of the Appalachian Trail and the land bridge, the USFS request commitments from NCDOT related to the responsibilities and funding for construction and trail relocation, to ensure continuity and public safety.	NCDOT, in coordination with Section 106 consulting parties, implemented a <a href="#">Section 106 Programmatic Agreement</a> developed for this project through final design, right of way and construction. Additional information is contained in the PA.
	Green Sheet	Non-Native Invasive Plant Species (NNIS)	19.2	<p>We request additional language in the project commitments for non-native invasive plant species control that has been previously approved in other documents:</p> <ul style="list-style-type: none"> <li>• "NCDOT will work within adjacent NCDOT rights-of-way to prevent the encroachment of non-native invasive plant species (NNIS) onto NFS lands committing to the following measures: <ul style="list-style-type: none"> <li>o To prevent the spread of NNIS, NCDOT will require contractors to pressure wash all off-road equipment prior to coming on NFS lands.</li> <li>o NCDOT and USFS personnel will identify any priority NNIS species within cut and fill slope areas prior to construction. These areas will be cleaned and grubbed with the NNIS roots disposed off NFS lands.</li> </ul> </li> <li>• "NCDOT staff will work with USFS staff on a periodic basis after construction to control priority NNIS along the right-of-way on NFS lands. In turn, USFS will work with NCDOT to identify and effectively control NNIS and provide a prioritized list."</li> </ul>	This was discussed at the draft EA comment meeting between FHWA, NCDOT and USFS on August 13, 2020. It was stated that this language would be included in the Federal Land Transfer and not the project commitments. This language addresses maintenance activities, which FHWA does not participate in after construction is complete. FHWA and NCDOT are committed to including the requested additional language in the Federal Land Transfer documentation.
	3.7	Nantahala and Pisgah Land Management Plan	19.3	There may be a need for a Nantahala and Pisgah Land Management Plan administrative change to modify the management area boundaries of the Appalachian Trail Foreground management area (MA 14). Previously, there were discussions about the potential need of a Forest Plan Amendment in the Nantahala and Pisgah Land Management Plan regarding scenery resources, but those concerns have since been addressed in the Visual Impact Analysis. The administrative change will tier to this EA, hence the need for the document to reflect the recommended language. We request a footnote in section 3.7 (National Forest Lands) to tee up the potential need for an administrative change to MA 14. We recommend language such as this: "The Nantahala and Pisgah Forest Plan may need to adjust MA 14 boundaries to reflect the realignment of the Appalachian Trail."	<p>FONSI Section 1.0 (Errata) notes that the Nantahala and Pisgah Forest Plan may need to adjust MA 14 boundaries to reflect the realignment of the Appalachian Trail.</p> <p>The FONSI includes updated project commitment language as recommended by the USFS.</p> <p>Per email correspondence from the USFS, the project's consistency with the Nantahala and Pisgah Forest Plan is considered "to be determined" pending the implementation of the PA.</p>



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A.1-15

Agency/Organization	Relevant EA Section	Topic	Comment No.	Comment Text	Response
	3.7	Plant Species	19.4	<p>The USFS is working directly with Stantec to resolve plant species found within NFS land. We recommend on page 42 under the section 3.7 (Forest Service Land) the following:</p> <ul style="list-style-type: none"> <li>• Remove Carey's sedge from the species list. Add <i>Smilax hugeri</i> (a forest concern species), and <i>Maianthemum stellatum</i> which is new to North Carolina and the Nantahala and Pisgah.</li> <li>• We request the location where <i>Symphyotrichum oblongifolium</i> was found as this would be a very rare occurrence both in North Carolina and the national forest.</li> </ul>	<p>The Biological Evaluation was revised following the publication of the signed EA. These revisions include removal of Carey's sedge from the species list and the addition of <i>Smilax hugeri</i> and <i>Maianthemum stellatum</i>. <i>Symphyotrichum oblongifolium</i> was originally in the list of species found within the project study area, but upon further review, the observation was deemed to be <i>Symphyotrichum phlogifolium</i> which is not a rare species.</p>
North Carolina Department of Natural and Cultural Resources, State Historic Preservation Office	3.3	Section 106	20.1	<p>We have reviewed the above-referenced public notice and note that the issuance for any permits related to the undertaking include a commitment to enter a Programmatic Agreement (PA) that outlines procedures, roles &amp; responsibilities, and continued consultation through the project to address effects on Cultural and Archaeological Resources. We, therefore, have no further comments on the notice and apologize for our delayed response.</p>	Noted.





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## APPENDIX A.2

### RESPONSES TO PUBLIC COMMENTS ON THE ENVIRONMENTAL ASSESSMENT



## APPENDIX A.2 RESPONSES TO PUBLIC COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Martha Banks	Support of the Project	Virtual Public Hearing Chat Box	1.1	Thinks it looks a whole lot better than it did years ago, thanks for everyones hard work.	Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
	Property Impacts	Virtual Public Hearing Chat Box	1.2	Are any homes on Bill Crisp Rd being affected?	Bill Crisp Road is being realigned to tie perpendicular to Hyde Town Road. No homes are anticipated to be relocated. On the public meeting map, you can see the affected properties designated by the light green color. Feel free to contact us with any other questions or concerns.
	Proposed land bridge	Virtual Public Hearing Chat Box	1.3	I would love to see a cool rope bridge instead of a land bridge 🙏	Comment noted.
	AT parking lot	Virtual Public Hearing Chat Box	1.4	How many parking spots will be at Stecoah Gap? The Gap is used a lot and hard to find a space a lot of times. Can the parking area at Stecoah Gap be enlarged?	Adequate turnaround space will be provided for vehicles existing the Appalachian Trail parking lot on NC 143. As of March 15, 2021, NCDOT is providing right-in/right-out access with bulb-out turnarounds to parking area. Travel flow will be one-way (counter-clockwise) in parking lot. There will be approximately 8 parking spaces.
	Design questions	Virtual Public Hearing Chat Box	1.5	How tall are the retaining walls? A question, can someone send me information about increasing the State Maintenance of Bill Crisp Road to the end of the road?	Could you verify the location of where you wish to know the height of the walls? The wall heights can vary depending on each wall. Your request for increasing maintenance of Bill Crisp Road to the end of the road will be passed along to the NCDOT District Engineer, J Andy Russell. He can be contacted directly at jarussell@ncdot.gov. Feel free to contact us with any other questions or concerns.
Melanie Mayes (Waysouth)	Support of the Project	Virtual Public Hearing Chat Box	2.1	Waysouth also supports this project. Very pleased to see it maintains the natural environment of the area, yet increases driver and pedestrian safety. Thanks team for your work.	Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
	Proposed land bridge	Virtual Public Hearing Chat Box	2.2	Really pleased with the land bridge at AT crossing. Will help wildlife and increase safety for hikers and drivers. Thanks.	Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
	Support of the project	Publicinput.com	2.3	Waysouth is excited about the project and identifies no major environmental concerns. We wholeheartedly support the Environmental Assessment for the proposed alternative (Alternative 1). We believe that the Assessment will support a Finding of No Significant Impact (FONSI) and that the Least Environmentally	Comments noted. Thank you for your support of the proposed project.



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A.2-2

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Melanie Mayes (WaysSouth) (cont.)				<p>Damaging and Practicable Alternative was identified. We believe the project will improve transportation within Graham County and will enhance connectivity with the broader western North Carolina area. We also believe that the project minimizes environmental degradation, supporting the region's impressive biodiversity, while allowing residents continued enjoyment of their mountain communities and streams. Finally, the size, scope, and cost of the project is reasonable given the area's transportation needs.</p> <p>We share the concerns of Graham County, Robbinsville, and the local communities that improvements are needed in their transportation infrastructure. The project's preferred alternative recognizes that the transportation needs of the area can be met by improving the connection between Robbinsville and Stecoah. This project avoids especially harmful impacts by following the existing route rather than cutting across forested lands and neighborhoods. The proposal adds passing lanes where possible, resulting in a mostly three-lane facility. The road maintains the economic viability of downtown Robbinsville by avoiding a bypass. Dedicated turn lanes are proposed at several locations, including Robbinsville High. Some new sidewalks are included, including around Robbinsville High, which will enhance appearance and usability for Robbinsville residents and visitors.</p> <p>We are gratified that DOT has minimized the impacts to homes (9) and businesses (5). We are pleased that the controversial routes across the mountain formerly proposed – either through Tatham Gap or up Jutts Creek – are eliminated.</p> <p>WaysSouth commends NCDOT for producing a design that will meet the transportation needs of the residents of western NC, and will have minimal negative impact on the environment because traversing through undisturbed forest and streams is minimized. Additionally, this approach results in a project that makes economic sense – a right-sized roadway will preserve what makes rural Graham County so special – the forests, the mountains, the streams, and the wildlife. We appreciate various mitigation efforts to minimize impacts on endangered species such as the Indiana bat and northern long-eared bat, e.g., no tree clearing from October to April. We note the planned development of a plan in concert with the US Army Corp of Engineers to minimize and mitigate the effects of unavoidable impacts to streams and wetlands under the Clean Water Act. We are also pleased that NCDOT will work with the Forest Service to avoid planting invasive and non-native species,</p>	



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A.2-3

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Melanie Mayes (WaysSouth) (cont).				<p>and to continue maintenance in the future to minimize their spread along the rights of way.</p> <p>We appreciate the project commitments to mitigate negative impacts. We appreciate the project's commitment to develop a Project Special Provision to deal with handling and treating any acid-producing waste material generated during construction, and to appropriately place the material involving total encapsulation if necessary. That the initial surveys find only small outcrops of the acid-producing rock suggests that these approaches are feasible and will be protective of the region's stream waters and aquatic life. We also appreciate the coordination with the Wildlife Resources Commission to build buffers around trout-supporting streams during construction, and to time construction (avoided during January to April) to minimize impacts. We note that several archaeological sites were identified, and we appreciate those being eligible for listing on the National Register of Historic Places, and we also appreciate specific mentions of mitigation for certain existing historical properties.</p> <p>WaysSouth would like to also extend thanks to DOT and its consultants for involving the environmental community and WaysSouth in their planning process. WaysSouth has been interested in this portion of Corridor K for at least a decade, and in the past we were disappointed to oppose the project because of its unacceptable impacts on the conservation values of western NC. Since the announcement of the project restart in early 2019, DOT and its consultants conducted open meetings with environmental stakeholders, and later participated in a local meeting to discuss the project with concerned Stecoah Valley residents and Graham County leaders. Further, our ideas for design alternatives at the intersection of NC28 and NC143, and at the Appalachian Trail crossing were welcomed, and DOT and consultants participated in several ad hoc meetings to discuss our suggestions. We are so pleased to have worked in a collaborative and transparent manner with DOT and its consultants, and the leaders of this project should be commended for their efforts.</p> <p>In summary, WaysSouth supports the Environmental Assessment for this project, and we remain ready to assist you in future efforts.</p>	
	Proposed land bridge	Publicinput.com	2.4	The Appalachian Trail crossing at Stecoah Gap will be accomplished by a land bridge to facilitate both human and wildlife crossings, and to maintain a more natural appearance. The crossing will certainly	Comments noted. Thank you for your support of the proposed project.





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A.2-4

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Melanie Mayes (WaysSouth) (cont.)				improve safety for pedestrians, wildlife, and traffic. The design visualization of the crossing looks lovely and this concept should greatly improve the appearance and utility of the existing crossing. We believe this innovative crossing will serve as a model for other projects in North Carolina, and that the crossing may become a tourist attraction in and of itself. The crossing is at an important boundary for biodiversity, where climbing lanes coming up each side of the gap would have made crossing the road perilous for wildlife. The historical parking area will be maintained and enough space will be available for turning around. The tiered and vegetated retaining wall will improve the appearance of the highway when approaching the gap. Also, lessons learned may be applicable to other similar scenarios.	
	Proposed multi-use path	Publicinput.com	2.5	The Hydetown Road greenway in Stecoah Valley will also add to the value of the facility for local residents.	Comment noted. Thank you for your support of the proposed project.
Callie Moore (MountainTrue)	Support of the Project	Virtual Public Hearing Chat Box	3.1	MountainTrue fully supports this project. You did an excellent job with the EA. We will submit more detailed comments in writing.	Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
	Questions about A-0009A and project schedule	Virtual Public Hearing Chat Box	3.2	I thought that those particular alternatives T-1 and T-4 were completely abandoned by DOT after the public outcry in February 2019?	Comment verbally addressed during the Virtual Public Meeting. T-1 and T-4 will not be studied for A-0009A given funding constraints and public support to improve existing US 129.
	Support of the project	Publicinput.com	3.3	<p>MountainTrue respectfully submits the following comments with regard to the Environmental Assessment for the “Corridor K, Appalachian Highway Development System” project in Graham County, North Carolina. MountainTrue is an incorporated 501(c)(3) nonprofit organization dedicated to creating and sustaining a healthy environment by championing resilient forests, clean waters, and healthy communities, promoting clean energy, and increasing civic engagement in policy-making in the Southern Blue Ridge Mountains. Thank you for the opportunity to comment.</p> <p>I am pleased to be writing to you today to express MountainTrue’s full support for the Preferred Alternative that would improve the existing alignments of US 129, NC 143 and NC 28 between Robbinsville and Stecoah, increasing shoulder widths and adding passing/climbing lanes where necessary. We agree with the decision to remove the Andrews to Robbinsville portion of the project to better focus on delivering improved mobility and reliability between the existing four-lane section on NC 28 at Stecoah and US 129 in</p>	Comments noted. Thank you for your support of the proposed project.



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A.2-5

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Callie Moore (MountainTrue) (cont.)				<p>Robbinsville. The Preferred Alternative results in no new significant fragmentation of forests and minimizes impacts to existing homes and businesses.</p> <p>We appreciate the project's commitment to intensive study of acid-producing rock in the areas of excavation and total encapsulation of the material if the results warrant such an extreme level of mitigation for the protection of water quality in the project area.</p> <p>Our only suggestion for project improvement is to consider purchasing a wider right-of-way along Stecoah Creek and fully restoring the dimension, pattern and profile of the stream as part of the mitigation plan for impacts to Waters of the U.S. The original meanders of the stream are still visible on the aerial photographs presented for this project. Mitigating stream impacts onsite is the first preference of watershed managers, if a viable location is available. We believe it is and we would love to see this section of stream restored, rather than simply moved out of the way of the road improvements and mitigated elsewhere.</p> <p>Thank you for a thorough and well-presented Environmental Assessment of this project! Since it seems we don't get to make such positive statements often enough, I'll say it again: MountainTrue fully supports this project as proposed!</p>	
	Proposed land bridged	Publicinput.com	3.4	MountainTrue also fully supports the proposed land bridge to facilitate the crossing of wildlife and pedestrians across NC 143 at one of the widest parts of the improved highway. Building this structure and relocating the Appalachian Trail onto it, would mitigate negative visual and noise impacts of the highway crossing and prevent unsafe slick conditions during freezing temperatures that other types of pedestrian crossings might create. Safe passage for wildlife will minimize vehicle crashes and fatalities of both wildlife and humans.	Comment noted. Thank you for your support of the proposed project.
	Proposed multi-use path	Publicinput.com	3.5	From a healthy communities perspective, we also fully support the addition of sidewalks from Robbinsville High School to the intersection of US 129 and Five Point Road and the multi-use path in Stecoah. These project additions, along with the land bridge will positively impact pedestrian mobility and safety within the project area.	Comments noted. Thank you for your support of the proposed project.
Shawn Lakey	Property Impacts	Virtual Public Hearing Chat Box	4.1	It looks like it's taking my house, 307 Hwy 28. Is that right?	Project team contacted Lakey family regarding their question about potential impacts to a specific property. Project team left voicemail for Lakey family indicating that there are options that can be explored in final design to avoid displacing their



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A.2-6

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Shawn Lakey (cont.)					home and provided contact information for design team if resident has any follow up questions.
Hugh Irwin (Wilderness Society)	Questions about A-0009A and project schedule	Virtual Public Hearing Chat Box	5.1	What will be the sequence of the 3 sections?	Comment verbally addressed during the Virtual Public Meeting. Construction of the project on US 129 from south of Five Point Road (SR 1275) to NC 143 and along NC 143 to Beech Creek Road (SR 1223) ("CA") is scheduled to start in August 2022. The section of NC 143 from Beech Creek Road (SR 1223) to north of the Appalachian Trail ("CB") is scheduled to start construction in September 2022. The section of the project that includes NC 143 from north of the Appalachian Trail to NC 28 and NC 28 to east of Gunters Gap Road (SR 1235) ("CC") is scheduled for construction in October 2022.
	Proposed land bridge	Virtual Public Hearing Chat Box	5.2	Really like the design of the land bridge	Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
	Support of project	Publicinput.com	5.3	<p>Dear Corridor K Project Management Team:</p> <p>Please accept these comments from The Wilderness Society (TWS) on the Environmental Assessment for Project A-0009C of Corridor K. TWS has followed the development of this project for years. We are pleased to support the preferred alternative (Alternative 1). NCDOT and all parties should feel good that this innovative and collaborative alternative addresses the transportation needs of Western North Carolina while also safeguarding the significant and irreplaceable environmental assets of this region.</p> <p>TWS particularly appreciates NCDOT's approach to environmental issues since the restart and refresh of the project. The fresh look at issues and the openness to feedback and ideas has allowed solutions to emerge that addressed not only long-standing issues but also issues that emerged as design concepts emerged. NCDOT and consultants were open to seeing the perspectives of a wide range of stakeholders and remained open to solving issues in innovative and collaborative ways. This attitude and approach allowed exciting new solutions to emerge that addressed transportation needs while minimizing impacts to communities and the environment. Not only are community impacts avoided and minimized but proposed improvements such the multi-use paths in Robbinsville and Stecoah and the AT land bridge will provide critical infrastructure that will benefit both communities and the environment for the long term.</p>	Comments noted. Thank you for your support of the proposed project.



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A.2-7

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Hugh Irwin (Wilderness Society) (cont.)				We support Alternative 1 and believe that the Environmental Assessment will support a Finding of No Significant Impact (FONSI). We think that the EA is correct in identifying Alternative 1 as the Least Environmentally Damaging and Practicable Alternative. The EA does a good job in its analysis, but more importantly, NCDOT and its consultants did the hard and creative work of coming up with innovative solutions to very difficult issues. Alternative 1 solves problems that have defied solution for decades – how to provide for the real transportation needs of Graham County and Western North Carolina while also avoiding massive environmental impacts and also impacts to communities. Solving this difficult problem took innovative and creative solutions. We applaud NCDOT for meeting this extremely difficult task with what are truly creative and innovative solutions.	
	Proposed land bridge	Publicinput.com	5.4	TWS is particularly pleased with the proposed land bridge at Stecoah Gap. As plans for A-0009C improvements developed, it became clear that passing lanes that in general would alternate between different sides of the road would converge at Stecoah Gap, creating 4 lanes at the Stecoah Gap curve that would pose difficulties for both hikers and wildlife. As NCDOT and its consultants considered different designs for the highway addressing hiker and wildlife needs as well as safety, they created an alternative that not only solved issues and problems but created an innovative solution that should be used as an example in other highway designs. The resulting land bridge allows the best use of passing lanes to enable traffic to navigate this steep section of highway separating vehicles from hikers and wildlife for the safety of both. It also provides an attractive crossing of the highway that will best preserve the experience of AT hikers, and will enable wildlife to successfully cross the highway in this critical area with prime USFS wildlife habitat on both sides, thus preserving and enhancing a critical wildlife corridor. The land bridge and associated landscaping is also extremely attractive. This will preserve and enhance the intersection between the Appalachian Trail and the highway, creating a striking but inviting interface between the historic and natural features of the Appalachian Trail and national forest land on the one hand and the highway on the other. The land bridge is likely to become a scenic feature that is appreciated from the AT as well as from the highway. We applaud this feature as well as other features of Alternative 1 that approach highway design from the standpoint of solving transportation problems while also preserving and enhancing community and environmental values.	Comments noted. Thank you for your support of the proposed project.





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A.2-8

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Hugh Irwin (Wilderness Society) (cont.)					
Fred Baggott	Questions about A-0009A and project schedule	Virtual Public Hearing Chat Box	6.1	The T-1 and T-4 parts are postponed? Until when?	Comment verbally addressed during the Virtual Public Meeting. T-1 and T-4 are included in NCDOT STIP Project A-0009A are not currently being studied. See below for additional details provided via email to Mr. Baggott.
	Questions about A-0009A and project schedule	Publicinput.com	6.2	I was on the NCDOT public call tonight. Thanks for informing us about the new timing for these proposed roads. (T-1 and T-4). So, nothing will happen until 2032, or beyond, regarding Robbinsville to Andrews? And what was(were) the reason(s) for the long delay?	The NCDOT State Transportation Improvement Program (STIP) will be voted on next week by the NCDOT Board of Transportation. The STIP is a program of all anticipated construction projects for a 10 year period from 2022-2032. A-9A, Corridor K from Robbinsville to Andrews, is shown as an unfunded project in future years (beyond 2032) in this document. It is shown in the current 2020-2029 STIP as an unfunded project in future years. At no time over the past 10 years has A-9A been programmed for construction in the 10 year STIP. The focus for the past 10 years has been to construct the A-9C section between Stecoah and Robbinsville. All projects across North Carolina must compete for funding through the Strategic Transportation Investments law passed in 2013. This law requires the Division and local governments through their Metropolitan or Rural Planning Organization to prioritize projects and determine funding based on a data driven process. As Appalachian Development Highway System (ADHS) funds can only be utilized on identified Appalachian Highway corridors, the projects on the ADHS compete against each other. We only have two incomplete ADHS corridors in North Carolina – Corridor K (A-9) and Corridor A (A-11). The Division and Southwestern RPO have consistently prioritized the A-9C section of Corridor K as the top priority for ADHS funding. A-9A has never been the top priority nor has it scored very well. Furthermore, the NCDOT only has approximately \$200 million of ADHS funds remaining to program ADHS projects. The estimated cost of A-9C is \$130M so, once we



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A.2-9

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Fred Baggott (cont.)					fully determine the cost of A-9C and if remaining funds are available, we may be able to prioritize and program additional improvements on the A-9A section. Obviously, we do not expect to have enough remaining ADHS funds to complete the entire A-9A section, but we will seek to make the most improvements as is possible. I hope this helps to answer your questions. I realize that this may be confusing and I apologize for all of the acronyms.
Glen McCoy	Proposed land bridge	Virtual Public Hearing Chat Box	7.1	land bridge is a lot less expensive than a tunnel	Comment verbally addressed during the Virtual Public Meeting. Comment noted. Alternatives with tunnels were eliminated due to maintenance and operations costs associated with the tunnels were estimated to be a notable portion of the Division 14 annual maintenance budget.
	Questions regarding culverts/pipes	Virtual Public Hearing Chat Box	7.2	There are 2 culverts that are not shown located in Stecoah near Martin Jenkins Rd. Are these to be removed or changed. Ok, the proposed expansion will add road on top of my culvert. It is a 15 inch diameter plastic product. Will that need to be replaced?	Project team contacted Glen McCoy by phone and email after Virtual Public Hearing to discuss his question related to culverts. 15-inch plastic culverts likely will need to be replaced.
David Sumner	Proposed land bridge	Virtual Public Hearing Chat Box	8.1	Let's save some much-needed tax dollars and delete both the land bridge and the Hwy 28 walkway.	Comment noted. Thank you for your comments during the NCDOT STIP Project #A-0009C Virtual Public Hearing.
Leroy Walden	Proposed multi-use path	Virtual Public Hearing Chat Box	9.1	Please explain the multi-use trail in Stecoah - are there plans to eventually extend this beyond the boundaries shown in this presentation? Will there be a protected pedestrian crossing to the Stecoah Diner from the multi-use trail?	Comment verbally addressed during the Virtual Public Meeting. There are no plans to extend the multi-use path further than what was shown on the public hearing maps. Local officials presented the need for a multi-use path to NCDOT, however, a protected pedestrian crossing at Stecoah Diner will not be included at this time.
Kyle Norcross	Design Questions	Virtual Public Hearing Chat Box	10.1	Has any plan for decorative concrete for retaining walls been discussed? Will fill slopes also be benched and landscaped? I noticed some existing entrances that don't appear to have new entrances is it NCDOT proposal to remove these existing entrances. Can landscaping and decorative concrete walls be considered? particularly fill slope and cut slope landscaping	Comment verbally addressed during the Virtual Public Meeting. Decorative concrete will be applied to the retaining walls in the Stecoah Gap area at the Appalachian Trail.
	Questions regarding culverts/pipes	Virtual Public Hearing Chat Box	10.2	I can help with missing culverts. I live on Martin Jenkins Rd where Glenn is talking about	Project team contacted Glen McCoy by phone and email after Virtual Public Hearing to discuss his question related to culverts. 15-inch plastic culverts likely will need to be replaced.
Gary Blank	Support of the project	Publicinput.com	11.1	I want to weigh in with an endorsement of the preferred alternative for this project. I spent most of ten weeks during the summer of 1998 doing biological fieldwork in Sweetwater and Stecoah Valleys, tramping through the fields and woods to gather data for the Supplemental EIS in its early phase. I was not in favor of the massive	Thanks very much for your comments on A-0009! We're very happy with how the process has unfolded this time and that Graham County residents will finally have an improved transportation system! There will be a virtual Public



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Gary Blank (cont.)				cuts and fills (>700 feet on each side) that could have been required for those either of those new alignments and the tunnels. This plan is much better environmentally and respects the beauty of that landscape, the integrity of the ecosystems and doesn't screw up the water supply for half the people living there. I teach the NEPA process and appreciate how this project has evolved.	Hearing on October 1 at 6:00pm - details are under development but will be posted on the project webpage when available. I hope you'll join us! In the meantime, feel free to reach out with any additional questions or comments!
Edd Satterfield	Support of the project	Publicinput.com	12.1	1. We have a plan, let's fast track it and get it done. 2. Keep the land bridge. 3. We do not need to waste taxpayers money on a pedestrian trail and pedestrian bridge for one or two dudes to get to Stecoah Diner. 4. We need to move the section from Robbinsville to Andrews up, 2032 is way too long. Start the EA now, with the money we are saving on the Stecoah-Robbinsville section compared to the ARC funding for the corridor is supposed to be banked, we have no reason to wait. 5. We do not need to do decorative landscaping on cut and fill slopes, in a few years nature takes over and it will landscape it's self.	<p>Good morning! Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C.). Your comments will be submitted into the official Public Records. The comment period for the October 1, 2020 Public Hearing ends on October 30, 2020. The project team will review and carefully consider all comments received and document the decision-making process in the final environmental document, called a Finding of No Significant Impacts (FONSI). The FONSI is scheduled to be completed in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project. If you have any additional comments or questions concerning the proposed Corridor K project, please feel free to contact us. Thank you! Amy</p> <p>I just wanted to follow up on your comments about the Corridor K project in Graham County (STIP Project A-0009C). We appreciate you taking the time to provide feedback and have incorporated your comments into the Public Record. With respect to your comment about the multi-use path in Stecoah, this was originally studied due to local request for a walkway for recreational and health purposes. We will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the path. Funding for the Andrews to Robbinsville portion depends on several elements, including remaining ADHS funds and state funding priorities. The state uses a data-driven prioritization program to determine which highway projects receive funding. Projects are scored and ranked using measures such as safety,</p>



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Edd Satterfield (cont.)					benefit-cost, and local priorities. NCDOT uses this information as a primary factor for determining project schedules. I hope this helps provide a little clarification on funding and project schedules! Please let me know if you have any other questions or if it'd be helpful to have a call to discuss your comments further.
Doyle Brock	Support of the project	Publicinput.com	13.1	Yes, my name is Doyle Brock. I live in Robbinsville. I've traveled this road since I was a kid, I'm ninety five years old and I've walked the road long ago when it had very little traffic and was all gravel. But after looking at the proposed improvements while it looks good to me you've been involved with the Lions Club trying to get a four-lane through Graham County for the last fifty years, but it's at least we're getting a start on it. So you can put me down as being in favor of the proposed section that you all sent out on the same brochure that I had a copy of which it looks good to me. So the quicker the better, soJust I'm I won't be able but I wouldn't want to find out where the where the meeting was to take place. It didn't show I never did find it on this mail thing. Just other than it special meeting was being called. But where is that meeting you my number is 828-479-3578. If you will, give me a ring as to where the where the meeting is to be. Okay. Thank you.	Handout was mailed to Mr. Brock and Amy Sackaroff spoke to Mr. Brock on the phone two times to review meeting materials and discuss project. Mr. Brock expressed general support for the project as proposed. Alexa Kennedy left voicemail for Mr. Brock to return call if he had any further questions about the handout.
Noreen and Frank Morley	Support of the project	Publicinput.com	14.1	I approve the way the project will be handled. Look forward to its completion!	I just wanted to reach out to thank you both for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). We're very happy with how the process has unfolded this time and that Graham County residents will finally have an improved transportation system! Your comment will be submitted into the official Public Records. The final environmental document, called a Finding of No Significant Impact, is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Judy Robinson	Support of the project	Publicinput.com	15.1	NCDOT - I was so pleased to read about the proposed Preferred Alternative for this project. I believe that these improvements to the existing roads will greatly enhance the safety of the route while preserving the natural beauty of this rural mountain area. I think the land bridge over the AT will benefit both hikers and wildlife, and it looks like it will be visually attractive as well based on the	Alexa Kennedy spoke to Judy on the phone to discuss comment. Judy had no further questions about the project.  A follow-up email was sent after the phone conversation: Just sending a quick follow up to our





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A.2-12

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Judy Robinson (cont.)				renderings included. I am greatly relieved that the original plan for the 4 lane with the tunnel was abandoned for this much more appropriate alternative.	phone conversation earlier. Thank you again for your feedback on the A-0009C project. The final environmental document, called a Finding of No Significant Impact, is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Tom Hoffman	Support of the project	Publicinput.com	16.1	I wish to express my support for your adoption of Alternative 1 for Corridor K in Graham County. Improving the existing highway infrastructure meets the needs of county residents and businesses with minimal impact to the environment. Adding passing lanes, widening shoulders and providing a safe way for Appalachian Trail hikers to cross 143 are adequate solutions to the problems encountered on 143 and 28 as they now exist.	I just wanted to reach out to thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). We're very happy with how the process has unfolded this time and that Graham County residents will finally have an improved transportation system! Your comment will be submitted into the official Public Records. The final environmental document, called a Finding of No Significant Impact, is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Ann Strange	Support of the project	Publicinput.com	17.1	Thank you for listening to environmental issues and coming up with a good compromise plan.	Comment noted. No follow-up email or phone number for Ann were given.
Morgan Sommerville (Appalachian Trail Conservancy)	Support of the project	Publicinput.com	18.1	Dear Mr. Sullivan and Ms. Austin: This is the reply of the Appalachian Trail Conservancy (ATC) to your request for comments on the above noted project, which intersects the Appalachian National Scenic Trail (A.T.) at Stecoah Gap between the towns of Robbinsville and Stecoah, in Graham County North Carolina. The A.T. is a unit of the National Park System and is managed in this location through the A.T.'s Cooperative Management System in partnership with the volunteers of the Smoky Mountains Hiking Club, the USDA Forest Service, the NPS Appalachian National Scenic Trail [ANST] and ATC. As a unit of the National Park System the A.T. is a Section 4(f) resource, and due to its age and eligibility for listing on the National Register of Historic Places the A.T. is a Section 106 resource. The ATC notes that the Graham County Commissioners have endorsed the "improve existing" alternative and views the Graham County endorsement as	Comments noted. Thank you for your support of the proposed project.



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Morgan Sommerville (Appalachian Trail Conservancy) (cont.)				<p>critical to assuring this alternative adheres to the purpose of the project, i.e. "to provide the transportation infrastructure necessary for the well-being of local residents by improving mobility and reliability between the existing four-lane section on NC 28 at Stecoah and US 129 in Robbinsville."</p> <p>The ATC has reviewed the EA for Corridor K, STIP Project No. A-0009C and joins with Graham County to support selection of the "improve existing" alternative as the preferred alternative for the project, with the following ATC stipulations: ATC's support of the "improve existing" preferred alternative is dependent upon execution of a Programmatic Agreement to resolve impacts on the ANST under Section 106 and to address Section 4(f) concerns, construction of the proposed land bridge to allow safe passage of wildlife and A.T. hikers across the widened highway at Stecoah Gap, acquisition of the whole private tract of land on the southwest side of Stecoah Gap which will be crossed by the proposed A.T. relocation, construction of a relocation which moves the A.T. from the east side of the ridge to the west side of the ridge to mitigate visual impacts of the widened highway as seen from the A.T., retention of a parking area at Stecoah Gap which may be used by A.T. hikers, and construction of a connector trail between the parking area and the A.T. on the south end of the land bridge. It is the presumption of the ATC that the NCDOT and/or the FHWA will be responsible for completing these stipulations.</p> <p>Thank you for your positive and persistent partnership work to develop this project and for the opportunity to comment. We appreciate your appropriate consideration of the Appalachian National Scenic Trail in the planning of this project. We look forward to successful completion as soon as possible.</p>	
Sandra Gross (Tennessee Citizens for Wilderness Planning)	Support for project	Publicinput.com	19.1	<p>I write on behalf of Tennessee Citizens for Wilderness Planning, an Oak Ridge-based environmental advocacy organization with a longtime interest in Corridor K projects. Much of our state-wide membership recreates on the lands and waters of East Tennessee and western North Carolina.</p> <p>The preferred alternative is a good approach. It is good to improve the existing route, rather than going through the mountains. This option minimizes damage and disruption to wildlife, streams, residents, and businesses.</p> <p>Thanks to Department of Transportation for this thoughtful, strategic approach.</p>	Comments noted. Thank you for your support of the proposed project.



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
David Newsome	Property impacts	Publicinput.com	20.1	I've been getting I've gotten a couple of brochures associated with this corridor k Improvement, and I can't figure out why am I've been selected to get this brochure. I do own some property in Cherokee County, and I'm just wondering if the proposal wage conceivably could affect my property. My name is David Newsom. My telephone number is 828-628-3615.I'd really like to know the answer to this question. If you could please provide that. Thank you.	Hi, Mr. Newsome – Just following up on our phone conversation to let the rest of the project team know that we spoke about your property in Cherokee County and that the portion of the project from Andrews to Robbinsville in Cherokee County is currently unfunded.
Cal Stiles/Van Winkle Law Firm	Property impacts	Mailed comment	21.1	Dear Property Owner: If you have not already been contacted by the North Carolina Department of Transportation ("NCDOT") about property takings for the Corridor K from NC 28 at Stecoah to US 74 East of Andrew project, you likely will be relatively soon. What you may not be aware of is that the amount of compensation offered for condemned property is often far below the full and fair amount required under our North Carolina and United States Constitutions. The Van Winkle Law Firm is committed to our clients in all proceedings relating to eminent domain. Our decades of eminent domain experience include situations and cases affecting owners of single and multi-family homes, apartment buildings, shopping centers, convenience stores, restaurants, industrial properties, commercial properties, timberland, farms, undeveloped land, and tenants of leased property. We have successfully litigated for landowners to jury verdicts involving all sorts of property, recovering amounts greatly in excess of what was offered by governmental condemners. We invite you to have a free conversation with us about this matter by calling 828-258-2991. If you engage our firm to seek just compensation for you, we will do so on a contingency basis; therefore, our fee will be calculated on the amount received above the initial offer. Seeking assistance from a qualified eminent domain defense attorney early in the process is important. Delay can lead to loss of evidence. We encourage you to contact us at your earliest convenience.	As noted in Section 2.1 of the Environmental Assessment, ( <a href="https://www.ncdot.gov/projects/corridor-k/Documents/a-0009c-final-ea-8-26-20.pdf">https://www.ncdot.gov/projects/corridor-k/Documents/a-0009c-final-ea-8-26-20.pdf</a> ), Corridor K from Andrews to Robbinsville (A-0009A) is not included in the current study. Public meetings were held in February 2019 to present study corridors from Andrews to Robbinsville; however, public feedback and the lack of available funding for the entire corridor contributed to the decision to remove the A-0009A portion of the project. As such, the study corridors between Andrews and Robbinsville have not been studied in detail and A-0009A is currently unfunded. Additional details can be found in the project FAQs ( <a href="https://www.ncdot.gov/projects/corridor-k/Pages/faq.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/faq.aspx</a> ). NCDOT selected the Improve Existing Alternative as the Selected Alternative for Corridor K between Robbinsville and Stecoah. Mapping of the Selected Alternative can be viewed on the project webpage. With regard to Corridor K between Robbinsville and Stecoah, NCDOT is holding a virtual public hearing on October 1, 2020 from 6pm to 8pm for the public to receive information on the proposed project and ask the project team questions. Residents can also view printed meeting materials at several locations in the Graham County area: <ul style="list-style-type: none"> <li>o NCDOT Graham County Maintenance Yard 2447 Tallulah Road Robbinsville, NC 28771</li> <li>o NCDOT District 3 Office 191 Robbinsville Road Andrews, NC 28901</li> <li>o Highway Division 14 253 Webster Road Sylva, NC 28779</li> </ul> Although the N.C. Department of Transportation works to minimize the number of homes and businesses displaced by a road project, it is inevitable, in many cases, that a certain amount of private property is needed. Residents can find



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Cal Stiles/Van Winkle Law Firm (cont.)					several resources on the right of way acquisition process on the NCDOT website: <a href="https://www.ncdot.gov/projects/Pages/property-owner-resources.aspx">https://www.ncdot.gov/projects/Pages/property-owner-resources.aspx</a> Citizens can send their questions and comments to the project team: Robbinsville-Stecoah@publicinput.com or contact the team directly.
Pam Lakey	Property Impacts	Publicinput.com	22.1	Yes, this is Pam Lakey and my house is 307 Highway 28 right where they're doing the widening of the road. I've got showing right of way, and it's showing my house in part and most of my land and I need to find out whether or not this is correct or not. Please give me a call back. 828-735-4933	Amy Sackaroff left detailed voicemail answering Mrs. Lakey's question and noted that the Lakey family is welcome to contact the project team with any additional questions.
Anita Holder, Billie Holder, Roger Holder	Property Impacts	Publicinput.com	23.1	Request to maintain access to David M Holder property (at station 43+00LT NC 28); Request to maintain access to Billie and Nina Holder property (at station 117+00 RT NC 28). Access to the Billie and Nina Holder property is via an easement from Hooper but don't want to be dependent on easement for sole access; forced to ford the creek now. Request to maintain access from NC 28 to Michael Holder property (at station 148+00). Request alignment shift as much as possible to Michael Holder property station 146+00 to 156+00 RT, request to maintain access to property, concerned with the grade of the access and if there would be any usable remnant.	Wanda Austin spoke with Holder family to address questions.
	Design question	Publicinput.com	23.2	Concerned with loss of water source at base of fill section on Roger Holder property 150+00 to 153+00 LT. Concerned with sight distance and safety of NC 28 and Gunter Gap Road intersection	
Raymond and Kelly Karr	Property Impacts	Publicinput.com	24.1	<p>If this is not the proper contact email for questions, please forward to the appropriate persons. Thank you.</p> <p>Regarding the proposed replacement of a culvert under NC143 between Orr Branch and Nathan Garland roads. We live on the West side of NC143, but the water to our home comes from a spring on the mountain to the East. The water line travels under the bridge at Nathan Garland, and through the current culvert under NC143. (drawing attached).</p> <p>Will provisions be made to limit the loss of water to our property during this construction? Also, it appears there will be limited impact to our property other than a triangular piece marked out for 'proposed right of way'. I was hoping to obtain clarification as to where that actually is on our existing property.</p>	Mr. Karr, It was a pleasure speaking with you in regards to how your property could be affected on the A-9 project. As mentioned, the design on the Hearing Map is preliminary and there may not be any right of way acquisition on your property. As the final design progresses, we will get a better understanding of any potential impacts. As we discussed with the water line, it will most likely be removed since NCDOT prefers not to have utilities in culverts. Verification of ownership, legal access, and any potential solutions such as relocating the water will be investigated during final design. Please feel to contact us if you have further questions.
Robert Kyle Norcross	Property Impacts	Scanned comment sheet	25.1	My wife and I own multiple tracts of land along the current route that will be impacted by additional ROW. We would like to thank the team for the route that has been chosen. We believe it is the best of all the options that were presented. Engineering has done	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C.). Your comments have been incorporated into the official Public Record. The



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A.2-16

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Robert Kyle Norcross (cont.)				<p>an excellent job of minimizing impacts to homes, businesses, personal property, and the Stecoah Valley. We would like to discuss our concerns personally with a representative from the team.</p>	<p>project team met on November 3, 2020 to review and carefully consider all comments received. Your comments were reviewed and are being considered as the project moves into final design. With respect to your comments regarding the proposed lanes on NC 28 through Stecoah Valley, the project team evaluated a number of traffic scenarios along the entire length of the project. Turning lanes were added where needed due to traffic volumes and the number of turning movements at those locations. It is important to note that the addition of passing/climbing lanes can result in a 20% reduction in all crashes and a 33% reduction in fatal/injury crashes on rural, two-lane roadways. As such, the addition of an extra lane and shoulders on NC 28 will help create a safer experience for all road-users based on the physical constraints that have to be considered in the design. Further, a center turn lane for the entire length of Stecoah Valley would not meet the conditions of the project's formal Purpose and Need Statement to provide the mobility and travel reliability benefits afforded by alternating passing/climbing lanes.</p> <p>If you have any additional comments or questions concerning the proposed Corridor K project, please feel free to contact us.</p>
	Design question	Publicinput.com	25.2	<p>Please consider landscaping and decorative concrete walls along the route. Property owners have planted trees and shrubs along the route to help with noise and cars headlights. Many of these trees will be removed during the widening process. I purchased one tract of land and let the trees grow to specifically block the headlights from my home. On the provided map that shows the A-T crossing it indicates a stepped cut slope wall with landscaping. Can this be provided along the entire route?</p> <p>Please consider a center turn lane replacing one of the proposed lanes from Wolf Creek General Store to Stecoah Heights Road The addition of a center turn lane would allow for much safer movement in and out of side roads. This stretch of highway is heavily used by commercial vehicles entering and exiting a local businesses in Stecoah. One business moves large earth moving machines and trucks in and out of the community mostly using the northern Stecoah Road intersection, this intersection is also advertised as one entrance to the Stecoah Valley Center. Another local business with large trucks uses Hyde Town road Intersection. A restaurant a campground and some other smaller businesses use the Lower Stecoah road intersection. The traffic for Stecoah Valley Center and another campground primarily use the southern Stecoah Road Intersection across from Bill Crisp Road. In conjunction with the center turn lane I ask that you consider acceleration and deceleration lanes at the heavily used intersections of Lower Stecoah Road, both Stecoah Road Intersections and Hyde Town Rd. These lanes would utilize the proposed shoulder width for dedicated turning. The lanes could be created at these intersections by simply narrowing the opposite side shoulder or bike path slightly and increasing the shoulder width on the side requiring the deceleration/acceleration lane. The scenario at the Northern Stecoah Road entrance is particularly concerning - If a car is passing in the uphill passing lane (the center lane) and a car is making a left hand turn (from the center lane) onto Stecoah Road while waiting for downhill traffic to pass an accident could occur as the uphill passing car will be coming out of a corner and have limited sight distance. I do not believe these changes would impact the minimum required speed. I do not believe these changes would impact any additional property outside of your current plan and they should not incur any additional cost as overall width from edge of pavement to edge of pavement would be the same. The value of</p>	





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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Robert Kyle Norcross (cont.)				these changes in terms of safety however would be tremendous.	
	General questions /comment	Publicinput.com	25.3	I attended the public meeting in Stecoah on Tuesday night I am a resident of the community. It is concerning the lack of notices that were provided before the meeting I don't feel that the community was aware of the meeting. Most of the residents I have spoken to were unaware of the meeting. I arrived late as my wife noticed on the Graham Star Facebook page that the meeting was being conducted. I believe some flyers, posters, and signs should have been provided through-out the community. Impacted property owners could have and should have been contacted. The majority of local residents work and many work out of town. In a rural area where the majority of the residents work away from home the decision to have a meeting on a Tuesday night at 5 knowingly limits the local participation to almost zero. I feel a Saturday evening meeting would be more appropriate and would have more community participation. I do not know if the times and dates were set by local county commissioners or the DOT.	
Grey Lakey	Property impacts	Publicinput.com	26.1	To Whom it May Concern: I am a resident of Stecoah. I live on Stecoah Rd., near Hwy 28. I am concerned that the proposed road will not offer adequate benefit to residents when compared to the potential negative impacts, such as noise pollution, destruction of homes and environmental harm. I feel the road would be justified if there were a hospital in or near Robbinsville. If safety of residents is a concern to project leaders, increasing access to healthcare should be an equal priority.	I just wanted to reach out to you regarding your comments on the Corridor K Improvements (A-0009C) project. We appreciate you taking the time to provide feedback and have incorporated your comments into the official Public Record. Since the project restart in 2015, the team has examined various design options to find an alternative that would serve the needs of residents, while minimizing impacts. Part of this process has involved various technical studies and analyses to determine project impacts, including noise, air, and visual impacts. NCDOT conducted a noise study and found that no noise impacts were anticipated with the project due to low traffic volumes. As part of the environmental process, the team has held numerous meetings with resource agencies (including US Army Corp of Engineers, US Forest Service, and the Environmental Protection Agency) to ensure the selected alternative is one that causes the least harm while still being practicable. The A-0009C Team has also held various meetings with environmental stakeholders (including Mountain True, Waysouth, and Wilderness Society) over the years to ensure that local environmental concerns were taken into account. Section 3.0 of the EA



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Grey Lakey (cont.)					(found <a href="#">here</a> ) further details anticipated impacts and measures to address these. Our goal is to provide a project that will address the transportation needs of the area, while maintaining the unique beauty of our mountains. Please let me know if you have any other questions or if it'd be helpful to have a call to discuss your concerns further.
Dawson Jordan	Proposed land bridge	Publicinput.com	27.1	Hi, my name is Dawson Jordan. I'm a resident of Robbinsville North Carolina. And I was just calling in reference to the proposed I guess land crossing that's going on top of Stecoah Mountain. I'd heard that that would cost approximately five million dollars to the land bridge and I just like to leave my personal opinion and I think that's a complete waste of taxpayer dollars. They cross everywhere else. We don't need an abundance of languages around here that perfectly capable animals and wildlife of crossing the road but up a wildlife crossing sign rather than spending five million dollars of taxpayer money funds to put in a land bridge, I believe that is absurd. Thank you.	Emily Love spoke with Mr. Jordan on 10/27/2020 to discuss his concerns regarding the land bridge. Mr. Jordan had no further questions about the project.
Lance Holland	Proposed land bridge	Publicinput.com	28.1	This is Lance Holland. I live in Stecoah. I am a professional location scout for Motion Pictures and other photo projects and I suggest strongly and I love all the ideas of the latest proposal for the corridor, but on the land bridge over Stecoah Gap. You should make accommodations for a photo spot looking East that is an incredible Sunrise photo. I've had several film Crews there. There's people out there shooting it all the time and up from that land bridge you'll be able to see over the trees. So if you don't make a path in some guardrail or something at the edge of it people are going to beat a trail out there anyway, and then fall off the bridge into the traffic just a word. I think this is very important. Thank you very much if you need to contact phone number is 828-488-2531	Emily Love spoke with Mr. Holland on 10/28/2020 regarding his concerns. Mr. Holland had no further questions about the project.
Unknown Citizen 1	Proposed land bridge	Mailed comment	29.1	Like the land bridge to accommodate the Appalachian Trail	Comment noted.
	AT Parking Lot	Mailed comment	29.2	Hope ample parking is included.	Comment noted. As of March 15, 2021, NCDOT is providing right-in/right-out access with bulb-out turnarounds to parking area. Travel flow will be one-way (counter-clockwise) in parking lot. There will be approximately 8 parking spaces.
	Proposed multi-use path	Mailed comment	29.3	I really like the idea of a walkway beside Highway 28.	Comment noted.



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Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Unknown Citizen 1 (cont.)	Design question	Mailed comment	29.4	Hope that turning lanes would be added for Stecoah Road and Hydetown Road. Hope that retaining walls are built that are aesthetically pleasing; also, landscaping to help with noise.	Comment noted.
Rick Davis	Proposed land bridge	Publicinput.com	30.1	Really like the bridge at the AT.	I just wanted to reach out to thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Record. The project team met on November 3, 2020 to review and carefully consider all comments received. Your comments were reviewed and are being considered as the project moves into final design. The final environmental document, called a Finding of No Significant Impact, is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
	AT parking lot	Publicinput.com	30.2	Please include ample parking at this area for visitors and hikers.	
	Proposed multi-use path	Publicinput.com	30.3	Please keep the walking/bike lane in Stecoah. This is a great idea.	
	Design question	Publicinput.com	30.4	Please consider including repetitive buffers along the road at appropriate locations.	
R. Anne Gordon	Proposed multi-use path	Publicinput.com	31.1	No walkway thru Stecoah will take homes and is very dangerous for those walking. Will take septic tanks from 3 homes in Stecoah. Leonard Bridges, R..Anne Gordon. 2 properties	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Records. With respect to your comments about the proposed multi-use path, no residential or business relocations are anticipated due to the pathway. The multi-use path was originally studied due to local request and we will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the multi-use path. The project team will document the decision-making process in the final environmental document, called a Finding of No Significant Impact (FONSI). The FONSI is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
	Proposed multi-use path	Mailed comment sheet	31.2	The walkway "to nowhere" is not needed in our valley. We have a walking trail at our Community Center (not over a 1/2 mile away). No need for "druggies" to have more space to roam our valley. It also affects homes and businesses. Please use the money elsewhere.	
Niki Gibbs	Proposed multi-use path	Mailed comment sheet	32.1	I have questions about the multi-use pathway in Stecoah. Is the pathway necessary? Will it take land or homes that could be saved otherwise? I don't want additional money to be spent on something that isn't necessary or won't be used.	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Records. The multi-use path was originally studied due to local



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A.2-20

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Niki Gibbs (cont.)					requests and no residential relocations are anticipated due to the pathway. We will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the multi-use path. The project team will document the decision-making process in the final environmental document, called a Finding of No Significant Impact (FONSI). The FONSI is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Ty Gibbs	Proposed multi-use path	Mailed comment sheet	33.1	The only question I have is why the money needs to be spent on a sidewalk through Stecoah? There is never anyone walking this road so I see no need to spend tax payer's money on something that might get used by only a few people. If this walkway gets put in how many people will lose land? Also will this cause one homeowner to lose there home over a walkway?	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Records. The multi-use path was originally studied due to local requests and no residential relocations are anticipated due to the pathway. We will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the multi-use path. The project team will document the decision-making process in the final environmental document, called a Finding of No Significant Impact (FONSI). The FONSI is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Kathy Cody	Proposed multi-use path	Mailed comment sheet	34.1	Don't see need in sidewalk	Comment noted. No email or phone number were provided for follow-up.
George P. Smith	Proposed multi-use path	Mailed comment sheet	35.1	Please do not put a sidewalk in Stecoah	Alexa Kennedy spoke with George Smith about his concerns and informed him that his comments would be conveyed to local officials. George had no further comments on the project.
Carla S. Smith	Proposed multi-use path	Mailed comment sheet	36.1	No walk way in Stecoah	



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A.2-21

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Leondus McCracken	Proposed multi-use path	Mailed comment sheet	37.1	The resources of our community is being uprooted for no practical reason other than give a fast paced non residential society access to overrule our small community values and local businesses. For all practice purposes, we just need an xtra lane starting up NC 28 and crossing NC 143 mtn.	Dear Mr. and Ms. McCracken, Thank you for submitting comments on the Corridor K Improvements (A-0009) project. I will be able to answer questions about the noise study for you. The noise study was done by the NCDOT Traffic Noise and Air Quality Group but I am very familiar with the project having been involved with it for 25 years. I tried calling you number to discuss noise with you (828-935-0768) but I could not get through. Perhaps the weather has something to do with it. If you would like to call me at 919-395-6147, I will be happy to answer your questions. I have a copy of the report available and I can look up the area where you live and tell you the findings. Thanks you for your interest in the project.
	Noise effects	Mailed comment sheet	37.2	Who did the survey for impact of noise pollution to the Valley? How will the road control traffic speed for our small community? I live next to Highway 28 and the noise is already at a level of nuisance and the speed of traffic is at times excessive. I can just imagine what it will bring when there is another lane to bring the volume closer to my home and allow greater speeds for traffic to move through our community.	
Donna McCracken	Proposed multi-use path	Mailed comment sheet	38.1	The resources of our community is being uprooted for no practical reason other than give a fast paced non residential society access to overrule our small community values and local businesses. For all practice purposes, we just need an xtra lane starting up NC 28 and crossing NC 143 mtn.	
	Noise effects	Mailed comment sheet	38.2	Who did the survey for impact of noise pollution to the Valley? How will the road control traffic speed for our small community? I live next to Highway 28 and the noise is already at a level of nuisance and the speed of traffic is at times excessive. I can just imagine what it will bring when there is another lane to bring the volume closer to my home and allow greater speeds for traffic to move through our community.	
Traci Burchfield	Proposed multi-use path	Mailed comment sheet	39.1	Putting a sidewalk for a short distance down the side of a four lane is not safe. It would encourage people to walk beside traffic when there is no need. There is a perfectly good walking trail at the SVC. What is the reason for putting a sidewalk along the four lane? Where does it go? Why would it be necessary? We have a walking trail at Stecoah Valley Center for walk or exercising purposes. This is a waste of money plus it would not be safe.	Alexa Kennedy spoke with Ms. Burchfield about their comments and informed them that their concerns would be conveyed to local officials. Traci had no further questions of comments on the project.
Chad Burchfield	Proposed multi-use path	Mailed comment sheet	40.1	I do not see the need for a 16-foot walkway along the 3-lane road. I understand that people will lose there homes due to the construction of the walkway and I disagree with that.	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Records. With respect to your comments about the proposed multi-use path, no residential relocations are anticipated due to the pathway. The multi-use path was originally studied due to local request and we will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the multi-use path. The project team will document the decision-making process in the





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A.2-22

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Chad Burchfield (cont.)					final environmental document, called a Finding of No Significant Impact (FONSI). The FONSI is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
David Hyde	Proposed multi-use path	Mailed comment sheet	41.1	Looking @ Sheet 6, Typical Section, What is the reason for the multi-use path. There is no reason for this. It will only provide a path for ATV's and such to travel, no one ever walks this portion of the roadway. There is no reason to walk here, the elimination of this walk way would reduce cost by allowing a typical embankment slope with a less in height retaining wall - big savings by putting the walkway & retaining wall in will also limit access to property on the south side of Hwy 28. There is one access that was left out of your design, this is a ramp from Hwy 28 to the Holder property. Access from Lower Stecoah Road - I was here when 28 was built & I used the access ramp to get to the property many times. The multi-use path is not needed. No where to go, restricts access to property, elimination of path will be a big cost savings	Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C). Your comment will be submitted into the official Public Records. With respect to your comments about the proposed multi-use path, the pathway was originally studied due to local request for a walkway for recreational and health purposes. We will be conveying your concerns to local officials, who will provide a recommendation on whether or not to pursue the multi-use path. The project team will document the decision-making process in the final environmental document, called a Finding of No Significant Impact (FONSI). The FONSI is scheduled to be complete in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project.
Yvona Hyde	Opposition to the project	Publicinput.com	42.1	What's the purpose? Since there is no more traffic than normal, when the Nantahala Gorge had the slide the present road was fine. Why put money into a road that is not needed. I have lived here all my life and we have done great without a new road. To move a creek over would make fish and other insects not happy. No need in it. It beautiful and fine where it's at. Do not build the road and the walkway. Why? Do you want to build it? Crazy to mess a beautiful community up when tourist also like it the way it is, like we do. Think about it, A WASTE. PLEASE NO CORRIDOR K.	I just wanted to follow up on your comments about the Corridor K project in Graham County (STIP Project A-0009C). We appreciate you taking the time to provide feedback and have incorporated your comments into the Public Record. The purpose of the A-0009C project is to provide the transportation infrastructure necessary for the well-being of local residents by improving mobility and reliability. Limited roadway options cause impaired reliability during winter weather, landslides, and traffic incidents. Steep grades, narrow shoulders, and sharp curves on the existing roads impair mobility within the area. Section 1.0 of the EA (found <a href="#">here</a> ) further details the project needs. Our goal is to provide a project that will address the transportation needs of the area, while maintaining



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A.2-23

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Yvona Hyde (cont.)					the unique beauty of our mountains. I hope this provides a little clarification on the project's purpose and need. Please let me know if you have any additional comments or questions concerning the proposed project.
Nadine Morden	General questions /comment	Publicinput.com	43.1	Hi, my name is Nadine Morden. Just calling to see if I could get a transcript of tomorrow's meeting. Thank you.	Amy Sackaroff spoke with Ms. Morden on 10/8/20 to let her know the timeline for the transcript and that it would be sent to her as soon as it is available. Transcript sent to Nadine on 12/16/20.
Cal Wiederholt	General questions /comment	Publicinput.com	44.1	Please no 4 lane highway between Stecoah and Robbinsville. It would destroy the character of Stecoah and mar the pristine, undeveloped beauty of Graham County	Good morning! Thank you for sharing your thoughts regarding the proposed Corridor K project in Graham County (STIP Project No. A-0009C.). Your comments will be submitted into the official Public Records. The comment period for the October 1, 2020 Public Hearing ends on October 30, 2020. The project team will review and carefully consider all comments received and document the decision-making process in the final environmental document, called a Finding of No Significant Impacts (FONSI). The FONSI is scheduled to be completed in December 2020 and will be posted on the project website at <a href="https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx">https://www.ncdot.gov/projects/corridor-k/Pages/default.aspx</a> upon completion. We appreciate you taking the time to share your thoughts about the proposed project. The proposed improvements to existing NC 143 and NC 28 includes the addition of alternating passing lanes or climbing lanes but there is no plan for a four-lane roadway for the length of the project. There are several locations where the cross-section is four lanes wide, where a passing or climbing lane is transitioning from one direction to the other. The project team will continue to evaluate measures during the final design phase to further reduce anticipated impacts throughout the entire project corridor. Thanks again for your feedback! If you have any additional comments or questions concerning the proposed Corridor K project, please feel free to contact us. Thank you! Amy
Mary Millsaps	General questions /comment	Publicinput.com	45.1	With SECU of Robbinsville. Questions about Corridor K and how it will affect Tulula Road.	Amy Sackaroff spoke with Ms. Millsaps on 10/7/20 and explained project terminus is to the north and that the credit union would not be affected by the proposed project.



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A.2-24

Name	Topic	Means of Comment	Comment No.	Comment Text	Response
Jackson Hurst	General questions /comment	Publicinput.com	46.1	Hi I would like to sign up for project updates and be added to the mailing list for the Corridor K (A-0009C) Robbinsville-Stecoah Project.	Diane Wilson added Mr. Hurst to the project mailing list.
Dan Huff	General questions /comment	Publicinput.com	47.1	I don't have online access and I'd like to get a meeting information and the maps and projects you don't project updates. In my mailbox, cuz I can't access online. So please add me to the list for on mail updates on the edge of a k project here in Stecoah Valley. Thank you.	Meeting materials mailed to Mr. Huff on 9/29/20.

*NOTE: Technical difficulties with the audio recording of the Virtual Public Hearing (VPH) prohibited the verbatim transcription of responses to questions received in the VPH Chat Box; however, the above responses to the Chat Box comments/questions reflect the project information provided at that time.*



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## APPENDIX B

## AGENCY COORDINATION



# Meeting Minutes

**NCDOT STIP No. A-0009C**  
**Concurrence Points 3 & 4A Meeting**  
**11.12.2020, 1:00pm**

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## Attendees

Crystal Amschler (USACE)	Heather Hildebrandt (NCDOT Bike & Ped)
Aaron Williams (FHWA)	Herman Huang (NCDOT PICSviz)
Janet Mizzi (USFWS)	Jamie Lancaster (NCDOT EAU)
Amy Mathis (USFS)	Matt Wilkerson (NCDOT Archaeology)
Erik Crews (USFS)	Jody Kuhne (NCDOT Geotechnical)
Amanetta Somerville (USEPA)	Marissa Cox (NCDOT Biological Surveys)
Elizabeth Toombs (Cherokee Nation)	John Jamison (NCDOT EPU)
Michael Bolt (EBCI)	Mike Sanderson (NCDOT EPU)
Gary Sneed (EBCI)	Carla Dagnino (NCDOT ECAP)
Wanda Austin (NCDOT Division 14)	Jonathan Moore (NCDOT Hydraulics)
Josh Deyton (NCDOT Division 14)	Erik Seiler (NCDOT Hydraulics)
Garrett Higdon (NCDOT Division 14)	Marc Shown (NCDOT Hydraulics)
Dave McHenry (NCDOT Division 14)	Donna Dancausse (Facilitator)
Kevin Mitchell (NCDWR)	Stacy Oberhausen (TGS/NCDOT PM)
Robert Patterson (NCDWR)	Jay Twisdale (TGS)
Marla Chambers (NCWRC)	Randy Henegar (TGS)
Renee Gledhill-Early (NCSHPO)	Ben Henegar (TGS)
Lindsay Ferrante (OSA)	Jimmy Terry (TGS)
Casey Kirby (OSA)	Andrew Topp (VHB)
John Mintz (OSA)	Amber Coleman (Stantec)
Rose Bauguess (Southwestern RPO)	Amy Sackaroff (Stantec)
Michael Bright (NCDOT Utilities)	Steve Smallwood (Stantec)
Jim Dunlop (NCDOT Congestion Management)	Emily Love (Stantec)
Pam Cook (NCDOT TPD)	Thomas Hoppe (Stantec)
Roger Castillo Santamaria (NCDOT TPD)	Alexa Kennedy (Stantec)

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**Purpose:** To obtain concurrence on the Least Environmentally Damaging Practicable Alternative (LEDPA) and Avoidance and Minimization measures.

**Project Status:** The Environmental Assessment (EA) was signed in August 2020. Merger team meetings for Concurrence Points 1, 2, and 2A were held in 2019 and 2020.

**Public Outreach:** Public Meetings were held on February 12 and 14, 2019. A virtual Public Hearing was held on October 1, 2020. Comments received at the Public Hearing included support for the project,





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questions about the multi-use path, and concerns about property impacts. The United States Army Corp of Engineers (USACE) Section 404 Public Notice was posted on September 22, 2020.

**Concurrence Point 3 (LEDPA):** NCDOT selected Alternative 1 as the Preferred Alternative. Alternative 1 meets purpose and need while increasing reliability and mobility in the project area, is supported by local officials and environmental stakeholders, and has adequate funding available to construct. Stantec walked through impacts anticipated with Alternative 1. Relocation impacts are being updated for the Finding of No Significant Impact (FONSI). Cultural resources will undergo a project level Programmatic Agreement. Coordination with United States Forest Service (USFS) is ongoing to determine consistency with the current Forest Service Plan.

- USFS requested impacts be shown as TBD for Forest Service Plan consistency as it has not yet been determined whether the project will be consistent.
- United States Environmental Protection Agency (USEPA) inquired if there were any other comments other than property concerns received for the project.
  - Stantec noted that other comments received included support for the project, support for the land bridge, one opposition to the land bridge, and concerns about the multi-use path.
- USACE noted there were no comments or concerns on their part for the LEDPA decision.
- USACE, United States Fish and Wildlife Service (USFWS), Southwestern Rural Planning Organization (RPO), FHWA, North Carolina Division of Water Resources (NCDWR), North Carolina State Historic Preservation Office (NCSHPO), USEPA, North Carolina Wildlife Resources Commission (NCWRC), and NCDOT concurred with Alternate 1 as the LEDPA (CP 3). USFS will send a letter of concurrence.

**Concurrence Point 4A (Avoidance and Minimization):** The LEDPA includes 2:1 fill slopes, 1.5:1 slopes where possible, expressway gutter and shoulder berm gutter, alignment shifts, and retaining walls to avoid and minimize impacts. Stream and wetland impacts (calculated using a 25' buffer of the slope stakes) were shown for the project.

- NCWRC noted concerns over the Appalachian Trail (AT) crossing in the middle of the land bridge as it might reduce effectiveness of the crossing for wildlife and would prefer for the AT to cross on one side of the land bridge.
  - USFS noted there should be room to move the AT to one side as long as enough vegetation is maintained to mitigate scenery impacts.
- USFWS inquired about the location of the golden-winged warbler.
  - NCDOT Environmental Policy Unit (EPU) noted there are golden-winged warblers located near the parking area at the AT and near the old USFS road below the AT.
    - NCDOT Division 14 noted they are considering habitat enhancement for the species in this area and will include this in the conference consultation.
  - NCDOT Division 14 noted there is another population near the first switchback on NC 143 at Bill Rose Road and they are examining mitigation in this area as well.
- USFS noted the AT stakeholders would like to see the entire tract purchased for the trail relocation as well as mitigation for scenery impacts.
- Stantec noted that USFS sent an email last week with hydrology recommendations and the team is aware of these recommendations. Geotechnical testing has been completed for a good



## Meeting Minutes

portion of the project to test for acidic rock. Based on the low indicators, treatment or other special provisions for acidic rock is not anticipated.

- USACE noted there were no comments or concerns on their part.
- USACE, USFWS, Southwestern RPO, FHWA, NCDWR, WRC, USEPA, and NCDOT concurred with the avoidance and minimization (CP 4A) efforts presented. USFS will send a letter of concurrence. NCSHPO does not participate in CP 4A.

**Next Steps:** The Section 106 Programmatic Agreement is anticipated in December 2020. The FONSI is anticipated for December 18, 2020. CP 4B is anticipated in May 2021 and CP 4C is anticipated in October 2021.

- NCDOT EPU inquired about the type of letting.
  - NCDOT Division 14 noted it would be a conventional letting.
- NCDOT EPU inquired about the type of permit that USACE anticipates.
  - USACE noted the decision had not been made yet, but they will initiate conversations to determine the permit type and will then inform the team.

NEPA/404 MERGER TEAM MEETING AGREEMENT

Concurrence Point No. 3: Least Environmentally Damaging Practicable Alternative

PROJECT NO./TIP NO./ NAME/DESCRIPTION:

WBS Element: 32572.1.FS10

FA No. APD-0074(178)

STIP Project Number: A-0009C

STIP Description: Corridor K Improvements along US 129, NC 143, and NC 28 from Robbinsville to Stecoah.

     No-Build Alternative

**Alternative 1:** This alternative would improve existing roadway shoulders and adding passing/climbing lanes between US 129 south of Robbinsville and the existing four-lane section of NC 28 in Stecoah. In Robbinsville, proposed improvements include: resurfacing, a dedicated eastbound right-turn lane from US 129 to NC 143, dedicated left-turn lanes at Robbinsville High School and Five Point Road (SR1275), and sidewalks from Robbinsville High School's entrance on NC 143 to the intersection of US 129 and Five Point Road (SR 1275). East of Robbinsville, the Preferred Alternative includes: passing or climbing lanes, eight-foot paved shoulders, and dedicated left-turn lanes at Mountain Creek Road, Tatham Road, and Sweeten Creek Road. At the Appalachian Trail, this alternative provides both eastbound and westbound climbing lanes and eight-foot paved shoulders. A land bridge would provide a grade-separated crossing for the Appalachian Trail at NC 143. In Stecoah, this alternative would provide: eight-foot paved shoulders, alternating passing/climbing lanes, a multi-use path on the south side of NC 28 between Stecoah Road and Hyde Town Road, and a slight realignment of Bill Crisp Road to create a four-leg intersection with NC 28 and Stecoah Road.

The Merger Team has concurred on November 12, 2020, with the selection of the Least Environmentally Damaging Practicable Alternative as shown above.

USACE Crystal Amschler 11/13/2020  
66C05A077D234BC... Crystal Amschler Date

NCDWR Kevin Mitchell 11/13/2020  
D9ACAD48D566453... Kevin Mitchell Date

USFWS Janet Mizzi 11/13/2020  
A34136901E66495... Janet Mizzi Date

NCWRC Marla Chambers 11/16/2020  
B1D3DCA076AD4C9... Marla Chambers Date

USFS \_\_\_\_\_  
Amy Mathis Date

SHPO \_\_\_\_\_  
Renee Gledhill-Earley Date

RPO Rose Bauguess 11/13/2020  
261D8411F03544C... Rose Bauguess Date

USEPA Amanetta Somerville 11/13/2020  
4A37089ED457408... Amanetta Somerville Date

FHWA Aaron T. Williams 11/13/2020  
C0454F3AA4374C6... Aaron Williams Date

NCDOI Wanda Austin 11/13/2020  
B88118F1E31C453... Wanda Austin Date

## NEPA/404 MERGER TEAM MEETING AGREEMENT

### Concurrence Point No. 4A: Avoidance and Minimization

#### PROJECT NO./TIP NO./ NAME/DESCRIPTION:

WBS Element: 32572.1.FS10

FA No. APD-0074(178)

STIP Project Number: A-0009C

STIP Description: Corridor K Improvements along US 129, NC 143, and NC 28 from Robbinsville to Stecoah.

The project team conducted avoidance and minimization efforts throughout the preliminary design and planning phase. Below is a summary of avoidance and minimization efforts implemented during the development of the LEDPA (Alternative 4A).

#### Avoidance and Minimization of Jurisdictional Resources

In addition to selecting the Improve Existing Alternative over alternatives that included new location sections, avoidance and minimization measures currently incorporated in the Preferred Alternative design include the following:

- 2:1 fill slopes.
- 1.5:1 cut slopes where possible.
- Expressway gutter and shoulder berm gutter to reduce cross-section width.
- Alignment shifts to avoid relocations and avoid/minimize stream, wetland, and historic resource impacts.
- Alignment shifts and symmetrical or asymmetrical widening for a best-fit alignment to avoid/minimize impacts and reduce earthwork.
- Retaining walls to avoid/minimize impacts and reduce earthwork.
- Land bridge to avoid habitat fragmentation effects and visual impacts for Appalachian Trail users
- Tiered, benched retaining walls with aesthetic treatment to minimize visual impacts at Appalachian Trail

In final design:

- All slopes in jurisdictional areas are anticipated to be the maximum allowable for standard grass lined slopes (2:1) to minimize jurisdictional impacts.
- Minimum applicable typical sections will be proposed throughout the project to minimize jurisdictional impacts.
- Final design will propose retaining and extending existing culverts where practicable to minimize in stream work.
- Effort will be made throughout the project in final design to make slight adjustments to the horizontal and vertical alignments where practicable to minimize jurisdictional, cultural and environmental impacts. Geotechnical design will evaluate steepening slopes in some areas as practicable.

- Consideration will be given to extending existing culvert headwalls vertically, where practicable, in a few locations to avoid stream loss (possible examples are Tulula Creek, downstream end of Sweetwater Creek at Slaybacon Road and upstream end of Stecoah Creek).
- The design team will be prepared at CP 4B and/or 4C to discuss jurisdictional impacts as well as provide a more detailed explanation of minimization efforts made at a specific location, as needed.

The Merger Team has concurred on this date of **November 12, 2020**, the avoidance and minimization efforts as stated above.

USACE  
 DocuSigned by:  
*Crystal Amschler* 11/13/2020  
 \_\_\_\_\_  
 66C05A077D234BC... Crystal Amschler Date

NCDWR  
 DocuSigned by:  
*Kevin Mitchell* 11/12/2020  
 \_\_\_\_\_  
 D9ACAD48D566453... Kevin Mitchell Date

USFWS  
 DocuSigned by:  
*Janet Mizzi* 11/13/2020  
 \_\_\_\_\_  
 A34136901E66495... Janet Mizzi Date

NCWRC  
 DocuSigned by:  
*Marla Chambers* 11/16/2020  
 \_\_\_\_\_  
 B1D3DCA076AD4C9... Marla Chambers Date

USFS  
 \_\_\_\_\_  
 Amy Mathis Date

SHPO  
 \_\_\_\_\_  
 Renee Gledhill-Earley Date

RPO  
 DocuSigned by:  
*Rose Bauguess* 11/13/2020  
 \_\_\_\_\_  
 261D8411F03544C... Rose Bauguess Date

USEPA  
 DocuSigned by:  
*Amanetta Somerville* 11/12/2020  
 \_\_\_\_\_  
 4A37089ED457408... Amanetta Somerville Date

FHWA  
 DocuSigned by:  
*Aaron T. Williams* 11/12/2020  
 \_\_\_\_\_  
 C0454F3AA4374C6... Aaron Williams Date

NC DOT  
 DocuSigned by:  
*Wanda Austin* 11/13/2020  
 \_\_\_\_\_  
 B88118F1E31C453... Wanda Austin Date





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Asheville Field Office  
160 Zillicoa Street Suite #B  
Asheville, North Carolina 28801

November 23, 2020

Dave McHenry  
NC Department of Transportation  
Division 14  
253 Webster Road  
Sylva, North Carolina 28779

Subject: **21-068**, Section 7 Concurrence for Graham County A-0009C Corridor K  
Appalachian Highway Development System; NC WBS: 32572.1.FS10

Dear Mr. McHenry,

On November 3, 2020, we received your letter requesting section 7 concurrence on effects the subject project may have on the federally endangered Indiana bat (*Myotis sodalis*) and northern long-eared bat (NLEB, *Myotis septentrionalis*) 4(d) Rule compliance notification. The following comments are provided in accordance with section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543) (Act).

Additionally, a conference opinion will be developed for golden-winged warbler (*Vermivora chrysoptera*), which is currently under review for listing. So as to avoid any construction delays that might occur if the species were to be listed between now and the completion of project construction, the U.S. Fish and Wildlife Service (Service) will prepare a conference opinion based on the proposed action and conservation measures as proposed by the NCDOT in cooperation with the North Carolina Wildlife Resources Commission (NCWRC) and the U.S Forest Service (USFS), as outlined in a biological assessment or assessment type document, yet to be submitted.

### Project Summary

The North Carolina Department of Transportation (NCDOT) proposes to improve US129, NC143 and NC28 on their existing alignments from the town of Robbinsville, North Carolina to the existing four-lane section east of Stecoah, North Carolina. The proposed work will involve areas of tree clearing, grading, drilling, blasting, removal of man-made structures and a minimal amount of night work with associated temporary lighting.

You have committed to remove trees required for the project during October 15<sup>th</sup> to April 15<sup>th</sup>, avoiding impacts to potentially roosting bats. Additionally, surveys for bats and evidence of roosting bats during surveys on July 8-9, 2019, returned signs of bat usage at one bridge site, which will not be impacted by the proposed work. You have also committed to no additional permanent lighting to the project area; limiting temporary lighting and night work to the single area needed for the wildlife passage/Appalachian Trail land bridge, to be completed over a few

nights between November and March; and demolition of man-made structures only during the winter or after confirming the absence of roosting bats.

With these commitments in place, we concur with your determination that the proposed project may affect, but is not likely to adversely affect, the Indiana bat. Given recent survey efforts we have reason to believe that the Gray bat (*Myotis grisescens*) may also utilize these habitats. However, at this time we have no known records of this species in the immediate project vicinity, although neighboring counties do have current populations. Gray bats forage on a variety of flying aquatic and terrestrial insects present along streams, rivers, and lakes. They migrate between summer and winter roosting habitat and will use transient or stopover caves or cave-like features along the way. The proposed avoidance measures would reduce the probability for take of this animal, therefore, we concur with a ‘may affect, not likely to adversely affect’ determination for this species as well.

As outlined in the Biological Opinion completed on the 4(d) rule for the federally threatened Northern long-eared bat (*Myotis septentrionalis*) on January 5, 2016, this activity is now excepted from take prohibitions for Northern long-eared bat, based on the project location. Project activities in the action area: (1) would not affect a known hibernation site; (2) are not located within ¼ mile of a known hibernation site, or; (3) are not located within a 150' radius of a known maternity (tree) site.

Based on the information provided, we have no concerns for Carolina northern flying squirrel (*Glaucomys sabrinus coloratus*), Appalachian elktoe (*Alasmidonta raveneliana*), spotfin chub (*Erimonax monachus*), Virginia spirea (*Spirea virginiana*), small whorled pogonia (*Isotria medeoloides*), or rock gnome lichen (*Gymnoderma lineare*) given lack of habitat in the project area, lack of field survey results and/or absence of established species distribution within the project area.

Obligations under Section 7 of the ESA must be reconsidered if: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered, (2) this action is subsequently modified in a manner that was not considered in this review, or (3) a new species is listed or critical habitat is determined that may be affected by the identified action.

If you have questions about these comments please contact Ms. Holland Youngman of our staff at 828-258-3939, Ext. 42235. In any future correspondence concerning these projects, please reference our Log Number 21-068.

Sincerely,

Janet Mizzi  
Field Supervisor



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**North Carolina Division Office**

November 17, 2020

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

In Reply Refer To:  
HDA-NC

Ms. Denise Nelson  
Environmental Protection Specialist  
National Park Service  
Appalachian National Scenic Trail  
PO Box 50  
Harpers Ferry, WV 25425

Dear Ms. Nelson:

The purpose of this letter is to request your written concurrence, as the official with jurisdiction over the Appalachian National Scenic Trail (ANST), that the impacts from the proposed North Carolina Department of Transportation (NCDOT) Corridor K (STIP No. A-0009C) project will not adversely affect the activities, features, or attributes of the ANST.

The ANST is both a Section 106 historic resource and a Section 4(f) resource due to its eligibility for listing on the National Register for Historic Places (NRHP) and its protected recreational function. For Federally funded projects such as A-0009C, public parks and recreation facilities are afforded special protection under Section 4(f) of the USDOT Act (recodified in 49 U.S.C. 303 and 23 U.S.C. 138), and Section 6009(a) of SAFETEA-LU (23 CFR 774). Provisions within SAFETEA-LU state that if a transportation project is determined to not adversely affect the activities, features, and attributes of the resource protected under Section 4(f), then a *de minimis* finding can be made by the Federal Highway Administration (FHWA) to satisfy the requirements of Section 4(f).

The improve existing alternative has been selected as the preferred alternative. This alternative would improve existing US 129, NC 143, and NC 28 to include passing and climbing lanes, and paved shoulders between Robbinsville to Stecoah. At the ANST location, a land bridge is proposed to facilitate the crossing of wildlife and pedestrians across NC 143, and would relocate the ANST inside of the land bridge. The proposed land bridge would be approximately 160 feet long, 220 feet wide, and 29 feet tall filled with earth and planted material. The proposed typical section at the ANST includes four 12-foot climbing lanes with eight-foot paved shoulders, two-foot grass shoulders, and a tiered retaining wall. Through coordination with the Appalachian Trail stakeholders and the Advisory Council on Historic Preservation (ACHP), FHWA believes that the proposed project will have no adverse affect on the activities, features, or attributes that qualify the ANST for protection under Section 4(f). Based on this information, FHWA intends to make a *de minimis* finding regarding impacts to the ANST.

As the official with jurisdiction over the ANST, FHWA is requesting your written concurrence on the *de minimis* finding for the proposed A-0009C project. We ask that you respond in writing no later than **Wednesday, December 16<sup>th</sup>, 2020**.

If you have any questions or concerns, please do not hesitate to contact Aaron Williams, of this office, at 919-747-7024 or [Aaron.Williams@dot.gov](mailto:Aaron.Williams@dot.gov).

Sincerely,

*Aaron T. Williams*

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

cc: Michelle Aldridge, USFS  
Amy Mathis, USFS  
Wanda Austin, NCDOT  
Renee Gledhill-Earley, SHPO  
Clarence Coleman, FHWA



## United States Department of the Interior

NATIONAL PARK SERVICE  
Appalachian National Scenic Trail  
P.O. Box 50 (Deliveries: 252 McDowell St.)  
Harpers Ferry, WV 25425

IN REPLY REFER TO:

I.A.1

March 9, 2021

Mr. Aaron T. Williams  
Transportation and Safety Engineer  
U.S. Department of Transportation  
Federal Highway Administration  
North Carolina Division Office  
310 New Bern Avenue, Suite 410  
Raleigh, NC 27601

RE: Corridor K (STIP No, A-009C) Project Section 4(f) Determination for the Appalachian National Scenic Trail

Dear Mr. Williams:

The National Park Service (NPS), Appalachian National Scenic Trail has reviewed your letter dated November 17, 2020 requesting our concurrence with the U.S. Federal Highway Administration's (FHWA) proposed *de minimis* finding for impacts of the proposed Corridor K (STIP No, A-009C) Project (Project) on the Appalachian National Scenic Trail (ANST). The FHWA believes that the proposed Project will have no adverse affect on the activities, features, or attributes that qualify the ANST for protection under Section 4(f) of the U.S. Department of Transportation Act.

The NPS concurs with a *de minimis* finding for the Appalachian National Scenic Trail for this Project as proposed. As noted in your letter, the "improve existing alternative" has been selected and a land bridge that would carry the ANST is proposed to facilitate wildlife and pedestrians across NC 143. The FHWA has consulted with the ANST stakeholders and the Advisory Council on Historic Preservation on development and execution of a Programmatic Agreement to avoid, minimize, or mitigate effects of this undertaking on historic properties including the ANST.

Thank you for consulting with us on this project to avoid adverse effects to the Appalachian National Scenic Trail. Please contact Denise Nelson of my staff at (301) 512-5573 or by email at [denise\\_nelson@nps.gov](mailto:denise_nelson@nps.gov) with any questions or requests for additional information on this matter.

Sincerely,

Wendy K. Janssen  
Superintendent





U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**North Carolina Division Office**

November 17, 2020

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

In Reply Refer To:  
HDA-NC

Mr. Cavan Fitzsimmons  
Acting Forest Supervisor  
U.S. Forest Service North Carolina  
160 Zillicoa Street, Suite A  
Asheville, NC 28801

Dear Mr. Fitzsimmons:

The purpose of this letter is to request your written concurrence, as the official with jurisdiction over the Appalachian National Scenic Trail (ANST), that the impacts from the proposed North Carolina Department of Transportation (NCDOT) Corridor K (STIP No. A-0009C) project will not adversely affect the activities, features, or attributes of the ANST.

The ANST is both a Section 106 historic resource and a Section 4(f) resource due to its eligibility for listing on the National Register for Historic Places (NRHP) and its protected recreational function. For Federally funded projects such as A-0009C, public parks and recreation facilities are afforded special protection under Section 4(f) of the USDOT Act (recodified in 49 U.S.C. 303 and 23 U.S.C. 138), and Section 6009(a) of SAFETEA-LU (23 CFR 774). Provisions within SAFETEA-LU state that if a transportation project is determined to not adversely affect the activities, features, and attributes of the resource protected under Section 4(f), then a *de minimis* finding can be made by FHWA to satisfy the requirements of Section 4(f).

The improve existing alternative has been selected as the preferred alternative. This alternative would improve existing US 129, NC 143, and NC 28 to include passing and climbing lanes, and paved shoulders between Robbinsville to Stecoah. At the ANST location, a land bridge is proposed to facilitate the crossing of wildlife and pedestrians across NC 143, and would relocate the ANST inside of the land bridge. The proposed land bridge would be approximately 160 feet long, 220 feet wide, and 29 feet tall filled with earth and planted material. The proposed typical section at the ANST includes four 12-foot climbing lanes with eight-foot paved shoulders, two-foot grass shoulders, and a tiered retaining wall. Through coordination with the Appalachian Trail stakeholders and the Advisory Council on Historic Preservation (ACHP), the Federal Highway Administration (FHWA) believes that the proposed project will have no adverse affect on the activities, features, or attributes that qualify the ANST for protection under Section 4(f). Based on this information, FHWA intends to make a *de minimis* finding regarding impacts to the ANST.

As the official with jurisdiction over the ANST, FHWA is requesting your written concurrence on the *de minimis* finding for the proposed A-0009C project. We ask that you respond in writing no later than **Wednesday, December 16<sup>th</sup>, 2020**.

If you have any questions or concerns, please do not hesitate to contact Aaron Williams, of this office, at 919-747-7024 or [Aaron.Williams@dot.gov](mailto:Aaron.Williams@dot.gov).

Sincerely,

*Aaron T. Williams*

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

cc: Michelle Aldridge, USFS  
Amy Mathis, USFS  
Wanda Austin, NCDOT  
Renee Gledhill-Earley, SHPO  
Clarence Coleman, FHWA



**File Code:** 1950  
**Date:** March 9, 2021

John Sullivan  
P.E. Division Administrator  
U.S. Department of Transportation Federal Highway Administration  
North Carolina Division Office  
310 New Bern Ave  
Suite 410  
Raleigh, NC 27601

Dear John Sullivan,

The purpose of this letter is to respond to your request for written concurrence that the impacts of the proposed North Carolina Division of Transportation (NCDOT) Corridor K (STIP No. A-0009C) project will not adversely affect the activities, features or attributes of the Appalachian National Scenic Trail (ANST).

In accordance with the recently signed programmatic agreement related to Section 106 resources, including the ANST, NCDOT has agreed to design features at the ANST crossing that ensure that it will not be adversely affected by the selected alternative. Specifically, the current at-grade crossing for hikers at NC 143 will be replaced by a land bridge which will separate hikers and wildlife from vehicular traffic. The ANST will be relocated to align with the land bridge to minimize visibility of the adjacent highway improvements. The design of the land bridge and new crossing will be closely coordinated with NCDOT, the US Forest Service (USFS) and the Appalachian Trail Conservancy, which is a legislatively identified partner to the USFS in the management of the ANST. During construction, a safe pedestrian route and environment will be maintained, including wayfinding signs warning of construction ahead, a clearly marked route for hikers through and around the construction site, and, when appropriate, flaggers to aid hikers in the construction zone.

Current trailhead parking and ANST access on the east side of NC 143 will be retained after construction for parking and access to the eastern side of the land bridge. The scenic experience from the ANST will also be considered in the final design of the land bridge and other elements of highway improvement. A USFS landscape architect will be coordinating with A-0009 Cultural Resource Task Force on design and aesthetics of the land bridge, walls, fences, and ANST location across the land bridge, keeping in mind visitor experience and recreational and scenic values of the ANST.

The Forest Service appreciates the close coordination that Federal Highway Administration and NCDOT has had with the Advisory Council on Historic Preservation, federally recognized tribes, the National Park Service and Appalachian Trail Conservancy on the initial design of the land bridge crossing and looks forward to future coordination on the final design.

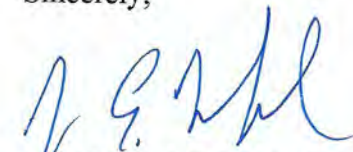


John Sullivan

2

Based on this recently signed programmatic agreement and the project commitments to continue to work together on the land bridge design, the USFS concurs that the proposed project will not adversely affect the activities, features or attributes that make the ANST eligible for Section 4(f) protection. We agree that this project will be a de minimis impact on this resource.

Sincerely,



JAMES E. MELONAS  
Forest Supervisor

cc: Aaron Williams, Clarence Coleman, Michelle Aldridge, Erik Crews