

PROJECT ENVIRONMENTAL CONSULTATION FORM

T.I.P. No. I-4759

Buncombe County

I. General Information

Consultation Phase: Right Of Way Consultation

Project Description: Convert Grade Separation to an Interchange and Construct Roadway, U.S. 19/U.S. 23 (Smokey Park Highway)/N.C. 151 (Pisgah Highway) to S.R. 1224 (Monte Vista Road) with Part on New Location, Federal Aid Project No. STPIMS-040-1(188)42, WBS No. 39970.1.1

Document Type: EA January 2017
FONSI January 2018

II. Conclusions

The above environmental documents has been reevaluated as required by 23 CFR 771. It was determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted below in Section III. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced documents unless noted otherwise herein. Therefore, the original Administrative Action remains valid.

III. Changes in Proposed Action and Environmental Consequences

There are no changes in potential environmental effects from those presented in the above documents.

Water classifications and resources within the project area have not changed since the 2017 EA or 2018 FONSI.

Water resources in the project study area are part of the French Broad River basin (U.S. Geological Survey [USGS] Hydrological Unit 06010105). Twelve streams, one wetland, and one small drainage pond were identified in the project study area. All surface waters identified within the project study area have been assigned a primary water resource classification of "C". There are no trout streams and no anadromous fish waters or Primary Nursery Areas in the project study area.

There are no Outstanding Resource Waters (ORW), High Quality Waters (HQW), or Water Supply Watershed (WS-I or WS-II) streams within one mile of the project study area. A small area at the east side of the project study area along I-40 is within the Targeted Local Watershed HUC 06010105060030. It does not have a Local Watershed Plan. South Hominy Creek, approximately 0.6 mile downstream of the project study area, is listed on NCDWR's Final 2014 303(d) list of Impaired Waters due to benthos fair (Nar, AL, FW).

Design Changes

There have been no changes to the design since the FONSI was completed. The current design will accommodate future 6-lanes for future widening to the I-40 (STIP I-6054C). The I-6054C project will also consider 8-lanes for future widening of I-40. The I-6054C project is in the draft STIP and currently under feasibility study. Based on this proposed project, our current design will be revised to lengthen the bridge

to accommodate the future 8-lanes widening for I-6054C. Any further revisions is proposed to be accommodated within the study area for I-4759 and will be addressed in the construction consultation.

The draft Design Noise Report for the project have been completed and the commitments have been addressed in the attached commitment sheet. Two noise barriers are recommended in the draft DNR. The future widening of I-40 is being studied as a 6 to 8 lane typical section. The draft DNR will be updated to include the new proposed design to lengthen the bridge.

The current design will require an off-site detour for the construction of the southern roundabout. This is a minor change from the EA and FONSI which proposed an on-site detour during construction. The detour route will use Monte Vista Road (SR 1224) and Asbury Road (SR 1234) with a total length of 1.6 miles for approximately 4 months.

IV. Federally Protected Species

As of June 27, 2018, there are fifteen federally listed species for Buncombe County. Four new species have been added to the list for Buncombe County since the 2017 EA: Blue Ridge goldenrod, bunched arrowhead, and mountain sweet pitcher plant. The biological conclusions remain No Effect for the three species. For the rusty-patched bumble bee, the service does not and will not require surveys for RPBB in NC because FWS assumes the state is unoccupied by RPBB.

An updated fish and mussel survey was conducted on September 20, 2017. The biological conclusion for all listed fish and mussels for this project remains No Effect.

Federally protected species listed for Buncombe County.

Scientific Name	Common Name	Federal Status ¹	Habitat Present	Biological Conclusion
<i>Glyptemys muhlenbergii</i>	Bog turtle	T(S/A)	No	Not Required
<i>Glaucomys sabrinus coloratus</i>	Carolina northern flying squirrel	E	No	No Effect
<i>Myotis grisescens</i>	Gray bat	E	Yes	MANLAA ²
<i>Myotis septentrionalis</i>	Northern long-eared bat	T	Yes	⁴
<i>Erimonax monachus</i>	Spotfin chub	T ³	Yes	No Effect
<i>Alasmidonta raveneliana</i>	Appalachian elktoe	E	No	No Effect
<i>Bombus affinis</i>	Rusty-patched bumble bee	E ³	⁵	N/A ⁵
<i>Microhexura montivaga</i>	Spruce-fir moss spider	E	No	No Effect
<i>Epioblasma florentina walkeri</i>	Tan riffleshell	E ³	No	No Effect
<i>Solidago spithamea</i>	Blue Ridge goldenrod	T	No	No Effect
<i>Sagittaria fasciculata</i>	Bunched arrowhead	E ³	No	No Effect
<i>Sarracenia rubra ssp. Jonesii</i>	Mountain sweet pitcherplant	E	No	No Effect
<i>Geum radiatum</i>	Spreading avens	E	No	No Effect
<i>Spiraea virginiana</i>	Virginia spiraea	T ³	Yes	No Effect
<i>Gymnoderma lineare</i>	Rock gnome lichen	E	No	No Effect

¹ T - Threatened, E - Endangered, T (S/A) - Threatened due to similarity of appearance

² May Affect, Not Likely to Adversely Affect

³ Historic

⁴ Northern long-eared bat is consistent with the 4(d) rule

⁵ The Service does not and will not require surveys for RPBB in NC because FWS assumes the state is unoccupied by RPBB

A gray bat survey of the culvert carrying Little Pole Creek was conducted during the active season on June 5, 2018. A memo documenting this survey was sent to USFWS in November 2018 to see if the biological conclusion for this species can be downgraded from May Affect, Not Likely to Adversely Affect, to No Effect. For now, the biological conclusion remains unchanged. The conclusion will be resolved prior to permitting.

V. List of Environmental Commitments

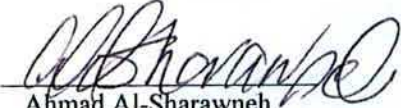
See the attached Project Commitments, Green Sheet, for the environmental commitments developed during the planning and design process of this project.

VI. Coordination

Project Management Unit personnel have discussed current project proposals with others as follows:

Environmental Specialist	Erin Cheely	Date <u>01-22-19</u>
Traffic Noise	Missy Pair	Date <u>01-30-19</u>
GeoEnvironmental	Cyrus Parker	Date <u>01-31-19</u>

VII. NCDOT Concurrence


Ahmad Al-Sharawneh
Project Management, Project Manager

2/7/19
Date


Beverly G. Robinson
Project Management, Team Lead

2/7/19
Date

VIII. FHWA Concurrence


Federal Highway Administration
Division Administrator

2/12/19
Date

PROJECT COMMITMENTS

I-40/Liberty Road Interchange

Convert Grade Separation to an Interchange and Construct Roadway, U.S. 19/23
(Smokey Park Highway)/N.C. 151 (Pisgah Highway) to S.R. 1224 (Monte Vista Road)
with Part on New Location

Buncombe County

Federal Aid Project No. STPIMS-040-1(188)42

WBS No. 39970.1.1

STIP Project No. I-4759

All commitments developed during the project development and design phase have been incorporated into the design. Current status, changes, or additions to the project commitments, as shown in the environmental document for the project are printed in *italic black font*:

NCDOT-Environmental Analysis Unit

Biological Surveys Group

It has been determined that NLEB is consistent with the 4(d) rule, therefore ESA compliance has been satisfied for this species.

Prior to construction, the culvert carrying Little Pole Creek will be surveyed for gray bat during the active season.

Action: The culvert carrying Little Pole Creek was surveyed for gray bat on June 5, 2018 during the active season. A memo documenting this survey was sent to USFWS in November 2018 to see if the biological conclusion for this species can be downgraded from May Affect, Not Likely to Adversely Affect, to No Effect. For now, the biological conclusion remains unchanged.

Traffic Noise Analysis

A comprehensive traffic noise abatement design review, in the form of a Design Noise Report, will be conducted as part of the project's final design.

Action: The draft DNR have been completed, two noise barriers are recommended. Due to proposed design changes, the report will be updated, and recommended barriers will be included in the final updated report.

NCDOT-Project Management

Buncombe County has committed to cost share for the construction of sidewalks on the Liberty Road bridge over I-40. NCDOT-Project Management will continue to coordinate with the county through the design development process in the development of a municipal agreement.

Action: The current design includes sidewalk. A municipal agreement will be prepared prior to construction.

NCDOT-GeoEnvironmental Section

NCDOT-GeoEnvironmental will re-evaluate potential hazardous waste sites near the proposed Liberty Road intersection with U.S. 19/23 (Smokey Park Highway) to determine whether soil and groundwater assessments are necessary prior to right of way acquisition.

Action: An investigation for parcel #28 currently underway. Right of Way recommendation will be provided before this parcel is acquired.

NCDOT-Hydraulics Unit

The Hydraulics Unit will coordinate with the N.C. Floodplain Mapping Program (FMP), the delegated state agency for administering Federal Emergency Management Agency's (FEMA) National Flood Insurance Program, to determine the status of the project with regard to applicability of North Carolina Department of Transportation's (NCDOT) Memorandum of Agreement with FMP, or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR) will be required.

Action: The hydraulics Unit will continue to coordinate through the construction phase of the project.

NCDOT-Highway Division 13

The project will involve construction activities on or adjacent to FEMA-regulated streams. NCDOT Division 13 shall submit sealed as-built construction plans to the Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within 100-year floodplains were built as shown in the construction plans, both horizontally and vertically.

Action: This commitment will be fulfilled after construction is completed.