



# MEMORANDUM

**To:** Post Hearing Meeting Attendees

**From:** Peter Trencansky, PE, PTOE 

**Date:** May 4, 2009

**Subject:** **Meeting Minutes to Post Hearing Meeting**  
**I-26 Connector**  
**Project No. I-2513**  
**WBS No. 34165.1.1**  
**Federal Aid No. MA-NHF-26-1(53)**

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The Draft Environmental Impact Statement (DEIS) was signed on March 4, 2008 and made available in the Federal Register on April 11, 2008. A Corridor Public Hearing was held on September 16, 2008 in the Ballroom of the Renaissance Hotel in Asheville and was conducted by Drew Joyner, PE. A Pre-Hearing Open House was held from 3:00 - 6:30 p.m. and the Formal Hearing began at 7:00 p.m. The Alternatives included in the Draft EIS were presented, as well as the Functional Design level maps for a new Alternative, known as Alternative 4B. Participants were encouraged to provide comments for the public record, whether verbally or in writing. Maps and exhibit boards were available for viewing and all attendees received a project handout.

A total of 328 participants signed in at the Public Hearing. NCDOT also received 225 comment sheets, emails, and/or letters regarding the project, a resolution signed by 100 individuals, and a transcript of verbal comments from the 21 individuals who spoke at the Public Hearing. Comments were also received from nine environmental regulatory agencies. A summary of the comments made on the project is presented in the Summary of Comments and Responses.

The Post Hearing Meeting was held in the Structure Design Conference Room at 9:00 a.m. on January 29, 2009 to discuss the comments received on the Draft Environmental Impact Statement and from the Corridor Public Hearing Meeting. The following people attended the post hearing meeting:

Debbie Barbour	NCDOT Preconstruction
Art McMillan	NCDOT Highway Design Branch
Jay Bennett	NCDOT Roadway Design Unit
Scott Blevins	NCDOT Roadway Design Unit
Dewayne Sykes	NCDOT Roadway Design Unit
David Scheffel	NCDOT Roadway Design Unit
Malcolm Watson	NCDOT Roadway Design Unit
David Clodgo	NCDOT Roadway Design Unit
Jay Stancil	NCDOT Roadway Design Unit - Lighting
Teresa Hart	NCDOT Project Development and Environmental Analysis Branch
Derrick Weaver	NCDOT Project Development and Environmental Analysis Branch
Vince Rhea	NCDOT Project Development and Environmental Analysis Branch
Drew Joyner	NCDOT Human Environment Unit
Rick Tipton	NCDOT Division 13 (via teleconference)
James Dunlop	NCDOT Congestion Management Unit
Marshall Clawson	NCDOT Hydraulics Unit

Sarah Smith	NCDOT Transportation Planning Branch
Linh Nguyen	NCDOT Transportation Planning Branch
Van Argabright	NCDOT TIP Development Unit
Katina Lucas	NCDOT TIP Development Unit
Mohd Aslami	NCDOT Traffic Engineering Branch – ITS
Jeff Hemphill	NCDOT Natural Environment Unit
Allen Raynor	NCDOT Structure Design Unit
Thomas Payne	NCDOT Structure Design Unit
Cyrus Parker	NCDOT Geotechnical Unit
Terry W. Fox	NCDOT Geotechnical Unit
John Pilipchuk	NCDOT Geotechnical Unit
Jay Woolard	NCDOT Work Zone Traffic Control Unit
Lawrence Gettier	NCDOT Work Zone Traffic Control Unit
Carl Barclay	NCDOT Utilities Unit
Betty C. Yancey	NCDOT Right of Way Branch
Donnie Brew	Federal Highway Administration
David Baker	United States Army Corp of Engineers (via teleconference)
Heather Strassberger	French Broad River Metropolitan Planning Organization
Ken Burleson	TGS Engineers
Charlie Flowe	TGS Engineers
Jeff Weisner	URS Corporation
Chris Werner	URS Corporation
Peter Trencansky	URS Corporation

**An Executive Summary of the main issues concerning the project is as follows:**

**Executive Summary**

- Numerous comments were received supporting Alternative 4B and requesting that NCDOT include it in the Environmental Impact Statement. NCDOT will include Alternative 4B in a Supplemental Draft Environmental Impact Statement.
- Comments were received requesting the NCDOT consider an alternative with six lanes in Section A of the project. As shown in the DEIS, a six-lane typical section would not meet the Purpose and Need for the project; therefore is not included as a detailed study alternative.
- Comments were received requesting that the selected alternative for the project separate Interstate traffic from local traffic, especially across the Smoky Park Bridges. NCDOT will continue to evaluate all alternatives included in the DEIS, as well as Alternative 4B, and the separation of local and Interstate traffic will be considered an additional benefit, but will not be a requirement when selecting the preferred alternative.
- Concerns were raised regarding the impacts to residences and business and the effect the project will have on the local economy and tax base. NCDOT will include a more in-depth analysis of the effects on the local economy and the tax base in a future environmental document.
- Comments were received requesting greater emphasis on providing multi-modal amenities such as bicycle, pedestrian and transit solutions. NCDOT will continue to work with the public to provide multi-modal amenities to the greatest extent practical during the final design of the project.

## Schedule

Merger 01 Concurrence Point 2/2A Meeting	Fall 2009
Supplemental Draft Environmental Impact Statement	Spring 2010
Corridor Public Hearing Meeting	Spring 2010
Post Public Hearing Meeting	Summer 2010
Concurrence Point 3 (LEDPA) Merger Meeting	Summer 2010
Concurrence Point 4A (Avoidance/Minimization)	Summer 2010
Final Environmental Impact Statement	Early 2011
Record of Decision (ROD)	Summer 2011
Design Public Hearing	Fall 2011

## Summary of Comments and Responses

Comments denoted with an asterisk (\*) require additional follow-up

### Comments Relating to the Purpose and Need for the Project

#### Comment

**Cicada LeFay & Harold Brokaw** – Stated that Need for Proposed Action should include: The need to separate interstate and local traffic; the need to minimize impact of the project on existing housing stock; need to align the project with future infrastructure design goals of Western NC communities; and the need to create a safe alternative route to I-40.

#### Response

Please refer to Chapter 1, Section 1.5.2 of the DEIS where the CCC report and its recommendations are addressed. Many local citizens believe that the separation of local and interstate traffic should be included in the purpose and need. The FHWA and NCDOT considered whether or not to include separation of local and interstate traffic as a need for the project and determined that to do so would limit, or too narrowly define, the range of alternatives that could be evaluated through the NEPA process. The local community has also expressed a desire for the project to address the issue of separating I-240 traffic from Patton Avenue traffic. This issue is addressed in the DEIS and has been considered in the evaluation of alternatives presented in Chapter 2 of the Draft EIS. This issue is also addressed in Chapter 8 of the DEIS. While not identified as a specific need for the proposed action, NCDOT, to the extent possible, tries to avoid and minimize impacts to housing stock and business infrastructure. Residential and business relocations are addressed in Section 4.1.1.2 of the DEIS and are considered in the selection of a Preferred Alternative. In the development of project alternatives, NCDOT has considered the design goals of the local community as addressed in Section 2.5.2 of the DEIS. Creating a safe alternative route to I-40 is not an identified need for the proposed action. I-40 is an east-west route while I-26 is a north south route, thus I-26 cannot serve as an alternative route for I-40.

#### Comment

**Janet Barlow, Leah Karpen, Nick Derchak, Julie K. Nicholson, Myra Fuller, Stephen McConnell, Ulana Mellor, Eleanor Johnson, Bryan Rohr, Megan Williams, Amani Duncan, Bess Baird, Joe Minicozzi, Shawn Robins** – Received 14 comments voicing support to separate local Patton Avenue traffic from freeway

traffic.

Response

Each of the project alternatives studied in the DEIS would remove I-26 traffic from Patton Avenue, while Alternatives 4 and 4B would remove both I-26 and I-240 traffic from Patton Avenue. The alternatives that remove all interstate traffic from Patton Avenue are seen as providing additional benefits and will be considered along with all other identified effects in determining the Preferred Alternative.

Comment

**Richard Laws, Jim Grode** – Stated that Alternatives 2 and 3 do not satisfy the stated Purpose and Need for the project as neither one would "increase the remaining useful service of the existing Smoky Park Bridge by substantially reducing the volume of traffic on this vital crossing of the French Broad River," as the Draft EIS calls for.

Response

Comparing the 2030 No build average daily traffic (109,500 as shown on Figure 1-8b of the DEIS) with the 2030 build traffic of Section B Alternative 2 (74,300 as shown on Figure 2-21) and Alternative 3 (72,600 as shown on Figure 2-22) would substantially reduce the average daily traffic on the Smoky Park Bridges by approximately 35,200 and 36,900 vehicles per day, respectively, in the year 2030. This reduction in traffic would support a stated purpose of the proposed action to increase the remaining useful service of the existing Smoky Park Bridges.

Comments Relating to Alternative 4B

Comment

Asheville Design Center, Yuri Koslen, J. Bicking, Connie Bromley, Lillah & Gary Schwartz, Rachel Bliss, Matthew Ryall, David Patterson, Jose Pepi Acebo, Hugh Huntington, Jessica Jacob, Claire Wells, Alison Climo, Mike Vance, Phil Casey, Robert Shepherd, Steve Glosup, Tom Gallaher, Amy McCuin, Clare Hanrahan, Joe Browning, William Chiveis, Myra Fuller, Stephen McConnell, Mark Small, Nancy Ackerman Cole, Susan Daw, Megan Williams, Shirley Schultz, Bob Mellor, Ulana Mellor, Sharon Fahrner, Vic Fahrner, Robert F. Moore, Jean Webb, Florie Rogers, Jim Hefley, Ira Bernstein, Richard T. Hall, Charles W. Davis, Robbie Sweetser, Robert V. McNeill, Lois L. Esposito, James O. Efland, David Pearson, Sage Linden, Janet Barlow, Sharron K. St. John, Hugh Munro, Joe Fioccola, Rod & Bess Baird, Michael N. Lewis, Dan March, Ryan Reardon, Reid Thompson, Lotte Meyerson, Eric Krause, Alesha Reardon, Joan M. Walker, Peter Brezny, Liz Lipski, Lynn Player, Catherine Cope, Reuben E. Moore, Annabeth Schenck, Totsie Marine, Robert Robinson, Winnie Barrett, Kimberly Hodges, Monica Williams, Inge Robert, James Woolcott, Jim Grode, Julie Mayfield, Bruce Emory, Jim Grode – Received 76 comments voicing support for Alternative 4B and requested that NCDOT include it in the Environmental Impact Statement.

Response

NCDOT has accepted Alternative 4B as a viable project alternative which will therefore be evaluated in a supplemental environmental document.

Comment

Grace Harrison, Lew Gelfond & Susan Jensen, Kyle Cogburn, Ric Zeller, Joyce Birkenholz, Robert V. McNeill, Lois L. Esposito, Katherine Rose, Jo Anne Williams, Laurie K. Miller, Jill Tieman, Sage Linden, Marianne Bailey, W.E. Brewer, Edwin Meek, Simon Goldberg, Susan Drakeford, Janice RuBino, David and Carol Swing, Claire Hester, Kathleen Zeren, Ashley Neikirk, ) Lloyd Sigman, Virginia Senechal, Jessy Kronenberg, Jim Mulrooney, Reid Thompson, Lotte Meyerson, Eric Krause,

Joan M. Walker, Jonathan Wise, Stephanie Pankiewicz, Cleone Black, Elizabeth Morgan, Gail & Nelson Sobel, James Judd, Joe Masters Emison, James Stone, Charles Meason, Allan Wingfield, Jodi Clere, Digby Groove, Jane Knox, Bette Jackson, Randy Bernard, John & Hazel Robinson, Michael Kohnle, Anne Higgins, Martin Barnes, Phil Schaefer, Dan March, Robert McAfoos, Gerald Green, Daniel Windham, Michael Figura, Samantha Schiffer, Jim Samsel, Peggy Lyle, Carol Stangler, Robert Sauer, Jeffery Hersk, Erin Jasin, Ron & Linda Larsen, Bernadette Wolf, Douglas Campbell, Win Southworth, Stan Cross, Eleanor Johnson, Sandra Cordell, Mary Kathleen Riddle, Williams Megan, Addie Emison, Joe Minocozzi, Ron Ainspan, David Brown, Roger Derrough, Brian Huet, Jim Cavener, Wes Reinhardt (FIRC Group, Inc.), Diedra Case, Mary K. Riddle, Herman Laukford, Jim Grode, Sharron K. St. John, Dan March, Michael N. Lewis, Jim Brown, Wes Reinhardt (FIRC Group, Inc.), Liz Lipski, Catherine Cope, Shirley Schultz, Reuben E. Moore, David Cudlip, Elizabeth Mayes, Wade Saunders, Robert Webb Jr., Oscar Wong, Dr. & Mrs. Michael Justice, James Efland, Kim Granelle, Margaret T. Adams, Julia Williamson, Joe Minicozzi, April Daniel, Brian Burns, Cicada LeFay & Harold Brokaw, Amina Spengler, Megan Williams, John Webb, David Testa – Received 106 comments that Support Alt 4-B for *one or more* of the following reasons: 1) it separates I-26 traffic from local traffic; 2) it has the smallest footprint (preserves taxable land); 3) the community has shown support for the alternative; 4) because it is better, not bigger; 5) it conforms to the City of Asheville's 2025 Plan; 6) it is cheaper; 7) it uses less bridges; 8) it reconnects Asheville across the river 9) it was developed by engineers who care; 10) it is the smart growth alternative; 11) it is more aesthetically pleasing; 12) it contributes to a more vibrant Asheville; 13) it allows Patton Avenue to be become a gateway to the city; 14) it has less impact on the environment; 15) it has fewer residential and business relocations; 16) it provides more land for urban redevelopment; 17) it increases walking, biking and public transit opportunities; 18) it enhances connectivity on local streets; 19) and it helps to keep Asheville a small town instead of a big city.

Response

NC DOT has accepted Alternative 4B as a viable project alternative which will therefore be evaluated in a supplemental environmental document. Acceptance of the alternative does not preclude it from evaluation per the National Environmental Policy Act nor does it guarantee its selection as the Preferred Alternative. Alternative 4B will be evaluated at the same level as the other project alternatives studied in the DEIS.

Comment

**Richard Laws, Jim Grode, Jose Pepi Acebo, Laurie Miller** - Stated that Alternative 4B still needs further design modifications, in particular, the area where I-26 crosses Patton Avenue should be modified so that I-26 passes under, rather than over Patton Avenue. Also stated that the French Broad River crossing should be redesigned to create a "signature bridge" as suggested by the Asheville Design Center.

Response

The preliminary design of Alternative 4B is based on the design developed by Figg/Lochner under contract to the City of Asheville and Buncombe County. Several modifications were required due to design issues encountered in the more detailed engineering analysis. As this was the plan proposed by the City and County, it was maintained to the greatest extent possible and was seen as the optimal design alternative that was desired for inclusion in the Supplemental DEIS. The design modifications requested seem to be improvements that were likely evaluated in the development of the functional design plans by Figg/Lochner. In an effort to not delay the project, NC DOT did not re-investigate previous design issues as it was assumed that the proposed plan was what was desired by the City and County. Our design consultant is currently checking to see if it is possible for I-26 to go under Patton Ave with alternative 4B. It may be. It is likely however, it would generate the need for additional onsite detours and cause increased difficulty with construction.

Alternative 4B with I-26 going over Patton Avenue will provide more efficient traffic operations on Patton Avenue at the I-26 ramp intersections, improve the weaving operations between Patton Avenue to SB I-26 traffic and the I-26 SB traffic exiting at US 19-23 Business (Haywood Road) and utilize the existing Patton Avenue/I-240 interchange during construction of the I-26 bridge over Patton Avenue.

The development of a “signature bridge” crossing the French Broad River will be coordinated with the Asheville Aesthetics Committee once a preferred alternative has been selected.

Comment

**Wes Reinhardt (FIRC Group, Inc.)** – Stated that as a representative of the FIRC Group and owner of the Westgate shopping center that he favors Alternative 4B. He stated that Westgate is to be redeveloped and plans are being implemented to build 116 residential units in a 7-story building on the north side of Westgate property.

Response

Comment noted. NCDOT has accepted Alternative 4B as a viable project alternative and it will therefore be evaluated in a supplemental environmental document. Mr. Reinhardt provided NCDOT with a copy of the development plans for this area on March 13, 2009.

Comment

**Michelle Pace Wood** - Stated that Alternative 4B would be too expensive and that the bridges would be way too high.

Response

Comment noted.

Comment

**David Patterson** – Stated that he was appalled by all of the options after viewing the animations and that Alternative 4B no longer even slightly resembles the original design and intent. Stated that the shear scale and placement of this project is unacceptable and that, he, like many Montford residents, have real concerns about the effect of such a large project on their quiet, historic neighborhood.

Response

The potential affects of Alternative 4B on the Montford neighborhood will be studied in a supplemental environmental document. Potential noise impacts and affects to historic resources will be included in the evaluation of Alternative 4B.

Comment

**Jenny & Louis Wilker** – Stated that while they like the fact that 4 and 4B separate I-240 from Patton Avenue local traffic they feel that 4B's design puts too much new traffic east of French Broad and at the west side of Montford. Stated they can already hear the trains faintly and US 19/23 traffic in Montford and Alternative 4B's design will disturb the quiet of Montford to a much greater degree. They prefer that the new highway be kept to the west side of French Broad and to keep Montford quiet.

Response

The potential affects of Alternative 4B on the Montford neighborhood will be studied in a supplemental environmental document. Potential noise impacts will be included in the evaluation of Alternative 4B.

Comment

**Leah Karpen** – Stated that Alternative 4B looked very complicated and hoped that it could be simplified.

Response

Comment noted.

Comment

**Bret Frk** – Stated that as a practicing urban planner/designer in Asheville, resident directly adjacent to the I-26 connector project and board member of the West End Clingman Avenue neighborhood association, that he strongly urges that NCDOT consider "Alternative 4B." Stated that with years of "required" public process and comment, that many times the voices in the community are not heard, falling on deaf ears of a greater process and these voices are sometimes lost to the clamor of prescriptive design standards set forth by conservative design alternatives, and a prescriptive and mandated project timeline. Stated that as it stands today, the project, with the preconceived engineering precedence and conventional engineering solutions, apply a rubber stamp solution to a problem that is more complex than a status quo solution and that the ADC designers, and citizens, have spoken loud and clear that the more intuitive and creative solutions can help lessen the financial, environmental and neighborhood impact of this project. Stated that with clear creativity and massaging of the DOT design standards, a common solution can be achieved with safety, less financial burden, less environmental impact, more pleasing aesthetics, and one which restores the connection to Central and West Asheville. Requested that NCDOT consider a solution that will make a city proud rather than being something which divides a community for generations to come.

Response

NCDOT has accepted Alternative 4B as a viable project alternative which will therefore be evaluated in a supplemental environmental document. Upon selection of the Preferred Alternative NCDOT will further evaluate the designs to determine if avoidance and minimization efforts can be utilized to further reduce the overall footprint and the impacts associated with the project.

Comment

**Bruce Emory, Asheville Design Center** – Stated that the design of the east side interchange (Alt. 4 & 4B) should be tightened up to save up to five houses in the Hill Street neighborhood and the westbound I-240 lanes could be moved adjacent to the eastbound lanes where both roadways should be narrowed from three lanes to two lanes east of the Patton Avenue ramps. Stated that the westbound on-ramp and eastbound off-ramp could be designed as a typical half-diamond ramp, with right-angle turns where the ramps intersect a cross road that connects to Patton which should allow preservation of the Hill Street neighborhood, as well as providing more land for potential infill development on the north side of Patton Avenue. Also stated that there are other design ideas that they have drawn up that they would like to share with NCDOT as well. and that they understand that there will be more opportunity to work this out as the design moves forward and they look forward to that conversation.

Stated that in Alternative 4B, the west side interchange could be made more efficient by using a diamond ramp arrangement on the west side of I-26 at Patton Avenue, as is done with Alternative 4 and that the weaving problem could be solved by adding a new ramp, for traffic wanting to exit at Patton, from southbound I-26 near Riverside Drive to I-240 westbound near the river crossing; which would have a single right-hand lane to handle all exiting traffic to Patton. The new ramp would take property along Riverside Drive, but this would be offset by smaller right-of-way needs along Patton; also, the Riverside Drive property, which is in the flood plain, will be taken in the future by the Wilma Dykeman Riverway Plan, which is part of DOT's approved Comprehensive Transportation Plan. Stated that using a diamond ramp layout at Patton could also allow Patton to cross over I-26, as in Alternative 4 which is preferable in terms of urban design, visual impacts, and potential property re-use.

Also stated that in Alternative 4B, the length of elevated structure next to Riverside Cemetery and the Montford neighborhood could possibly be shortened where one option would be to reduce the number of lanes for I-26 to two each way, and eliminate any space between the northbound and southbound roadways. A second option

would be to shift Riverside Drive to the west side of the railroad to create a wider right-of-way for the new highway and allow I-26 to come down to grade further south which would entail taking land in the flood plain that is already programmed for acquisition for the Wilma Dykeman Riverway.

Response

The preliminary design of Alternative 4B is based on the design developed by Figg/Lochner under contract to the City of Asheville and Buncombe County. Several modifications were required due to design issues encountered in the more detailed engineering analysis. As this was the plan proposed by the City and County, it was maintained to the greatest extent possible and was seen as the optimal design alternative that was desired for inclusion in the Supplemental DEIS. The design modifications requested seem to be improvements that were likely evaluated in the development of the functional design plans by Figg/Lochner. In an effort to not delay the project, NCDOT did not re-investigate previous design issues as it was assumed that the proposed plan was what was desired by the City and County. Re-evaluation of alternative design concepts at this point would cause delays to the project in order to fully evaluate these comments. To this end, NCDOT has evaluated the comments at a conceptual level and provides the following responses:

With regard to the design on the east side of the French Broad River, there may be some limited potential to tighten up the I-240/Patton Avenue interchange east of the French Broad River during the final design stage of the project. The project terminal location on existing I-240 was selected to keep the project from extending into the series of overlapping interchanges to the east beginning at Montford Avenue. At the tie-in point, existing eastbound and westbound I-240 are not parallel and extending the project westward from that point causes the lanes to bifurcate before they can be brought parallel to one another near Hillcrest. Tightening the interchange in any meaningful way will extend the project eastward, requiring the reconstruction of numerous interchanges along I-240 in downtown Asheville. Considering the cultural and historic issues to be resolved in a reconstruction of I-240 further east toward downtown, this is not a reasonable undertaking for this project. Reducing the lanes on I-240 from 3 to 2 in each direction east of the Patton Avenue exit, when the existing facility immediately east of the project terminus consists of 3 lanes in each direction, is poor design and creates lane continuity and capacity problems for the interstate facility. The concept of a half-diamond interchange at Hill Street was investigated previously. There is insufficient room to provide for queuing between the ramp terminal and Hill Street and the ramp terminal and Patton Avenue. If Hill Street were to be shifted to provide space for queuing and traffic operations, more property impacts would be realized than with the current design.

With regard to the design on the west side of the French Broad River, the ADC proposal to create a connection between I-26 southbound and I-240 westbound on the east side of the French Broad River and use a single diamond ramp exit from I-240 to Patton Avenue carrying all of the exiting traffic from both facilities is an unique concept. There would be no traffic weave, eliminating some of the ramp separation issues and braided ramp requirements of the other alternatives for Section B. There are, however, several problems with the proposal. Some of the more substantial problems are: 1) the traffic exiting from southbound I-26 may cause encroachment problems into Riverside Drive and the railroad or constructability problems for I-26 over US 19-23; 2) the geometry of the exit, along with the distance required to effect the grade change between the two facilities will extend the ramp over the French Broad River requiring an additional bridge and another on-structure ramp merge; 3) this exit would require the relocation of at least three additional businesses along Riverside Drive; and 4) this exit would further encroach on the former landfill east of the French Broad River. Additionally, the introduction of a diamond interchange at Patton Avenue would introduce substantial access problems for existing development and increase the project footprint in the northwest quadrant.

With regard to the length of the elevated structure in the vicinity of Riverside cemetery, six lanes are needed along I-26 to accommodate future traffic demands. In addition, the eventual extension of the I-26 design northward is currently planned in the French Broad River MPO's *Transportation 2030: The Long Range Multi-Modal Plan for Buncombe, Haywood, and Henderson Counties* as a six lane facility. Reducing the number of lanes on I-26 through the elevated section of the facility will create capacity problems on the interstate that will be cost-prohibitive to cure

with a future widening project. Therefore, a four-lane I-26 through the Montford neighborhood is not a feasible option. The second option of relocating Riverside Drive to the west side of the railroad would require the introduction of additional railroad crossings and or grade separations. If the railroad is not relocated, relocating Riverside would require two additional at-grade crossings of the two facilities. This was investigated earlier in the conceptual design of Alternative 1 and found to be resisted strongly by the railroad. Grade separations of the facilities are possible, but very difficult considering the proximity of the two facilities. In addition, grade separations would need to be entirely on structures or would encroach on the existing floodplain and interfere with the redevelopment plans for the area because of the elevation requirements for Riverside Drive. Moving either Riverside Drive or the railroad (or both) westward will also require encroaching into the landfill introducing hazardous material disposal concerns, and increasing the cost of the alternative.

Comment

**Western North Carolina Alliance and the Southern Environmental Law Center** – Stated that they urge NCDOT to address in a supplemental Draft EIS the alternative proposed by the Asheville Design Center (ADC) as modified by Figg Engineering and Lochner Engineering during Consultations with the DOT, and make this alternative the Preferred Alternative as this project moves forward.

Stated that the modified ADC alternative now has passed any conceivable test of engineering standards and there can be no question that this alternative is a reasonable alternative that must be addressed in a supplemental Draft EIS pursuant to the National Environmental Policy Act (NEPA). Additionally, both Figg and Lochner considered that the original ADC alternative they presented to the DOT fully met all engineering standards for consideration as an alternative and inclusion in the Draft EIS; however, in an effort to work with DOT, they met multiple times with DOT staff and addressed multiple points the DOT raised, taking the ADC alternative through at least two further iterations to its current modified status. Stated that at this point, DOT representatives committed to Figg and Lochner that the modified ADC alternative, known as Alternative 4B, would be addressed as an alternative in the EIS process, and Board of Transportation member Alan Thornburg made a similar commitment to representatives of the City of Asheville and that if the DOT fails to address this alternative through a supplemental EIS, such action not only would violate NEPA, it would mock the extensive process engaged in by the City of Asheville, Buncombe County, and Figg and Lochner and call into question DOT's good faith in engaging in this process.

The Western North Carolina Alliance and the Southern Environmental stated that beyond meeting engineering standards and inclusion in a supplemental Draft EIS, the modified ADC alternative should be chosen as the Preferred Alternative as this alternative has strong support from the City of Asheville, Buncombe County, and many members of the public. They further stated that this alternative best meets the goals of the report of the Community Coordination Committee, which was adopted by the City of Asheville and Buncombe County and it is the only alternative that fully meets the Asheville 2025 Thoroughfare Plan. Stated that this alternative will take less land, leaving more land available for development and redevelopment, and will best preserve and augment the tax base of the City and County and it presents the only opportunity to unite all of these entities and the citizens of this region in support of this project design; and the DOT and the FHWA would be foolish not to seize this opportunity to move forward with the modified ADC alternative.

Stated that previous comment letters have included extensive outlines of NEPA requirements for consideration of all reasonable alternatives which the comments will not repeat and that suffice it to say that failure to consider and address the modified ADC alternative in a supplemental EIS, and in the final EIS would be a gross violation of NEPA.

Response

NCDOT has accepted Alternative 4B as a viable project alternative which will be evaluated in a supplemental environmental document pursuant to the National Environmental Policy Act. Alternative 4B will be evaluated at the same level as the other project alternatives studied in the DEIS. Selection of Alternative 4B as the Preferred

Alternative (especially prior to full evaluation in a NEPA document) solely on the basis of support from the City of Asheville and many members of the public without considering each alternative's potential effects on the social, physical and natural environments would be a violation of NEPA. The selection of a Preferred Alternative will take into consideration the environmental impacts of each alternative, operation considerations, and input received from the public and regulatory agencies. The Final EIS for the project will address the reasonable project alternatives and will describe the reasons for selection of a yet to be identified Preferred Alternative. It should also be noted that contrary, to the statement that Buncombe County supports Alternative 4B, the County recently passed a resolution in support of Alternative 3.

Comment

**Yuri Koslen, J. Bicking, Jessica Jacob, Claire Wells, Alison Climo, Robert V. McNeill, Sage Linden, Reid Thompson, Lotte Meyerson, Eric Krause, Joan M. Walker, Grace Harrison, Lew Gelfond & Susan Jensen, Kyle Cogburn, Ric Zeller, Joyce Birkenholz, Katherine Rose, Laurie K. Miller, Jill Tieman, Marianne Bailey, W.E. Brewer, Edwin Meek, Susan Drakeford, Lotte Meyerson, Cleone Black, Elizabeth Morgan, James Judd, Charles Meason, Gerald Green, Daniel Windham, Michael Figura, Samantha Schiffer, Jim Samsel, Peggy Lyle, Carol Stangler, Erin Jasin, Bernadette Wolf, Douglas Campbell, Win Southworth, ) Stan Cross, Kim Granelle** – Received 36 comments stating that they feel there are problems with aspects of Alternative 4B; however they urge NCDOT to choose it for the route and then work with their community to resolve aspects that are problematic.

Response

The design of Alternative 4B must be in accordance with AASHTO's *A Policy on Design Standards – Interstate System* which states that "The highways of this system (Interstate System) must be designed to ensure safety, permanence, utility, and flexibility to provide for predicted traffic growth." The primary goal for this project is to provide a safe facility that accommodates projected traffic. In the view of NCDOT and FHWA the design criteria for the proposed project is appropriate and any design revisions would need to fulfill the goal of the project. Measures to further integrate the goals and desires of the ADC will be considered further as long as they do not conflict with the requirement of providing a safe facility that accommodates the projected traffic. There may be limited ability to make minor changes to the alternative, however it is not likely, due to the constrained nature of the study area that the design be modified substantially from its current form.

**Comments Relating to the Number of Lanes in Section A of the Project**

Comment

**Yuri Koslen, J. Bicking, Matthew Ryall, Mary Ellen Brown, Hugh Huntington, Jessica Jacob, Claire Wells, Alison Climo, Mike Vance, Leah Karpen, Amy McCuin, Clare Hanrahan, Rhonda Davis, William Chiveis, Megan Williams, Joyce Birkenholz, Katherine Rose, Laurie K. Miller, Jill Tieman, Sage Linden, Janet Barlow, Ryan Reardon, Alesha Reardon, Peter Brezny, Doug Barlow, Totsie Marine, Jason Williams, Kim Granelle, Simon Goldberg, Susan Drakeford, Janice RuBino, David and Carol Swing, Claire Hester, Kathleen Zeren, Ashley Neikirk, Jessy Kronenberg, Wes Reinhardt (FIRC Group, Inc.), Diedra Case, Lu Young, Richard Brown, Margaret T. Adams, Michael McDonough, Connie Bromley, Rachel Bliss, Lara Lustig, Mary K. Riddle, Lillah & Gary Schwartz, Tom Burnet, Lara Lustig, Joe Fioccola** – Received 50 comments voicing opposition for the 8-lane cross section through West Asheville included with all previous alternatives.

Response

The typical section for the project was evaluated in Section 2.5.2.2 of the DEIS and shows that no fewer than eight lanes will accommodate the projected future traffic volumes; therefore any typical section with less than eight lanes was not considered a reasonable alternative and was eliminated from further study.

Comment

**Asheville Design Center, Bruce Emory, Cleone Black, Elizabeth Morgan, Charles Meason, Donald Barnett, Carol Stangler, Celia Naranjo, Jim Grode, Mary Kathleen Riddle, Amina Spengler, Jeff Huffert, Shawn Robins, Julie Mayfield, Ron Ainspan, David Brown, Roger Derrough, Brian Huet, Donald Barnett** – Received 18 comments stating that for Section A, NCDOT has only considered the option of widening the existing road from four lanes to eight. The commentators felt that under NEPA, this is plainly inadequate. Also felt that current traffic projections indicate that traffic loads can be comfortably handled by four lanes throughout the project period and that accordingly, NCDOT must consider alternatives for Section A involving four and six lanes, not just eight lanes.

Response

The typical section for the project was evaluated in Section 2.5.2.2 of the DEIS and shows that no fewer than eight lanes will accommodate the projected future traffic volumes; therefore any typical section with less than eight lanes was not considered a reasonable alternative and was eliminated from further study.

Comment

**Kenneth & Una Mullis** – Stated that NCDOT should go ahead with the eight lanes of the I-26 connector project because it seems in the long run that it will be the most cost effective way to complete the construction and relieve traffic congestion.

Response

Comment noted.

Comment

**Nick Derchak** – Stated that eight-lanes is good.

Response

Comment noted.

Comment

**Margaret T. Adams** – Stated that months ago in the Asheville Citizen-Times recommended that I-240 be six lanes with space for two center lanes becoming a median that could be converted, making eight traffic lanes, if ever necessary. She stated that she was pleased to see this reiterated again in the editorial of September 21.

Response

In accordance with the American Association of State Highway and Transportation Officials (AASHTO) *A Policy on Design Standards – Interstate System* “Each section of the interstate highway shall be designed to safely and efficiently accommodate the volumes of passenger vehicles, buses, trucks – including tractor-trailer and semi-trailer combinations, and corresponding military equipment estimated for the design year.” Therefore, the section of I-240 will be constructed to accommodate the design year volume, which requires the eight-lane typical section.

Comment

**Western North Carolina Alliance and the Southern Environmental Law Center** – Stated that for the reasons stated in previous comment letters, the DOT and FHWA are committing an equally gross violation of NEPA in failing to consider alternatives of less than eight travel lanes for Section A of this project. They also state that NEPA requires that, at a minimum, the DOT consider and address alternatives of six travel lanes and six plus auxiliary lanes for Section A.

Response

The typical section for the project was evaluated in Section 2.5.2.2 of the DEIS and shows that no fewer than eight lanes will accommodate the projected future traffic volumes; therefore any typical section with less than eight lanes was not considered a reasonable alternative and was eliminated from further study.

Comment

**Amina Spengler** – Stated that the reason our state and federal government keeps pushing 8-lanes of traffic is so nuclear waste can be transported to the Savannah River plant. She stated there is a huge plan to take all of the nuclear waste from northeast coming down Highway 81, the Midwest, coming down highway 75, and 26 is a perfect connector to go right down through South Carolina to the processing plant.

Response

The reason that the project is being designed as an eight-lane freeway is in accordance with AASHTO's *A Policy on Design Standards – Interstate System* which states that "The highways of this system (Interstate System) must be designed to ensure safety, permanence, utility, and flexibility to provide for predicted traffic growth." The need for eight-lanes is based on meeting the predicted traffic volumes along I-26 in the design year.

**Comments Related to the Overall Project**Comment

**Michael McDonough** – Stated that considering the monetary investment of the action the project should promote the integration of transportation and land use planning.

Response

NCDOT reviewed and considered the project's consistency with local land use plans. The project compatibility with existing land use plans is addressed in Section 4.1.2 of the DEIS.

Comment

**Betsey Russell** – Stated that she does not support the I-26 connector and that Alternatives 2 and 3 do not take local concerns into account at all. Feels that Alternatives 4 and 4B are slightly better, but feels that 6-lanes would be better than 8.

Response

NCDOT will study Alternative 4B in a supplemental environmental document. As documented in Chapter 2 of the Draft EIS, NCDOT considered and evaluated 6-lanes versus 8-lanes.

Comment

**Nick Derchak** – Recommended that NCDOT minimize the number of bridges.

Response

NCDOT will include the minimum number of bridges necessary for the project. Upon selection of the Preferred Alternative NCDOT will further evaluate the designs to determine if avoidance and minimization efforts can be utilized to further reduce the overall footprint and the impacts associated with the project.

Comment

**Vance Reese** – Requested that NCDOT make the entrance and exit lanes longer between I-40 and UNC-Asheville.

Response

The designs for all alternatives are being developed based upon current design standards which will provide for increased length to enter and exit the freeway.

Comment

**Bruce Emory, Joe Minicozzi** – Stated that the project scale and design/construction should match the character of the community. Also requested that NCDOT consider context-sensitive design and that they take advantage of the flexibility by FHWA in developing a "good design that is sensitive to its surrounding environment."

Response

According to the Federal Highway Administration, Context Sensitive Solutions (CSS) is "a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility." The design criteria for the project was develop in accordance with AASHTO's *A Policy on Design Standards – Interstate System* which states that "The highways of this system (Interstate System) must be designed to ensure safety, permanence, utility, and flexibility to provide for predicted traffic growth." The primary requirement for this project is to provide a safe facility that accommodates projected traffic while fitting the context of the existing environment to the greatest extent possible. CSS is a balancing of the prescribed design criteria with the effects on the natural and human environments. NCDOT has strived to provide this balance and in the view of NCDOT and FHWA the design criteria and proposed design alternatives for the proposed project are appropriate and integrate the fundamentals of CSS. Many of the proposed revisions that have been requested would have negative effects on mobility and safety that, in the opinion of NCDOT and FHWA, outweigh the benefits realized from their implementation. FHWA has the final design decision making authority for interstate facilities and any variance from their standards would require their approval.

Comment

**Rod & Bess Baird** – State that their offices were located in Westgate Shopping Center for many years and that the difficulty of navigation with the current layout is long standing and improvement is needed. Stated that the need for improvement has to be balanced with the need to build community connectivity and that the current highway policies divide the communities they pass through while they connect us to distant places. Stated that the local community cannot be sacrificed for distance travel, particularly as they have to reduce their fuel consumption.

Response

Throughout the project development process project planners and engineers look to identify ways to, at a minimum, maintain community connectivity and, if practicable, provide improved access to community resources.

Comment

**Dan March** – Stated that he has been a civil engineer for many years and has studied and observed the impacts of interstates that bisect cities. States that Wytheville, Virginia is a good example of what they do not want to happen to Asheville, where I-81 divided the town and encouraged strip development along the exits in town. Stated that the character of the town has been reduced to the lowest common elements of fast food shops, convenience stores, and outlet stores with the older stores, buildings, and areas of Wytheville having been cut off from each other while the center of the city is decaying.

Response

NCDOT recognizes that access to transportation is one of many factors that can influence land use decisions. The potential effects of the project on land use and development are addressed in Section 4.2 of the DEIS. The

City of Asheville is responsible for land use planning within its jurisdiction.

Comment

**Scott Miller, Cynthia & Jeff Alleman** – Stated that everyone at the public hearing was very helpful.

Response

Comment noted.

Comment

**David Brown, Roger Derrough** – Made a request to evaluate community concerns and perspectives to the highest possible level of decision making in the final design of the connector.

Response

NCDOT has considered community input throughout the project development process and will continue to do so throughout the project development and design process.

Comment

**Zac Altheimer** – Stated that the arteries and tentacles extending in so many directions reminds him of the highways in Atlanta, but not of larger North Carolina cities such as Charlotte or Greensboro. Feels that it all looks very out of scale for Asheville, as if this highway system should support a city many times larger than ours.

Response

The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations.

Comment

**Shirley Shultz** – Stated that she would like all of the plans to give access to the River District.

Comment

Response

The proposed action would not adversely affect existing access to the River District. The City of Asheville's current transportation network provides access to the River District. Providing direct access to the River District from the interstate system is not an identified or demonstrated need for or purpose of the project.

Comment

**Asheville Design Center** – Stated that other major goals in the Community Coordinating Committee (CCC) report are: matching the scale of the project to the character of the community; and minimize neighborhood, business, and environmental impacts and that the alternatives as currently designed do not meet these goals. Stated that the alternatives retained for further study should be refined to reflect context-sensitive design principles where the alignment, and especially the interchanges, should fit into the urban framework. Stated that sprawling suburban-type ramps are not appropriate along Patton Avenue and that NCDOT should take advantage of the flexibility that is permitted by FHWA in developing "good design that is sensitive to its surrounding environment" (Flexibility in Highway Design, Federal Highway Administration).

Stated that there appears to be some confusion about the design standards used for the project as The DEIS refers to a 50 mph design speed for the I-240 portion of the project; however, a sheet received from Figg Inc. indicates a design speed of 60 mph for I-240. The ADC requests that NCDOT consider using slower speeds for certain elements of the project, as permitted by FHWA guidelines, in order to reduce the project's footprint in

sensitive areas including the I-240 bridges over the French Broad River in Alternative 4B, and the ramps to and from Patton Avenue in all alternatives.

Response

The *Asheville City Development Plan 2025* includes a discussion of the I-26 Connector project and includes the recommendations from the *Report of the Community Coordinating Committee for the Design of the I-26 Connector through Asheville*. It should also be noted that the *Asheville City Development Plan 2025* states that “These goals and strategies typically require separate actions on the part of City Council, City staff, or other boards and agencies; consequently, periodic adjustments to the plan will be necessary to reflect the actual actions that are taken as the goals and strategies are considered, modified, and/or implemented and as circumstances change. To this end, the *Asheville City Development Plan 2025* must be considered as a guide for decision-making, rather than the final decision on any particular issue.” Therefore the *Asheville City Development Plan 2025* is considered a guidance document and consistency with the plan will be evaluated by the project team and taken into consideration when a Preferred Alternative is selected.

The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations. Impacts to neighborhoods, businesses, and the environment are addressed Chapter 4 of the DEIS. Potential impacts of Alternative 4B will be addressed in a supplemental environmental document. NCDOT is familiar with the flexibility in design afforded by FHWA and will work with FHWA to design the proposed action to avoid and minimize impacts to the greatest extent possible. The design speed of 50 mph for the I-240 portion of the project, as stated in the DEIS, is correct. The design of I-240 for Alternative 4B is identical to the design for Alternative 4 which is designed for 50 mph. Therefore, it is unlikely that the design would change from what is currently proposed for either Alternative 4 or 4B.

**Comments Denoting a Preference or Aversion to an Alternative (in addition to those comments received on Alternative 4B included previously)**

Comment

**Buncombe County Board of Commissioners** – Provided the minutes from the January 6, 2009 Board of Commissioners Meeting that included a motion to endorse Alternative 3 that was approved.

Response

Comment noted.

**Asheville Area Chamber of Commerce** – Provided a letter stating that the Chamber of Commerce had completed a comprehensive analysis on the four design alternatives including 2, 3, 4, and 4B of Section B of the I-26 Connector project. In its deliberations, the Chamber stated that they dedicated thoughtful consideration to the following criteria in evaluating the design options: 1) Maintain the view-shed along the French Broad River; 2) minimize the impact on the Montford Historic District, the oldest local Historic District in Asheville – particularly related to noise and visual impact to the District and Riverside Cemetery; 3) maintain Westgate Plaza and protection of land value along the west side of the French Broad River; 4) minimize the impact on the developable land along the east side of the French Broad River north of Patton Avenue; 5) maintain the potential of a walkable, pedestrian friendly connection across the French Broad River from east and west; 6) minimize the repetitive local eastbound and westbound travel distance and gasoline consumption; 7) minimize the impact on the east-west skyline with I-26 crossing under Patton Avenue; 8) minimize the environmental impact on the French Broad River and banks of the river; 9) provide future opportunities on the east side of the river to allow for better access to downtown from West Asheville.

The Asheville Area Chamber of Commerce Board of Directors voted on November 25, 2008 to recommend the selection of Alternative 3 for Section B in the NCDOT I-26 Connector project. They stated that Alternative 3

meets the requirements of the criteria captured above concerning the quality of life, economic prosperity, protection of the environment, the safety of visitors and local citizens, and the beauty of the Asheville community. The Chamber Board encourages NCDOT to study the existing interchange on the west side of the river for simplification and looks forward to discussing important aesthetics considerations for the project and signature enhancements of the bridges.

Response

Comment noted.

Comment

**Wes Reinhardt (FIRC Group, Inc.)** – Stated that he endorses Alternative 4B and opposes Alternative 2.

Response

Comment noted.

Comment

**Michael McDonough** – Requests that NCDOT not spend any more time and money looking at Alternatives 2 and 3, because the community will not accept either.

Response

According to the NEPA process, NCDOT is required to consider and evaluate all reasonable alternatives or a reasonable range of alternatives.

Comment

**Dennis Hulsing** - The owner of Crown Plaza Resort supports a hybrid of Alternative 2 for the following reasons: 1) smaller environmental footprint; 2) less stream impacts (bridges and culverts); 3) shortened project length (miles); 4) fewer interchanges; 5). least amount of tax dollars expended .

Response

Comment noted.

Comment

**Salvatore M Clarizio Jr, Elizabeth Mayes** – Stated that NCDOT should consider reducing focus of study to just Alternatives 4 and 4B.

Response

According to the NEPA process, NCDOT is required to consider and evaluate all reasonable alternatives or a reasonable range of alternatives.

Comment

**Scott Shuford, Scott Shuford** – Stated that Alternative 4 is better than 4B for the following reasons: 1) private land acquisition is essentially the same for both; 2) community impact is lesser for 4; and 3) Alternative 4 costs less than 4B; 4) Alternative 4B creates an increase visual barrier between portions of Montford and Riverside Cemetery and the French Broad River; 5) Alternative 4B enhances interstate noise potential in the Montford and Riverside Cemetery areas; 6) Alternative 4B creates greater effects on the Hillcrest and Montford neighborhoods; 7) the noise and visual impact of 4B will be greater west of the French Broad River due to Patton Avenue crossing over the interstate; 7) that despite general community desire to separate local and interstate traffic where possible, 4B continues the mixture of 19-23 and I-26 traffic for a significantly longer stretch than Alternative 4,

creating greater noise and visual impacts on sensitive neighborhoods east of the French Broad River; 8) Alternative 4B imposes a visual barrier that effectively transforms historic Riverside Cemetery into "Roadside Cemetery"; 9) Alternative 4B creates a significantly more "structured" approach to the roadway design than Alternative 4; which seems at odds with an oft-stated community desire to have roadways blend into the natural topography and environment to the degree possible and to not create "Atlanta-like" interstate designs and that it is almost as though the ADC design was fabricated solely to create a "signature bridge" opportunity in a location visible from the Smoky Park bridges; the biggest problem is that such a bridge would, due to its scale, overwhelm its surroundings. Mr. Shuford also stated that it seems abundantly clear that Alternative 4B suffers greatly in comparison with Alternative 4 despite the significant community support continues for 4B, which is largely due to its continued promotion by the ADC.

Response

Comment noted.

Comment

**Rachel Bliss, Michelle Pace Wood, Andrew Holcombe, Phil Casey** – Stated that they think it is necessary regarding Sections A and C that they take the plan that will cost the least, acquire the least amount of private property, and have the least impact on the environment. Stated that this would mean that Section C, F1 would be the best option and that they were sorry that there are no more than one option for Section A.

Response

According to the NEPA process, NCDOT is required to consider and evaluate all reasonable alternatives or a reasonable range of alternatives. Given the location of Section A, alternatives other than improve existing would have additional impacts to the neighborhoods east and west of I-240 within this vicinity. Regarding Section C alternatives, the selection of the Preferred Alternative for each section will be based upon a full evaluation/comparison of all alternative impacts and will include a review of agency and public comments summary.

Comment

**Mary Ellen Brown, Laura Casey** – Stated that they support Alternative 4 and 4B because they have been developed by the Asheville community.

Response

Comment noted.

Comment

**Lu Young** – Requested that NCDOT approve a plan that makes Patton Avenue and the Smokey Park Bridge a city way and not a part of I-240, either Alternative 4 or 4B.

Response

Comment noted.

Comment

**Thomas Humphrey** – Stated that he has a slight preference for Alt 4 over Alt 4B, although it would involve more land it does not have the double-decker roadway.

Response

Comment noted.

Comment

**Ann Hartline** – Stated that she thinks Section B Alternative 3 looks good because it avoids multiple bridge building. Also stated that it has one of the highest residential and business relocations and inquired if there is any way to re-examine that impact. Stated that if this is an impact of major multiple bridge building then they may have to look at losing more houses/businesses.

Response

Upon selection of the Preferred Alternative, slight modifications to the design may be made in an attempt to avoid or minimize impacts resulting from the construction of the project.

Comment

**Andrew Holcombe** – Stated that he would support Alt 2 or 3 for Section B.

Response

Comment noted.

Comment

**Pete Hildebrand, Cecil C. Beumer** – Stated that they support Alternative 2 for Section B.

Response

Comment noted.

Comment

**Bruce Emory** - Voiced support for Section C alternative F1 because it is a fully functional layout and is much less costly than the other alternatives.

Response

Comment noted.

Comment

**Bob Mellor** - Voiced support for Section C alternative C2.

Response

Comment noted.

Comment

**Sharon Fahrer, Vic Fahrer** – Stated that they prefer Alternative F1 at location C and with the money that is saved, NCDOT can use it for Alternative 4B.

Response

Comment noted.

Comment

**Joe Fioccola** – Stated that for Section C, Alternative A2 is too big, but Alternative C-4 is a good and efficient design (with a half Cloverleaf). Also stated that a full cloverleaf should also be considered and that all full access interchanges should be standardized merges from the right lane and weaves should be minimized.

Response

All interchange configurations were developed based upon existing/future capacity demands as well as design limitations and constraints. Of the current alternatives being considered, there is no Section C Alternative C-4; according to Mr. Fioccola's description of the alternative as "half cloverleaf," it appears Mr. Fioccola may be referring to Alternative C-2.

Comment

**Margaret Penland** – Stated that she would prefer the (Section B) Alternative 2, even though it means they would have to move, and that the newest Alternatives 4 and 4B will just surround them with a lot of noise. Ms. Penland stated that Alternative 4B would take a part of their lower pasture and a building with the I-240 ramp being close to house #225. She is concerned about what this will do for them and whether they will be able to sell. Ms. Penland also suggested NCDOT make the decision regarding what is best for traffic flow through the state.

Response

Comment noted.

Comment

**Amani Duncan** – Stated that she would be concerned if the alternative that brings more traffic onto Hazel Mill Road and therefore Westwood Place is chosen.

Response

Comment noted.

Comment

**Wes Reinhardt (FIRC Group, Inc.)** – Stated that Alternative 2 fails to address the transportation requirements of their area and would have the greatest impact on small business owners. Stated that the West Gate Shopping Center has been a community epicenter, regional landmark and business incubator for 50+ years and will undergo a major redevelopment in 2008/2009 that will transform it into a modern lifestyle center. Furthermore, this mixed-used project is being developed with sensitivity to community and environment with new retail, office and residential components that will have long-term positive economic impacts on our region.

Response

All alternatives carried to this point have been deemed reasonable alternatives regarding the purpose and need for the project. Additionally, the selection of the Preferred Alternative for each section will be based upon a full evaluation/comparison of all alternative impacts which will include impacted businesses. If these plans have been approved by the city, NCDOT should seek to obtain a copy.

Comment

**Bryan Rohr** – Stated that he supports the plans to keep Westgate shopping mall as it is; a strong community resource and a vibrant link between the City of Asheville (downtown) and west of Asheville.

Response

Comment noted.

Comment

**Joe Fioccola** – Stated that Alternatives 2 and 3 do not work to reduce traffic on the Smoky Park Bridges and for that reason should be eliminated from consideration.

Response

All alternatives carried to this point have been deemed reasonable alternatives regarding the purpose and need for the project.

Comment

**Asheville Design Center** – Stated that it is very important that the Preferred Alternative meet the goals of the Community Coordinating Committee (CCC) report and the City of Asheville’s 2025 Plan which call for separation of local and interstate traffic on the Smoky Park Bridge and that since Alternatives 2 and 3 do not meet the adopted City goals, we recommend that they be eliminated from further consideration.

Response

The *Asheville City Development Plan 2025* includes a discussion of the I-26 Connector project and includes the recommendations from the *Report of the Community Coordinating Committee for the Design of the I-26 Connector through Asheville*. The separation of local and interstate traffic is not included in the list of recommendations included in the *Asheville City Development Plan 2025* section discussing the I-26 Connector Project, but is mentioned as strategy to improve and strengthen connections between downtown and surrounding areas. It should also be noted that the *Asheville City Development Plan 2025* states that “These goals and strategies typically require separate actions on the part of City Council, City staff, or other boards and agencies; consequently, periodic adjustments to the plan will be necessary to reflect the actual actions that are taken as the goals and strategies are considered, modified, and/or implemented and as circumstances change. To this end, the *Asheville City Development Plan 2025* must be considered as a guide for decision-making, rather than the final decision on any particular issue.” Therefore the *Asheville City Development Plan 2025* is considered a guidance document and consistency with the plan will be evaluated by the project team and taken into consideration when a Preferred Alternative is selected.

Comment

**Fredilyn Sison, Karen L. Kellow, David McConville, David Pearson** – Received 4 comments stating that Alternatives 2 and 3 do not meet the goals developed through community consensus, so they should not be considered further.

Response

Comment noted. All alternatives carried to this point have been deemed reasonable alternatives regarding the purpose and need for the project.

Comment

**Shawn Robins** – Stated that Alternatives 2 and 3 are cheaper because they do not address any of the problems on the east side of the bridge and that they simply leave them with the same mess that they have now.

Response

Comment noted. All alternatives carried to this point have been deemed reasonable alternatives regarding the purpose and need for the project.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that for Section C they prefer alternative F-1 which is the best due to its simplicity and the fact that it consumes less of the landscape. Stated that for Section B: Alternatives 1 and 2 are terrible ideas and that NCDOT should not consider any option that destroys Westgate Shopping Plaza; Alternative 3 does not separate local and Interstate traffic and therefore should be rejected; Alternative 4 is only one of the state's designs which they think is OK because it destroys less houses and disconnects the freeway from Patton Ave and allows reconnection of Westgate and Hillcrest to the city in ways that are bicycle and pedestrian friendly; Alternative 5 and the UEBP Alternative should not be considered because they do not

support the goals of walkability or bikeability in and out to Hillcrest and Westgate and would further separate the Hillcrest community from the city by the addition of additional bridge structures in that area; the ADC Alternative is the best design from their point of view and as opposed to the states Alternative 4, it creates only one new bridge across the river, minimized the new roadway footprint and separates local and interstate traffic.

Response

Comment noted.

Comments Relating to Project Development Process

Comment

**US Environmental Protection Agency** - The EPA notes that as soon as NCDOT completes its traffic analysis, the alternative proposed by the Asheville Design Center needs to be formally presented to the Merger 01 team for potential consideration.

Response

The alternative proposed by the Asheville Design Center, now known as Alternative 4B, will be presented to the Merger 01 team once the preliminary design and updated traffic capacity analysis are completed.

Comment

**City of Asheville** – Stated that the document doesn't fully address the alternative endorsed by the Asheville Design Center (ADC) and that while it is mentioned in several sections of the document, the messages seem to contradict one another and are somewhat confusing. The City of Asheville requests an opportunity to comment on all of the option after the endorsed ADC alternative is added to the document.

Response

The ADC Alternative (Alternative 4B) will be included in a future environmental document and the City of Asheville will have the opportunity to provide comments during the comment period prescribed by NEPA.

Comment

**Fredilyn Sison, Karen L. Kellow, David McConville** – Stated that this is a huge community redevelopment project and should be planned by a multidisciplinary team of urban planners, landscape architects, architects and including local planning teams.

Response

The project has been developed by a multi-disciplinary team of engineers, planners and environmental scientists, as well as through coordination with numerous regulatory agencies as a part of the Merger 01 process. Additionally, through public involvement opportunities, all comments received are considered and play a vital role in guiding and shaping the outcome of the project.

Comment

**David Cudlip** – Recommended that NCDOT do a random sample of the users (their customers) and see what they would like. Or, at the least, do a cost-benefit analysis and publish the results in a full-pager in the Citizen-Times. He felt that there should be a true airing among the parties-at-interest, ventilating the pros and cons.

Response

The public involvement process has been structured such that all interested parties are able to provide comments and state a preference for what they would like, with this summary serving as the documentation of the process.

Comment

**Robert Webb Jr.** – Questioned why there is only one alternative for Section A and felt there should be at least two.

Response

As stated in DEIS, Section A is a best-fit design for the widening and reconstruction of I-240. Having a single best-fit design that minimizes impacts to the human and natural environments is typical for widening and reconstruction projects.

Comment

**Michael McDonough** - Requested NCDOT to retool the project design team to include other design professionals that are committed to addressing design issues other than highway design. Also requested that NCDOT consider slower design speeds on I-240 to allow better ramps (gateways) and tighter footprints, land planning principles, etc. Also stated that with the modifications by NCDOT and Figg/Lochner, the promising concept of the original ADC Alternative was degraded and now seems no better than Alternative 4. Stated that the work of NCDOT and Figg/Lochner in the winter and spring of 2008 certainly addressed highway engineering concerns, but also completely failed to integrate all the other design issues the ADC highlighted and promoted to the community.

Response

The project has been developed by a multi-disciplinary team of engineers, planners and environmental scientists, as well as through coordination with numerous regulatory agencies as a part of the Merger 01 process. Additionally, through public involvement opportunities, all comments received are considered and play a vital role in guiding and shaping the outcome of the project.

In accordance with AASHTO's *A Policy on Design Standards – Interstate System* “The highways of this system (Interstate System) must be designed to ensure safety, permanence, utility, and flexibility to provide for predicted traffic growth.” The primary requirement for this project is to provide a safe facility that accommodates projected traffic and in the view of NCDOT and FHWA the design criteria for the proposed project is appropriate and the design revisions required were necessary in order to fulfill the goal of the project. Measures to further integrate the goals and desires of the ADC will be considered further as long as they do not conflict with the goal of providing a safe facility that accommodates the projected traffic.

Comment

**Betsey Russell** – Stated that she is alarmed to see the public housing complex, Hillcrest, completely surrounded by interstate highways and she agrees with her neighbors that a project of this size must include a more thorough review and planning process, with local urban planners, architects, landscape designers, etc. as part of the team working with DOT. Stated that the impact of what DOT currently proposes is too much for their city and the surrounding neighborhoods and it would be more appropriate for a larger metro area like Raleigh, Charlotte, or maybe Atlanta.

Response

The project has varying levels of effect on the Hillcrest housing complex, including alternatives (Alternative 4 and 4B) that provide improved access and connectivity that allow the complex to be less isolated than it currently is. Additionally, Alternatives 2 and 3 do not include any construction in the vicinity of the Hillcrest housing complex and will not change the existing environment in any appreciable manner.

Comment

**Nick Derchak** Stated that there were too many alternatives.

Response

In accordance with NEPA regulations “the Draft EIS must discuss a range of alternatives, including all “reasonable alternatives” under consideration and those “other alternatives” which were eliminated from further study.” The Draft EIS Alternatives, as well as Alternative 4B, constitute a range of alternatives which are considered reasonable and are appropriate to carry through the NEPA process.

Comment

**Asheville Design Center** - ADC would like to urge NCDOT to engage again in the public process. Stated that the City of Asheville's Technical Review Committee must be provided an opportunity to review and comment on NCDOT's alterations to the 4B Alternative, as should the Asheville Design Center. Stated that NCDOT's revised Alternative 4B should be presented to the Asheville City Council and the Buncombe County Commissioners as soon as possible to ensure that the alternative considered by NCDOT in its environmental review process is consistent with the intentions of the community.

Response

Copies of the preliminary design plans developed for Alternative 4B by NCDOT have been sent to the City of Asheville for distribution to Buncombe County and the ADC, as a means of soliciting input on the proposed design.

Comment

**Michael McDonough** – Stated that collaboration has been reluctant and poorly executed and that NCDOT has not facilitated a process or proposed an alternative that promotes consensus. Stated that design decision-making authority has not been offered to local or regional design agencies.

Response

Copies of the preliminary design plans developed for Alternative 4B by NCDOT have been sent to the City of Asheville for distribution to Buncombe County and the ADC, as a means of soliciting input on the proposed design. The next step is to receive comments from the City, County and ADC on the design of Alternative 4B. The Merger 01 project team includes a representative from the French Broad River Metropolitan Planning Organization who serves as voice for the local agencies. While comments relating to design elements are encouraged from local agencies, final design decision-making authority for interstate facilities is held solely by the Federal Highway Administration and will not be delegated to local agencies.

Comment

**Megan Williams & Andrew Euston** – Stated that Mr. Euston, as an author in 1967 of the original preamble language of the “National Environmental Policy Act of 1969” – its Section 102(2) (A) mandates an interdisciplinary approach to all federally-aided environmental design. They fear that failure to address the transportation facility fundamentals of urban environmental design by a full separation of local and interstate traffic and by the freeing up of the Patton Avenue crossing over the French Broad River gorge only invites, in the final instance, the dreaded prospect of court suits and delays of the regions needed connector.

Response

The project has been developed by a multi-disciplinary team of engineers, planners and environmental scientists, as well as through coordination with numerous regulatory agencies as a part of the Merger 01 process. The National Environmental Policy Act requires all “reasonable alternatives” that meet the purpose and need for the proposed project be evaluated; however NEPA does not require a “full separation of local and interstate traffic”

as it is not included as part of the purpose and need for the project.

### **Comments Relating to Interchange Locations and Designs**

#### *Comment*

**Amani Lyn Duncan** - Voiced opposition to having an interchange at Westwood Place or Hazelwood Drive.

#### *Response*

The designs presented to the public showed modifications (with similar traffic patterns) to the existing Hazel Mill Road access to I-240 and Patton Avenue, and none of the alternatives propose an interchange at Westwood Place.

#### *Comment*

**Joe Fioccola** – Stated that the fix to the Hanover St. ramp was a good improvement and that the design reconnecting Amboy Road to Fairfax/Virginia/Brevard was excellent.

#### *Response*

Comment noted.

#### *Comment*

**Janet Barlow** - Voiced support for connecting Amboy Road to Brevard Road without having to get on the expressway.

#### *Response*

Comment noted.

#### *Comment*

**Tom Burnet, Mike Vance** – Requested that NCDOT change Amboy extension to 2 lanes for traffic with bicycle and pedestrian accommodations.

#### *Response*

The Amboy Road redesign was developed to accommodate future NCDOT Transportation Improvement Program (TIP) project U-4739, which will widen Amboy Road/Meadow Road to a multilane facility from I-240 to US 25. Additionally, improvements to Amboy Road/Meadow Road are consistent with the French Broad River MPO's Comprehensive Transportation Plan. The Amboy Road improvements have been designed to provide 5-foot bike lane in both directions, with 10-foot berms to accommodate pedestrians. At this time, NCDOT has not had a request from the City to provide sidewalks in this location, if a sidewalk were to be requested it would be coordinated based on the NCDOT Pedestrian Policy Guidelines.

#### *Comment*

**Keith Levi** – Stated that he is concerned about the ease of accessing Amboy Road from the proposed Virginia Avenue interchange. He stated that he was told this was proposed to be a right turn only intersection and wanted to know how cars will access Amboy eastbound from Virginia Avenue.

#### *Response*

The connection of Virginia Avenue to the extended Amboy Road was included in the design at the request of the City of Asheville to improve connectivity in this area. The spacing requirement for a median opening does not meet current NCDOT policy. Traffic would access Amboy eastbound via other streets in the area. The location of additional access points and median breaks may be evaluated in greater detail once a preferred alternative is selected and the project moves forward into the final design phase.

Comment

**Jolene Earnhardt** – Stated that she did not understand the impact of extending the Amboy Road extension and questioned why the project would ruin a beautiful city park by adding high volume traffic lanes in an area that children, couples, dogs, and citizens utilize daily and nightly. Requested that the design consider the pedestrian safety when expanding Amboy Road.

Response

According to the DEIS, impacts to Carrier Park would be considered minor and would consist of purchasing right of way from an area which is currently used as Amboy Road frontage parking for the park. According to City of Asheville Park and Recreation officials, future plans for the park call for removal of this parking, given the city has created additional parking areas within the park. The Amboy Road improvements have been designed to provide 5-foot bike lane in both directions, with 10-foot berms to accommodate pedestrians.

Comment

**Jeffrey Lawson** – Would like to request that Virginia Avenue be blocked at Amboy Road rather than intersect at westbound Amboy Road because the street is already busy and opening the south end of Virginia Avenue would increase dangerous and fast traffic flow. Also stated that the present plan would cost the City of Asheville money to put speed abatement on Virginia Avenue, or else the City risks seeing more accidents on a narrow residential street.

Response

The connection of Virginia Avenue to the extended Amboy Road was included in the design at the request of the City of Asheville to improve connectivity in this area.

Comment

**Brett McCall** – Stated that Craven Street is not a satisfactory option.

Response

Currently the designs do not show any improvements to Craven Street. The designs presented to the public showed modifications (with similar traffic patterns) to the existing Hazel Mill Road access to I-240 and Patton Avenue, with no interchange proposed at Westwood Place.

Comment

**Claudia Nix** - Would like to suggest that in Section C when NCDOT puts in the divider on Brevard Road near Hominy Creek Bridge that a space across from the Hominy Road access be included so bicycles traveling toward Haywood Road would have protection while waiting for clearance to make the left turn onto the Hominy Park access.

Response

Comment noted. The connections to greenways and pedestrian facilities is an element that will be studied in greater detail once a preferred alternative is selected and will likely occur during the development of the final design plans.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that for Section A there is not very much traffic that gets on and off of the freeway at Amboy Road and that this is not a movement that is very important to preserve. Stated that the current design reconnects Amboy Road access to the freeway and down to Brevard Rd and this preserves and enhances the movement from Amboy to Brevard Rd., but with unnecessarily large roadways, a two lane road is

more than adequate to carry the minimal amount of traffic which this road gets. Also felt that a two lane bridge with shoulders should be wide enough for Amboy to cross the freeway and that a six lane bridge seems to be way more than is necessary.

Response

The connection of Virginia Avenue to the extended Amboy Road was included in the design at the request of the City of Asheville to improve connectivity in this area. The Amboy Road redesign was developed to accommodate future NCDOT Transportation Improvement Program (TIP) project U-4739, which will widen Amboy Road/Meadow Road to a multilane facility from I-240 to US 25. Additionally, improvements to Amboy Road/Meadow Road are consistent with the French Broad River MPO Comprehensive Transportation Plan.

Comment

**Joe Fioccola** – Stated that for Section B Alternative 4 that it would be better if the two new bridges for I-240 traffic were just one bridge double decked instead of going through Appalachian Stove at 329 Emma Street and that it makes good sense that double and even triple decking bridges will have a smaller environmental and stream impact.

Response

Comment noted.

**Comments Relating to Property Impacts and Right-of-way Acquisition**

Comment

**Christopher F. Gilbert** – Wanted to know if any of the proposed I-26 renovation plans have the potential to impact the properties located at 231 Haywood Street in Asheville North Carolina.

Response

Response provided by Drew Joyner of NCDOT via e-mail on 9/4/08 stating that -“None of the project alternatives directly impact the properties.”

Comment

**Andrew Holcombe** – Stated that it should be very important for homeowners to receive fair market value for their homes.

Response

In accordance with the Uniform Relocation Act, fair market values are used in the purchasing or acquisition of property.

Comment

**Dennis Hulsing (Hulsing Hotels, Inc.)** – Stated that he owns the properties located at 1 Resort Drive, The Landing Strip, and also holds a 99-year lease with a 99-year option to renew on the property adjacent to 1 Resort Drive known as "Cooper." Mr. Hulsing stated that he has invested millions of dollars in the new construction and renovation of several projects and all of the construction is almost complete and both Asheville's industry and local communities will benefit from these new facilities. He would like to reiterate his concerns of losing the Crowne Plaza Resort's beautiful views of downtown and the use of the new facilities.

Response

Comment noted.

Comment

**Larry Brookshire (B&B Pharmacy)** – Stated that the proposed project would have a substantial negative effect on his business, B&B Pharmacy, and that he hoped that the design could be modified to provide direct access to the parking lot behind his business. He also felt that the impact would be to the entire community as they are the last full service pharmacy in Asheville.

Response

The rear parking lot at the B&B Pharmacy on Haywood Road will have access via Hanover Street. The proximity of B&B Pharmacy building to the proposed exit to Haywood Road does not allow access to the rear parking lot from the western side of the building. Access to this parking lot directly from Haywood Road could be provided east of the building but would require agreement from the adjacent property owner. This can be considered during the preparation of final design plans.

Comment

**Lael Gray** – Inquired what the impact on the residents of Westover and Hibrighton in the Montford Community in Asheville would be, and how would they be protected or compensated.

Response

Response provided by Drew Joyner of NCDOT via e-mail on 10/16/08 stating that “It appears that none of the alternatives in Section B impact you or your neighborhood. As such, there will be no right-of-way claim, or compensation for any losses, with you or your neighbors as part of this project.” There currently are no direct impacts to the neighborhood; however this evaluation does not include a detailed analysis of Alternative 4B which will be included in the Supplemental DEIS. The Supplemental DEIS will also evaluate indirect impacts to the property such as noise and visual effects.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that in the DEIS, unless there is a plan to relocate structures, the word "Relocation" should be changed or the labels should include the word "Demolitions" or some similar correctly descriptive word, in order that these labels be factual. The number of properties and associated acreage which will be taken by the government for this project from other entities, both private and public should be included in the EIS as a table. Also the impact of land takings and structure demolitions should be explicitly stated and elucidated.

Response

Comments noted. Per the Uniform Relocation Act, the term “relocation” is commonly used when describing permanent relocation of a tenant as a result of an acquisition of real property, in this case associated with the construction of a project.

Comment

**\*Revonda Ball** – Stated that her and her parents live at the end of Westwood Place (Parcel #'s 267 & 269) and despite attending the meetings they are still in the dark as to whether the project is going to take their homes or not. They would like to know how the project will affect them.

Response

The properties located at 267 and 279 Westwood Place are located outside of the project corridor study area and will not be directly impacted by this project. Drew Joyner (NCDOT) discussed this with Ms. Ball in a telephone call.

Comment

**Joe Fioccola** – Stated that excess right-of-way should be returned to the community for redevelopment or park uses.

Response

The re-use of current right-of-way is not determined until after a project is completed and would need to be conducted in accordance with the NCDOT Right of Way Disposal and Control of Access Committees Operating Procedures as detailed at:

[http://www.ncdot.org/doh/PRECONSTRUCT/traffic/tepl/Topics/A-02/A-02\\_op.pdf](http://www.ncdot.org/doh/PRECONSTRUCT/traffic/tepl/Topics/A-02/A-02_op.pdf)

Additionally, because this is an Interstate project, approval from FHWA may also be required if federal funds were utilized in the purchase of the original right-of-way. Numerous additional issues could still exist that may be problematic for redevelopment of the reverted property, especially due to the utilities and associated easements remaining in place once the property is transferred if they are not required to be relocated as part of the construction of the project.

**Comments Relating to Project Cost**Comment

**Joe Minicozzi** – Stated that the ADC had community presentations upcoming on design work between Hillcrest/River area and Downtown. Requested additional information, mostly pertaining to cost, including: 1) digital copy of 15-page handout from 9/16/08 meeting, 2) List of quantities that were used to create the Construction Cost for each Alternative; 3) List of unit prices used to create the Construction Cost for each Alternative, 4) The total number of acres of right-of-way estimated for the ROW cost estimate for each Alternative in Section B. Also provided notice that ADC is meeting with appraiser to discuss real estate costing and valuation used in the land data.

Response

The information requested was provided by Rick Tipton, NCDOT Division 13 Construction Engineer via e-mail on 10/10/2008. Mr Minicozzi and Mr. Tipton have discussed meeting the appraiser, but at this point no meeting has been scheduled.

Comment

**Tracy Porshia** – Stated that Alternative 4B must cost so much more than the other alternates and inquired if the Design Center was going off of NCDOT numbers or if they were creatively undercosting the Alternative to get things their way.

Response

Prior to NCDOT accepting Alternative 4B as a detailed study alternative, the Asheville Design Center stated that the cost would be less than Alternative 4. Cost estimates developed by NCDOT using the same methodology for alternatives now show that Alternative 4B will have a total construction cost of \$365 million, compared with construction costs for Alternative 2 (\$157 million), Alternative 3 (\$197 million) and Alternative 4 (\$308 million).

Comment

**Jolene Earnhardt** – Requested that NCDOT re-use/move/relocate all the new plantings installed summer 2008 in the I-26 north area between Amboy Road and Brevard Road and that if not done it would be a grave waste of taxpayer money and time, not to mention against the community spirit of Asheville's reduce, reuse, recycle spirit.

Response

Comment noted. Detail related to landscaping and the re-use of existing materials will be coordinated further as final design plans are developed.

Comment

**Asheville Design Center** – Stated that they question the cost estimates for Alternative 4B that were presented at the September public hearing with the table that shows almost identical right-of-way costs for Alternatives 4 and 4B despite the north end of Alternative 4 taking a large swath of land west of the river and north of Emma Road that is not touched by Alternative 4B, which uses existing DOT right-of-way for its northern section. Stated that they also believe that the design refinements requested could result in significantly lower costs for both construction and right-of-way and they are open to continuing their conversation with Asheville representatives from NCDOT on this, and that they can share their information on property if it will help the conversation.

Response

The right-of-way costs presented at the September public hearing were based on the functional design plans (which did not include right-of-way lines) for Alternative 4B and required some substantial assumptions. The right-of-way costs will be updated based on the approved preliminary design plans and included in future environmental documents. It should be noted that the right-of-way costs are a combination of the costs to acquire the right-of-way for the project and the cost of relocating utilities that will be affected by the proposed project. Due to the extent of construction and age of many of the utilities it was assumed that all alternatives in Section B would likely incur the same utility cost of \$37 million.

Comments Relating to Project Schedule

Comments

**Michelle Pace Wood, Margaret Penland, Josh Hallinger, Joe Browning, Tracy Porshia, M.C. Williams** – Requested that NCDOT move this project in a timely manner so that it is not delayed further and stated that this important project for the region is very much needed.

**Donald King** – Stated that the project is extremely resented by this community of Buncombe County & Asheville residents and that these projects should have been completed between a decade or two ago. Stated that the project should have been constructed not only for user safety but the finances would have been multi millions of dollars less.

**Larry Cornett** – Stated that as a resident and business owner for 26 years, he wished the DOT would stop listening to "the greens" and start this project. Also stated he was in favor of taking Westwood and Earth Fare.

Response

Comments noted.

Comment

**\*Cecil C. Beumer** – Inquired when NCDOT would notify property owners if Section B Alternative 3 was selected.

Response

Vince Rhea (NCDOT) sent a letter on February 5, 2009 stating that the current schedule calls for a selection of a preferred alternative in December of 2009. A newsletter or other public notification will be issued at that time as the outcome is of interest to many people.

Comments Relating to the Construction of the Project

Comments

**Robert Shepherd** – Stated that major attention must be given by State/Local officials to traffic mitigation during the years of construction.

**Sharon Martin** – Stated that on behalf of the community it is requested that, as much as possible, that the workforce be from sources from Asheville and the local community.

**Lu Young** – Stated that West Asheville has again become an economic and residential center vital to Asheville and urges NCDOT to provide, as best as they can, access to West Asheville during the construction of this project.

Response

Comments noted.

Comment

**\*David Spray** – Stated that their Board of Directors is interested in speaking with DOT regarding their thrift store at 624 Patton (Western Carolina Rescue Ministries). Stated that their location may be of value to NCDOT for staging the project as it includes direct access off of the I-240 Interchange and south side of Westgate, has warehouse space, and parking.

Response

Vince Rhea (NCDOT) sent a letter on February 5, 2009 stating that the use of land for construction staging is made as the project advances further in the design process and is typically at the discretion of the contractor constructing the project.

**Comments Relating to Multi-modal Transportation**

Comment

**Lara Lustig, Leah Karpen, Jonathan Todd Felsen, William Chiveis, Brett McCall, Mark Small, Nancy Ackerman Cole, Susan Daw, Nancy Ackerman Cole, Janet Barlow, April Daniel** – Received 10 comments that any design should include provisions for other means of transportation, such as mass-transit, pedestrian and bicycle.

Response

Mass transit options were considered in Section 2.4 of the DEIS. Pedestrian and Bicycle facilities are addressed in Sections 4.1.1.4 of the DEIS. The projects compatibility with transportation plans including transit plans and bicycle and pedestrian plans is addressed in Section 4.1.2.2 of the DEIS.

Comment

**Michael Harvey** – Stated that it is time for the NCDOT to show that it knows how to develop Context Sensitive Solutions and that it truly embraces multimodalism. Stated that the separation of local from interstate traffic should allow pedestrian, bicycle, and transit features to be included in this project as these features help replace car trips with walking, bicycle, and bus trips, extending the capacity life of the project for vehicular traffic.

Response

While it is true that other modes of transportation can be effective in replacing local single occupancy vehicle trips, it does not adequately address the regional needs for improved system linkage and increased capacity as identified in Section 1.3 of the DEIS. Mass transit alternatives are considered in Section 2.4 of the DEIS and it has been determined that mass transit alternatives would either not be feasible or alone would not attract sufficient ridership to alleviate projected congestion along the project corridor.

Comment

**Reuben E. Moore** – Stated that the project should facilitate transportation by modes other than single-occupant autos such as walking, bicycle, transit, and carpools.

Response

While it is true that other modes of transportation can be effective in replacing local single occupancy vehicle trips, it does not adequately address the regional needs for improved system linkage and increased capacity as identified in Section 1.3 of the DEIS. Integration of multi-modal improvements have been included in the design and will be further analyzed once a Preferred Alternative is selected and the project moves forward in the design phase.

Comment

**Hugh Munro** – Stated that the Amboy Road/I-26 interchange needs to have connectivity for pedestrian and bicycle between the French Broad River and the West Asheville neighborhood on the west side of I-26. He feels this should also be looked at for the Patton Avenue interchange and the Brevard Road interchange and he believes that this project should place a priority on making pedestrian and bicycle connectivity of equal concern as vehicular connectivity.

Response

The Amboy road interchange and extension includes a five foot bike lane on both sides of the road and a 10-foot berm to accommodate pedestrians. All alternatives in the B section have been designed to provide pedestrian facilities. Bicycle and pedestrian facilities and connectivity will be considered with respect to the design of the Brevard Road interchange in greater detail as the project moves forward in the design phase.

Comment

**Jim Brown** – Stated that it is hard for him to get around on his scooter and bicycle.

Response

Comment noted

Comment

**Lynn Player** – Commented that as someone who is a bicycle enthusiast in Asheville, that it is important that they have safe roadways to travel by bike. States that Alternative 4B allows the Smokey Park Bridge to connect two sides of their community without merging with an interstate and is positive that choosing 4B would increase bicycling and pedestrian traffic into their downtown. Also stated that they believe there is a need to continue to increase alternative methods of transportation.

Response

Comment noted. The effects of Alternative 4B on bicycle and pedestrian safety will be addressed in a supplemental environmental document.

Comment

**Michael Harvey** – Stated that airport commerce would be easier to build if people could get there and back on rail and that there were lots of needs to Weaverville and Black Mountain and that NCDOT should use a lane in each direction for commuters so that they can reduce the need for cars downtown.

Response

Mass transit alternatives are considered in Section 2.4 of the DEIS and it has been determined that mass transit

alternatives would either not be feasible or alone would not attract sufficient ridership to alleviate projected congestion along the project corridor.

### **Comments Relating to Consistency with Existing Plans**

#### Comments

**Asheville Design Center** – Stated that the current draft EIS does not adequately evaluate the consistency of the project alternatives with the City of Asheville's 2025 Plan (2025 Plan). The ADC stated that though there is discussion on this plan in Section 1.7.4, consideration of the impacts of the Connector with regard to land-use and transportation design in 3.2 1.3 is not quantified and that the DEIS does not consider the cumulative land-use impact of the Connector on the 2025 Plan in Chapter 4.2. The ADC feels that consistency with the City of Asheville's long-term growth plan is a key measure by which the community will weigh these alternative proposals and that the ADC requests that the DEIS be amended to reflect this important information.

**Jim Grode** - Stated that the Asheville City Development Plan 2025, the City's current master plan, makes recommendations for the area of Section B that appear inconsistent with several of the Alternatives in the Draft EIS and that NCDOT appears not to have adequately considered the consistency of its project with those plans, and he feels that it must do so.

#### Response

The evaluation of compatibility with existing plans, including the *Asheville City Development Plan 2025* it will be expanded in a future environmental document. It should also be noted that the *Asheville City Development Plan 2025* states that “These goals and strategies typically requires separate actions on the part of City Council, City staff, or other boards and agencies; consequently, periodic adjustments to the plan will be necessary to reflect the actual actions that are taken as the goals and strategies are considered, modified, and/or implemented and as circumstances change. To this end, the *Asheville City Development Plan 2025* must be considered as a guide for decision-making, rather than the final decision on any particular issue.” Therefore the *Asheville City Development Plan 2025* is considered a guidance document and consistency with the plan will be evaluated by the project team and taken into consideration when a Preferred Alternative is selected.

#### Comment

**Liz Lipski, Catherine Cope** – Stated that Alternative 4B is the only alternative that satisfied the Community Coordinating Committee (CCC) Report of September 2000, which was adopted by the City of Asheville and the Metropolitan Planning Organization as their official guiding document for the I-26 Connector Project.

#### Response

According to the *Report of the Community Coordinating Committee for the Design of the I-26 Connector through Asheville* a list of key project design goals is denoted. According to the report, the list of goals “have been evaluated by the Community Coordinating Committee (CCC) and recommended for consideration.” The goals presented by the CCC will be evaluated by the project team and taken into consideration when a Preferred Alternative is selected. It is also noted that the CCC Report was developed following the Design Forum in 2000 and supported the two alternatives that were developed at the Forum (Alternatives 4 and 5). Therefore, both Alternative 4 and Alternative 4B are consistent with the CCC Report.

#### Comment

**Michael McDonough** – Stated that the current alternatives do not meet the NCDOT strategic plan and community goals. The planning/design process and the alternates fail to adequately achieve a “multi-modal and

connected system considerate of local land use plans.” No City of Asheville, Buncombe County nor regional planning staff have participated in, nor does there appear to be a land planning process. The planning/design process and the alternates fail to meet this goal and objective. So far, this seems a purely highway project for fast moving cars and trucks. No other modal choices are explored or integrated. The planning/design process and the alternates do not enhance our communities’ cultural resources (urban fabric, gateways & neighborhood connections, etc.), and do not propose an interconnected transportation system. Local transportation systems (roads) were only considered with regard to poorly designed vehicle on and off-ramps. There has been little, if any, consideration of land use planning supported by, or already adopted by the City of Asheville (2025 plan, greenways, bicycle plans, etc.). The alternates contain sprawling footprints that unnecessarily remove homes and businesses from the tax base and create isolated and devalued parcels that are disconnected from the urban fabric. There has been little, if any, of transportation and land use planning.

Response

The responsibility for land use planning is under the jurisdiction of the local agencies, such as the City of Asheville and Buncombe County. The DEIS includes an evaluation of the consistency with the approved land use plans in Section 4.1.2.1. The proposed alternatives do integrate multi-modal considerations as evidenced in the numerous bicycle and sidewalk improvements proposed. The integration of transit has been consistent with the plans approved by the French Broad River MPO and do not preclude future options for additional multi-modal improvements within the project study area.

Comments Relating to a Bypass Alternative

Comments

**Jose Pepi Acebo** – Stated that the best option for their City and regional development would be to merge I-26 and I-40 briefly and run I-26 west of west Asheville which is not in any of the options provided.

**M.H. Mixson** – Stated that the project should not mix the commuter traffic and interstate traffic so that commuter traffic must compete at the entrance and exit ramps, which is a formula for intolerable congestion and gridlock. Also stated that no plan should bring all the traffic (both interstate and commuter) to a point near the present Smoky Park Bridge because it feeds more traffic into an untenable geographic area causing traffic congestion, tourist confusion and intolerable concentrations of air pollutants. Stated that a proposed northwest bypass highway could be constructed faster and cheaper than the more extensively designed I-240/I-26 plan. Stated that the proposed bypass would be essential to: 1) park and ride strategies; 2) keeping Interstate dangerous "Big Rigs" away from congested traffic areas near the city center; 3) giving commuters to North Asheville and from Northwest Asheville and Leicester a new route, there by freeing up its congestion near the Smoky Park Bridge.

**Don Yelton** – Stated that he would prefer a loop from the end of Candler around Asheville which would be quicker and easier and not disturb the current traffic flow.

Response

The evaluation of a bypass alternative was evaluated in the *Phase I Environmental Analysis* and is included in Section 2.5.3.1 of the DEIS. It was determined that a bypass alternative would not meet the purpose and need for the proposed project and was eliminated from further study.

Comments Relating to Aesthetics

Comment

**Hugh Munro** – Stated that he strongly supports aesthetic treatments for all aspects of the I-26 connector project, and would encourage the NCDOT to go out of your way to support them as well. Also stated that he would like

to see the NCDOT support the construction of a structure over I-26 at Haywood Road similar to the High Street Cap in Columbus, OH.

Response

NCDOT will continue to work with the Aesthetic Advisory Committee to incorporate various aesthetic treatments into the project design process.

Comment

**Margaret T. Adams** – Stated that with regard to the bridge, she would like to call your attention to Columbus, Indiana, a small city half the size of Asheville, containing architecturally significant buildings and that the bridge from I-65 leading into Columbus is arresting and visually pleasant. Stated that she would like something distinctive for their city and that functional can be made extraordinary without great expense.

Response

Comment noted. Bridge structure design elements will be considered after selection of a Preferred Alternative.

Comment

**North Carolina Wildlife Resources Commission - NCWRC** encourages Implementation of the City's "smart growth" principles, protection of aesthetic amenities and greenways (existing and proposed), and development of opportunities for public access and recreation. Context Sensitive Solution principles should be employed to compliment and benefit the local community and natural environment important to the community and region.

Response

The proposed alternatives do integrate public access and recreation to the greatest extent possible under the areas that NCDOT has jurisdiction over. NCDOT has had extensive coordination with and will continue to work with the Aesthetic Advisory Committee to incorporate various aesthetic treatments into the project design process.

Comment

**Jim Grode** – Stated that the I-26 project has the potential to create an eyesore that will have unnecessary environmental impacts and stifle the development of the urban fabric of its area, or it can improve the livability of a city that perennially appears on lists of the best places to live in the country. Mr. Grode further stated that Alternative 4B, with modifications, presents the best opportunity to do the latter.

Response

Comment noted. NCDOT has accepted Alternative 4B as a viable project alternative which will therefore be evaluated in a supplemental environmental document. NCDOT will evaluate ways to further modify the alternative to avoid and minimize impacts to social, physical and natural environments.

Comment

**Michael N. Lewis** – Stated that Asheville is blessed geographically and Alternative 4B would allow for more pedestrian and outdoor activities in an outdoor setting graced by beautiful mountain vistas. Furthermore, Alternative 4B would allow Asheville to more fully capitalize on its scenic assets in an environmentally responsible way.

Response

Comment noted.

Comment

**Mike Vance** – Requested that NCDOT look at increasing the size of plantings to include trees and not just small shrubs at intersections & medians.

Response

Plantings included in the design of the project will be in accordance with NCDOT Planting Guidelines and will be coordinated with the Asheville Aesthetics Committee.

Comment

**M.H. Mixson** – Stated that Riverlink’s efforts for increased beautification and utilization of the French Broad River will be very negatively impacted by the present I-240 expansion plan and that the new bridge to move along the French Broad will detract from the present openness of the area and could provide a problem residence for an increased number of homeless people.

Response

NCDOT will continue to work with the Aesthetic Advisory Committee to incorporate various aesthetic treatments into the project design process and will attempt to minimize visual impacts to the greatest extent possible.

Comment

**Resolution signed by 100 Individuals** - Resolution in Support of Aesthetically Pleasing Bridges over the French Broad River for the I-26/I-240 Project.

Response

Comment noted. Bridge structure design elements will be considered after selection of a Preferred Alternative and will be coordinated with the Aesthetics Advisory Committee.

Comment

**Jim Cavener** – Requested that NCDOT make a stunning entryway into downtown (on Patton Avenue) from the west.

Response

NCDOT will continue to work with the Aesthetic Advisory Committee to incorporate various aesthetic treatments into the project design process.

Comment

**Brett McCall** – Stated that they deserve and can find funding for a beautiful bridge and that they need a design that will contribute to the beauty of Asheville for the next 100 years. Additionally stated that, the present I-240 east of the Beaucatcher cut is a travesty, as is the current mess on the Smoky Park Bridge.

Response

NCDOT will continue to work with the Aesthetic Advisory to Committee to incorporate various aesthetic treatments into the project design process. The present I-240 east of the Beaucatcher cut is outside the project study area.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that in the DEIS the visual effects for Section A should include the impact of views from households and businesses which are not now immediately adjacent to the freeway which will, in the proposed design, now be adjacent. Also stated that mitigation by building of walls to screen noise and

the freeway from the surrounding neighborhoods should be added to the bulleted list of mitigation principles.

Response

Visual impacts in Section A of the project are presented in Section 4.1.3.5 of the DEIS. Possible mitigation measures that will be considered by NCDOT are also described in Section 4.1.3.5 and do not include construction of walls for visual screening. The use of walls for noise abatement is addressed in Section 4.1.3.1 of the DEIS.

Comment

**Asheville Design Center** – Stated that the new bridge over the French Broad can be an icon for Asheville and it should be designed using techniques which will result in a dramatic, attractive, and cost-effective structure similar to examples including the Cooper River Bridge in Charleston, SC and the Linn Cove Viaduct on the Blue Ridge Parkway.

Response

Comment noted. Bridge structure design elements will be considered after selection of a Preferred Alternative and will be coordinated with the Aesthetics Advisory Committee.

**Comments Relating to Quality of Life**

Comments

**Inge Robert** – Stated that the scale of the project must match the character of this unique city.

**Jen Hoffert, Margorie Vestal** – Stated that they like a vibrant rideable, walkable community and are concerned about the quality of life, as they feel that this project is overkill for their little community.

**Lara Lustig** – Stated that the scale of the highway must match their community size.

Response

The project is being designed to address projected future traffic capacity needs which include both local and regional growth in traffic, as well as the other identified needs in the purpose and need section of the DEIS. The scale of the project is appropriate to meet future traffic needs and to maintain adequate traffic operations.

**Margaret Whiteside** – Stated that it would be a good time to move and the project is a really bad idea. Stated that she has owned her house since 1969 and that it would be a good time to move because the project was too close for comfort.

Response

Comment noted.

Comment

**April Daniel** - Prefers to keep Asheville a small town instead of a big city.

Response

Comment noted.

**Comments Relating to Traffic Forecast and Capacity Analysis**

Comments

**US Environmental Protection Agency** – EPA stated that based upon the Corsim Analysis provided in Section 1.9.2.2 there appears to be little traffic benefit between 6-lanes and 8-lanes of traffic along I-240. Table 1-4 does not fully demonstrate any substantial traffic benefit in average travel time and average speed between the 8 and 6-

lane options for I-240 (e.g. Six lane AM Peak at 388.7 seconds versus Eight lane AM Peak at 363.6 seconds).

EPA is concerned that NCDOT proposes to provide updated traffic forecasts using a new traffic model (see page S-18). The new traffic model forecast should have been conducted prior to the issuance of the DEIS. EPA requests that this updated traffic analysis be conducted prior to the Merger 01 Concurrence point 3 meeting.

**Bruce Emory, David Pearson** – Stated that the CORSIM analysis showed very little difference in speed or travel time between six and eight-lane options for Section B.

Response

The evaluation of a traffic capacity is detailed in Section 1.9.2 of the DEIS and the determination was made that the most appropriate methodology for assessing the traffic operations for the project is through analytic/deterministic tools such as the Highway Capacity Manual. The 2003 existing conditions model developed in CORSIM was calibrated against travel time runs from December 2004. In order to calibrate the model to match the observed travel times several changes were made to the model, including increasing the base free flow speed to 70 mph and reducing the amount of time required to complete a lane change. The results of the calibrated existing model were that the modeled travel times were within three percent of the observed travel times recorded in the field. The future build models were developed based on the same parameters as the calibrated existing model. Based on the abbreviated analysis undertaken for the proposed project, the need to manipulate the base model during calibration resulted in average speeds that exceed the proposed design speed of 60 mph. This inherent difficulty in simulation modeling resulted in an unreliable method of comparing alternatives, and is not considered adequate for decision making purposes.

NCDOT has decided that the evaluation of the Preferred Alternative utilizing a more robust and complete simulation methodology would be undertaken to verify the results of the HCM analysis. This analysis will be completed once a Preferred Alternative is identified and the results will be included in a future environmental document.

Comment

**Bruce Emory, David Pearson** – Requested that NCDOT update the DEIS to reflect latest traffic projections.

Response

An analysis of the traffic operations utilizing the latest traffic projections will be included in a future environmental document.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that if local traffic were separated from interstate traffic, it was unclear whether I-240 would need additional capacity. Also stated that future restrictions on oil supply and other factors may result in significant reduction in the rate of private passenger vehicle use.

Response

Because the section of I-240 between I-40 and Patton Avenue would carry both local and interstate traffic under any scenario (any separation of local traffic would be along the Smoky Park Bridges and Patton Avenue) the need for additional capacity along this corridor is unambiguous.

Comment

**Vivian Conley** – Stated that traffic congestion on US 19/23 is worsening and that they need a decision soon.

Response

Comment noted.

Comment

**Lillah & Gary Schwartz** – Questioned what would be the difficulty with a simple 6-lane in section A, being that the new traffic study projections were considerably less than the original by over 50,000 cars.

Response

The typical section for the project was evaluated in Section 2.5.2.2 of the DEIS and shows that no fewer than eight lanes will accommodate the projected future traffic volumes; therefore any typical section with less than eight lanes was not considered a reasonable alternative and was eliminated from further study.

Comments Relating to SafetyComment

**Donald King** – Stated that NCDOT should not bring nuclear waste through Asheville, and that it should be put on the non-existent future beltway. Also stated that the truckers are not wanted in the area of the project nor do the truckers want to be in the area of the project.

Response

Comment noted.

Comment

**Ron Ainspan** – Stated that the action should include safety features including the elimination of the left hand merges on the east side of the French Broad River.

Response

Comment noted.

Comments Relating to NoiseComment

**US Environmental Protection Agency** – Stated that the DEIS summary impact table does not include the number of noise receptors impacted by the proposed project (see Table 4-4 in DEIS). Stated that it is unclear if Alternative F-1 has impacts to noise receptors. This issue should be clarified before the next Merger 01 concurrence meeting and Impact tables should be revised to include 'totals' for each of the Alternatives combinations for Sections A, B, and C. The FEIS should provide additional details regarding effective noise barriers for the Alternatives and specify if there is any difference in alternatives and the potential requirements for noise barriers depending upon which alternative is selected. The FEIS should total noise receptor impacts for the Sections, list the number of receptors which will be benefited from noise barriers and include them in a summary impact table.

Response

The noise impacts for Section C, Alternative F1 were inadvertently not included in the DEIS and will be included in all future environmental documents and in information provided to the Merger 01 team. Alternative F1 will result in impacts to 40 residences and three businesses. Future environmental documents will include additional information on the effectiveness of noise mitigation based on the individual alternatives. The benefited receptors for each Alternative are included in the *Highway Traffic Noise Analysis Technical Report*, as appended by reference and will not be included in future environmental documents.

Comment

**Amani Lyn Duncan, Amani Duncan, William Chiveis** - Requested sound proofing/noise barriers along the

west side of I-240 closest to Westwood Place and Hazelwood Drive.

Response

The current public hearing maps for the project show that a noise barrier will be constructed in the vicinity of Westwood Place for Alternatives 2 and 4. Alternative 3 does not include a noise barrier due to the break in the control of access to provide a connection to Westwood Place. The noise analysis for Alternative 4B has not yet been completed and will be presented in future environmental documents and shown on the public hearing maps at future public involvement sessions.

Comment

**Jeff Hoffert, Jen Hoffert** – Stated that noise readings in the Sandhill Road area have gone up from 65 average dB pre-wall construction to 72 dB post-wall construction and that hopefully in these plans NCDOT can consider green walls.

Response

The property of the commentator is located on the opposite side (where a noise barrier was not constructed) of I-40 from where the noise barrier was constructed under NCDOT TIP Project I-4401 where the freeway was widened closer to their property. Because noise barriers reflect sound the increase of noise level is not unlikely.

Comment

**Lillah & Gary Schwartz, Lara Lustig, Herman Laukford** – Stated that they have concerns with sound issues and that it has been pointed out that concrete amplifies sound where green sound barriers absorb sounds.

Response

The use of “green” or absorptive noise walls is detailed in the FHWA publication *A Guide to Visual Quality in Noise Barrier Design* and concludes that “Absorptive barriers have been tested and are in use along highways in Europe and appear to be beneficial in reducing noise levels, particularly in dense urban situations” and “the proposed designs require additional study, including the construction and testing of prototypes, in order to determine the performance and feasibility of these designs.” The NCDOT *Traffic Noise Abatement Policy* states that “The steel pile and concrete panel wall is NCDOT's standard noise wall however, NCDOT will consider Context Sensitive Solutions (CSS) as long as other criteria are met” and that “Should a local government request that materials be used that are more costly than those proposed by NCDOT, the requesting entity must assume 100% of the additional cost.” The use of noise barriers beyond the standard noise walls will be coordinated with the Aesthetics Committee during the development of the final design plans.

Comment

**\*Jonathan Todd Felsen** – Would like to determine the height of the noise walls for each alternative in the B section and inquired if they will be effective in reducing noise in their neighborhood? Requested what the noise wall height would be for the different alternatives and what the estimated noise (decibel levels) for the different alternatives facing his house. Requested a response.

Response

The preliminary noise barrier heights ranging from 19 to 25 feet were considered feasible, reasonable, and cost effective for the Section B alternatives near the Westwood Subdivision. During the final design phase of the project, a more detailed noise barrier analysis will be prepared to determine the specific barrier height and location for the selected alternative. Preliminary noise results indicate predicted noise levels at receiver B180 (Mr. Felson's property) would reach 66 to 67dBA without noise abatement. With a noise barrier, the noise levels are expected to be reduced by 4 to 9dBA, depending on the alternative and height considered. A letter was sent to Mr. Felson

by Vince Rhea (NCDOT) on March 30, 2009.

Comment

**Jeff Herst** – Stated that he is concerned about Hanover Street, because the street has already become a semi-slum because of highway noise. Stated that when you leave houses too close to the highway, they become undesirable and are often left vacant. Stated that all houses should be removed from Hanover Street and that this neighborhood will need noise abatement walls.

Response

NCDOT only acquires the property that is required for the construction of the project and would not acquire any property that is outside of the proposed right-of-way and easements required to construct the project. For all alternatives, a continuous noise barrier will be constructed on the west side of I-240 from Haywood Road to Patton Avenue.

Comment

**Vic Fahrer** – Stated that no discussion was presented for the rationale for selecting the noise measurement locations, as well as the time period when the measurements occurred and the duration of the monitoring period. Also requested if the effect of parallel barriers, which could increase noise levels, was considered in the TNM modeling.

Response

This preliminary analysis identified noise sensitive areas and locations where noise abatement meets the criteria for being reasonable and feasible. The effect of reflection from parallel barriers was not modeled in this analysis. During the final design stage, the design noise analysis may consider the effect of parallel barriers in determining recommended noise barrier heights.

Comment

**Amani Lyn Duncan, Amani Duncan** – Requested that NCDOT consider noise impacts during construction and that NCDOT not schedule construction at night.

Response

Section 4.1.6.3 of the DEIS addresses noise during construction and states that “NCDOT can also limit work that produces objectionable noise during normal sleeping hours.” The determination on the hours of construction are determined during the final design stage of the project.

**Comments Relating to a Land Use**

Comment

**Asheville Design Center, Bruce Emory** – Stated that NCDOT should conduct a multi-disciplinary analysis of the land use, urban design, and property tax impacts of the alternatives, that the current DEIS has only a cursory discussion of land use impacts and does not compare the effects of different alternatives. Stated that the DEIS does not address the potential re-use of current highway right-of-way along Patton Avenue in Alternatives 4 and 4B and does not examine opportunities for re-connecting neighborhoods and the local street system. Stated that the DEIS does not analyze the long-term effects of property takings or property re-use on the city’s tax base and does not analyze the effect of reduced access to isolated properties.

Response

The assessment of land use impacts as a result of the proposed project will be expanded and the results included in a future environmental document. The re-use of current right-of-way is not determined until after a project is

completed and would need to be conducted in accordance with the NCDOT Right of Way Disposal and Control of Access Committees Operating Procedures as detailed at:

[http://www.ncdot.org/doh/PRECONSTRUCT/traffic/tepl/Topics/A-02/A-02\\_op.pdf](http://www.ncdot.org/doh/PRECONSTRUCT/traffic/tepl/Topics/A-02/A-02_op.pdf)

Additionally, because this is an Interstate project, approval from FHWA may also be required if federal funds were utilized in the purchase of the original right-of-way. Numerous additional issues could still exist that may be problematic for redevelopment of the reverted property, especially due to the utilities and associated easements remaining in place once the property is transferred if they are not required to be relocated as part of the construction of the project. The documentation on the economic effect of the proposed alternatives will be expanded in a future environmental document and is mostly proportional to the total number of relocations for each alternative.

#### Comments

**David Pearson** – Requested that NCDOT conduct a multi-disciplinary analysis of land use, development, and urban design impacts of all alternatives.

**Michael McDonough** – Stated that there has been little consideration of the existing or proposed land use planning by the city of Asheville.

#### Response

The assessment of land use impacts as a result of the proposed project will be expanded and the results included in a future environmental document

#### Comments Relating to the Economic Effects of the Project

##### Comment

**\*Vivian Conley** – Inquired what the economic burden of relocation will be and what timeframe is the relocation likely to occur.

##### Response

Vince Rhea (NCDOT) sent a letter on February 5, 2009 stating that all relocations will be conducted in accordance with the Uniform Relocation Assistance Act and that assistance will be provided to those required to relocate because of the project. The amount of assistance provided is determined on a case by case basis and depends on many factors including whether the home is rented or owned with the timeframe for relocation varying, but not typically being less than 3 months. Additional information on relocation assistance can be obtained through the NCDOT Division Right-of-way office.

##### Comment

**\*Jen Hoffert** - Would like an answer as to whether her property is going to be purchased before 2011 because she would like to just move on.

##### Response

Vince Rhea (NCDOT) sent a letter on February 5, 2009 stating that a Preferred Alternative must be selected and a Record of Decision from the Federal Highway Administration must be issued before the exact right of way needed for the project can be determined with certainty. NCDOT is committed to advancing the project as quickly as the project development process will allow.

#### Comments

**Cicada LeFay & Harold Brokaw** – Stated that the proposed project will have a definite economic impact and that the current version of the DEIS implies that the project may not impact businesses. Stated that the summary

of economic impacts is incomplete and that the economic impacts of spending this amount of money in this way within a community should be mentioned. Additionally, the economic impacts to the household of people who are having their houses torn down and who will be relocated should be mentioned.

Response

The documentation on the economic effect of the proposed alternatives will be expanded in a future environmental document and is mostly proportional to the total number of relocations for each alternative.

Comments

**Bess Baird, Shirley Schultz** – Stated that the River District is in an important stage of development and is important for one of Asheville's main economic focuses. Stated that Asheville is an arts community and many tourists come there for that reason. Therefore, they feel that the River District should be kept intact.

Response

Potential impacts to the River District will be minimized and avoided if possible.

Comments

**US Environmental Protection Agency** - EPA notes that under Sections 4.3.1.2 and 4.3.1.4, both entitled "Economic Effects," a duplicate (verbatim) discussion is provided where one does not appear to be necessary. One of the sections should be eliminated in the FEIS.

Response

The redundant section (4.3.1.4) will be deleted in future environmental documents.

**Comments Relating to Air Quality**

Comments

**Western North Carolina Regional Air Quality Agency** – Stated that in the DEIS Section 3.3.2.1 Background and National Ambient Air Quality Standards (3-31) - The first sentence of the first paragraph states that the project is located in the jurisdiction of NCDENR. However, in Buncombe County, air quality is regulated by the Western North Carolina Regional Air Quality Agency, one of three local agencies having county-level jurisdiction. NCRAQA also operates the Buncombe County monitoring stations mentioned in the third paragraph. The third paragraph also mentions that the monitored air quality data in Table 3-18 (p 3-32) were obtained from a report available on the NCDENR Division of Air Quality (DAQ) website and that the measurements were for 2002. In checking the cited URL, it was determined that the measurements were for 2000. Given that the Air Quality Analysis was completed in 2006, more recent measurements could have been provided. The last sentence of the third paragraph states that "these recent measurements are within federal and state ambient air quality standards." However, the 8-hour ozone concentration and the annual and 24-hour PM 2.5 concentrations are higher than the corresponding standards shown in Table 3-18. No explanation is provided as to how these levels are within ambient standards. Table 3-18 could be updated to include the 3-hour (secondary) SO<sub>2</sub> standard and the newly revised 8-hour ozone standard (0.075 ppm). Also stated that in DEIS Section 4.1.3.2 Air Quality Standards (p 4-12) - No discussion of the procedures, modeling assumptions, receptor locations, results, etc. is presented. Also, no documentation is provided in the DEIS appendices. Inquired if the Air Quality Analysis Technical memorandum (cited in the DEIS) as well as any backup documentation was available for review? Additionally, in Section 4.1.6.4 Air (p. 4-40) - It is mentioned that a permit from the NC Division of Forest Resources would be needed for burning cleared (vegetative) materials within 500 ft. of woodlands. A WNCRAQA burning permit would also be required for burning any machine-piles brush anywhere in the County. Potential asbestos impacts during construction also are not discussed. The demolition or relocation of any buildings or other structures would require a WNCRAQA asbestos inspection and permit.

Response

Comment noted revised information and the most current air quality monitoring data will be included in future environmental documents. The Air Quality Technical Memorandum, outlining the modeling assumptions and procedures, is available for review from NCDOT. All burning will be done in accordance with current air quality permitting requirements. Any asbestos found in the project right of way will be removed prior to building demolition and properly disposed of in accordance with all applicable laws.

Comment

**Jim Grode, Jim Grode** - Requested that a representatives of the North Carolina Division of Air Quality be on the Agency Review Team and Asheville is already hovering on the brink of nonattainment for ozone, and any significant increases in vehicle miles traveled spurred by this project could tip the balance unfavorably.

Response

All environmental documents are sent to the North Carolina Department of Environment and Natural Resources (NCDENR), including the Division of Air Quality for review and comment. The Merger 01 project team that guides the project development process includes a representative from NCDENR Division of Water Quality; however the Division of Air Quality is not identified as an agency that takes part in the Merger 01 process. To date the Division of Air Quality has not requested to be a part of the project team for this project.

Comment

**Lara Lustig** – Requested that air quality considerations be included in impact assessment.

Response

The existing air quality is discussed in the DEIS in Section 3.3.2 and the effects on air quality as a result of the project are included in Section 4.1.3.2.

Comment

**Vic Fahrer** – Stated that in the CAL3QHC modeling, Patton Avenue is indicated as being on fill 30 feet above grade and 24 feet above the receptors. Also inquired as to why these links modeled as fill rather than "at grade" and why 30 feet above grade was used. Also stated that no discussion was presented on the rationale for selecting receptors and only 30 receptors were used, with just 3 receptors adjacent to any single roadway link at a spacing of about 250 feet between receptors. Additionally, he stated that the receptors along Patton Avenue are about 100 feet from the edge of the road and that with such a sparse receptor network it can not be assured that the highest CO concentrations were determined by the modeling analysis. Mr. Fahrer further stated that the surface roughness used was that for a central business district and more conservative lower values could have been used and would have been more representative of the study.

Response

The CO model was based on the Section B Alternative 4 interchange with I-26 and Patton Avenue, and a 30-foot grade separation was assumed with Patton Avenue crossing over I-26. During the preparation of the FEIS, (once a Preferred Alternative is selected) consideration will be given to determine the model's sensitivity. In the air quality analysis, five receptors were located in each quadrant of the interchange, outside of the controlled access limits where there may be the potential for human activity. These receivers were identified on Figure 4 of the air quality technical report. The surface roughness value was assumed to be central business district due to the presence of commercial properties and proximity to the Asheville central business district. During the preparation of the FEIS (once a Preferred Alternative is identified), consideration will be given to determine the model's sensitivity to a different roughness factor.

Comment

**M.H. Mixson** – Stated that the most dangerous effect of the proposed project is the chronic carbon poisoning that may occur; which is defined as a carbon monoxide "hot spot" by federal law.

Response

The effects on air quality are discussed in Section 4.1.3.2 and based on a microscale analysis of the project for carbon monoxide, "Comparison of the predicted CO concentrations with the National Ambient Air Quality Standards (NAAQS) indicates no violation of these standards" and "This project is not anticipated to create any adverse effects on the air quality of this attainment area."

Comments Relating to Hazardous MaterialsComment

**US Environmental Protection Agency** – EPA notes that there is a "high" severity impact anticipated for the landfill along the eastern bank of the French Broad River (see page 4-17). Sampling and analysis may need to be conducted prior to the selection of a Preferred Alternative and this information should be presented with respect to the alternatives currently under consideration.

Response

Based on the alternatives currently proposed, the landfill on the east bank of the French Broad River should be reclassified as a low to moderate risk. Samples collected during past investigations indicate low levels of contaminants. No areas tested contained contaminants at hazardous levels. Additional testing will be done after the preferred alternative is carried forward. A work plan will be developed based on the final design to address any contaminated material that may be encountered during construction.

**Lillah & Gary Schwartz** – Stated that as a transportation link for nuclear waste, if a spill occurs 6-lanes should be ample to clean up and that no local person would go anywhere near the spill.

Response

Comment noted.

Comments Relating to Water QualityComment

**US Environmental Protection Agency** – The EPA stated that efforts should be made to avoid and minimize impacts to Hominy Creek through the use of steeper-grade side slopes, retaining walls, stormwater retention basins, planting of vegetative buffers and other BMPs. Based on EPA's review of the DEIS, all of the alternatives and the overall DEIS received an "EC-1" rating, meaning that some environmental concerns exist that need to be further addressed. The FEIS should include additional information regarding avoidance and minimization measures for streams, mitigation plans, potential measures to minimize impacts to historic properties, invasive plant species issues, relocations and noise receptor impacts. EPA stated that NCDOT and FHWA should consider additional avoidance and minimize measures as well as enhancement measures for stream and wetland impacts beyond what is typically proposed. Because of the potential for large cut and fill heights due to the mountainous topography, NCDOT and FHWA should consider the use of "PAM-Polyacrylamide" and other potentially successful soil erosion and sediment control applications that could greatly reduce turbidity on steeper slopes. This would be in addition to the stone check-dams, silt fencing and other BMP soil erosion and sedimentation practices that NCDOT typically employs on a project. Furthermore, removal of exotic invasive plants along with other riparian buffer enhancements may constitute potential on-site enhancement/restoration opportunities. Any specific plans for on-site restoration enhancement activities or detailed mitigation plans should

also be coordinated through EPA's Wetlands Section. The DEIS does not address the potential presence of acidic rock. EPA recommends that geotechnical investigations be conducted as soon as possible after the selection of the LEDPA in order to identify the potential presence of acidic rock formations. Specific avoidance and minimization plans should also be developed and proposed where exposed rock formations may impact water quality or receiving streams and wetlands.

Response

Once the alignment is chosen and roadway plans are forwarded to the NCDOT Geotechnical Unit then the actual investigation will produce hand samples and rock cores in the cut areas and along foundations for walls and bridges. These will be tested for Net Neutralization Potential (NNP), the indicator for the level and volume of acidic rock, if it exists. The NNP dictates the actual amount of treatment required and will determine the various levels of mitigation. These may include: 1) treatment in place; 2) treatment of rock that has been excavated and used in fill or backfill areas; 3) treatment of very acidic material that would require fully separate and contained areas. The main points to be included in subsequent environmental documentation are that the corridor is not expected to be hot, adequate testing is performed as part of a routine Geotechnical Investigation and treatment does not typically greatly influence the construction of the project (or a redesign of any consequence as it pertains to volumes or alignment). The NCDOT Geotechnical Unit has a good 20 year track record of identifying and mitigating this problem. It is not expected, and the issue will be fully vetted during the investigation phase.

Comment

**Department of Environment and Natural Resources (DENR) - Division of Water Quality - NCDWQ** recommends that prior to completing the avoidance and minimization phase of the project, geotechnical investigations should be conducted to identify the presence of acidic rock. Impacts to areas identified as having acidic rock should be avoided and minimized as much as possible.

NCDWQ also stated that Hominy Creek is class C; 303(d) waters of the State. Hominy Creek is on the 303(d) list for impaired use for aquatic life due to agriculture and urban/storm sewer runoff. DWQ is very concerned with sediment and erosion impacts that could result from this project. DWQ recommends that the most protective sediment and erosion control BMP's be implemented to reduce the risk of nutrient runoff to Hominy Creek. DWQ requests that road design plans provide treatment of the stormwater runoff through best management practices as detailed in the most recent version of NC DWQ Stormwater Best Management Practices.

In Section 4.1.5.4, Surface Water, the document states that the expected effects on surface water of the proposed action will be similar among the alternatives. This is not an accurate statement. The expected impacts, especially for streams, vary significantly depending on the alternative. This statement should be removed or revised to accurately reflect the expected impacts.

Environmental assessment alternatives shall consider design criteria that reduce the impacts to streams and wetlands from storm water runoff. These alternatives shall include road designs that allow for treatment of the stormwater runoff through best management practices as detailed in the most recent version of NC DWQ Stormwater Best Management Practices, such as grassed swales, buffer areas, pre-formed scour holes, retention basins, etc. NCDOT shall address concerns by describing the potential impacts that may occur to the aquatic environments and any mitigation factors that would reduce the impacts.

Sediment and erosion control measures should not be placed in wetlands or streams.

Response

Once the alignment is chosen and roadway plans are forwarded to the NCDOT Geotechnical Unit then the actual investigation will produce hand samples and rock cores in the cut areas and along foundations for walls and bridges. These will be tested for Net Neutralization Potential (NNP), the indicator for the level and volume of

acidic rock, if it exists. The NNP dictates the actual amount of treatment required and will determine the various levels of mitigation. These may include: 1) treatment in place; 2) treatment of rock that has been excavated and used in fill or backfill areas; 3) treatment of very acidic material that would require fully separate and contained areas. The main points to be included in subsequent environmental documentation are that the corridor is not expected to be hot, adequate testing is performed as part of a routine Geotechnical Investigation and treatment does not typically greatly influence the construction of the project (or a redesign of any consequence as it pertains to volumes or alignment). The NCDOT Geotechnical Unit has a good 20 year track record of identifying and mitigating this problem. It is not expected, and the issue will be fully vetted during the investigation phase.

Potential impacts to water quality and possible BMP's to minimize sedimentation and erosion impacts are addressed in Section 4.1.6.6 of the DEIS. NCDOT will use and closely monitor protective erosion and sediment control BMP's during construction of the project to reduce the risk of nutrient runoff to Hominy Creek. The statement in Section 4.1.4.5 as noted in the comment will be removed or revised to accurately reflect the expected impacts.

Comment

**North Carolina Wildlife Resources Commission - NCWRC** is concerned about direct and indirect impacts to area waterways and water quality. NCWRC encourages NCDOT and local officials to protect water quality and habitat through the use of LOW IMPACT Development (LID) techniques, growth management, and other mitigation efforts.

Response

These suggestions will be considered in the development of final design plans. It should be noted that land use and development policies are under the jurisdiction of the City of Asheville.

Comment

**Cicada LeFay & Harold Brokaw** – Stated that in the Summary Section of the DEIS, The final bullet item should be amended to say, "Chemicals, radioactive and other hazardous materials spill during transport". Additionally, one of the impacts mentioned is "Pesticides, herbicides, and fertilizers used to plant and maintain highway landscaping." For the record they felt that, State policies and procedures should be changed so that pesticides, herbicides and fertilizers are not used in the maintenance of highways.

Response

Comment noted.

**Comments Relating to Historic Properties and Archeological Investigations**

Comment

**Eastern Band of Cherokee Indians (THPO)** – The EBCI THPO accepts the invitation to act as a consulting party on the above referenced Section 106 undertaking(s) as mandated under 36 C.F.R. 800. The project's location is within the aboriginal territory of the Cherokee Middle / Out Towns. Potential Cherokee cultural resources important to the Cherokee people may be threatened due to adverse effects expected from the level of ground disturbance required for this project. At all times the main concern for the EBCI THPO is the possibility for human burials.

According to the information provided, the presence of human remains is a potential throughout all the sites, but especially 31BN825, 31BN826 and 31BN828. In the case of each listed above the EBCI THPO concurs with the archeologist's recommendations that site avoidance should be the first choice in choosing a Preferred Alternative. If this is not feasible, EBCI THPO concurs with the recommendation that "data recovery excavations are recommended to mitigate any impacts caused by construction of the I-26 Connector."

The EBCI THPO concurs with the archeologist's recommendations that "mechanized deep testing would be necessary to search for and evaluate deposits prior to deriving the NRHP-eligibility for the following sites: 31BN867, 31BN868, 31BN870, 31BN873, and 31BN823.

Response

NC DOT will continue to coordinate with the EBCI THPO as a consulting party in compliance with Section 106 of the National Historic Preservation Act.

**Comments Relating to Permits**

Comment

**Tennessee Valley Authority** – The Tennessee Valley Authority notes that all of the action alternatives would require permits issued under Section 26a of the TVA Act for new bridges and widened bridges across perennial streams and fills in floodplains. Stated that this should be noted in the "Required Permits and Actions" sections in the EIS Summary and Chapter 4.

Response

Future environmental documents will include the need for a TVA permit.

**Comments Relating to Energy**

Comment

**Andrew Holcombe** – Requested that NC DOT not overlook the impact of these proposals on the area and that he thinks it is important to keep the overall carbon footprint in mind. Thus, he believes that Alternative 4 and 4B for Section B will end up having a much larger impact.

Response

Comment noted.

Comment

**Donald Barnett** – Stated that the USA has passed its peak oil production many years ago, and that the earth has probably passed its peak oil recently. Also stated that more and more people are concerned about air quality and global warming caused by fossil fuels and that the size, speed and number of cars and trucks on our highway will be reduced, not increased by 2030.

Response

Future traffic within the project area is projected to increase. Anticipated future traffic volumes and anticipated levels of service are addressed in Section 2.7 of the DEIS.

**Comments Relating to Environmental Justice**

Comment

**US Environmental Protection Agency** – Stated that based upon the table and information on Environmental Justice (i.e., Section 3.1.5, Table 4-1, et al.), only Alternative B-3 appears to have a substantial percentage of residential relocations to minority and low-income residences. There are 61 residential relocations and 26 are to minority and low-income residences (43%). Alternative B-2 and B-4 have much lower percentages at approximately 16% and 14%.

Response

Comment noted.

Comment

**M.H. Mixson** – Stated that the current plan may violate the federal laws against bringing a new source of pollution to low income housing areas, namely Hillcrest.

Response

NCDOT is compliant with Title VI of the Civil Right Act of 1964 and related statutes and Executive Order 12898, Environmental Justice. These issues are addressed in Section 3.1.5 and Section 4.1.1.5 of the DEIS. It should also be noted that the effects on air quality are discussed in Section 4.1.3.2 and based on a microscale analysis of the project for carbon monoxide “Comparison of the predicted CO concentrations with the National Ambient Air Quality Standards (NAAQS) indicates no violation of these standards” and that “This project is not anticipated to create any adverse effects on the air quality of this attainment area.”

Comment

**Lu Young** – Stated that widening the Interstate will result in 79 residential relocations with the major burden on those least able to handle relocation, the poor and disenfranchised.

Response

Relocations are addressed in Section 4.1.1.2 of the DEIS. It is NCDOT policy to provide assistance to those affected by transportation improvements as required under the Federal Uniform Relocation Assistance and Real Properties Acquisition Act of 1970, as amended. This Act is intended to ensure that displaced individuals, families, and businesses receive fair, consistent and equitable treatment, and are not affected disproportionately.

**Comments Relating to Rare, Threatened or Endangered Species**Comment

**Department of Environment and Natural Resources (DENR) – Natural Heritage Program** – NC Natural Heritage program notes the only rare species that could potentially be impacted by the proposed action is the State Special Concern mole salamander (*Ambystoma talpoideum*). This species was found sometime between 1997 and 2006, at the pond at hole #3 of the golf course at Crowne Plaza Golf Resort. The proximity of this site to a possible alignment could involve sedimentation into creeks that might impact any pond(s) where this salamander might occur. Though a survey by Wildlife Resources Commission staff was negative in 2006, our Program recommends that NCDOT staff conduct a survey of the golf course ponds, or at a minimum contact the initial observer, Dr. James Petranka at UNC-Asheville, about the project and the salamander location.

Response

NCDOT will continue to coordinate with the DENR and NCWRC throughout the life of the project. Additional surveys for the occurrence of threatened and endangered species and species of State Special Concern, including the mole salamander, within the project study area will be conducted during subsequent phases of the project.

Comment

**Mary Steiner** – Stated that she is concerned about the highway exacerbating the spread of the "tent worm" caterpillars.

Response

Comment noted.

**Comments Relating to the Indirect and Cumulative Effects of the Project**Comment

**Cicada LeFay & Harold Brokaw** – Stated that the effects of the proposed project on the ability of Asheville and the surrounding communities to implement an effective region-wide mass transportation alternative to private vehicles used should be included. Stated that the creation of a higher capacity roadway may discourage transition by motorists to mass transportation options, since the benefits of shorter time commutes may continue to outweigh other factors. Also stated that the impact of increasing routing options for radioactive and other hazardous materials through our community should be assessed as an indirect and cumulative effect.

Response

The proposed project would not preclude, nor would it have a substantial effect on the ability to implement a mass transit system. Currently there not any approved plans to implement a mass transit system in the Asheville area and the *Asheville City Development Plan 2025* states that the largest obstacles to implementing transit in Asheville are the lack of high density development and “major public perception problem.”

Comment

**Asheville Design Center** – Stated that the DEIS does not address the cumulative impacts of this project combined with the proposed projects to widen I-26 north and south of this project.

Response

The cumulative effects associated with the I-26 projects to the north and south of the proposed project will be addressed in greater detail in a future environmental document.

**Comments Regarding the Draft Environmental Impact Statement**

Comment

**Cicada LeFay & Harold Brokaw** – Stated that the CCC goals which were approved by City Council should be included in section 1.4.

Under the bulleted item Capacity in the DEIS consider re-writing assumptive statement as follows "In the future, if traffic volumes increase due to population increases, traffic congestion and resulting delays will continue to worsen" and consider the incorporation of the following as potential mitigation factors; 1) If local traffic is separated from Interstate traffic, it is unclear whether I-240 would need additional capacity because it has been shown in studies that the largest volume of traffic on the Smoky Park bridge is local, not interstate; and 2) As the recent local shortage of fuel supplies in the Western North Carolina area has shown, future declines in the availability of fuel and rises in fuel process due to reductions in the worldwide supply of oil, as well as the necessity of humans to reduce fossil fuel consumption due to global climate change, will very likely result in a significant reduction in the rate of private passenger vehicle use per capita, additionally this will be coupled with a corresponding increase in the use of public transportation, for which people in the Western North Carolina region are now planning and implementing.

The third bulleted item in the Summary, Page S-2 Purpose of Proposed Action should be removed as the purpose of this project "To improve the capacity of existing I-240 west of Asheville to accommodate the existing and forecasted (2030 design year) traffic in this growing area."

Check for error on page 1-57 in the following sentence "The improvements, within the study area of the proposed project, that were assumed to be in place by 2030 for the purposes of the traffic capacity analysis are included in Error! Reference source not found."

Stated that in Section 2.4.4, the conclusion that mass transportation is not feasible is not justifiable or supported. Stated that the analysis in the prior sections merely recites existing transportation options and it does not incorporate the mass transit plans articulated into the 2025 plan nor consider other feasible options which could meet some of the purposes of the project. Stated that the fact some of the purposes of the project can be met

though mass transportation is adequate reason to exclude them from the project and an integrated approach would be to include in the analysis and design appropriate mass transit functions so that these opportunities for future mass transit options are maximized.

Section 2.2.1 Design Criteria - Stated that the design speed for the combined I-26/I-240 section should be reduced to 50 mph.

Stated that in Section 4.1.2.2 Compatibility with Transit Plans: This section should contain an analysis of the no build alternative compared with the effect of build options on the development of mass transit within the city and general area.

Stated that Section 4.2 and 4.3.2 (Indirect and Cumulative Effects) should include an analysis of existing hazardous waste transportation including separate analyses of radioactive waste transportation through using existing facilities, then compare with anticipated use subsequent to the implementation of the project.

#### Response

The goals of the CCC report are not a purpose for proposing the project and are considered to be guidance to be used in the decision making process, thus are not appropriate for Section 1.4. The item in the DEIS that discusses capacity is based on AASHTO's *A Policy on Design Standards – Interstate System* which states that “Each section of the interstate highway shall be designed to safely and efficiently accommodate the volumes of passenger vehicles, buses, trucks – including tractor-trailer and semi-trailer combinations, and corresponding military equipment estimated for the design year.” The development of traffic projections is based on numerous factors most notably long-term travel trends and the associated driver behaviors. It is not appropriate to change the traffic projection methodology to account for short term variances such as those that have occurred recently. Further, the purpose of the project to improve the capacity of I-240 is an appropriate purpose for the project based on the unsatisfactory traffic operations projected to occur by the design year. Page 1-57 includes an unintentional error and should read “The improvements, within the study area of the proposed project, that were assumed to be in place by 2030 for the purposes of the traffic capacity analysis are included in Table 1-10” The conclusion that mass transportation is not feasible is justifiable and supported as there are no mass transit improvements proposed that would adequately address the purpose and need for the project. The French Broad River MPO's *Transportation 2030: The Long Range Multi-Modal Plan for Buncombe, Haywood, and Henderson Counties*, nor the *Asheville City Development Plan 2025* include any defined projects that would address the purpose and need for the proposed project. Conversely, the *Asheville City Development Plan 2025* states in the transit section that “substantial changes need to occur in order to increase ridership to the extent necessary to address congestion problems throughout the transportation network.” The design speed for the combined I-26/I-240 section of the project has been coordinated with the Federal Highway Administration, who has design decision making authority for routes on the interstate system, and determined to be the most appropriate design speed for this segment. With regard to compatibility of transit plans and the request for an analysis of the no build alternative compared with the effect of build options on the development of mass transit within the city, the no-build scenario includes all transit improvements identified as a financially constrained plan from the French Broad River MPO's *Transportation 2030: The Long Range Multi-Modal Plan for Buncombe, Haywood, and Henderson Counties*. Therefore, the ability of mass transit has already been shown to not be viable. The existing freeway system within the study area of the proposed project is currently being utilized to transport nuclear waste, and it is not likely that the proposed project will have a substantial effect on the routing of hazardous waste.

#### Comments

**Asheville Design Center** – Stated that the DEIS needs to be updated to reflect the traffic projections that are scheduled to be completed in October. Additionally, stated that the DEIS does not quantify or compare the amounts of impervious surface for the alternatives nor does it adequately address the integration of other modes, including walking, bicycling, and transit where Alternatives 4 and 4B have opportunities to improve accessibility

by all three of these modes.

Response

An analysis of the traffic operations utilizing the latest traffic projections will be included in a future environmental document. The measure of impervious surface for each alternative is not a measure that is typically included in the evaluation of alternatives as prescribed by the FHWA Technical Advisory *Guidance for Preparing and Processing Environmental and Section 4 (f) Documents*, thus is not included in the DEIS. The evaluation of compatibility with existing plans, including assessment of bicycle, pedestrian and transit will be expanded in a future environmental document.

Comments Relating to the Environmental Effects of the Project

Comment

**\*Mary Steiner, Jeff Hoffert** – Stated that the property formerly owned by C. A. Mashburn has over 200 tagged and species rhododendrons and azaleas, and some of them may be rare.

Response

Comment noted. The species are not included on the either of the federal or state listings for endangered and threatened species.

Comment

**Jeff Huffert** – Stated that Duke has studies showing that with increased carbon monoxide output from the cars going by that certain plants increase in their growth, such as poison ivy.

Response

Comment noted.

Comment

**Laura Uberbacher** – Requested that NCDOT include wildlife crossings underneath the highway because there is a large population of deer, as well as bear and smaller mammals that live in close proximity to the highway.

Response

NCDOT will consider impacts to wildlife as addressed in Section 4.1.5 of the DEIS and the need for wildlife crossing has not been identified for this project.

Comment

**US Environmental Protection Agency** - The DEIS summary impact table (S-1) does not include the terrestrial forest impacts for the different Sections or the Alternatives. Because of the proximity of Hominy Creek to terrestrial communities identified in Table 4-12, EPA strongly prefers Alternative F-1 for Section C. For Alternatives A, B-2 and F-1, there is a total impact of 59 acres of impact to terrestrial forests. The FEIS should include these impacts in the summary table.

Response

Comment noted.

Comment

**US Environmental Protection Agency** - The DEIS does not specifically address the requirements under Executive Order (E.O. 13112 on Invasive Species or FHWA's guidance on addressing the potential problems associated with roadside invasive plants. In addition to the invasive species noted in the DEIS, EPA's records also

indicate the presence of Japanese knotweed (*Fallopia japonica*, syn. *Polygonum cuspidatum*, *Reynoutria japonica*) in the project study area, including right-of-way areas along I-240, I-40 and NC 25. EPA requests that NCDOT consider the use of the draft BMPs for Japanese knotweed (as well as some of the other aggressive invasive plant species) that was provided to NCDOT's roadside Environment Unit and Natural Environmental Unit in October of 2007. The FEIS should also specifically address compliance with E.O. 13112 and FHWA roadside guidance on controlling invasive plant species.

Response

The Summary impact table presented in subsequent environmental documents for the project will include impacts to terrestrial communities. The Natural Resources Technical Report and Supplemental DEIS will include a discussion of invasive species and compliance with E.O. 13112.

**Requests for Project Information**

Comment

**\*Jose Pepi Acebo** – Requested that NCDOT e-mail a link to the plans and the public hearing transcript to [pepi@jbanetwork.com](mailto:pepi@jbanetwork.com).

Response

Drew Joyner (NCDOT) provided the requested information to Mr. Acebo on February 9, 2009 via e-mail.

## **Additional Studies Required**

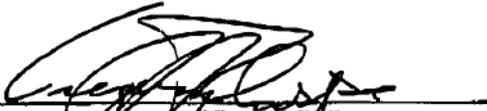
Preliminary Design Plans for Alternative 4B  
Construction Cost Estimate for Alternative 4B  
Right-of-way Cost Estimate (with utilities) for Alternative 4B  
Relocation Report for Alternative 4B  
Develop Public Hearing Maps for Alternative 4B  
Updated Traffic Forecast Memorandum for All Alternatives  
Update Traffic Capacity for All Alternatives based on new forecast  
Update Preliminary Designs based on New Traffic Capacity Analysis  
Update Noise Report for Alternative 4B  
Update Air Quality Report for Alternative 4B  
Update Natural Resources Technical Report for Alternative 4B  
Update Traffic Capacity for All Alternatives based on new forecast  
Update Preliminary Designs based on New Traffic Capacity Analysis  
Update Indirect and Cumulative Effects for Alternative 4B  
Update Community Impact Analysis for Alternative 4B  
Update Hydraulic Technical Report for Alternative 4B  
Update Cultural Resources for Alternative 4B

- Section 106 Meeting on Alternative 4B
- Assess Section 4(f) impacts for Alternative 4B
- Expand Analysis on Land Use Impacts
- Expand Analysis on Economic Effects
- Expand Analysis of Consistency with Existing Plans
- Preliminary Draft of Interchange Modification Report
- Geotechnical/Hazardous Materials Evaluation for Alternative 4B
- Section 404/Merger Application
- Re-visit Concurrence Point 2/2A
- Supplemental Draft Environmental Impact Statement

If you have questions or comments regarding this information, please contact Doug Taylor, NCDOT Project Engineer, at (919) 250-4016 or Peter Trencansky, URS Corporation (Consultant) at (919) 461-1332.

BKC/pt

Approved By



Gregory J. Thorpe, PhD  
NCDOT Branch Manager - Project Development and Environmental Analysis Branch

Approved By



Jay A. Bennett, PE  
NCDOT State Roadway Design Engineer

cc: Attendees